

## A G E N D A

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for the **REGULAR MEETING** of **RED DEER CITY COUNCIL**  
to be held in the Council Chambers,  
City Hall, **MONDAY, NOVEMBER 14, 1988**  
commencing at **4:30 p.m.**

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- (1) Confirmation of the Minutes of the Regular Meeting and the Organizational Meeting of Red Deer City Council held on October 31, 1988.

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- 3) City Clerk - Re: Hours of Business Bylaw/Pharmaceutical  
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Committee of the Whole

- 1) Legal Matter
- 2) Legal Opinion
- 3) Land Matter
- 4) Legal Matter
- 5) Legal Matter
- 6) Committee Appointment
- 7) Legal Matter
- 8) Land Matter

*Harlan Hullman*  
*Widening 94 Ave. - 6/2/88. Yes*  
*to Alexander Ave*

ADDITIONAL AGENDA

for the Meeting of RED DEER CITY COUNCIL to  
be held on MONDAY, NOVEMBER 14, 1988, at 4:30 p.m.  
in the Council Chambers, City Hall, Red Deer.

1. *Surplus Funds - Alta Transport.*
2. *Bus Replacement.*

NO. 1

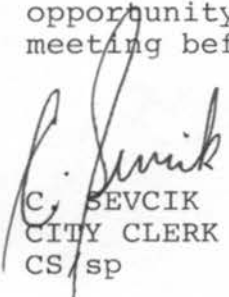
DATE: NOVEMBER 3, 1988  
TO: CITY COUNCIL  
FROM: CITY CLERK  
RE: CONDITION OF PROPERTY, 3820 - 52 AVENUE

---

At the Council meeting of October 17, 1988, Council agreed that it would consider making the following Order at its meeting to be held on November 14, 1988 commencing at 7:00 p.m. or as soon thereafter as Council may determine:

"RESOLVED that Council, being of the opinion that the building and yard hereinafter described is unsightly and constitutes a nuisance by being in a deteriorated condition, Edith G. Sisson, being the owner of 3820 - 52 Avenue in The City of Red Deer, Province of Alberta (hereinafter called 'the premises'), be and is hereby ordered and directed within thirty (30) days of a copy of this resolution being mailed to her by registered mail, to repair and maintain the exterior of the house, chimney, fence and clean up the said property, failing which the Bylaws and Inspections Manager of the City is hereby authorized and directed to cause such work to be done, in which case the cost thereof shall be charged to Edith G. Sisson, and in default of payment shall be charged against the premises as taxes due and owing in respect thereof and shall be recovered as such."

The owner of the property has been served by registered mail Notice of the above and that the owner would be given the opportunity of appearing and being heard by Council at the meeting before the making of the Order.

  
C. SEVCIK  
CITY CLERK  
CS/sp

ACKNOWLEDGEMENT OF RECEIPT  
OF A REGISTERED ITEM

AVIS DE RÉCEPTION D'UN  
ENVOI RECOMMANDÉ

To be filled in by ~~Sender~~

À remplir par l'expéditeur

Name of addressee

Nom du destinataire

*Mrs. Edith H. Simpson*

Street and No., Apt. No., P.O. Box or R.R. No. N° et rue, n° d'app., n° de C.P. ou de R.R.

*3944-51 Street Close*

City Ville

Province

Country

Pays

Postal CODE postal

*Red Deer, Alta.*

*T4P 1G8*

To be completed at destination

As a matter of priority this advice must be signed by the addressee or, if this is not possible, by another person authorized to do so under the regulations of the country of destination, or, if these regulations so provide, by the official of the office of destination and returned by the first mail direct to the sender.

À compléter à destination

Cet avis doit être signé en priorité par le destinataire et, si cela n'est pas possible, par une autre personne y autorisée en vertu des règlements du pays de destination, ou, si ces règlements le prévoient, par l'agent du bureau de destination et renvoyé par le premier courrier directement à l'expéditeur.

The registered item referred to was delivered on:

L'item recommandé décrit a été livré le:

*Dec 5 1988*

Signature of Official at Office of Delivery

Signature de l'agent du bureau de destination

Signature of Addressee or Authorized Representative

Signature du destinataire ou de son représentant

*J. Hanson*

Date Stamp of Office of Delivery

Timbre à date du bureau de destination

**578371**  
R.P.O. 2  
**15 DEC 1988**  
RED DEER, ALBERTA

33-086-230 (9-85)



Canada Post Société canadienne  
Corporation des postes

C 5

To be filled in by the Office of Origin		À remplir par le bureau d'origine	
Office of Posting		Bureau de dépôt	
<i>City Clerks.</i>			
Item No d'envoi	Date of Posting	Date de dépôt	
<i>CAR 802</i>	<i>Nov 30/88</i>		

On Postal Service  
Service des postes



RETURN TO  
RETOURNER A:

To be filled in by Sender  
Please Print Clearly

À remplir par l'expéditeur  
En lettres moulées S.V.P.

Name Nom  
*The City of Red Deer, City Clerks*

Street No. Apt. No. P.O. Box or R.R. No. No. et rue, No d'app., No de C.P. ou de R.R.

*Box 5008*

City Ville Province  
*Red Deer, Alta. T4N 3T4*

CANADA

Postal CODE postal

*Nov 14/88*

ACKNOWLEDGEMENT OF RECEIPT  
OF A REGISTERED ITEM

AVIS DE RÉCEPTION D'UN  
ENVOI RECOMMANDÉ

To be filled in by Sender

À remplir par l'expéditeur

Name of addressee

Nom du destinataire

Ms. Edith G. Sisson 3905-51A ST.

Street and No., Apt. No., P.O. Box or R.R. No. N° et rue, n° d'app., n° de C.P. ou de R.R.

RED DEER ALBERTA

T4P 1H3.

City Ville

Province

Country

Pays

Postal CODE postal

To be completed at destination

À compléter à destination

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Cet avis doit être signé en priorité par le destinataire et, si cela n'est pas possible, par une autre personne y autorisée en vertu des règlements du pays de destination, ou, si ces règlements le prévoient, par l'agent du bureau de destination et renvoyé par le premier courrier directement à l'expéditeur.

The registered item referred to was delivered on:

L'item recommandé décrit a été livré le:

Oct 26 1988

Signature of Official at Office of Delivery

Signature de l'agent du bureau de destination

Signature of Addressee or Authorized Representative

Signature du destinataire ou de son représentant

Date Stamp of Office of Delivery

Timbre à date du bureau de destination

578371

R.P.O. 2

26 OCT 1988

RED DEER, ALBERTA

33-086-230 (9-85)



Canada Post Société canadienne  
Corporation des postes

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CITY CLERKS	
Item N° d'envoi	Date of Posting Date de dépôt
EART80	Oct 19/88

AR

On Service  
Posta des  
Service postes

RECEIVED  
OCT 20 1988  
CITY OF RED DEER

RETURN TO:  
RETOURNER A:

To be filled in by Sender  
Please Print Clearly

À remplir par l'expéditeur  
En lettres moulées S.V.P.

Name Nom

CITY OF RED DEER Box 5008

St and No., Apt. No., P.O. Box or R.R. No. N° et rue, n° d'app., n° de C.P. ou de R.R.

RED DEER

ALBERTA

City Ville

Province

Nov 14/88

CANADA

T4N 1J3

Postal CODE postal



ACKNOWLEDGEMENT OF RECEIPT  
OF A REGISTERED ITEM

AVIS DE RÉCEPTION D'UN  
ENVOI RECOMMANDÉ

To be filled in by Sender

À remplir par l'expéditeur

Name of addressee

Nom du destinataire

Ms. Edith G. Sisson 3944-51 St. Close

Street and No., Apt. No., P.O. Box or R.R. No. N° et rue, n° d'app., n° de C.P. ou de R.R.

Red Deer Alberta T4P 1G8

City

Ville

Province

Country

Pays

Postal CODE postal

To be completed at destination

À compléter à destination

As a matter of priority this advice must be signed by the addressee or, if this is not possible, by another person authorized to do so under the regulations of the country of destination, or, if these regulations so provide, by the official of the office of destination and returned by the first mail direct to the sender.

Cet avis doit être signé en priorité par le destinataire et, si cela n'est pas possible, par une autre personne y autorisée en vertu des règlements du pays de destination, ou, si ces règlements le prévoient, par l'agent du bureau de destination et renvoyé par le premier courrier directement à l'expéditeur.

Date Stamp  
of Office  
of Delivery

Timbre à  
date du  
bureau de  
destination

The registered  
item referred to  
was delivered on:

L'item recom-  
mandé décrit  
a été livré le:

Oct 26

19 88

Signature of  
Official at  
Office of  
Delivery

Signature de  
l'agent du  
bureau de  
destination

Signature of  
Addressee or  
Authorized  
Representative

Signature du  
destinataire  
ou de son  
représentant

578371  
R.P.O. 2  
26 OCT 1988  
RED DEER, ALBERTA

33-086-230 (9-85)



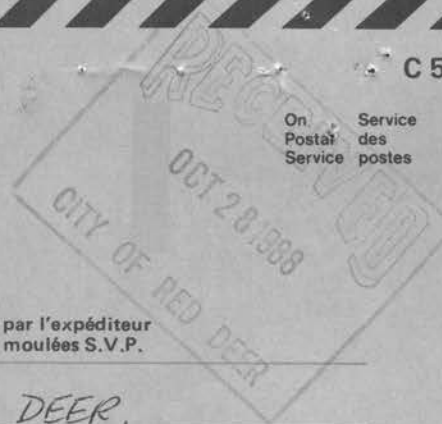
Canada Post Société canadienne  
Corporation des postes

C 5

To be filled in by the Office of Origin	A remplir par le bureau d'origine
Office of Posting	Bureau de dépôt
City Clerks Dept.	
Item No. d'envoi CAR 781	Date of Posting Date de dépôt Oct 20 / 88



On Postal Service  
Service des postes



RETURN TO:  
RETOURNER A:

To be filled in by Sender  
Please Print Clearly

À remplir par l'expéditeur  
En lettres moulées S.V.P.

Name Nom

CITY OF RED DEER.

St and No., Apt. No., P.O. Box or R.R. No. N° et rue, n° d'app., n° de C.P. ou de R.R.

RED DEER Box 5008 ALBERTA.

City Ville

Province

CANADA

T4 N 3 T4

Postal CODE postal

**THE CITY OF RED DEER**

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

October 18, 1988

Ms. Edith G. Sisson  
3944 - 51 Street Close  
Red Deer, Alberta  
T4P 1G8

Dear Ms. Sisson:

RE: CONDITION OF PROPERTY/3820 - 52 Ave.

Take notice that Council of The City of Red Deer will at its meeting to be held in the Council Chambers of City Hall, Red Deer, Alberta, the 14th day of November 1988, commencing at 7:00 p.m. or as soon thereafter as Council may determine, consider making the following Order.

"RESOLVED that, Council being of the opinion that the building and yard hereinafter described is unsightly and constitutes a nuisance by being in a deteriorated condition, Edith G. Sisson, being the owner of 3820 - 52 Avenue in The City of Red Deer, Province of Alberta (hereinafter called 'the premises'), be and is hereby ordered and directed within thirty (30) days of a copy of this resolution being mailed to her by registered mail, to repair and maintain the exterior of the house, chimney, fence and clean-up the said property, failing which the Bylaws and Inspections Manager of the City is hereby authorized and directed to cause such work to be done, in which case the cost thereof shall be charged to Edith G. Sisson, and in default of payment shall be charged against the premises as taxes due and owing in respect thereof and shall be recovered as such."

And further take notice that you will be given the opportunity of appearing and being heard by Council at the meeting before the making of the Order.

Sincerely,

C. Sevcik  
City Clerk  
CS/ds  
c.c. Bylaws & Inspections Manager

DOUBLE REGISTERED

DATE: November 15, 1988  
TO: Bylaws & Inspections Manager  
FROM: City Clerk  
RE: CONDITION OF PROPERTY/3820 - 52 AVENUE/EDITH G. SISSON


---

At the Council Meeting of November 14, 1988, the above topic was considered. Mrs. Sisson appeared at the Council meeting and indicated that she has undertaken some improvements to the property.

At the aforesaid meeting, you pointed out 4 minor things which needed to be attended to, namely:

1. trim the hedge
2. clear up the dog run
3. rake the grass
4. replace missing siding on south side of house

Council agreed the matter be tabled for a period of two weeks to enable you to meet with Mrs. Sisson to resolve the work that has to be completed to your satisfaction and Council would like you to report back in two weeks' time. At the next meeting, November 28, if the work is not completed to your satisfaction, presumably Council will consider passing the Order which is on the table.



C. Sevcik  
City Clerk  
CS/ds

DEC. 1, 1988

City Clerk  
Red Deer

THE CITY OF RED DEER	
CLERK'S DEPARTMENT	
RECEIVED	
TIME	9:05
DATE	Dec 1/88
BY	ls

*file*

Sir:

I was surprised to read Tuesday news paper about the resolution pass by council.

I want to appeal to the council as its unfair decision to pass that kind of resolution.

Thank's

Sincerely,

Edith Sison

Not necessary to refer to council  
as Mayor arrives 88/12/08 that  
Bylaws + Inspections Mgr inspected  
the site and advised that  
Mrs Sison has fulfilled the  
requirements to his satisfaction.  
88/12/08 ls.

NO. 2

DATE: November 7, 1988  
TO: City Clerk  
FROM: Director of Engineering Services  
RE: ROSS STREET IN THE VICINITY OF 37 AVENUE

---

October 17, 1988 Council Resolution:

"Resolved that Council of The City of Red Deer, having considered correspondence from the Red Deer Public School District No. 104 dated September 30, 1988, re: Pedestrian Crossing, Ross Street and 37 Avenue, request for traffic signal installation, hereby agree that a full set of traffic lights not be installed at Ross Street and 37 Avenue at this time and Council further directs that the Engineering Department review the parking provisions on both sides adjacent to the pedestrian lights at Ross Street and 37 Avenue to ascertain whether the site distance is adequate and if required, make any necessary changes the Director of Engineering Services deems appropriate and as recommended to Council October 17, 1988, by the Administration."

Further to the above Council resolution, the Engineering Department has investigated the feasibility of:

1. Using permanent markings to identify the crosswalk on Ross Street west of 37 Avenue.
2. Prohibiting parking on Ross Street in advance of 37 Avenue.
3. Installing signals on the Ross Street/Cornett Drive intersection.
4. Installing School/Playground Zone signs at the Ross Street/37 Avenue intersection.
5. Installing 50 km/h Zone sign on Ross Street.

PERMANENT PAVEMENT MARKINGS

Permanent thermoplastic pavement markings have been installed at the crosswalk on Ross Street east of 37 Avenue in October 1988.

City Clerk  
Page 2  
November 7, 1988  
File: 070-029

#### PARKING PROHIBITION

The City normally tries to accommodate the public's need for parking on-street or in front of their residences; unless the road is too narrow, the traffic is too congested, or the sight distance is too restrictive.

To minimize parking removal in front of residences, Council may wish to prohibit parking on both sides of Ross Street for a distance of 30 m in advance of the 37 Avenue crosswalks. Parking is already prohibited from 8 a.m. to 6 p.m., Monday to Friday on the north side of Ross Street for a distance of 13.5 m in advance of the 37 Avenue crosswalk.

#### SIGNALIZATION OF ROSS STREET/CORNETT DRIVE INTERSECTION

Warrant analysis based on estimated traffic volumes at the above intersection has resulted in a priority point of 75. The Warrant System recommends signal installation when the total priority rating for the intersection equals or exceeds 100. The Traffic Signal Warrant Analysis intends to investigate the net improvements in safety, convenience, and economical movement of persons and goods based on accident history, vehicular volumes, pedestrian volumes, and proximity of adjacent traffic signals, and the degree of restrictions for potential signal synchronization.

It is, therefore, recommended that signals not be installed, but field survey and signal warrant analysis be scheduled for in the year 1990.

#### SCHOOL/PLAYGROUND ZONE INSTALLATION ON ROSS STREET NEAR 37 AVENUE

The installation of the above zones are not recommended on arterial roadways. Ross Street is also too far removed from any school or playground. In this situation, a School or Playground Zone would receive a poor level of compliance, and would be a detriment to the credibility and safety of all School/Playground Zones in the City.



City Clerk  
Page 3  
November 7, 1988  
File: 070-029

4.

#### INSTALLATION OF 50 KM/H SPEED LIMIT SIGNS

The Highway Traffic Act states "except when a higher rate of speed is prescribed pursuant to section 5 or 14, no person shall drive in an urban area at a greater rate of speed than 50 kilometers per hour."

Selective signing of a general rule could result in the misunderstanding that the general rule is not in effect where no sign exists. Therefore, the installation of 50 km/h signs at this location is not recommended.

In summary, Council could consider:

- a. Removal of additional parking to increase sight distance as previously noted.
- b. The conducting of Signal Warrant Analysis at the Ross Street/Cornett Drive intersection in 1990 to further determine the signal schedule.



Bryon C. Jeffers, P. Eng.  
Director of Engineering Services

GB/CYL/emg

- c.c. R.E. Congdon, Assistant Superintendent, Business Services,  
Red Deer Public School District No. 104, 4747-53 Street, Red  
Deer, Alberta, T4N 2E6  
c.c. V. Parker, Red Deer Regional Planning Commission  
c.c. Inspector L.L. Pearson, RCMP, City Detachment  
c.c. Director of Finance  
c.c. A. Cooper, Principal, Joseph Welsh Elementary School, 4401-37  
Avenue, Red Deer, Alberta, T4N 2T5

#### Commissioners' Comments

We would concur with the comments of the Dir. of Engineering Services with respect to parking and recommend that Council authorize the removal of parking for a distance of 30 meters in advance of the 37 Ave. crosswalk.

With respect to traffic signals at Ross Street and Cornett Drive, we presume that this is one of the intersections which is the subject of ongoing traffic analysis and would recommend that monitoring be continued until the Warrant analysis indicates the necessity for traffic signals.

"R.J. MCGHEE", Mayor

"M.C. DAY", City Commissioner

DATE: October 20, 1988  
TO: Dir. of Engineering Services  
FROM: City Clerk  
RE: PEDESTRIAN CROSSING/ROSS STREET & 37 AVENUE

---

Further to our letter to the Red Deer Public School District concerning the above topic, I trust that your Department will investigate with the Public School District the suggestions made by members of Council at the October 17th meeting.

No doubt, you will want to report back to Council as to your recommendations in this regard.



C. Sevcik  
City Clerk  
CS/as

c.c. Inspector Pearson  
Urban Planner

**THE CITY OF RED DEER**

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

October 20, 1988

Red Deer Public School District No. 104  
4747 - 53 Street  
Red Deer, Alberta  
T4N 2E6

Attention: Mr. R.E. Congdon, Asst. Supt., Business Services

Dear Mr. Congdon:

RE: PEDESTRIAN CROSSING/ROSS STREET AND 37 AVE.

I would advise that your letter of September 30, 1988, concerning the above was considered by Council October 17, 1988, and at which meeting Council passed the following motion:

"RESOLVED that Council of The City of Red Deer, having considered correspondence from the Red Deer Public School District No. 104 dated September 30, 1988, re: Pedestrian Crossing, Ross Street & 37 Avenue, request for traffic signal installation, hereby agree that a full set of traffic lights not be installed at Ross Street & 37 Avenue at this time and Council further directs that the Engineering Department review the parking provisions on both sides adjacent to the pedestrian lights at Ross Street and 37 Avenue to ascertain whether the site distance is adequate and if required, make any necessary changes the Director of Engineering Services deems appropriate and as recommended to Council October 17, 1988, by the Administration."

The above decision is submitted for your information and while Council did not agree to a full set of traffic lights being installed as requested, the Engineering Department was requested to investigate the following suggestions:

1. Installation of a "school zone sign"
2. Installation of a "school children crossing sign" in advance of the flashing light
3. Reduction of the speed limit on Ross Street in this area.

With regard to the matter of permanent crosswalk markings, it was indicated by the Technical Services Engineer that said markings should be installed in the next week or two.

Trusting you will find this satisfactory, and by way of a copy of this letter, we are requesting the Engineering Department to be in contact with you to discuss the alternative solutions suggested above. If you have any questions, please do not hesitate to contact the undersigned.

Page 2  
Red Deer Public School District No. 104  
October 20, 1988

Thank you for writing to us with your concerns.

Sincerely,

A handwritten signature in dark ink, appearing to read "C. Sevcik". The signature is written in a cursive style with a large, looping initial "C".

C. Sevcik  
City Clerk  
CS/ds

c.c. Dir. of Engineering Services  
Inspector Pearson  
Associate Planner, V. Parker  
Dir. of Finance

DATE: November '15, 1988  
TO: Dir. of Engineering Services  
FROM: City Clerk  
RE: PEDESTRIAN CROSSWALK ON ROSS STREET AND 37 AVENUE

---

Your report of November 7, 1988, concerning the above topic was considered by Council November 14, 1988, and at which meeting Council passed the following motion.

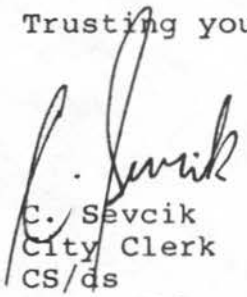
"RESOLVED that Council of The City of Red Deer having considered report from the Director of Engineering Services dated November 7, 1988, re: Pedestrian Crossing, Ross Street and 37 Avenue hereby agree that:

1. Parking be prohibited on both sides of Ross Street for a distance of 30 meters in advance of the 37 Avenue crosswalks;
2. That monitoring of the Ross Street and 37 Avenue intersection be continued until the Warrant Analysis indicates the necessity for traffic signals

and as recommended to Council November 14, 1988."

The decision of Council in this instance is submitted for your information and appropriate action.

Trusting you will find this satisfactory.



C. Sevcik  
City Clerk  
CS/ds

c.c. Urban Planner  
Inspector Pearson  
Dir. of Finance

**THE CITY OF RED DEER**

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

November 15, 1988

Red Deer Public School District No. 104  
4747 - 53 Street  
Red Deer, Alberta  
T4N 2E6

Attention: Mr. R.E. Congdon, Asst. Supt., Business Services

Dear Mr. Congdon:

RE: PEDESTRIAN CROSSING/ROSS STREET & 37 AVENUE

Further to our letter of October 20, 1988, concerning the above topic, I would advise that the attached report dated November 7, 1988, from the Director of Engineering Services concerning said matter was considered by Council November 14, 1988.

At the aforesaid Council meeting, the following motion was passed:

"RESOLVED that Council of The City of Red Deer having considered report from the Director of Engineering Services dated November 7, 1988, re: Pedestrian Crossing, Ross Street and 37 Avenue hereby agree that:

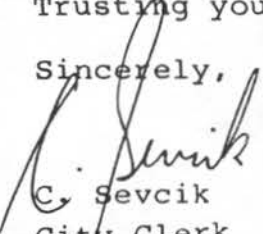
1. Parking be prohibited on both sides of Ross Street for a distance of 30 meters in advance of the 37 Avenue crosswalks;
2. That monitoring of the Ross Street and 37 Avenue intersection be continued until the Warrant Analysis indicates the necessity for traffic signals

and as recommended to Council November 14, 1988."

The decision of Council in this instance is submitted for your information and if you have any questions, please do not hesitate to contact the undersigned.

Trusting you will find this satisfactory.

Sincerely,

  
C. Sevcik  
City Clerk  
CS/ds

c.c. Dir. of Engineering Services

DATE: NOVEMBER 30, 1988  
TO: DIRECTOR OF ENGINEERING SERVICES  
FROM; CITY CLERK  
RE; PEDESTRIAN CROSSWALK ON ROSS STREET & 37 AVENUE

---

Your memo of November 24, 1988 concerning the above, is hereby acknowledged with thanks.

As noted in your memo, Item 2. of the Council resolution of November 14, 1988 directs that Ross Street and 37 Avenue Intersection be monitored. THIS IS AN ERROR IN THE RESOLUTION AND IT SHOULD HAVE READ ROSS STREET/CORNETT DRIVE INTERSECTION.

I thank you for bringing this to our attention.

  
C. SEVCIK  
CITY CLERK  
CS/SP

c.c. Urban Planner  
Inspector Pearson  
Director of Finance

Mr. R. E. Congdon  
Assistant Superintendent  
Business Services  
Red Deer Public School District No. 104



DATE: November 24, 1988

TO: City Clerk

FROM: Director of Engineering Services

RE: PEDESTRIAN CROSSWALK ON ROSS STREET AND 37 AVENUE

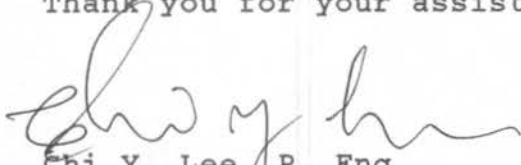
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Please refer to your November 15, 1988 memo (copy attached).

Please clarify if item 2 of the Council resolution directs that the Cornett Drive/Ross Street intersection or the 37 Avenue/Ross Street intersection be monitored.

The Engineering Department's recommendation was that no signal be installed at the Ross Street/37 Avenue intersection. However, the Ross Street/Cornett Drive intersection should be monitored in 1990.

Thank you for your assistance.



Chi Y. Lee, P. Eng.  
Traffic Engineer

CYL/emg  
Att.

DATE: November 15, 1988

NOV 16 1988

TO: Dir. of Engineering Services

FROM: City Clerk

RE: PEDESTRIAN CROSSWALK ON ROSS STREET AND 37 AVENUE

*Bryon  
Kerry  
Eric  
Jeno*

Your report of November 7, 1988, concerning the above topic was considered by Council November 14, 1988, and at which meeting Council passed the following motion.

"RESOLVED that Council of The City of Red Deer having considered report from the Director of Engineering Services dated November 7, 1988, re: Pedestrian Crossing, Ross Street and 37 Avenue hereby agree that:

1. Parking be prohibited on both sides of Ross Street for a distance of 30 meters in advance of the 37 Avenue crosswalks;
2. That monitoring of the Ross Street and 37 Avenue intersection be continued until the Warrant Analysis indicates the necessity for traffic signals

*discuss  
please*

and as recommended to Council November 14, 1988."

The decision of Council in this instance is submitted for your information and appropriate action.

Trusting you will find this satisfactory.

*C. Sevcik*  
C. Sevcik  
City Clerk  
CS/ds

c.c. Urban Planner  
Inspector Pearson  
Dir. of Finance

**THE CITY OF RED DEER**

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

Clerk's Department 342-8132

November 15, 1988

Red Deer Public School District No. 104  
4747 - 53 Street  
Red Deer, Alberta  
T4N 2E6

Attention: Mr. R.E. Congdon, Asst. Supt., Business Services

Dear Mr. Congdon:

RE: PEDESTRIAN CROSSING/ROSS STREET & 37 AVENUE

Further to our letter of October 20, 1988, concerning the above topic, I would advise that the attached report dated November 7, 1988, from the Director of Engineering Services concerning said matter was considered by Council November 14, 1988.

At the aforesaid Council meeting, the following motion was passed:

"RESOLVED that Council of The City of Red Deer having considered report from the Director of Engineering Services dated November 7, 1988, re: Pedestrian Crossing, Ross Street and 37 Avenue hereby agree that:

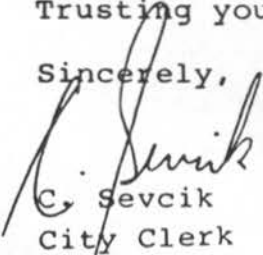
1. Parking be prohibited on both sides of Ross Street for a distance of 30 meters in advance of the 37 Avenue crosswalks;
2. That monitoring of the Ross Street and 37 Avenue intersection be continued until the Warrant Analysis indicates the necessity for traffic signals

and as recommended to Council November 14, 1988."

The decision of Council in this instance is submitted for your information and if you have any questions, please do not hesitate to contact the undersigned.

Trusting you will find this satisfactory.

Sincerely,



C. Sevcik  
City Clerk  
CS/ds

c.c. Dir. of Engineering Services

NO. 3

DATE: NOVEMBER 2, 1988  
TO: CITY COUNCIL  
FROM: CITY CLERK  
RE: HOURS OF BUSINESS BYLAW

---

5.

At the Council meeting of October 31, 1988, the following motion was passed agreeing a Committee be struck to bring back recommendations regarding possible amendments to the Hours of Business Bylaw:

"RESOLVED that Council of The City of Red Deer, having considered all correspondence and petitions received regarding the Hours of Business Bylaw, and having considered all presentations made at the Public Meeting October 18, 1988, hereby agree as follows:

1. That a Committee consisting of three members of Council be struck to review the concerns in those areas of pharmaceutical services and to bring back recommendations for Council's consideration to the next meeting of Council November 14, 1988."

Alderman Pimm, Alderman Moffat and Alderman McGregor were appointed to the aforementioned Committee. Attached hereto are recommendations from the said Committee for Council's consideration.

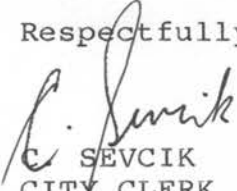
I would further advise that at the Council meeting of October 31, 1988, a further motion was introduced as follows:

Moved by Alderman Pimm, seconded by Alderman Surkan

"THAT another Plebiscite be held on the issue in conjunction with the 1989 general election."

Prior to voting on the above motion, a tabling motion was introduced that the said matter be tabled until the November 14, 1988 meeting for consideration following the Committee's recommendations.

Respectfully submitted,

  
C. SEVCIK  
CITY CLERK  
CS/sp

DATE: November 8, 1988  
TO: City Clerk  
FROM: Committee for the Review of the Hours of Business Bylaw  
RE: DECISION OF COMMITTEE MEETING OF NOVEMBER 4, 1988

---

In accordance with the October 31, 1988, resolution of Council, the above committee, consisting of Aldermen MacGregor, Pimm and Moffat, met on November 4, 1988.

During the meeting, the effect the Bylaw has on pharmacies was discussed, as well as the overall effect of the Bylaw. Attached is a list of firms that operate a pharmacy in conjunction with other business activities. There are presently four drugstores that can remain open seven days a week: Guardian Drugs (5201 - 43 Street), Bishop's Drugs Downtown (main floor only), Clinic Pharmacy (Associate Clinic) and Glendale Drugs, as their main floor area is under 3,000 square feet.

The Committee was unable to reach a consensus on a recommendation to Council. Instead, a list of options was prepared, which are as follows:

1. Leave Bylaw in its present form
2. Rescind Bylaw
3. a) Hold a referendum on Bylaw now  
b) Hold a referendum on Bylaw at election time (1989)
4. Exempt all businesses that operate a drugstore or pharmacy
5. Increase the floor area exemption for pharmacies or drugstores to:
  - a) 5,000 square feet - under this option, the following businesses could open seven days a week: Eastview Drugs, Bishop's Downtown, Westpark Drugs, Guardian Drugs, Pine Drugs, Highland Super Drugs, Associate Clinic, Valentine Drugs and Glendale Drugs. The following would have to be closed one day per week: Woolco, Bishop's Port-O-Call, Shopper's Drug Mart, Mountview I.D.A., Boots Drugs, London Drugs and Co-op.
  - b) 8,000 square feet - under this option, the following could open: Eastview Drugs, Bishop's Downtown and Port-O-Call, Westpark Drugs, Guardian Drugs, Pine Drugs, Highland Super Drugs, Mountview I.D.A., Associate Clinic, Valentine Drugs, Shoppers Drug Mart, Boots Drugs and Glendale Drugs. The following would have to be closed one day per week: Woolco, London Drugs and Co-op.

We trust this is of information to you.

R. Strader  
FOR THE COMMITTEE

/ds  
Enclosure

<u>DRUG STORE</u>	<u>TOTAL SQUARE FEET</u>
London Drugs	24,780
Eastview Drugs	3,760
Bishop's - Port-O-Call	5,311
- Downtown	2,980
Westpark Drugs	4,150
Guardian Drugs	2,800
Shopper's Drug Mart	7,531
Pine Drugs	4,578 (till Nov. 1/88 4,200 (after Nov. 1/88)
Highland Super Drugs	4,161
Sproule's (Mountview I.D.A.)	6,355
Boots Drugs	6,787
Associate Clinic	2,214
Valentine Drugs	4,108
Glendale Drugs	1,620
Woolco	128,034
Co-Op	52,936



city of  
MEDICINE HAT

580 - 1st STREET S.E., MEDICINE HAT, ALBERTA T1A 8E6

• TELEPHONE: (403) 529-8100

• FAX: (403) 526-1239

• TELEX: 03-825593

TELECOMMUNICATION LETTER

PLEASE DELIVER THE FOLLOWING PAGE(S) TO:

NAME: Charlie Sevcik - City of Red Deer

TELECOPIER NUMBER: 346 6195

FROM: L. Godin, City Clerks Office

DATE: Nov. 1/88

TOTAL NUMBER OF PAGES 8 INCLUDING COVER LETTER.

IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CONTACT Larry

AT (403) 529 8220

TELECOPIER (403) 526-1239

SPECIAL INSTRUCTIONS: \_\_\_\_\_

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## BY-LAW NO: 2519

BEING A BY-LAW OF THE CITY OF MEDICINE HAT TO REGULATE AND CONTROL THE DAYS AND HOURS THAT BUSINESSES ARE REQUIRED TO CLOSE.

WHEREAS the Municipal Government Act, R.S.A. c.M-26, as amended, empowers a municipality to regulate and control the days and hours during which businesses are required to close;

AND WHEREAS the Council of the City of Medicine Hat wishes to ensure that at least one day in the week remains substantially free of commercial activities so that the residents of the City of Medicine Hat might benefit thereby and be permitted to engage in family, social, recreational and other activities so as to enhance the quality of life and to promote generally the health and welfare of the residents of the City of Medicine Hat;

NOW THEREFORE THE COUNCIL OF THE CITY OF MEDICINE HAT, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This by-law may be cited as "The Days and Hours of Business By-Law".
2. In this by-law:
  - (a) AREA OF RETAIL BUSINESS ESTABLISHMENT means the total area of the building or premises, where a retail business is carried on, as calculated by and recorded in the records of the City's Building Inspector;
  - (b) AUTOMOTIVE DEALER means a retail business establishment for the display and sale of automobiles, trucks, travel trailers, camper trailers or recreational vehicles;
  - (c) BUSINESS means businesses, shops, or industries.

PAGE 2 OF BY-LAW NO: 2519

- (d) BUSINESS DAY means Monday, Tuesday, Wednesday, Thursday, Friday and Saturday except where these days are holidays as defined herein.
- (e) CLOSED means not open for the selling or offering for sale of goods or services to customers on a retail basis.
- (f) CONDUCT BUSINESS means:
  - (i) to allow a retail business establishment to be open for the serving of any customer;
  - (ii) to sell, offer to sell, attempt to sell goods or services; or
  - (iii) to allow goods or services to be sold or offered for sale.
- (g) HOLIDAY means
  - (i) New Year's Day
  - (ii) Good Friday
  - (iii) Remembrance Day (between the hours of 9:00 a.m. and 12:00 noon)
  - (iv) Christmas Day
  - (v) December 26th
- (h) PERSON includes an individual, a society, a co-operative, a corporation, the members of a partnership or joint venture, and the heirs, executors, administrators or legal representatives of a person.
- (i) RETAIL BUSINESS means a business selling or offering for sale goods or services by retail trade.
- (j) RETAIL BUSINESS ESTABLISHMENT means the premises, buildings, booth, stall or place where a business is carried on and includes any booth, stall or place where goods are exposed or offered for sale.

(k) RETAIL FOOD STORE means a retail business establishment where the principal business is the selling or offering for sale of foodstuffs.

3. The business or classes of business described below are exempt from the operation of this by-law:

(a) businesses other than retail businesses:

(b) retail businesses whose principal business is the selling or offering for sale of one or more of the classes of goods or services set out in Schedule "A":

(c) a fair or exhibition that is lawfully held;

(d) a bazaar for charitable or religious purposes;

(e) a business, the days or hours of which are regulated pursuant to an Act of the legislature;

(f) a pharmacy licensed under the Pharmaceutical Association Act where, on that day,

(i) the dispensing of prescription drugs is available to the public at all times that the business is open to the public;

(ii) the principal business of the pharmacy is the selling of goods of a pharmaceutical or therapeutic nature or for hygienic or cosmetic purposes;

(g) retail food stores where the area of Retail Business Establishment is less than seven thousand (7,000) square feet;

4. Retail business establishments within the boundaries of the City of Medicine Hat shall remain closed except where authorized by this by-law to be open. Retail business establishments may be open during the days and hours specified below:
- (a) except where otherwise provided by this by-law, on a business day between the hours 8:00 a.m. and 10:00 p.m;
  - (b) where the retail business establishment is an automotive dealer, on a business day between the hours 7:00 a.m. and 10:00 p.m;
  - (c) on not more than four (4) business days in any calendar year between the hours 8:00 a.m. and 1:00 a.m. of the following day provided that before remaining open pursuant to this provision, the retail business must have given the City Clerk of the City of Medicine Hat at least two (2) clear days notice in writing of its intention to open;
  - (d) on not more than four (4) Sundays in any calendar year, between the hours 12:00 noon and 6:00 p.m. provided that none of the Sundays shall otherwise be a holiday, and further provided that the retail business must have given the City Clerk of the City of Medicine Hat at least two (2) clear days notice in writing of its intention to open;
  - (e) the time beyond the hours specified for a business day necessary to finish serving customers in the retail business establishment at its time of closing;
5. Notwithstanding Clause 3, retail business establishments may open where an emergency exists and the provision of goods or services offered for sale by the retail business is immediately required.

6. (a) No person carrying on a retail business or being in the actual or apparent possession or control of a retail business establishment shall conduct business or admit members of the public to a retail business establishment at a time the retail business establishment is to be closed pursuant to this by-law;
- (b) No person employed by or acting on behalf of a person carrying on a retail business shall conduct business or admit members of the public to the retail business establishment at a time the retail business establishment is to be closed pursuant to this by-law.
7. Every person who contravenes Clause 6(a) is guilty of an offence and is liable upon summary conviction to:
  - (a) a fine of not more than \$2,000.00 for the first offence;
  - (b) a fine of not less than \$2,000.00 and not more than \$5,000.00 for a second offence;
  - (c) a fine of not less than \$5,000.00 and not more than \$10,000.00 for a third or subsequent offence.
8. Every person who contravenes Clause 6(b) is guilty of an offence and is liable upon summary conviction to a fine of not more than \$200.00.
9. If there is a conflict between or inconsistency with a provision of this by-law and any other by-law of the City of Medicine Hat, this by-law prevails.
10. If a court of competent jurisdiction should declare any section or subsection of this by-law to be invalid, such section or subsection shall not be construed as having persuaded or influenced Council to

PAGE 6 OF BY-LAW NO: 2519

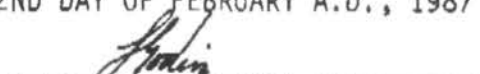
pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and remain in force.

11. By-Laws 1524, 1634, <sup>Repealed  
By</sup> 2433, 2436, 2472, and 2481 are hereby repealed.

12. This by-law comes into force upon the date of the final passing.

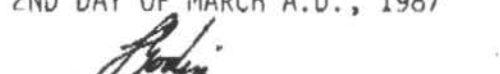
READ A FIRST TIME IN OPEN COUNCIL THIS 2ND DAY OF FEBRUARY A.D., 1987

  
MAYOR - TED J. GRIMM

  
CITY CLERK - LARRY P. GODIN


READ A SECOND TIME IN OPEN COUNCIL THIS 2ND DAY OF MARCH A.D., 1987

  
MAYOR - TED J. GRIMM

  
CITY CLERK - LARRY P. GODIN

READ A THIRD TIME AND FINALLY PASSED IN OPEN COUNCIL THIS 2ND DAY OF MARCH A.D., 1987

  
MAYOR - TED J. GRIMM

  
CITY CLERK - LARRY P. GODIN



PAGE 7 OF BY-LAW NO: 2519

## SCHEDULE "A" TO BY-LAW NO:

- (a) Nursery stock or bedding plants;
- (b) Serving prepared meals;
- (c) Providing the public with prepared food and any drink that may lawfully be sold, for consumption either on or off the premises;
- (d) Providing living accommodation;
- (e) Laundromats, Car-washes, or other coin-operated services;
- (f) Gasoline and motor oil for consumption in the operation of a motor vehicle, boat or aircraft;
- (g) Servicing, repairing or rental of motor vehicles, boats or aircraft;
- (h) Rental of goods and equipment for sports, entertainment, recreation, or use about the home and garden;
- (i) Tobacco, cigars, cigarettes or smokers' sundries;
- (j) Newspapers, magazines, periodicals, pamphlets, books or souvenirs;
- (k) Handicrafts;
- (l) Live or cinematic productions, displays, exhibits or facilities for educational, recreational, cultural, entertainment or amusement purposes, and goods and services incidental to those services.
- (m) Transporting passengers or goods for hire.

DATE: November 8, 1988

TO: City Clerk

FROM: Committee for the Review of the Hours of Business Bylaw

RE: DECISION OF COMMITTEE MEETING OF NOVEMBER 4, 1988

In accordance with the October 31, 1988 resolution of Council, the above committee, consisting of Aldermen MacGregor, Pimm and Moffat, met on November 4, 1988.

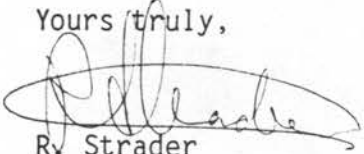
During the meeting, the effect the Bylaw has on pharmacies was discussed, as well as the overall effect of the Bylaw. Attached is a list of firms that operate a pharmacy in conjunction with other business activities. There are presently four drugstores that can remain open seven days a week: Guardian Drugs (5201 - 43 Street), Bishop's Drugs Downtown (main floor only), Clinic Pharmacy (Associate Clinic) and Glendale Drugs, as their main floor area is under 3,000 square feet.

The Committee was unable to reach a consensus on a recommendation to Council. Instead, a list of options was prepared, which are as follows:

1. Leave Bylaw in its present form.
2. Recind Bylaw.
3. a) Hold a referendum on Bylaw now.  
b) Hold a referendum on Bylaw at election time (1989).
4. Exempt all businesses that operate a drugstore or pharmacy.
5. Increase the floor area exemption for pharmacies or drugstores to:
  - a) 5,000 square feet - under this option, the following businesses could open seven days a week: Eastview Drugs, Bishop's Downtown, Westpark Drugs, Guardian Drugs, Pine Drugs, Highland Super Drugs, ~~Mountview I.D.A.~~, Associate Clinic, Valentine Drugs and Glendale Drugs. The following would have to be closed one day per week: Woolco, Bishop's Port-O-Call, Shopper's Drug Mart, Mountview I.D.A. and Boots Drugs, *London Drugs and Co-op.*
  - b) 8,000 square feet - under this option, *and Port-O-Call* the following could open: Eastview Drugs, Bishop's Downtown, Westpark Drugs, Guardian Drugs, Pine Drugs, Highland Super Drugs, Mountview I.D.A., Associate Clinic, Valentine Drugs and Glendale Drugs. The following would have to be closed one day per week: Woolco, London Drugs and Co-Op.

We trust this is of information to you.

Yours truly,

  
R. Strader  
FOR THE COMMITTEE

RS/pr

Enclosure

*Shoppers Drug Mart, Boots Drugs*



DATE: November 8, 1988

TO: City Clerk

FROM: Committee for the Review of the Hours of Business Bylaw

RE: DECISION OF COMMITTEE MEETING OF NOVEMBER 4, 1988

---

In accordance with the October 31, 1988 resolution of Council, the above committee, consisting of Aldermen MacGregor, Pimm and Moffat, met on November 4, 1988.

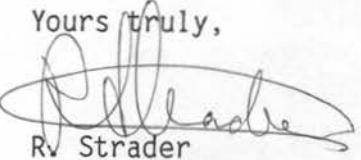
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1. Leave Bylaw in its present form.
2. Recind Bylaw.
3.
  - a) Hold a referendum on Bylaw now.
  - b) Hold a referendum on Bylaw at election time (1989).
4. Exempt all businesses that operate a drugstore or pharmacy.
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We trust this is of information to you.

Yours truly,

  
R. Strader  
FOR THE COMMITTEE

RS/pr

Enclosure

13-88

**BY-LAW #2970/88**

Being a by-law to amend the Hours of Business By-law #2870/85.

The Municipal Council of the City of Red Deer, in the Province of Alberta, duly assembled, hereby enacts:

1. THAT the Hours of Business By-law #2870/85 be amended by adding thereto the following:  
*and Section 5 do*  
"7.1 Section 4 ~~does~~ not apply to all that portion of a business establishment not exceeding five thousand (5,000 sq. ft.) square feet inclusive of a pharmacy within the meaning of the Pharmaceutical Associations Act contained therein, where the only area of the business establishment open to the public and in which goods or services are sold to the public is contained within the said five thousand (5,000 sq. ft.) square foot area."
2. THAT this by-law shall come into full force and effect upon third reading thereof.

READ A FIRST TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1988.

READ A SECOND TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 198\_\_.

READ A THIRD TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 198\_\_.

\_\_\_\_\_  
MAYOR

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

~~§~~  
Delete section 7 and substitute in its place & stead  
the following:

- " 1 Section 4 and 5 do not apply ~~where the~~  
~~only~~ to a business establishment ~~is~~  
containing a pharmacy within the meaning  
of the Pharmaceutical Association Act  
where the total area of the business  
establishment ~~of~~ <sup>after</sup> including throughout all  
areas where goods or services are  
not ~~offered for sale or~~ <sup>not sold</sup> to the public ~~is~~ is less  
than 5000 square feet. "

CITY CLERK

## BYLAW NO. 2870/B-88

Being a Bylaw of The City of Red Deer to amend  
Bylaw No. 2870/85, the Hours of Business Bylaw

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

1. Bylaw No. 2870/85 is hereby amended as to Section 7 by striking out the figure, "3,000" and by inserting therefor the figure "5,000".
2. This Bylaw shall come into force upon third reading.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1988

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1988

READ A THIRD TIME AND FINALLY PASSED IN OPEN COUNCIL this day of  
A.D. 1988.

MAYOR

CITY CLERK

BYLAW NO. 2870/B-88

---

Being a Bylaw to amend Bylaw No. 2870/85, the  
Hours of Business Bylaw.

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

1. Bylaw No. 2870/85 is hereby amended by deleting Section 7 in its entirety and by substituting therefor the following new Section:

"Section 4 and 5 do not apply to a business establishment containing a pharmacy within the meaning of the Pharmaceutical Association Act".

2. This Bylaw shall come into force upon third reading.

READ A FIRST TIME IN OPEN COUNCIL this       day of       A.D. 1988

READ A SECOND TIME IN OPEN COUNCIL this       day of       A.D. 1988

READ A THIRD TIME AND FINALLY PASSED IN OPEN COUNCIL this       day of  
A.D. 1988.

---

MAYOR

---

CITY CLERK

1. *Journal of Management Studies*, 1997, 34, 1, 1-14.

Being a Bylaw of The City of Red Deer to  
repeal Bylaw No. 2870/85, the Hours of Business  
Bylaw.

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

1. Bylaw No. 2870/85, the Hours of Business Bylaw, is hereby repeal in its entirety.
2. This Bylaw shall come into force upon third reading.

READ A FIRST TIME IN OPEN COUNCIL this	day of	A.D. 1988
READ A SECOND TIME IN OPEN COUNCIL this	day of	A.D. 1988
READ A THIRD TIME AND FINALLY PASSED IN OPEN COUNCIL this	day of	
A.D. 1988.		

MAYOR

CITY CLERK

## BYLAW NO. 2870/B-88

Being a Bylaw to amend the Hours of Business Bylaw 2870/85.

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

1. That the Hours of Business Bylaw 2870/85 be amended by deleting Section 7 in its entirety and by substituting therefor the following new Section:  
  
"7. Section 4 and Section 5 do not apply to all that portion of a business establishment not exceeding five thousand (5,000 sq. ft.) square feet inclusive of a pharmacy within the meaning of the Pharmaceutical Associations Act contained therein, where the only area of the business establishment open to the public and in which goods or services are sold to the public is contained within the said five thousand (5,000 sq. ft.) square foot area."
2. That this bylaw shall come into full force and effect upon third reading thereof.

READ A FIRST TIME IN OPEN COUNCIL this      day of      A.D. 1988

READ A SECOND TIME IN OPEN COUNCIL this      day of      A.D. 1988

READ A THIRD TIME AND FINALLY PASSED IN OPEN COUNCIL this day of  
A.D. 1988.

MAYOR

CITY CLERK



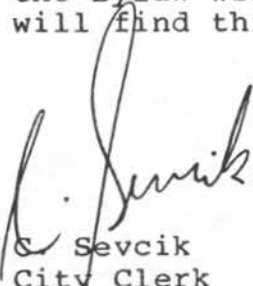
DATE: November 15, 1988  
TO: Bylaws & Inspections Manager  
FROM: City Clerk  
RE: HOURS OF BUSINESS BYLAW AMENDMENT 2870/B-88

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At the Council Meeting of November 14, 1988, Council of The City of Red Deer passed amending Bylaw 2870/B-88, a copy of which is enclosed herewith.

Any pharmacy where the total area of the business establishment after excluding all areas where goods or services are not offered for sale or sold to the public is less than 5,000 sq. ft. is exempt from Section 4 and 5 of the Bylaw. This Bylaw is now in force as said Bylaw was given three readings November 14.

A revised page for inclusion in the office consolidation copy of the Bylaw will be sent to you under separate cover. Trusting you will find this satisfactory.



C. Sevcik  
City Clerk  
CS/ds

c.c. City Commissioners  
City Solicitor

DATE: November 7, 1988

TO: MAYOR MCGHEE & CITY COUNCIL

FROM: DON BATCHELOR  
Parks Manager

RE: MOSQUITO CONTROL STUDY AND RECOMMENDATIONS

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In May of 1987 City Council approved a Mosquito Control Study which was contracted to Mr. G. Moir (BioConcept Group) for the purposes of:

- a) identifying mosquito hatching sites within 5km of Red Deer;
- b) recording locations and populations of different mosquito species, natural mosquito predators, and non-target organisms within the study area;
- c) completing landowner surveys and public opinion surveys relative to mosquito control;
- d) investigating alternative methods of mosquito control which could be implemented in the Greater Red Deer area.

I am pleased to provide the attached report by BioConcept Group which outlines, in summary form, the findings of the Study, as well as recommendations for a Biological Control Program in Red Deer.

Although Mr. Moir will provide a presentation, complete with slides and overheads, I wish to emphasize the following points from the perspective of the Parks Manager:

- a) A landowners survey of potential hatching sites for mosquitoes indicates 51 percent support biological controls on their lands, while another 18 percent support any combination of biological and/or chemical control.
- b) A household survey indicates 63 percent support biological mosquito control in Red Deer. Sixteen percent support chemical control.

- c) Proposed Biological Control at a partial application sequence, as recommended, acknowledges all existing natural predators to mosquitoes without imbalancing these predator feeding cycles.
- d) Costs of the program, estimated at \$65,000, can be 60 percent recovered through a provincial grant. The Province has indicated a very keen interest in the proposed biological approach to mosquito control.
- e) The proposed partial application sequence recognizes the ineffectiveness of treating the less bothersome mosquito genera, (i.e. Culiseta), and acknowledges economies in application/program costs.
- f) The only consequence of the proposed program is that it is not a total control or elimination program for mosquitoes. It is a partial control proposal designed to substantially reduce the Aedes species found within the control ponds and boundaries. There will still be the early spring over-wintering mosquitoes and some summer hatches of less bothersome genera (i.e. Culiseta). In addition, it must be acknowledged that adult mosquitoes blown into the Red Deer area from outside our control boundaries will remain a problem.
- g) The proposed program is based on extensive research during the fourteen-month study. It is, therefore, a responsible approach which is compatible with the existing natural environment and fully acknowledges the concerns and preferences of Red Deer residents.

The findings of this Study and the recommendations for a Biological Mosquito Control Program in Red Deer in 1989, were presented to the October 13th meeting of the Recreation, Parks & Culture Board where the following resolution was passed:

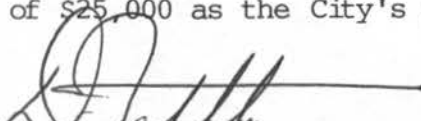
"RESOLVED that the Recreation, Parks & Culture Board, having considered report from the Parks Manager dated October 7, 1988 re: Biological Mosquito Control Program, hereby recommend to Council of The City of Red Deer that the Mosquito Control Program proposal as developed by Mr. Grant Moir and presented to the Recreation, Parks & Culture Board October 13, 1988, be approved as part of the 1989 Parks Department Pest Control budget."

Mayor McGhee & City Council  
Page 3  
November 7, 1988  
CS-P-1.221

9.

Two representatives of the Red Deer River Naturalists (Myrna Pearman and Michael O'Brien) were in attendance and have indicated support for the biological approach to mosquito control in Red Deer.

In view of the above I request City Council's consideration to approve a Biological Mosquito Control Program, as presented, for Red Deer in 1989. This approval would be subject to Council's review of the 1989 Operating Budget, and the allocation of \$25,000 as the City's portion of the program.



DON BATCHELOR

DB/ad

Att.

c.c. Jack Engel, Chairman, Recreation, Parks & Culture Board  
Craig Curtis, Director of Community Services  
Peter Wasylyshyn, Parks Planner  
Grant Moir, BioConcept Group  
Myrna Pearman, Red Deer River Naturalists

CITY OF RED DEER  
MOSQUITO CONTROL STUDY

10.

July 1987 - October 1988

SUMMARY REPORT

INTRODUCTION

The following is a point-form summary of several of the major findings of the 1988 Mosquito Control Study for the City of Red Deer. Not all of the points are finalized at this time as the analysis of data is ongoing while the final report is being prepared. The detailed final report is scheduled for early November 1988. An initial survey of the study's 1988 findings indicates that a workable, biologically based Mosquito Larval Control Program can significantly help to reduce adult mosquito populations to a more tolerable level for people to enjoy spring and summer time activities. Such a biologically based program, if carried out with:

1. a long term committment to predator introduction;
2. closely monitored Bacillus thuringiensis israelensis (Bti) applications (product explained later);
3. specialized awareness in observing any long term and /or major short term changes to the natural aquatic ecology of the area;

will cause much less disruption to the natural system than a chemical based program, both now and in the future.

The majority of the study objectives outlined in Figure 1, from stages 1 through 3, have been met, including numerous Bti evaluations and predator feeding trials. The next step is the implementation of a biological based Mosquito Control Program.

SPECIES HATCHING CHARACTERISTICS

- Twelve water bodies were regularly monitored in 1987. (Fig. 2)
- The number of water bodies monitored for mosquito larvae, both periodically and regularly throughout the 1988 season, is in excess of 94 pools. (Fig. 2a)
- A clear picture of the types of mosquito species found hatching in pools ranging from very temporary to permanent water bodies has emerged. Mosquitoes of the spring and summer Aedes complex (most persistent biters) are found in more temporary sites, with the exception of early spring Aedes which also hatch in semi-permanent sedge pools. The less bothersome species of Culiseta and Culex complexes are generally confined to semi-permanent to permanent pools.
- In view of the above, the emphasis of control has shifted to the temporary breeding sites of Aedes, the more bothersome complex of mosquitoes. Most of the mosquito hatching areas within, and very close to the City of Red Deer contain Aedes species. Therefore, a two zone system of control is proposed. An inner priority treatment zone for temporary Aedes sites, with a second treatment zone extending out to the present study boundaries to cover ditches and semi-permanent sedge pools. (Fig. 2a)
- Weather conditions and rainfall remain the critical factor for mosquito hatching and abundance. Several major early June, July and mid-August rainfalls created

ideal conditions for large mosquito hatches. (Fig. 3). Large hatches did occur in 1988, however, due to a very dry early spring, water tables remained low and the majority of the temporary hatching sites dried prior to adult emergence, effectively eliminating large numbers of mosquitoes from the system. Based on the large hatches after each of the three major rain peaks of 1988, along with a usual spring hatch due to snowmelt, at least four major mosquito treatment programs should be planned for Red Deer.

The need for greater control campaigns could vary substantially, however, depending on rainfall.

#### BIOLOGICAL CONTROL TESTING

- Several experimental sites were set up over the summer of 1988 to test the efficacy of the bacterial insecticide Bacillus thuringiensis israelensis. (Bti)
- One such temporary breeding site, Ditch E4-4, is used here as a 'model system' to illustrate how intensive sampling over time can bring about a more specialized ecological and economical approach to mosquito control. (Fig. 4)
- E4-4 produced five distinct hatches from early June to early September. As noted in Figure 4, three Bti treatments would be required to help control Aedes hatches. Subsequent to the initial hatching of Aedes eggs by floodwater Culiseta species lay their eggs on standing water, resulting in a hatch. Culiseta do not offer the pest potential that the Aedes complex do. Therefore, one must question a need for control

of this group. Two of the five hatches found in E4-4 were Culiseta hatches.

The strategy of control noted in Figure 4 offers a more ecologically sound approach. One result of this approach is less disruption to the natural predator - prey feeding cycles.

- The economic impact (Figure 4) of a reduced Bti application in the E4-4 model can be seen in real terms. The cost of one Bti treatment to E4-4 (216m<sup>2</sup> area) at a total application of 104.0g is \$0.43. Labor costs for such a treatment come to \$1.17. Five treatments of pool #E4-4 (based on a non-specialized approach to pool sampling, for example treating a pool based purely on numbers, rather than numbers and species present) would cost \$8.00. A three-treatment scenario proposed in the E4-4 model would reduce the cost to \$4.80. In essence, control three times/annum would be only on the Aedes hatches (most bothersome) and not on the other two hatches of less prolific biters, i.e. Culiseta.

When the control costs and savings witnessed in E4-4 are extrapolated to a wide-scale program, the economic savings can be substantial.

#### BIOLOGICAL CONTROL APPLICATION

- Ditch E4-4 is an example of a treatment priority, inner zone (1) pool.



- The results of the Bti treatment of ditch E4-4, in the preceeding section, can be seen in Figure 5. Bti treatment caused a drastic decline in larval number. The method of application of Bti used to abstract such mortality, results from strategically applied Bti by hand-cranked applicators.
- Application of Bti to the various pools in the Program area will require four operators. The Program is to be divided into four quadrants with one operator per quadrant. Once Zone 1 pools (such as E4-4) in each quadrant have been treated, the operator will move to Zone 2 pools if there is need for further control in those areas.
- Large Zone 2 sedge pools will generally only require a band of Bti applied around the pool's edges. Most hatching occurs in the edge areas only. Predators consume many of the mosquitoes in the deeper areas of the pool.
- The intent is not to destroy 100% of the mosquito larvae. Such reduction is not required by external means (i.e. Bti) due to high natural mosquito population mortality rates, aquatic predators and aerial predators. (Fig. 6) The intent is to reduce mosquito larval populations limited to confined hatching areas, thereby leaving tolerable levels of mosquito populations.
- Utilization of a helicopter, to reach field sedge pools while farm crops are planted, will be necessary in Zone 2 areas if larval populations are high.

### Bti EXPLAINED AND PREDATOR SURVEYS

Bacillus thuringiensis israelensis (Bti), a microbial insecticide, would be used as the widescale control substance in spearheading a biorational approach to mosquito control.

- Bti is a naturally occurring spore containing bacterium with a highly specific mode of action against mosquitoes and a few other closely related flies. The toxic action of Bti arises when delta-endotoxin crystals are released from spores in the bacteria and are subsequently ingested by mosquito larvae. The endotoxin, in turn, reacts with the high alkaline gut contents of the mosquito larvae, causing breakdown of the gut epithelial cells. The higher acidic gut contents of other aquatic organisms and vertebrates fail to react with the Bti endotoxin.
- Research into several other groups of bio-control agents is ongoing and such agents may be applied to a Red Deer Control Program as their viability becomes apparent.
- A much greater emphasis was placed on identifying and quantifying predator and non-target organism (NTO) populations during the 1988 Study. Several complete population counts were carried out in  $1\text{m}^2$  contained units placed within typical sedge pools and temporary ditches. One such count resulted in a find of 343 mosquito larvae within a  $1\text{m}^2$  area. The encouraging aspect however, was the find of 145 dytiscid beetle larvae and 34 Chaoborus fly larvae within the same area. Numerous laboratory feeding trials have confirmed that both of these organisms are voracious feeders

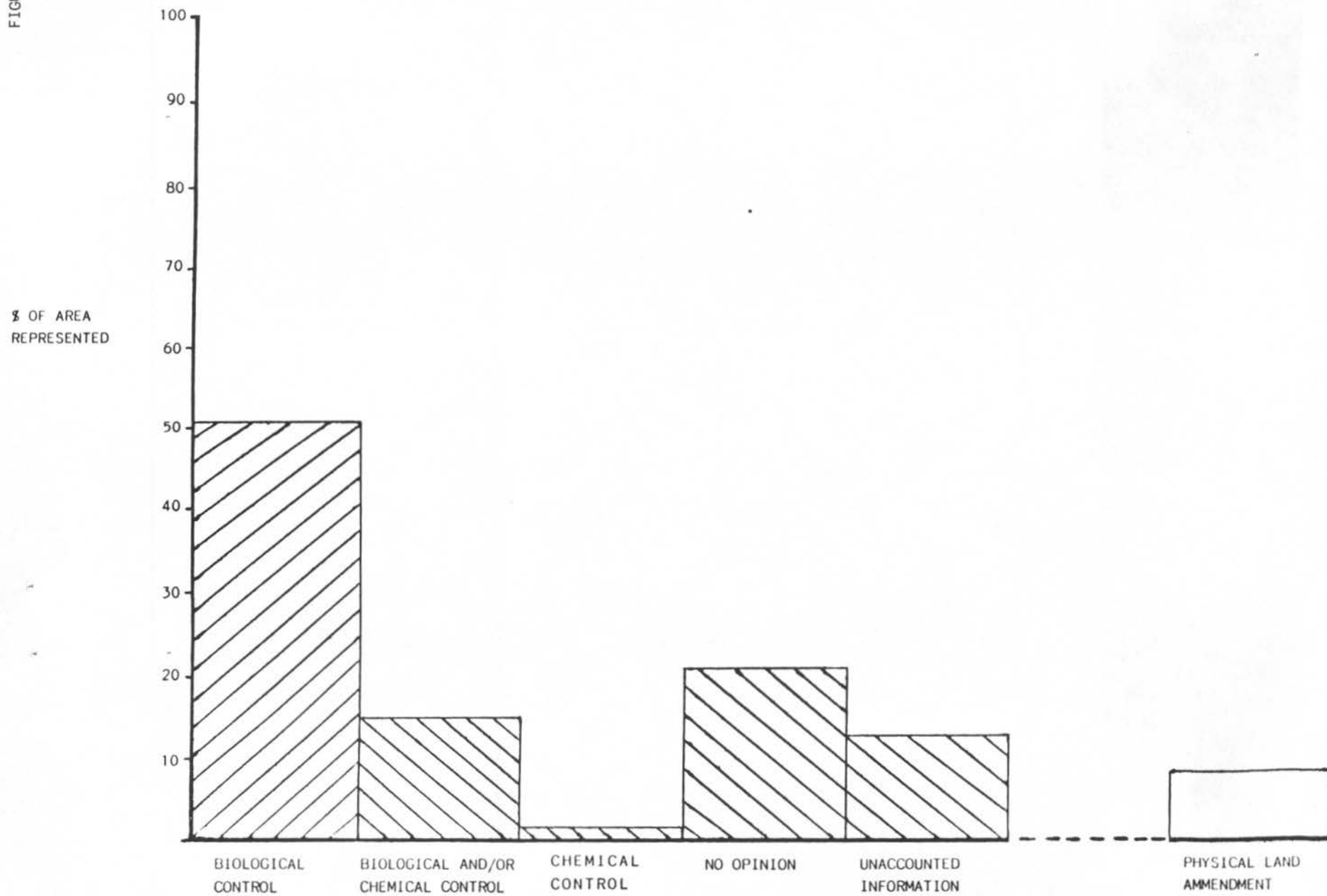
on mosquito larvae. Therefore, no biological control (Bti application) would be applied to sedge areas and permanent water bodies that have been identified through this study as containing large populations of natural predators.

- Numerous field trials of predator introductions, including Mesostoma flatworms, Chaoborus fly larvae and stickleback fish, are presently underway and ready for further analysis in the upcoming season.
- A careful, ongoing collection of NTO's (including predators) has been established from numerous pools over the extent of the season. This collection provides both a record of NTO hatching cycles in relation to mosquito hatching cycles, as well as provides a data base to compare NTO's collected in subsequent seasons for any long-term alteration to the aquatic systems due to various mosquito control efforts.

PUBLIC SURVEYS

- The response from the rural community in 1987 towards the use of biological methods of control was favorable. (Fig. 7) Just over 50 percent of the landowners surveyed had definite opinions and support about the use of biological controls on their land. Another 15 percent would prefer biological and/or chemical depending on effectiveness of control. A very limited number, 2 percent, stated a direct preference for chemical control.
- The general implications of the 1987 survey and the Study Coordinator's personal interactions with people in the rural community at that time, would suggest that landowners are definitely concerned about the water quality on their land. Many requested further information about various control methods and the substances to be used in a subsequent program.
- With the implementation of a Control Program in 1989, actual permission to apply Bti to privately-owned property would be required, along with the dissemination of information on Bti.
- With increased knowledge gained in the 1988 Study, not all land areas previously surveyed will require treatments. Furthermore, many of the Aedes breeding sites in Zone 2 areas are in roadside ditches and not on privately-owned land. It must be noted, that if a Control Program was approved it would require operators to walk over privately owned land, as well as the possible use of helicopter applicators. Therefore, the landowner-Mosquito Program interaction will have to

LAND OWNER OPINION POLL BASED ON PERCENTAGE OF AREA  
REPRESENTED (AREAS OF NON-RESPONDENTS AND NON-PARTICIPANTS OMITTED)



be carefully implemented until the intentions of each group are well understood.

- Results of a telephone survey (Fig. 8) of 500 randomly chosen numbers within the City of Red Deer indicate that over the past five years the population in general (66%) has felt that mosquitoes have been disruptive of spring and summer activities. On the question of utilizing biological methods to control mosquito larvae, 63 percent preferred such an approach as opposed to 16 percent preferring chemical use. Twenty-one percent of respondents indicated uncertainty.
- It is felt that ongoing information campaigns would be an integral aspect of a future Mosquito Control Program in helping to raise the tolerance of people for biting mosquitoes through a greater understanding of their role in the natural scheme of things.
- Several shopping mall and Nature Centre displays were set up throughout the 1988 season. Living organisms were used and people responded in a favorable manner to the proposed biological methods of mosquito control.

CONCLUSION:

In conclusion, there are several major points to consider:

1. The level of tolerance of the population to adult mosquito infestations plays a major role in the desire to implement a control program. That level of tolerance is usually based on the activity of adult mosquitoes at any one time throughout the season. The important aspect of the above statements is that the actual need for mosquito control be based in terms of real mosquito numbers present and not based on the emotional response of people's perceptions of mosquito populations.

If responding to perceived notions, we may find ourselves altering the vibrant aquatic communities that are presently helping to control mosquito numbers, at often tolerable levels.

2. A significant amount of data has been collected in the Red Deer Study area over the 1987 - 88 mosquito seasons in trying to implement a biologically based control program. The past few seasons have been relatively dry and mosquito free, and the prospects for future dry years certainly exist. However, the prospects for wet years are equally possible, at which time substantially greater mosquito populations could, once again, arise. Should subsequent years in the near future remain relatively mosquito free, it is felt that the biological approach presently outlined remain a priority for the method of control if and when mosquito populations once again increase. Resorting to a 'quick-fix' chemical solution, under public pressure, would rapidly

negate any work done to this point and would begin the perpetual mosquito-chemical-mosquito treatment cycle.

3. Based on information gathered in 1988, the potential for greater adult populations existed, however many of the temporary hatching areas dried up prior to adult emergence. With similar, but slightly extended wet periods next season, adult populations would increase substantially over 1988 levels. It is therefore recommended that a biologically-based Mosquito Control Program be implemented in 1989 in the City of Red Deer and surrounding area.
4. For a biologically based program to succeed, a long-term philosophy of ongoing predator supplementation, close monitoring for noticeable detrimental changes to the aquatic systems, and education of the public must be adopted. The institution of a biological control program is a more ecologically and economically sound manner of reducing mosquito populations for the benefit of both the human population and the environment.



FIGURE 1

### STAGE 1 (COMPLETE)

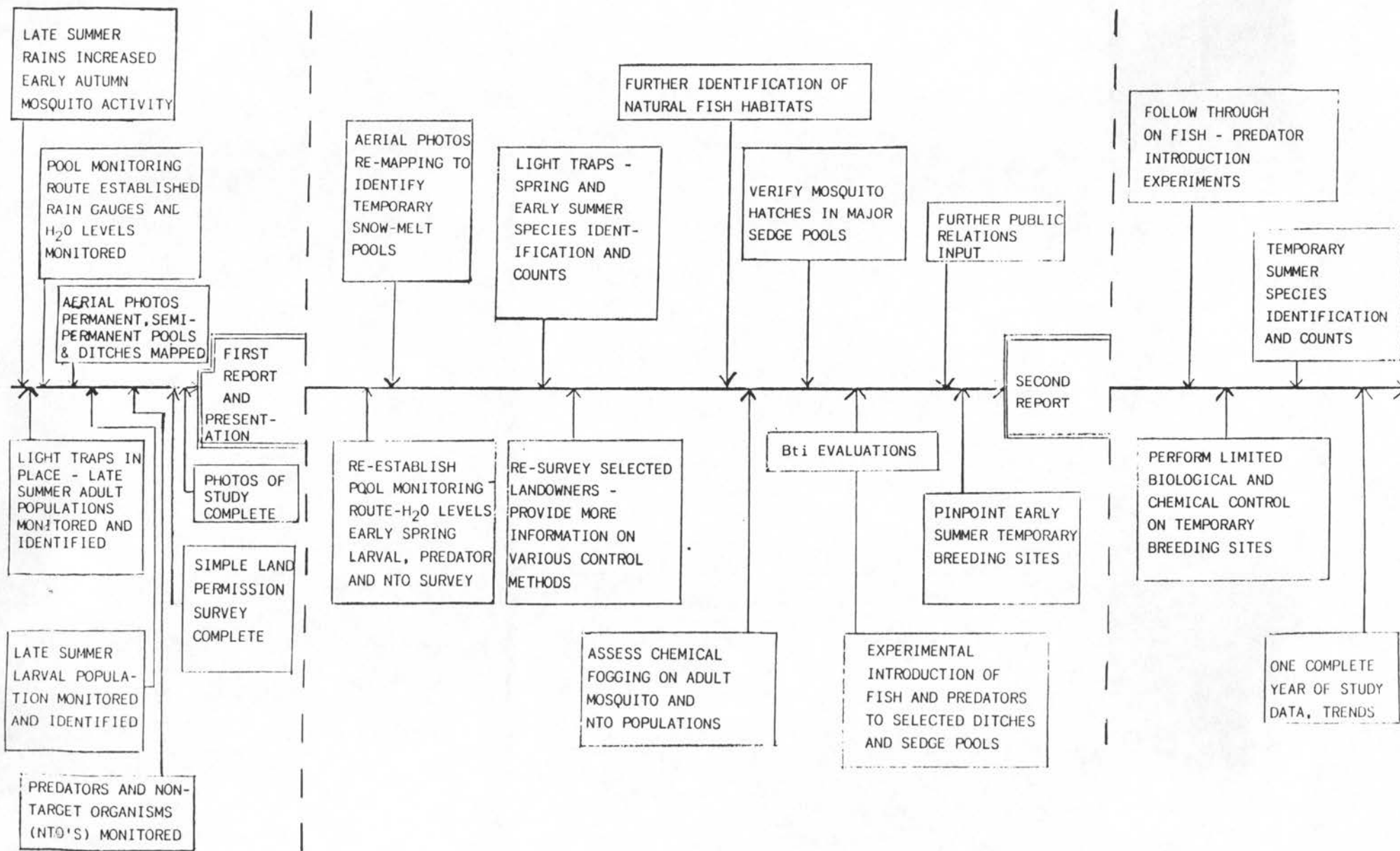
July 7 - October 30, 1987

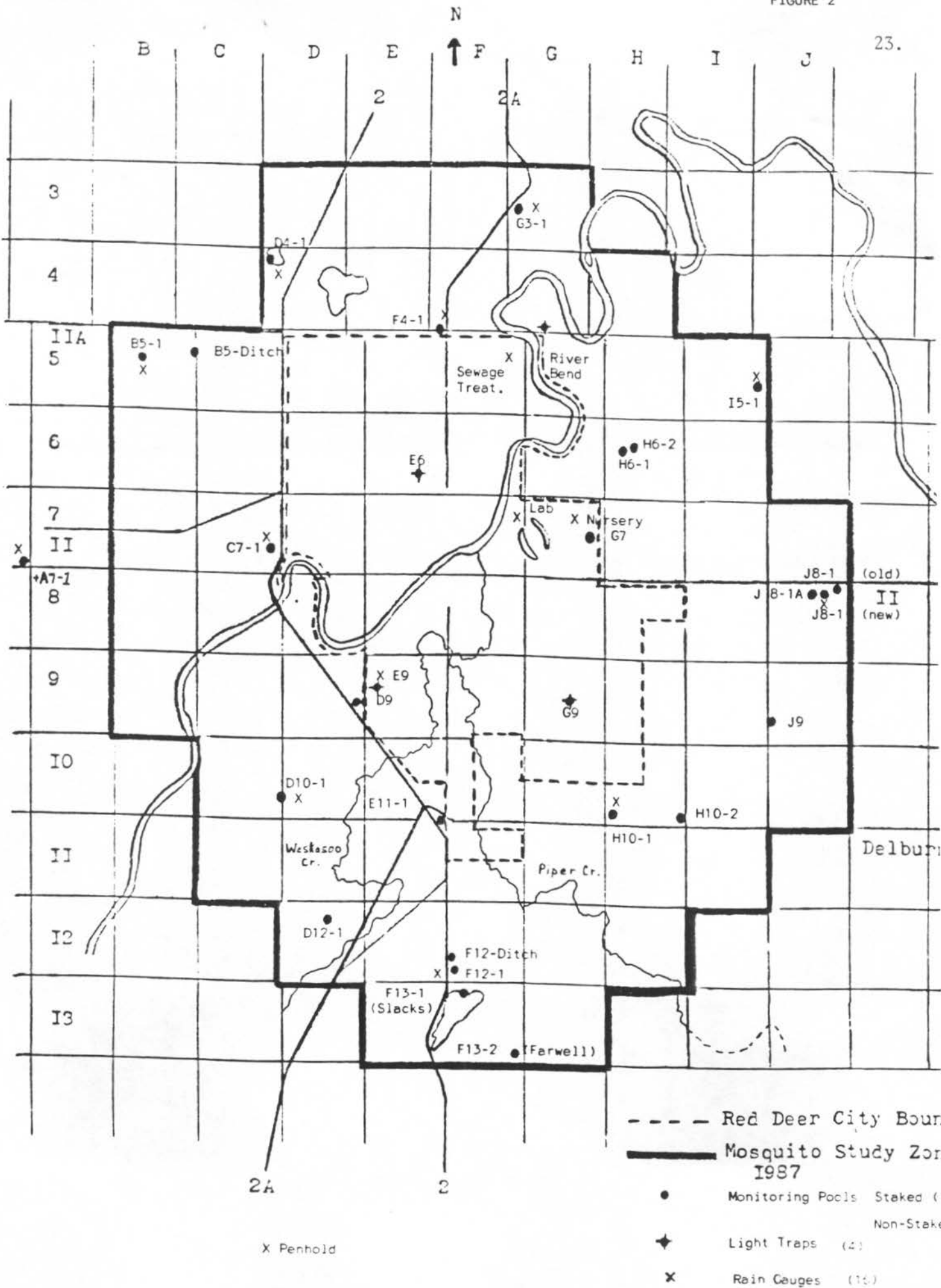
### STAGE 2 (PROJECTED)

March 1 - July 1, 1988

### STAGE 3 (CONCEPTUAL)

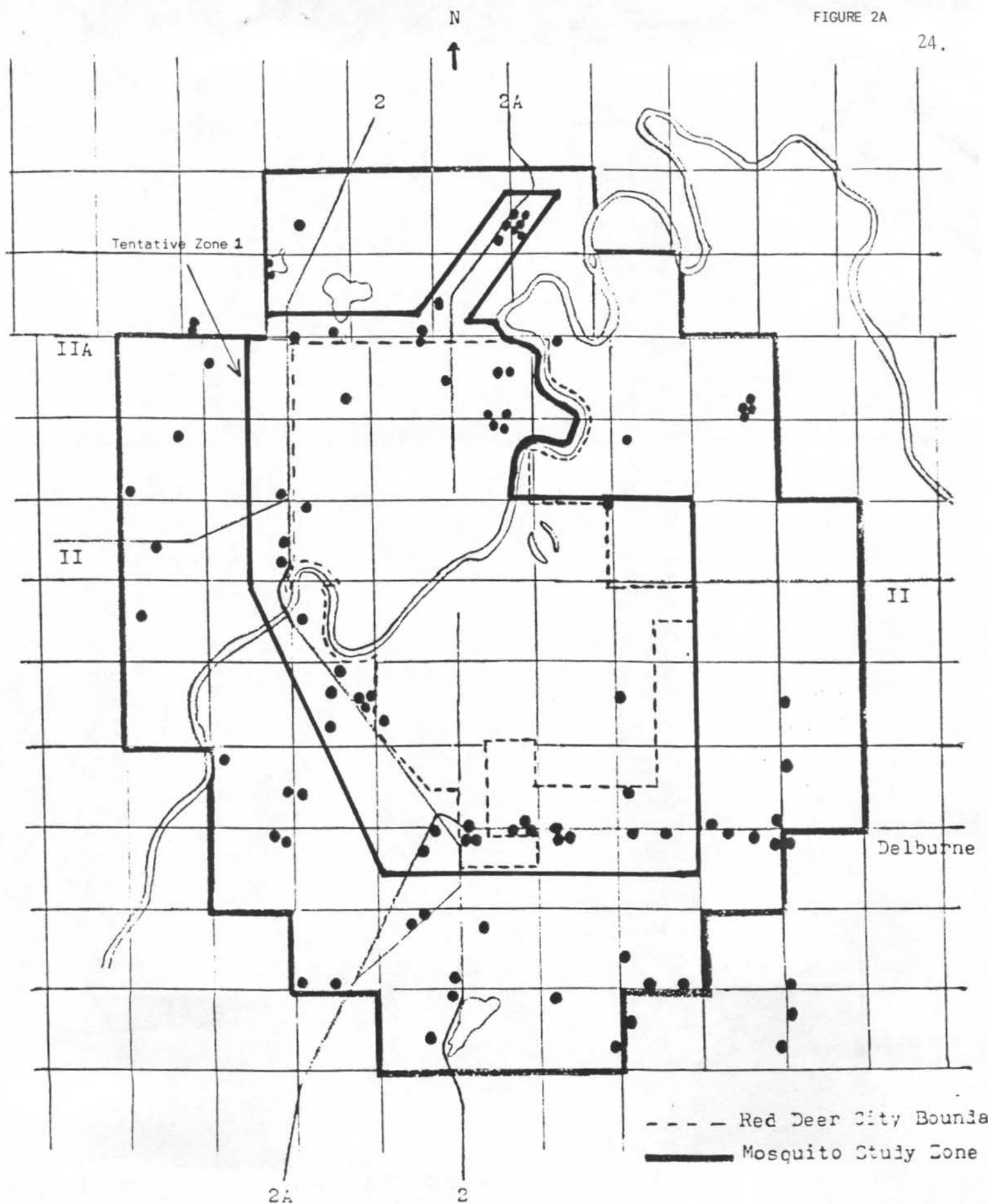
July - October, 1988





- Red Deer City Bound
- Mosquito Study Zone I987
- Monitoring Pools: Staked ( )
- Non-Staked ( )
- ◆ Light Traps (2)
- X Rain Gauges (16)

X Penhold



# POOL MONITORING LEVELS

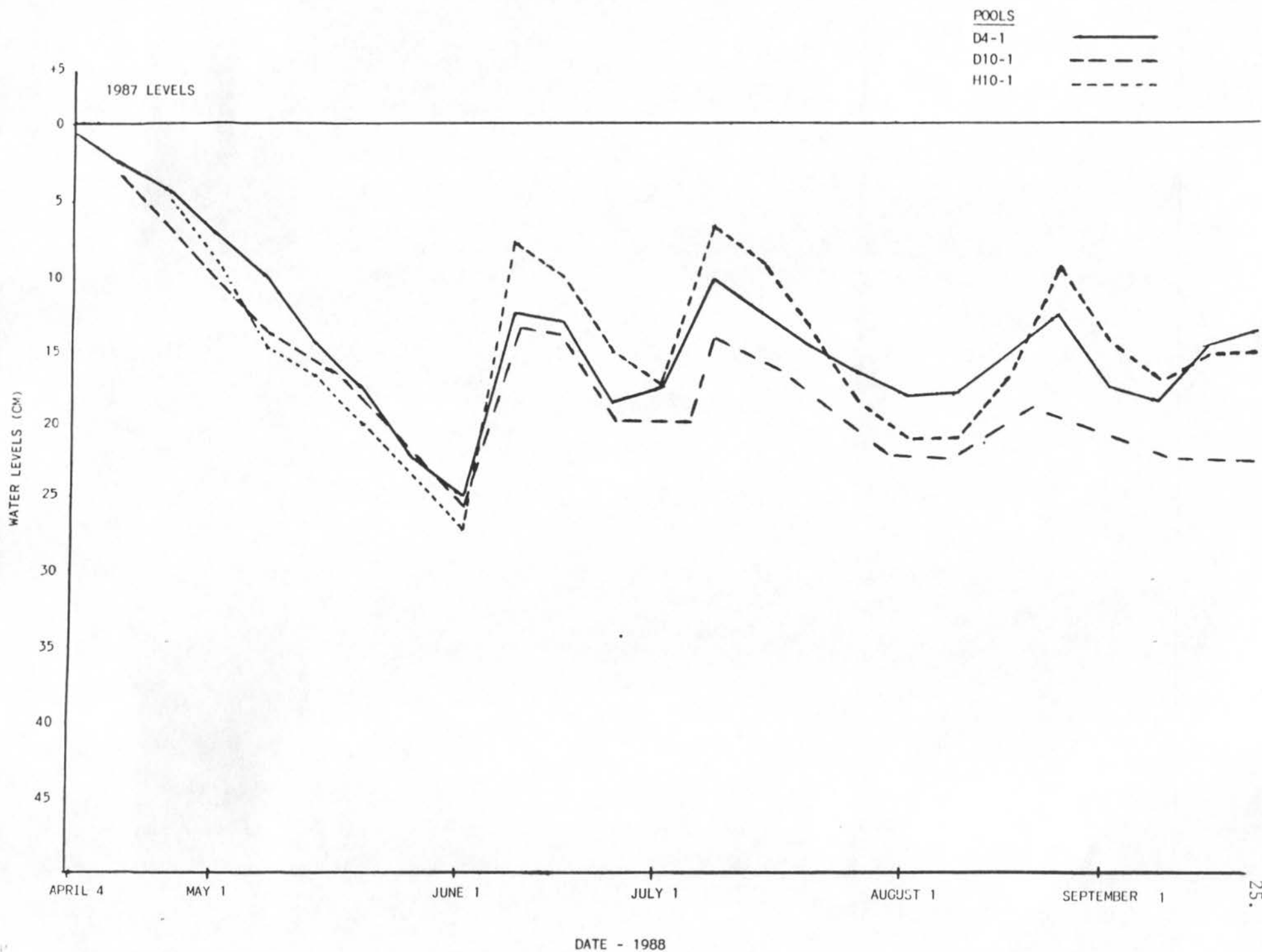
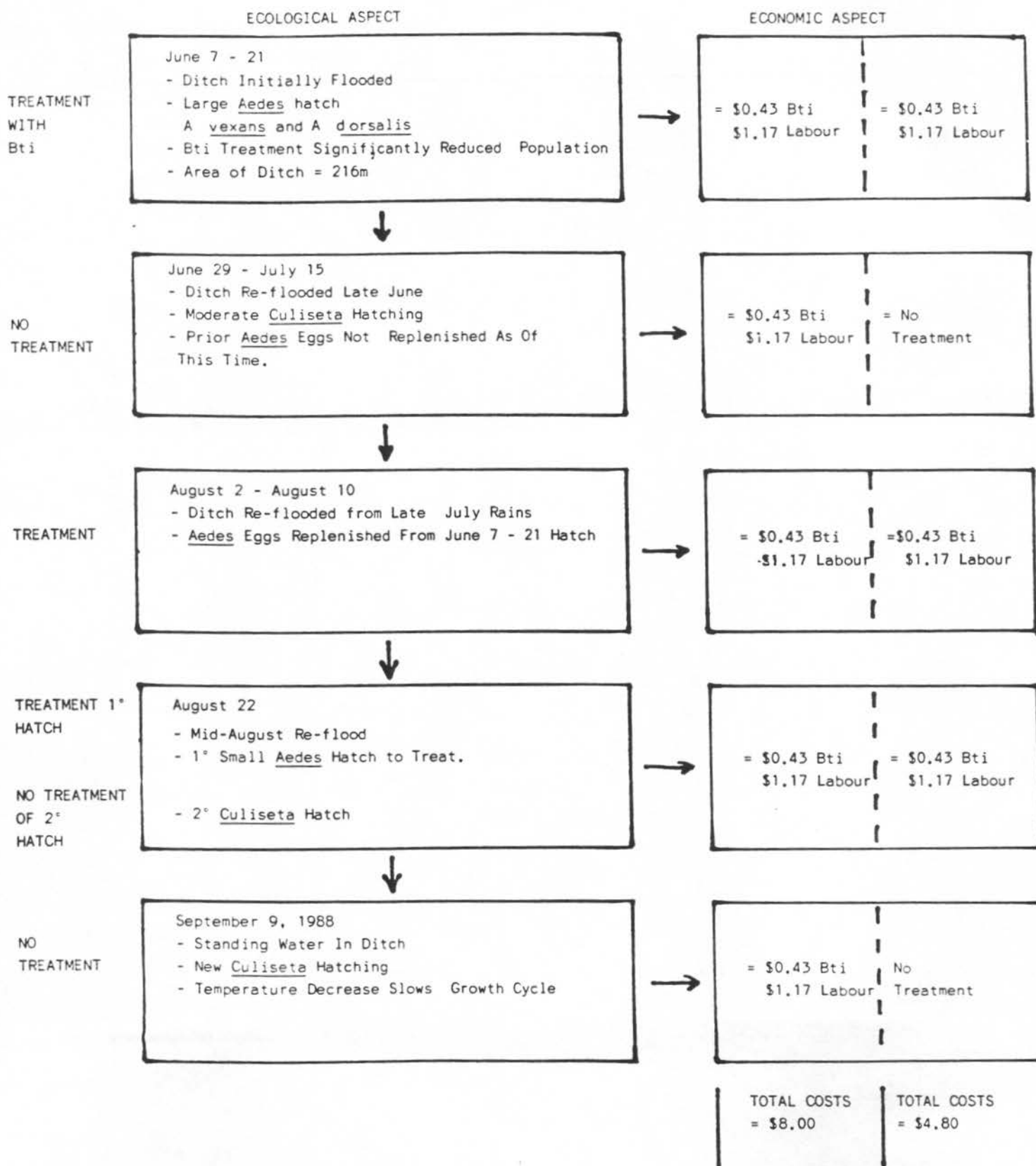


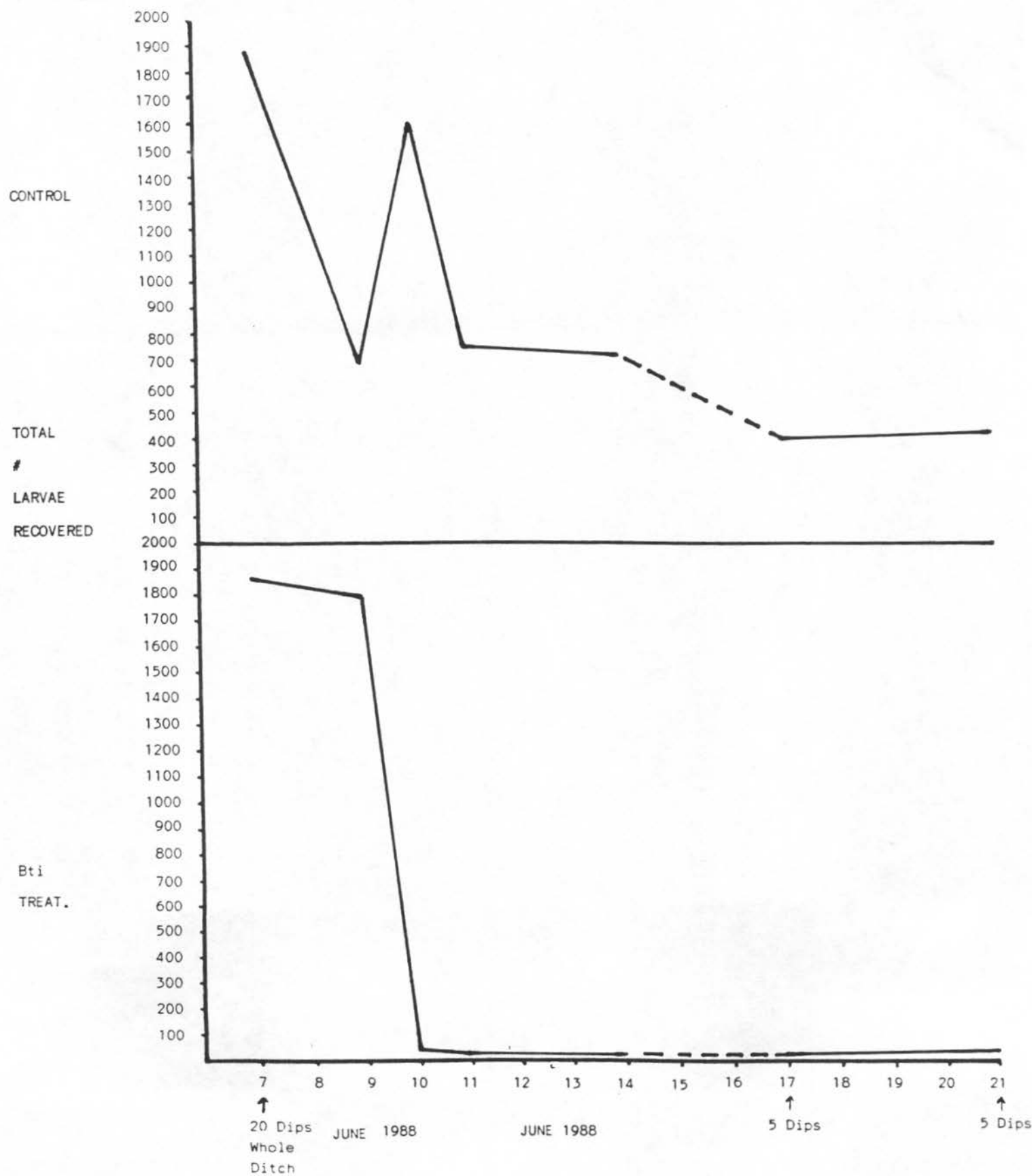
FIGURE 3

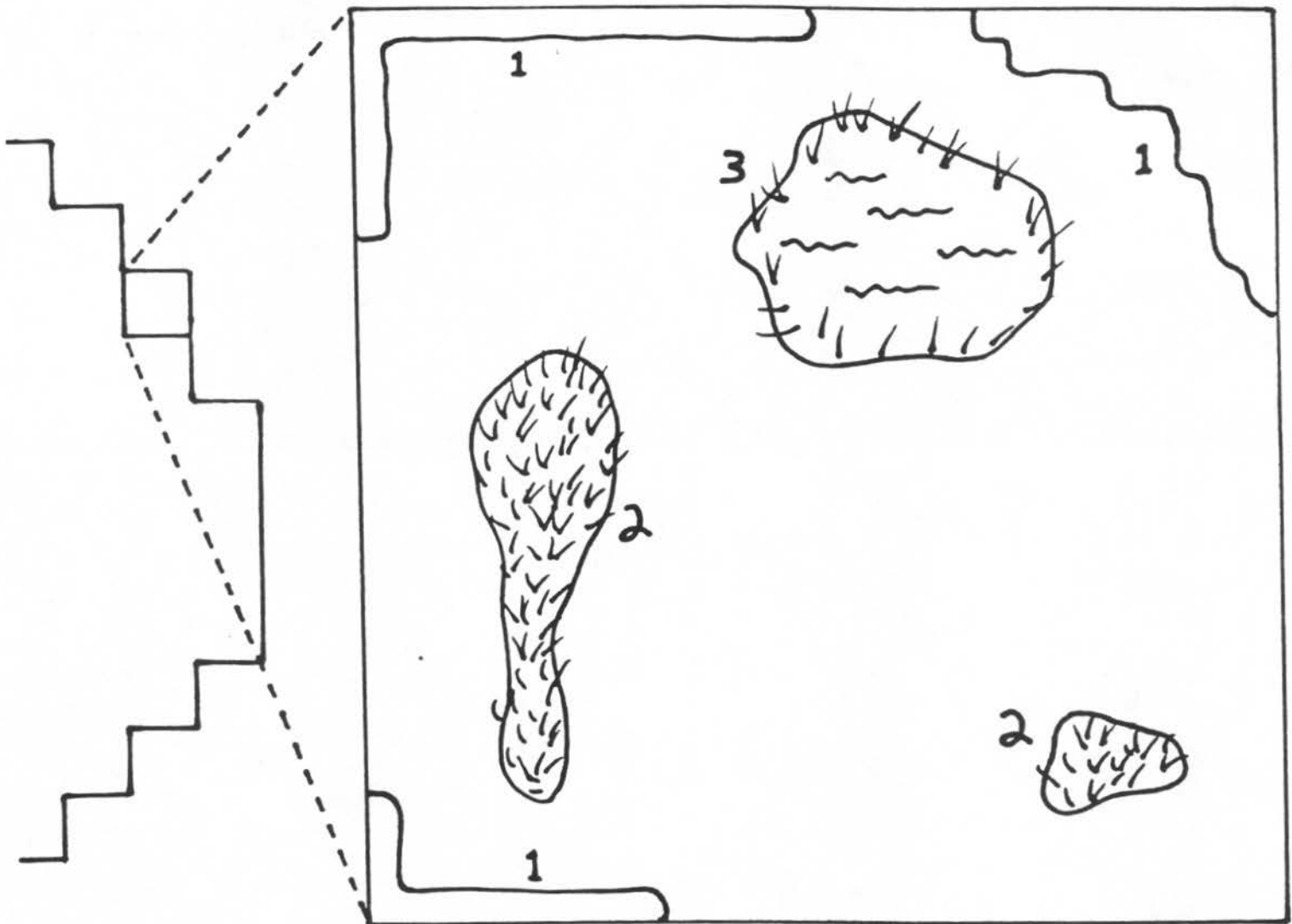
June 7 - Sept. 9, 1988

26.

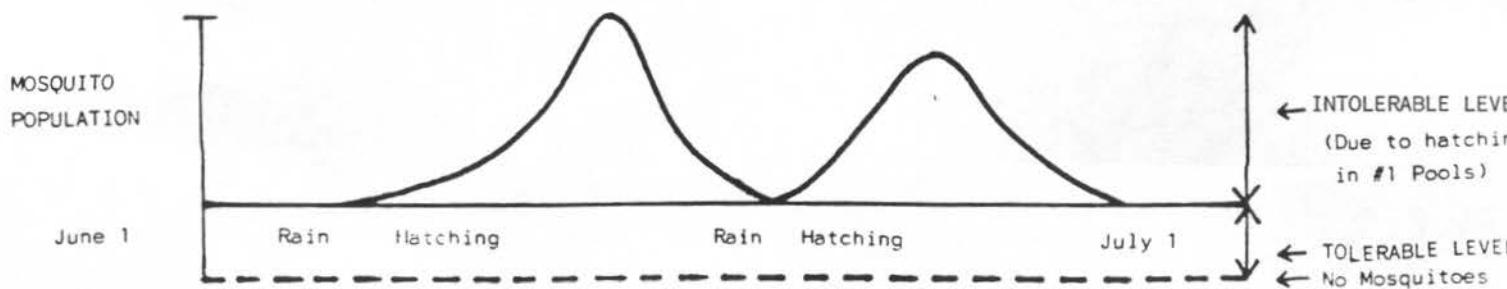


## E4-4 Bti TRIAL



POOL TYPE

1. - Temporary water holding areas contain 38% of water surface area in this section of land; producing intolerable levels of mosquitoes - Control with Bti.
2. Semi-permanent Pools - Ongoing predator supplementation to help reduce tolerable levels of mosquitoes. Bti application only if populations very high.
3. Permanent water bodies - High numbers of predators, low numbers of mosquitoes. Possible source of predators. No Bti application.



MOSQUITO CONTROL STUDY

A random telephone survey of a sample size of 500 telephone numbers within the City of Red Deer.

SURVEY # 457 ATTEMPTED CALLS: 1st 06/29 2nd 07/05 3rd 07/06 TELEPHONE: 347-3487

CALL TIME: 3:11 7:59 8:48

Hello. We are conducting a survey of a sample of Red Deer City residents for opinions on the mosquito situation

POPULATION-RED DEER: 54,839, NUMBER OF HOUSEHOLDS: 21,449, TELEPHONE # USED: 500  
93 (19%) UNUSABLE - Disconnected, etc.  
TOTAL RESPONSES - 407 (81%)

1. Would you be willing to answer a few questions about the mosquito situation? (If no, thank you very much for your time.)  
YES 76% NO 24%  
(76% of 407 = 310 Total Responses)
2. Is this a City of Red Deer residence? (If no, thank you very much for your time, but we can no longer use the information.)  
YES 100% NO ---
3. Presently there is a biological study being carried out to assess the need for a mosquito control program. Do you feel that it is worthwhile to study the problem prior to any form of mosquito control?  
YES 70% NO 23% UNCERTAIN 7%
4. Were you aware that a Mosquito Study was being carried out at this time?  
YES 36% NO 64%
5. Do you feel that adult mosquito populations have disrupted your spring and summer activities over the past five (5) years to the extent that some form of wide-scale control be attempted?  
YES 66% NO 27% UNCERTAIN 7%
6. During outbreaks, do you feel that you can effectively deal with mosquitoes using personal sprays and oils?  
YES 44% NO 47% UNCERTAIN 9%
7. There are several methods of controlling mosquitoes. One is the traditional use of chemical insecticides to control mosquito larvae in water bodies. A second approach is to use natural predators and biological insecticides to control mosquito larvae. Which method would you prefer to see used:  
1. A chemical approach 16%  
2. A biological approach 63%  
3. Uncertain 21%
8. Do you believe that the use of chemical sprays for controlling adult mosquitoes is an effective approach?  
YES 53% NO 25% UNCERTAIN 22%
9. Do you fit within the age categories of:  
under 18 4%; 18-35 45%; 35-60 34%  
over 60 17%



DATE: November 7, 1988 CS-1.941  
TO: CITY COUNCIL  
FROM: CRAIG CURTIS  
Director of Community Services  
RE: MOSQUITO CONTROL STUDY

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1. An interim report on the Mosquito Control Study was considered by City Council at its meeting on January 11, 1988, when the following resolution was adopted:

"RESOLVED that Council of The City of Red Deer hereby accept the Mosquito Control Study Report as presented to Council January 11, 1988, for information only at this time and agree that the expenditure of further funds of \$19,000 to complete said study be considered by Council at budget time."

2. The Mosquito Control Study has now been completed, and it is recommended that a Biological Mosquito Control Program be introduced in Red Deer in 1989. The total cost is estimated at \$65,000.00, with 60% recovered through a provincial grant.

The Recreation, Parks & Culture Board is recommending the introduction of the program to be approved as part of the 1989 Parks Department Pest Control Budget.

3. I support the conclusions of the Mosquito Control Study, and consider that a biological program would be the only appropriate method of control to implement in Red Deer. However, it should be recognized that no methods of control are completely effective, and the introduction of this program may create expectations which cannot be met.
4. I am somewhat reluctant to support the introduction of a new program at a time when budgets have been substantially reduced. As I have outlined to City Council in several reports, basic maintenance of many City structures and facilities has been neglected for many years, and costly improvements can be anticipated in 1989.

.../2

City Council  
Page 2  
November 7, 1988  
CS-1.941

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I, therefore, recommend that the report be accepted for information at this time, and that the program be prioritized and considered as part of the overall Community Services Budget.



CRAIG CURTIS

CC:dmg

- c. Jack Engel, Rec., Parks & Culture Board Chairman  
Don Batchelor, Parks Manager  
Lowell Hodgson, Recreation & Culture Manager

Commissioners' Comments

Attached is the report on the Mosquito Control Study approved by Council last year. Also, attached are recommendations from the Recreation, Parks & Culture Board and the Parks Manager that Council approve the implementation of the program for 1989. We would recommend, however, that Council approve the program if a program is to be implemented, but defer the implementation decision until Council deals with the 1989 Budget. This will enable Council to review this program in the context of overall City priorities and will also enable the Parks Department to seek alternate sources of funding.

"R.J. MCGHEE"  
Mayor

"M.C. DAY"  
City Commissioner

DATE: November 15, 1988  
TO: Parks Manager  
FROM: City Clerk  
RE: MOSQUITO CONTROL STUDY

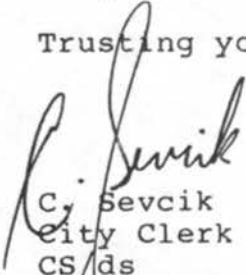
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Your report and recommendations concerning the above topic dated November 7, 1988, was presented to Council November 14, and at which meeting Council passed the following motion.

"RESOLVED that Council of The City of Red Deer having considered report from the Parks Manager dated November 7, 1988, re: Mosquito Control Study and recommendations hereby approve a biological mosquito control program in principle subject to the funding of this program being reviewed in the 1989 City budget, and as presented to Council November 14, 1988."

The decision of Council in this instance is submitted for your information and as noted in the above resolution, funding of this program is to be reviewed during consideration of the 1989 budget.

Trusting you will find this satisfactory.



C. Sevcik  
City Clerk  
CS/ds

c.c. City Commissioners  
Dir. of Finance  
Dir. of Community Services  
Recreation, Parks & Culture Board  
Recreation & Culture Manager

DATE: October 31, 1988  
TO: City Clerk  
FROM: Director of Engineering Services  
RE: URBAN TRANSPORTATION PROGRAM GRANTS  
PRIMARY HIGHWAY MAINTENANCE GRANT

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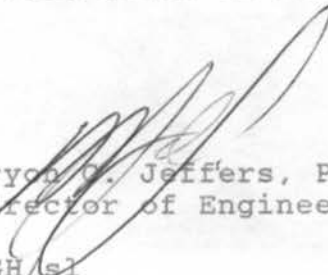
As Council will recall, the Province provides financial assistance to the City to support the operation and maintenance of the primary provincial highway system within the City limits. In Red Deer's case, we have two such linkages:

- a) Gaetz Avenue from the North City limit to the South City limit connecting Highway 2A north and Highway 2A south.
- b) 67 Street from the West City limit to the East City limit connecting Highway 11 west and Highway 11 east.

The annual grant is approximately \$2,000 per lane-km and is used to offset the expenditures appearing in the road maintenance portion of the operating budget.

The current east/west linkage is officially via the Gaetz Avenue/Ross Street route as shown on the attached map in a solid line. The proposed linkage is via the new 67 Street river bridge route as shown on the map with a broken line. The lane-kms are also shown on each route. Although there would appear to be a reduction in lane-km due to 67 Street being a 2 lane facility and Ross Street being a 4 lane facility, the total lane-km between the 67 Street route and the north/south Gaetz Avenue route remain approximately the same due to the enhancements made this year at 67 Street and between 78 Street and the north City limits. The anticipated annual grant is therefore not likely to change significantly.

In the longer term, the lane-km will actually increase when the 67 Street route is upgraded to a 4 lane facility. The Province has requested an official resolution from the City Council agreeing to the substitution of the 67 Street route for the Ross Street route as illustrated in the attached plan.



Bryon C. Jeffers, P. Eng.  
Director of Engineering Services

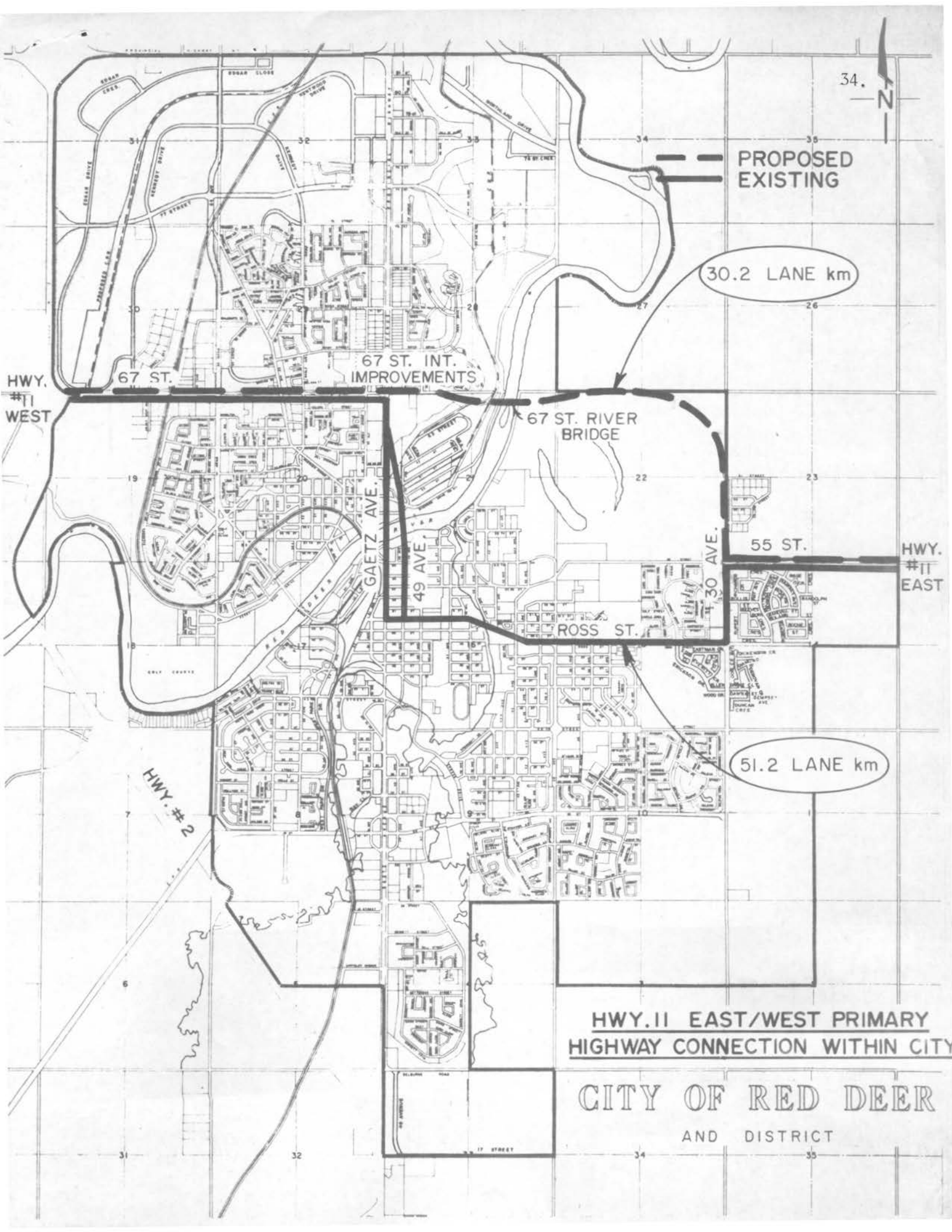
KGH/sl  
Att.

Commissioners' Comments

We would concur and recommend Council pass a resolution as requested substituting the 67 Street route for the Ross Street route.

"R.J. MCGHEE", Mayor

"M.C. DAY", City Commissioner



34.



PROPOSED  
EXISTING

30.2 LANE km

67 ST. INT.  
IMPROVEMENTS

67 ST. RIVER  
BRIDGE

GAETZ AVE.

49 AVE.

ROSS ST.

30 AVE.

55 ST.

HWY.  
#II  
EAST

51.2 LANE km

HWY. #2

HWY. II EAST/WEST PRIMARY  
HIGHWAY CONNECTION WITHIN CITY

CITY OF RED DEER  
AND DISTRICT

November 18, 1988

TO: DIRECTOR OF ENGINEERING SERVICES

FROM: CITY CLERK

RE: 1988 ENGINEERING CONSTRUCTION PROGRAMS

At the Council meeting of November 14, 1988 when Council was discussing the primary highway maintenance grants, members of Council expressed praise and appreciation to the Engineering Department regarding the number of projects completed this year with minimum disruption and inconvenience to the general public. On behalf of Council I wish to again express their appreciation for your efforts and that of your staff.

I trust that you will convey these sentiments to all members of your department.

Sincerely,



C. SEVCIK  
City Clerk

c.c. City Commissioners



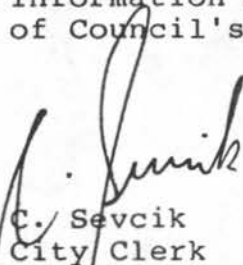
DATE: November 15, 1988  
TO: Dir. of Engineering Services  
FROM: City Clerk  
RE: URBAN TRANSPORTATION PROGRAM GRANTS/PRIMARY HIGHWAY  
MAINTENANCE GRANT

---

Your report dated October 31, 1988, concerning the above topic was presented to Council November 14, 1988, and at which meeting Council passed the following motion.

"RESOLVED that Council of The City of Red Deer having considered report from the Director of Engineering Services dated October 31, 1988, re: Urban Transportation Program Grants, primary highway maintenance grant hereby agree that the east/west primary Provincial highway system on 67 Street from the west City limit to the east City limit connecting Highway 11 west and Highway 11 east, be changed from its present routing via Gaetz Ave./Ross Street to via the new 67 Street River Bridge and as recommended to Council November 14, 1988, by the Administration."

The decision of Council in this instance is submitted for your information and I trust that you will officially notify the Province of Council's resolution in this instance.



C. Sevcik  
City Clerk  
CS/ds  
c.c. City Commissioners  
Dir. of Finance



November 1, 1988

TO: City Clerk  
FROM: City Assessor  
RE: FARM LEASES  
CITY OWNED LANDS - N.W. SECTION  
(PLEASE SEE ATTACHED MAP)

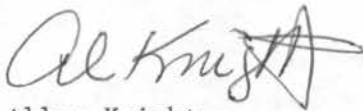
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We respectfully submit for City Councils information, that a call for tenders to lease the farm lands, as shown cross hatched on the attached map closed on September 30, 1988.

Two tenders were received with the highest tender from Mr. D. Dempsey of #101, 71 Cosgrove Crescent, Red Deer being accepted. (Copy Attached).

These lands were advertised in accordance with City Councils resolution of December 8, 1975 which reads as follows:

City owned farm lands shall be tendered and leases entered into shall be for 3 year periods. Included in the tender documents and leases would be the right by The City to cancel all or part of any lease with 30 days notice with the tenant being compensated for crop damage should The City require the land during the growing season.



Allan Knight

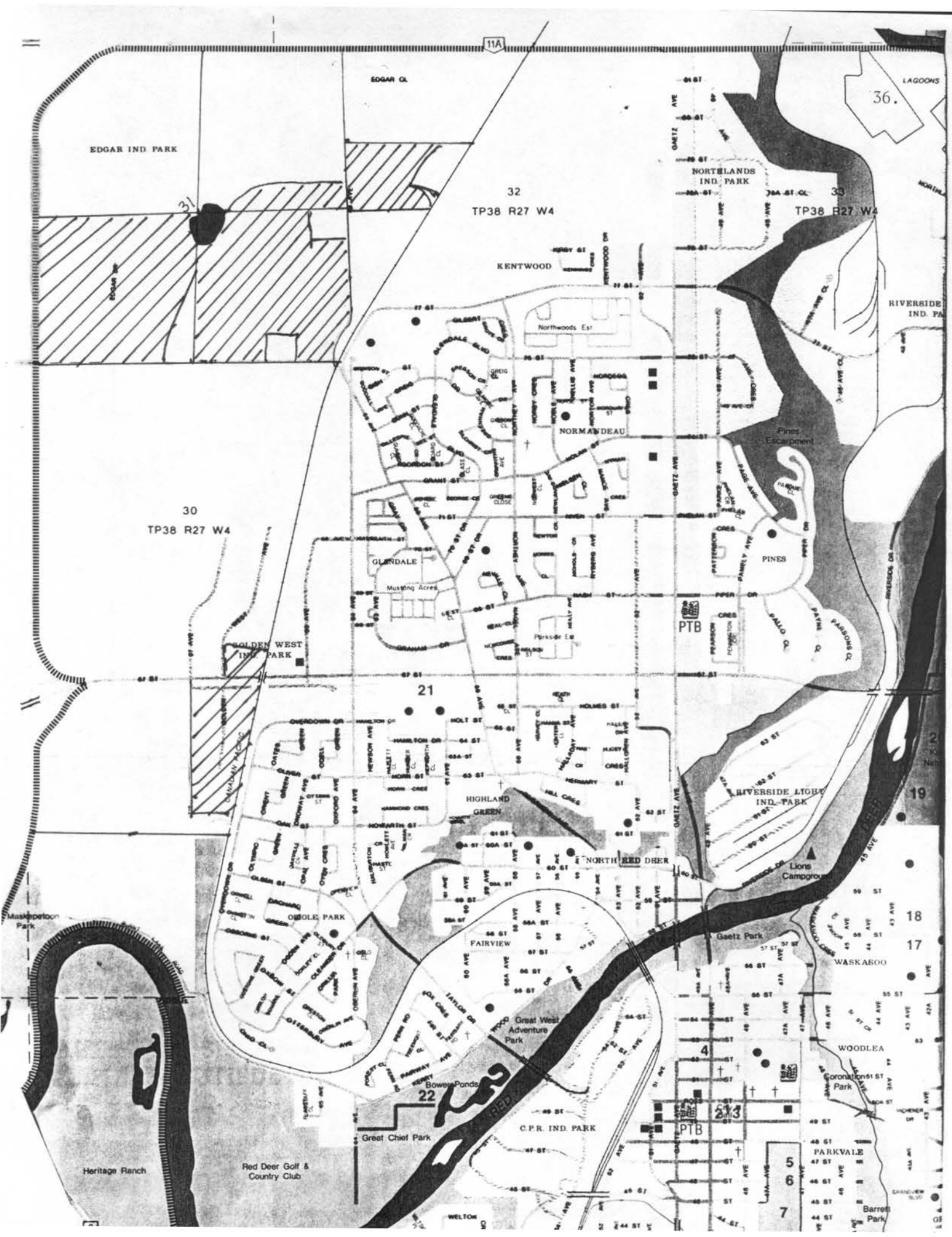
WFL/dm

Commissioners' Comments

We would recommend Council approve lease of the said lands to Mr. D. Dempsey for the amounts as tendered subject to Council Policy 417 and an agreement satisfactory to the City Solicitor.

"R.J. MCGHEE"  
Mayor

"M.C. DAY"  
City Commissioner



**TENDER FOR  
LEASING OF FARM LANDS**

September 29, 1988

City Clerk, City Hall  
City of Red Deer

Dear Sir:

SUBMITTING TENDER FOR

SITE # I	PT. NW1/4	32-38-7-W4th	23AC. +-
SITE # II	PT. E1/2	31-38-7-W4th	72AC. +-
SITE #III	PT. SW1/4	31-38-7-W4th	130AC. +-
TOTAL			225AC. +-
<u>(ALL OR NONE)</u>			

PAYMENT FOR ABOVE

YEAR 1989	225AC. at \$23.40 = \$ 5,265.00
YEAR 1990	225AC. at \$24.57 = \$ 5,528.25
YEAR 1991	225AC. at \$25.80 = \$ 5,805.00
	3 YEAR TOTAL = \$16,598.25
$\$16,598.25 \div 3 \text{ YEARS} \div 225\text{AC.} = \$24.59 \text{ PER AC. AVERAGE}$	

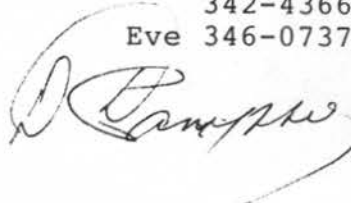
SUBMITTING TENDER FOR

SITE #IV PT. LOT #13 PLAN 812-0210 (Only if above is accepted)

YEAR 1989	9Ac. at \$18.00 = \$162.00
YEAR 1990	9Ac. at \$19.00 = \$171.00
YEAR 1991	9AC. at \$20.00 = \$180.00
	<u>\$513.00</u>
$\$513.00 \div 3 \text{ YEARS} \div 9\text{AC.} = \$19.00 \text{ PER AC. AVERAGE}$	

Thanking you,

David S. Dampsey  
101 - 71 Cosgrove Crescent  
Red Deer, AB  
T4P 2Z6  
Phone No. - Day 346-1700  
342-4366  
Eve 346-0737



## THE CITY OF RED DEER

COUNCIL POLICY MANUAL

---

Policy Section:  
Finance

Page:

Policy Subject:  
Lease of City Owned Farm Lands

Policy Reference:  
417

Lead Role:  
Assessor

Resolution/Bylaw:  
December 8, 1975

---

## Purpose

## Policy Statement

City owned farm lands shall be tendered and leases entered into shall be for 3 year periods. Included in the tender documents and leases would be the right by the City to cancel all or part of any lease with 30 days notice with the tenant being compensated for crop damage should the City require the land during the growing season.

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Cross Reference

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Remarks

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Date of Approval:

Effective Date:

Date of Revision:

December 8, 1975

---

DATE: November 15, 1988  
TO: City Assessor  
FROM: City Clerk  
RE: FARM LEASES/CITY OWNED LANDS - NORTHWEST SECTION/DAVID S. DAMPSEY

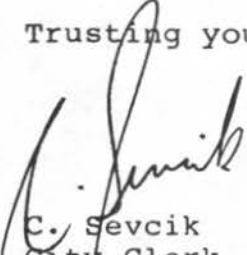
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Your report dated November 1, 1988, concerning the above topic was presented to Council November 14, and at which meeting Council passed the following motion in accordance with your recommendations.

"RESOLVED that Council of The City of Red Deer having considered report from the City Assessor dated November 1, 1988, re: farm leases, City owned lands - N.W. Section hereby approve the lease of the following City lands namely, portion of N.W.1/4 of 32-38-7-W4, portion of east half of 31-38-7-W4, portion S.W. 1/4 of 31-38-7-W4, and portion of Lot 13, Plan 812-0210, to Mr. D. Dampsey of 101, 71 Cosgrove Crescent, Red Deer, with said lease being subject to Council Policy No. 417, lease of City owned lands and an agreement satisfactory to the City Solicitor, and as submitted to Council November 14, 1988."

The decision of Council in this instance is submitted for your information and appropriate action. I trust you will ensure appropriate legal documentation is prepared and executed by all parties. I also assume you will be notifying the unsuccessful bidders.

Trusting you will find this satisfactory.



C. Sevcik  
City Clerk  
CS/as  
c.c. Dir. of Finance

DATE: November 1, 1988

TO: City Clerk

FROM: City Assessor

RE: LOT 44 P.U.L. CITY OF RED DEER

---

A letter was received from Mr. Alec Sim requesting a lease of the above legally described lot from the City. Mr. Sim has purchased Lot 43 at Cosgrove Close in the Meadowglen Development in Clearview. He wishes to lease the above described utility lot for additional yard area and access to his property. This request has been circulated to the Director of Engineering Services, Director of Community Services, EL&P Manager and Senior Planner with responses indicated as follows:

1. R.D.R.P.C. - no objection subject to the cancellation clause. Applicant to be responsible to grass the area, fencing, etc.
2. Parks Manager - No objection subject to:
  - a) the lessee be informed in writing that this lot may be required at a future date for the development of a bike/trail linkage
  - b) no significant improvements be made to the lease area which cannot be removed when/if the bike linkage is required
3. EL&P have no objections
4. Director of Engineering has no objections, subject to the standard requirements regarding buildings, etc. as this utility lot contains a water main

The Land Department; therefore, recommends that Council approve a lease to Mr. Sim on the above described lots subject to the following conditions:

1. Lease Agreement at a \$25.00 annual lease fee
2. 90 day cancellation clause
3. No buildings to be built on easement area, no installation of asphalt or concrete pads or pathways, etc.
4. No parking of vehicles of any kind including recreational vehicles on leased area
5. City has the right of entry to repair utility lines, etc. Insurance to be carried on the leased area with the City named as co-insured in an amount appropriate to residential properties
6. Special mention within the lease agreement of the future possibility of development of a bike/trail linkage within the public utility lot



City Clerk  
Page 2  
November 1, 1988

7. Agreement satisfactory to City Solicitor.

We respectfully request that Council approve this application, subject to the above noted conditions.



Al Knight, A.M.A.A.

AK/bw

cc Director of Engineering Services  
Director of Community Services  
EL&P  
Senior Planner

att'd.

Commissioner's Comments

We would concur with the recommendations of the City Assessor subject to the conditions as outlined. Council should note that the owner of Lot 45 is in agreement.

"R.J. MCGHEE"  
Mayor

STREET  
~~AVENUE~~

*I*  
*P.U.L.*

11

*Cosgrove Close*  
*Subdivision Plan*

CARDINAL  
Avenue



DATE: November 15, 1988  
TO: City Assessor  
FROM: City Clerk  
RE: LOT 44, P.U.L.

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Your report dated November 1, 1988, concerning the above topic was presented to Council November 14, 1988, and at which meeting Council passed the following motion:

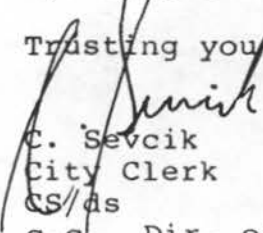
"RESOLVED that Council of The City of Red Deer having considered report from the City Assessor dated November 1, 1988, re: Lot 44, P.U.L., City of Red Deer hereby approve a lease to Mr. Alec Sim for Lot 44, P.U.L., subject to the following conditions:

1. Lease agreement at a \$\$25.00 annual lease fee
2. 90 day cancellation clause
3. No buildings to be build on easement area, no installation of asphalt or concrete pads or pathways, etc.
4. No parking of vehicles of any kind including recreational vehicles on leased area
5. City has the right of entry to repair utility lines, etc. Insurance to be carried on the leased area with the City named as co-insured in an amount appropriate to residential properties
6. Special mention within the lease agreement of the future possibility of development of a bike/trail linkage within the public utility lot
7. Agreement satisfactory to City Solicitor.

and as recommended to Council November 14, 1988, by the administration."

The decision of Council in this instance is submitted for your information and I trust that you will convey said information to Mr. Alec Sim. Also, if Mr. Sim is in agreement with the conditions, please ensure that an appropriate agreement is prepared and executed by all parties.

Trusting you will find this satisfactory.

  
C. Sevcik  
City Clerk  
CS/as

c.c. Dir. of Finance  
Urban Planner  
Parks Manager  
E.L. & P. Mgr.  
Dir. of Eng. Services  
Dir. of Community Services

DATE: NOVEMBER 3, 1988  
TO: CITY COUNCIL  
FROM: CITY CLERK  
RE: PUBLIC HEARING, LAND USE BYLAW AMENDMENT 2672/U-88

---

A Public Hearing has been advertised in regard to Land Use Bylaw Amendment 2672/U-88, to be held Monday, November 14, 1988, commencing at 7:00 p.m. or as soon thereafter as Council may determine.

Bylaw 2672/U-88 provides for the redesignation of the Edgar Industrial Area from A1 to I1 and P1.

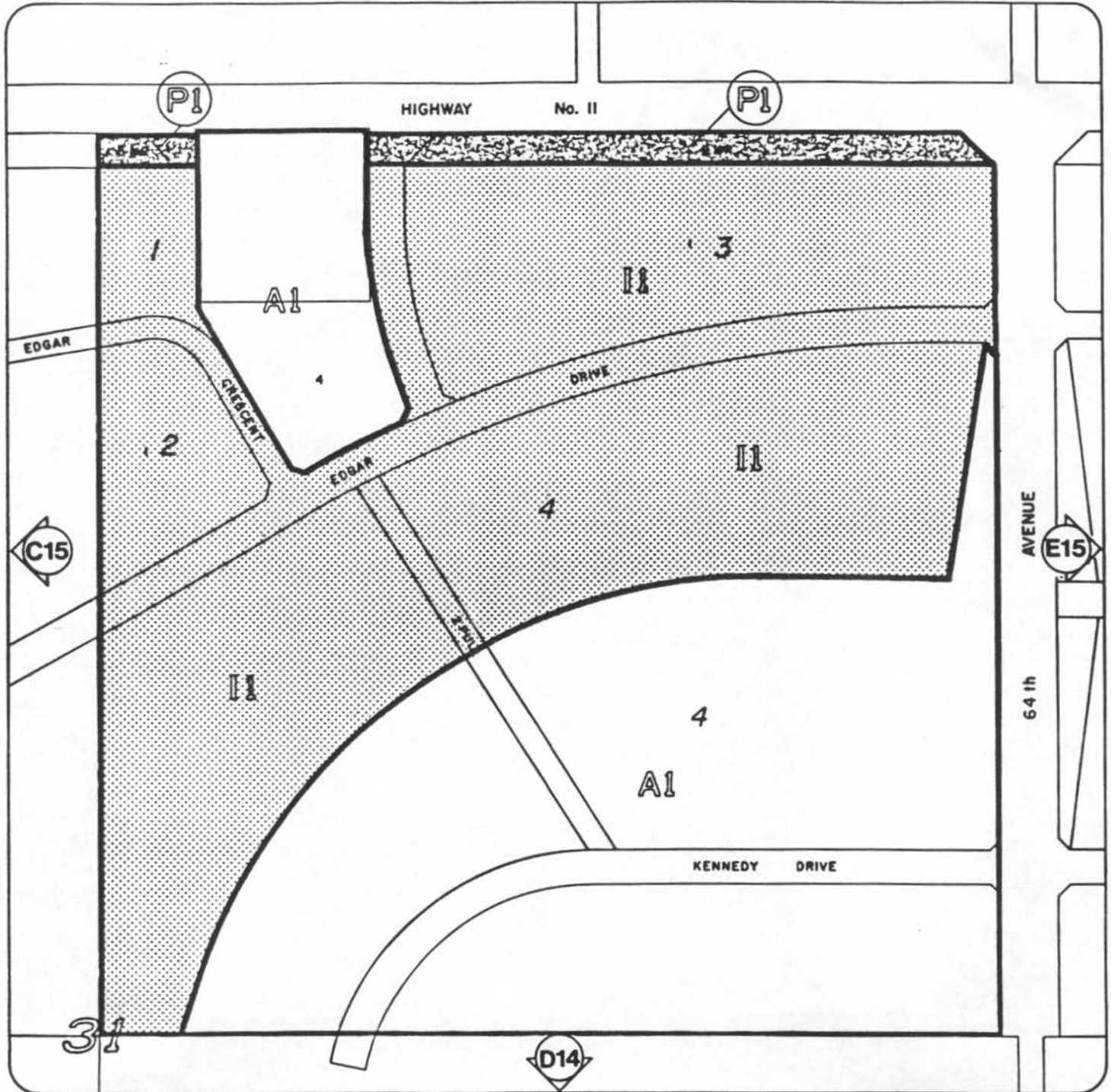
  
C. SEVCIK  
CITY CLERK  
CS/sp

# City of Red Deer --- Land Use Bylaw

## Land Use Districts



**D.15**

43.



Revisions :

MAP NO. 14/88  
(BYLAW No. 2672/U-88)

Change from A1 to I1  & P1 .

Innovators  
Real Estate Ltd.

44.

November 5, 1988

Mr. C. Sevcik  
City Clerk  
City of Red Deer  
Red Deer, Alberta

Re: Bylaw 2672/U-88  
Public Hearing  
November 14, 1988

THE CITY OF RED DEER  
CLERK'S DEPARTMENT

RECEIVED	
TIME	2:50
DATE	Nov. 7/88
BY	ST.

Dear Mr. Sevcik:

This letter is notice that Barry Anderson, of Innovators Real Estate Ltd., 9 Martin Close, Red Deer wishes to make a verbal presentation on objections to the proposed Bylaw 2672/U-88 and will also be making representation for the objections and objectors

Mr. & Mrs. John Slemko of Red Deer, Pt. No 32-38-27 W4

Authorization to represent the group of objectors, namely, John Slemko and Anne Slemko, is hereby acknowledge by the signatures below:

Witnessed at Red Deer, Alberta this 5th day of November, 1988

Witness:

*E. Challen*

Witness:

*E. Challen*

Signature:

*x John Slemko*

Signature:

*x Anne Slemko*

c.c. John Slemko  
Ann Slemko

*Barry Anderson*

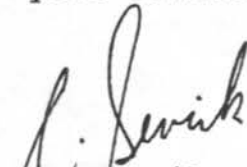
DATE: November 15, 1988  
TO: Urban Planner  
FROM: City Clerk  
RE: LAND USE BYLAW AMENDMENT 2672/U-88

---

Council of The City of Red Deer at its meeting held on November 14, 1988, gave second and third reading to the aforementioned Land Use Bylaw Amendment, a copy of which is enclosed herewith.

Bylaw 2672/U-88 provides for the redesignation of certain lands in the Edgar Industrial Area from A1 to I1 and P1.

I trust that your office will be sending us revised pages for inclusion in the office consolidation copy of the Land Use Bylaw at your earliest convenience.

  
C. Sevcik  
City Clerk  
CS/ds

c.c. Dir. of Engineering Services  
City Assessor  
Dir. of Finance  
Bylaws & Inspections Manager  
E.L. & P. Manager  
Economic Development Manager  
Dir. of Community Services  
Parks Manager

Encl.

# CHAPMAN RIEBEEK SIMPSON CHAPMAN WANLESS

Barristers & Solicitors

THOMAS H. CHAPMAN, Q.C.\*  
NICK P. W. RIEBEEK\*  
DONALD J. SIMPSON  
T. KENT CHAPMAN  
GARY W. WANLESS\*

208 Professional Building  
4808 Ross Street  
Red Deer, Alberta T4N 1X5

TELEPHONE (403) 346-6603

TELECOPIER (403) 340-1280

\*Denotes Professional Corporation

Your file:

Our file: 15,490 THC

October 31, 1988

The City of Red Deer  
P.O. Box 5008  
Red Deer, Alberta  
T4N 3T4

ATTENTION: Mayor and The Members of Council

Dear Sirs:

**Re: Expropriation Hearing  
The City of Red Deer vs. Squaw Point Ranching Co. Ltd.**

As you will have been aware, Squaw Point Ranching Co. Ltd. filed an objection with respect to the expropriation of its lands by the City for railway relocation.

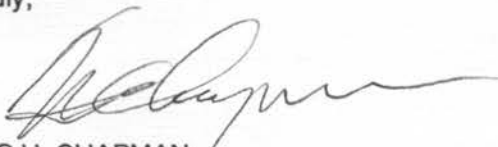
An inquiry into the merits of whether the proposed taking by the City was fair, sound and reasonably necessary for the municipal objectives of the City, was heard October 17, 18 and 19, 1988.

The inquiry officer has now rendered his decision with respect to the inquiry and, after reviewing the evidence as a whole, has found that the intended expropriation by the City is fair, sound and reasonably necessary in the achievement of its objectives.

Under the Expropriation Act, Council of the City, as the "approving authority", is required to consider the report of the inquiry officer and to resolve to either approve or disapprove of the intended expropriation.

The enclosed report of the inquiry officer is submitted to all members of Council for their consideration, and, in due course, Council will be requested to pass the appropriate resolution.

Yours truly,



THOMAS H. CHAPMAN

THC/kah  
Enclosure

Commissioners' Comments

In view of the Inquiry Officer's findings, we would recommend Council pass a resolution as required under the Expropriation Act approving the intended expropriation.

"R.J. MCGHEE"

Mayor

"M.C. DAY"

City Commissioner



IN THE MATTER OF THE EXPROPRIATION ACT,  
BEING CHAPTER E16 OF THE REVISED STATUTES  
OF ALBERTA, 1980 AND AMENDMENTS THERETO;

AND IN THE MATTER OF THE INTENDED  
EXPROPRIATION BY THE CITY OF RED DEER OF  
FIRSTLY: ALL THAT PORTION OF THE EAST HALF  
OF SECTION THIRTEEN (13), TOWNSHIP THIRTY  
EIGHT (38), RANGE TWENTY EIGHT (28), WEST OF  
THE FOURTH MERIDIAN, LYING TO THE SOUTH OF THE  
RIGHT BANK OF THE RED DEER RIVER AS SHOWN ON  
A PLAN OF SURVEY OF THE SAID TOWNSHIP SIGNED  
AT OTTAWA ON THE 13TH DAY OF AUGUST, 1884,  
WEST OF ROAD PLAN 2082 L.Z. AND EAST OF A LINE  
DRAWN PARALLEL AND 62.0 METRES PERPENDICULARLY  
DISTANT WESTERLY FROM THE MOST WESTERLY LIMIT  
OF ROAD PLAN 2082 L.Z., CONTAINING 1.37  
HECTARES (3.39 ACRES) MORE OR LESS,  
EXCEPTING THEREOUT ALL MINES AND MINERALS, AND  
SECONDLY: ALL THAT PORTION OF THE NORTH EAST  
QUARTER OF SECTION THIRTEEN (13), TOWNSHIP  
THIRTY EIGHT (38), RANGE TWENTY EIGHT (28),  
WEST OF THE FOURTH MERIDIAN, LYING TO THE  
SOUTH OF THE RIGHT BANK OF THE RED DEER RIVER  
AS SHOWN ON A PLAN OF SURVEY OF THE SAID  
TOWNSHIP SIGNED AT OTTAWA ON THE 13TH DAY OF  
AUGUST, 1884, AND LYING EAST OF ROAD PLAN 2082 L.Z.,  
CONTAINING 0.045 HECTARES (0.11 ACRES) MORE OR  
LESS,  
EXCEPTING THEREOUT ALL MINES AND MINERALS

AND IN THE MATTER OF THE NOTICE OF OBJECTION  
TO THE SAID INTENDED EXPROPRIATION FILED BY  
SQUAW POINT RANCHING CO. LTD.

AND IN THE MATTER OF AN INQUIRY IN RESPECT  
THEREOF PURSUANT TO THE PROVISIONS OF THE  
SAID ACT BY JAMES L. LEWIS, ESQ., Q.C., AS  
INQUIRY OFFICER APPOINTED BY THE DEPUTY ATTORNEY  
GENERAL TO CONDUCT THE SAID INQUIRY

REPORT OF THE INQUIRY OFFICER

BEFORE: JAMES L. LEWIS, ESQ., Q.C.,

HELD AT: MOTOR TRANSPORT BOARD, HEARING ROOM 402,  
FOURTH FLOOR, PROVINCIAL BUILDING,  
4920 - 51 STREET, RED DEER, ALBERTA,  
ON MONDAY, OCTOBER 17, 1988, THROUGH TO AND  
INCLUDING WEDNESDAY, OCTOBER 19, 1988.



APPEARING FOR THE EXPROPRIATING AUTHORITY - THOMAS H.  
CHAPMAN, ESQ., Q.C., OF THE FIRM OF CHAPMAN  
RIEBEEK SIMPSON CHAPMAN WANLESS

APPEARING FOR SQUAW POINT RANCHING CO. LTD. -  
BRIAN K. O'FERRALL, ESQ., OF  
BENNETT JONES

APPEARING ON A WATCHING BRIEF BASIS FOR CANADIAN PACIFIC  
LIMITED - MARK SHANNON OF ITS LEGAL DEPARTMENT.

I. PURPOSE AND INITIATING PROCEDURE

This is an intended expropriation by the City of Red Deer  
(hereinafter referred to as "the City") of the following land:

FIRSTLY: ALL THAT PORTION OF THE EAST HALF  
OF SECTION THIRTEEN (13), TOWNSHIP THIRTY  
EIGHT (38), RANGE TWENTY EIGHT (28), WEST OF  
THE FOURTH MERIDIAN, LYING TO THE SOUTH OF THE  
RIGHT BANK OF THE RED DEER RIVER AS SHOWN ON  
A PLAN OF SURVEY OF THE SAID TOWNSHIP SIGNED  
AT OTTAWA ON THE 13TH DAY OF AUGUST, 1884,  
WEST OF ROAD PLAN 2082 L.Z. AND EAST OF A LINE  
DRAWN PARALLEL AND 62.0 METRES PERPENDICULARLY  
DISTANT WESTERLY FROM THE MOST WESTERLY LIMIT  
OF ROAD PLAN 2082 L.Z., CONTAINING 1.37  
HECTARES (3.39 ACRES) MORE OR LESS,  
EXCEPTING THEREOUT ALL MINES AND MINERALS, AND  
SECONDLY: ALL THAT PORTION OF THE NORTH EAST  
QUARTER OF SECTION THIRTEEN (13), TOWNSHIP  
THIRTY EIGHT (38), RANGE TWENTY EIGHT (28),  
WEST OF THE FOURTH MERIDIAN, LYING TO THE  
SOUTH OF THE RIGHT BANK OF THE RED DEER RIVER  
AS SHOWN ON A PLAN OF SURVEY OF THE SAID  
TOWNSHIP SIGNED AT OTTAWA ON THE 13TH DAY OF  
AUGUST, 1884, AND LYING EAST OF ROAD PLAN 2082 L.Z.,  
CONTAINING 0.045 HECTARES (0.11 ACRES) MORE OR  
LESS,  
EXCEPTING THEREOUT ALL MINES AND MINERALS

(hereinafter referred to as "the Land"), from the registered owner  
thereof, Squaw Point Ranching Co. Ltd., (hereinafter referred to as  
"Squaw Point"). The Land is more particularly set forth and

described in Certificate of Title No. 802103985. In addition to the City's Notice of Intention to Expropriate registered against the title to the Land on the 15th day of August, 1988, as Registration No. 882187156, the following prior encumbrance is registered against the title to the Land:

1. Utility Right of Way in favour of Crossroads Gas Co-op Limited (South Half) as Registration No. 752149828.

Service of the City's Notice of Intention to Expropriate dated the 10th day of August, 1988, on Squaw Point was effected by its solicitors, Bennett Jones, accepting service. As well, according to the City, the Notice of Intention to Expropriate was published in the Red Deer Advocate on two occasions, the 12th day of August, 1988, and the 22nd day of August, 1988.

Squaw Point, through its solicitors, Bennett Jones, served a Notice of Objection dated August, 1988, to the intended expropriation by the City.

The Notice of Intention to Expropriate by the City stated that "the work or purpose for which the interest in the lands is required is for the purpose of exchanging the firstly described lands with Canadian Pacific Limited, or their nominee, for railway right of way to replace railway right of way to be transferred by Canadian Pacific Limited to the City for the construction of a major urban transportation corridor within the City of Red Deer. For the purpose of conveying to Alberta Transportation, the secondly described lands for right of way, which lands will be severed from the owners lands by the intended expropriation of the firstly described lands."

D.G. Rae, Esq., Q.C., Acting Deputy Attorney General for the Province of Alberta, pursuant to Section 15 of the Expropriation Act, Section 21 of the Interpretation Act and Section 7 (3) of the

Public Service Act, appointed James L. Lewis, Esq., Q.C., on the 30th day of August, 1988, as the Inquiry Officer to conduct an inquiry with respect to the intended expropriation by the City pursuant to and in accordance with the provisions of the Expropriation Act and the regulations made thereunder.

On the 26th day of September, 1988, D.W. Perras, Esq., Q.C., Deputy Attorney General for the Province of Alberta, pursuant to Section 23 (1) (b) of the Expropriation Act and Section 21 of the Interpretation Act extended by 30 days, the time within which the Inquiry Officer had to make his report with respect to the intended expropriation by the City. On the same date, namely, the 26th day of September, 1988, D.W. Perras, Esq., Q.C., also granted an Extension Order extending by 30 days the time for registration at the Land Titles Office of the Certificate of Approval by the City pursuant to the Expropriation Act. The latter Order was registered at the Land Titles Office at Edmonton, Alberta, against the Land as Registration No. 882232702.

The Inquiry Officer served a Notice of Inquiry dated the 27th day of September, 1988, on the solicitors for the City and the solicitors for Squaw Point, as well as attempted service on the prior encumbrancer, Crossroads Gas Co-op Limited which single registered letter was returned to the Inquiry Officer marked "unclaimed", giving notice that an inquiry with respect to the Notice of Objection by Squaw Point to the Intended Expropriation by the City would be held at the Motor Transport Board Hearing Room 402, Fourth Floor, Provincial Building, 4920 - 51st Street, Red Deer, Alberta, commencing on Monday, the 17th day of October, 1988, through to and including Friday, the 21st day of October, 1988, commencing at 9:30 o'clock in the forenoon each day. Each party was requested in the Notice of Inquiry to file with the Inquiry Officer and each of them with the other, a written brief of their case, together with all maps, plans, studies and documents and any other material intended to be presented in evidence at the inquiry.

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A brief was filed with the Inquiry Officer by the solicitor for the City.

The inquiry hearing proceeded on the dates and time appointed. Counsel for the City and Counsel for Squaw Point appeared at the hearing as did Mark Shannon, of Canadian Pacific Limited's Legal Department on a watching brief basis.

Neither Counsel appearing had any preliminary objections to take with respect to this matter being brought to the inquiry stage. Counsel for Squaw Point advised that a certiorari application had been launched by his client and is to be heard in Wetaskiwin, Alberta, on the 10th day of November, 1988. Therefore Mr. O'Ferrall and his client were appearing and participating in these expropriation proceedings on the basis that such appearance and participation would not prejudice his client's certiorari proceedings. Counsel for the City advised that the Utility Right of Way in favour of Crossroads Gas Co-op Ltd. is not affected by these expropriation proceedings.

## II. SUMMARY OF EVIDENCE ADDUCED AT THE HEARING

### (A) EXHIBITS

1. Certified copy of Certificate of Title No. 802103985;
2. Notice of Intention to Expropriate dated the 10th day of August, 1988;
3. Railway Relocation Red Deer Summary Statement prepared by the Grimble Consulting Group and the Red Deer Regional Planning Commission;



4. The Red Deer Railway Relocation Study, Transportation Plan, dated May 31, 1978, prepared by the Grimble Consulting Group;
5. Red Deer Rail Relocation Study, Summary Report, dated September, 1979, prepared by the Grimble Consulting Group;
6. Certified copy of the City's Bylaw No. 2663/80 which received third reading by its Council on the 31st day of March, 1980;
7. Certified copy of the City's Bylaw No. 2689/80 which received third reading on the 15th day of September, 1980;
8. Certified copy of the City's Bylaw No. 2689/A-81 which received third reading from its Council on the 30th day of March, 1981;
9. Hardy B.B.T. Limited Geotechnical Investigation Report dated November 21, 1985;
10. Hardy B.B.T. Limited Geotechnical Investigation Report dated August 26, 1986;
11. Functional Planning Study for Associated Road Relocations and Grade Separations prepared by Reid Crowther and Partners Ltd. dated September, 1986;
12. Preliminary Design Report on Rail Relocation prepared by Canadian Pacific Limited dated October 10, 1986;
13. City of Red Deer Downtown Concept Plan with 3 certified copies of Resolutions of the City's Council attached;

14. Reid Crowther and Partners Ltd. Report to the City of Red Deer on Major Continuous Corridor Project dated January, 1987;
15. November, 1986, Photographic Map of the City with Realignment and Rearrangement of Major Corridors;
- 15(a) Large Photo Layout of the Proposed Railway Relocation and Present Rail Line;
- 15(b) Blueprint with Drawing Showing Proposed New Canadian Pacific Railway Line;
16. Copy of an Agreement made between the City and the Province dated the 1st day of January, 1988;
17. Copy of Agreement made by the City with Canadian Pacific Limited dated the 13th day of June, 1988;
18. Copy of Amending Agreement made between the City and the Province dated the 20th day of July, 1988;
19. Hardy BBT Limited Geotechnical Study Report dated August 8, 1988 (Bridge);
20. Hardy BBT Limited Geotechnical Study (North Terminal);
21. Site Survey of Riding Trails on the Land of Squaw Point;
- 21(a) An Upgraded Site Survey of the Land prepared by Mr. Fawcett's firm;
22. Borehole Locations Drawing G002;
23. Mosaic Plan of the Proposed Route;

24. Letter from the City to Mr. Stonehouse, a County Commissioner, dated April 26, 1988;
25. Table 3A entered by Mr. Olson being an extension of Table 3 in Exhibit 14;
26. Four Photographs of the Land taken by Mr. Rogers at the beginning of October, 1988.

(B) WITNESSES

The City's first witness was Mr. Lou Grimble of Edmonton, Alberta. Mr. Grimble gave evidence that he is a Civil Engineer having graduated from the University of Alberta in 1942 with a B.Sc. in Engineering and obtained a Master's Degree in Engineering from the University of Illinois in 1948 in Highways and Bridges. He described his expertise in engineering as a Transportation Engineer in bridges, highways, and railways. He started his own firm in 1963 after being with and one of the originators of the Stanley Grimble and Roblin firm which commenced operation in 1955. In 1980, Mr. Grimble retired from his firm selling it to his employees but continued to consult in his field of expertise. He has appeared as an expert witness in Court on a number of hearings and actions.

Mr. Grimble stated that he was originally retained by the City in 1956 to do a traffic study, which he updated in 1964. Exhibit 4 was originally started in 1972 on an official basis. In 1973, the City funded a further study and in 1975 there was an agreement with the Federal Government to do an indepth study. He has been involved from 1972 to 1980 in this project, that is, the railway relocation and transportation plan for the City. He described in detail the meeting with the City, the County, and the Federal Government, the working papers that were prepared and presented all leading up to the final report, Exhibit 4, that was produced in 1978.



He described how the 1957 growth studies of the City indicated the City's growing on a north south axis along Gaetz Avenue which is a one way couplet. Then the City started growing in a westerly direction.

He identified Gaetz Avenue and Ross Street in Exhibit 15. He was involved in the construction of the Taylor Bridge and the 45th Street Overpass south of the railyards. One of the objectives was to remove the railyards from the downtown, having industries locate in the northwest part of the City and more residential and less industrial development on the west side of the City. There were a number of level crossings in the City which had to be eliminated. Every option was looked at starting in 1972. Originally there was some 13 options in all between Penhold and Lacombe. These options were narrowed to three in number as indicated in figure 3 in Exhibit 4. These were alternative 1 which Mr. Grimble favoured in the first instance which would have crossed the land near Fort Normandeau. Alternative 4A was located further to the west to avoid curvatures and leave a strip of land wide enough to farm but basically the same alignment. Alternative 5A starts at Penhold with the railway and proceeds along Highway 2, crossing the river and recrossing it at 67 Street. There was very little difference in cost between alternative 4A and alternative 5A but there was more dislocation involved with 5A.

Drafts 1, 2 and 3 of his report all recommended alternative 1. Notwithstanding this recommendation, the City could not get approval from the County to locate the railway as far west as this alternative suggested.

Mr. Grimble reviewed the yard relocation site in figure 3 of Exhibit 4, pointing out that his objective was to achieve the maximum economic benefit for the least cost in moving the railway yard from the downtown to the northwest part of the City.

The Railway objected to the yard on a curve as shown in figure 11 of Exhibit 4, the reasoning being that the engineers could not see around the corner.

Mr. Grimble pointed out that his study was a conceptual or feasibility study based on contour maps, their grade and grade lines. No funds were available for any geotechnical studies whatsoever. Functional planning studies would follow as would the geotechnical or soil studies. A cost comparison was done after the alternatives had been narrowed to three in number. This is otherwise referred to as a benefit analysis.

Mr. Grimble reviewed how the movement of the railway main line and yard would be staged.

Mr. Grimble then reviewed the cost figures in table 14 of Exhibit 4 immediately following page 39. As well, Mr. Grimble reviewed the capital cost of the grade separations and crossing protection. There are two level crossings in the northwest part of the City for which, in his report, traffic lights are planned.

His preferred alternative and his final recommendation was alternative 1 but in view of the County's objection, he therefore recommended alternative 4. Mr. Grimble then reviewed what was required to proceed with alternative 4. Figure 1 in Exhibit 3, which is a combination of land use and transportation use, sets out the advantages and disadvantages of each. Mr. Grimble said he has not changed his position today from that in the report.

Mr. Grimble reviewed figures 10, 11 and 12 in Exhibit 3 describing the concerns to which the Red Deer Regional Planning Commission had a major input.

Again, Mr. Grimble reiterated that one of the purposes of Exhibit 4, was to show that the relocation accomplished the best possible economic return with the least cost.

On cross-examination, Mr. Grimble, after reviewing his education and work experience, acknowledged that Exhibit 4 was prepared first, Exhibit 3 next and Exhibit 5 last.

He also acknowledged that alternate 1 was clearly the superior alternative in his mind of the alternatives suggested but the problem with the County of Red Deer was a major problem which could not be overcome and thus ruled out alternate 1.

His next choice of alternatives was alternative 4 or designated as the old alternate 4B. The old alternate 4A became known as alternate 5.

The relocation of Highway 2 had already been completed at the time Mr. Grimble prepared his reports. All of the work on Highway 2 had been done by the Highways Department itself. The Bridge Branch of the Highways Department did some test hole borings at the bridge site which Mr. Grimble had access to.

When questioned further as to why the County of Red Deer rejected the alternate 1 alignment, Mr. Grimble said that in his view it was primarily on the basis of politics. The Railway Relocation and Crossing Act, a Federal Statute, required County approval to a relocation. Funding was also available under this Statute. There had to be agreement with the County in order to obtain the funding under the Statute. Today, this Statute does not apply and the project is funded entirely by the Province and the City.

The short list of alternatives Mr. Grimble proposed, being number 1, 4 and 5, were reviewed in some detail in relation to the

alignment and what was required for each. The cost involved for each was approximately the same, according to Mr. Grimble. Each alternate had its disadvantages and advantages. These are reviewed at pages 50 and 51 of Exhibit 4.

Mr. Grimble was cross-examined at some length regarding alternate 4, where it crossed Highway 2 by way of a tunnel and how this was determined, namely, with contour and grade maps but no funds were available for a study to be done.

Mr. Grimble described how, by a cut and curve method, the tunnel is put in place across a major arterial highway, Highway 2. It has been done at the project near Airdrie, he explained. One half of the tunnel is done with the traffic being rerouted and then the same procedure is followed for the other half of the tunnel.

Mr. Grimble's proposal for the tunnel was that it be done by a multi-plate method. The Railway rejected this method of construction and requested a concrete tunnel. Exhibit 12 shows the tunnel the Railway requested out of concrete rather than multi-plate. Also the Railway wanted a multi track bed through the tunnel whereas Mr. Grimble in his proposal suggested a single track.

Mr. Grimble was questioned about the public meetings and input into the route selection referring to page 10 of Exhibit 4. Mr. Grimble was not involved in any public meetings. He was made aware of objections to alternate 5 by the Red Deer College. He had no knowledge of objections to alternate 4.

Mr. Grimble acknowledged there was no problem crossing the Red Deer river. There was no problem with the grade. The only problem might be with crossing the swamp land and this would be experienced by both the Railway and the Highway construction.

Mr. Grimble was then cross-examined by Mr. Berrien, an accredited Appraiser, Land Man and Agricultural Adviser. He cross-examined on behalf of Squaw Point at the request of Mr. O'Ferrall. Mr. Grimble agreed that all of the options had been looked at, normal construction techniques apply, there could be a change to the project when you get into the pre-engineering, although Mr. Grimble had not done any pre-engineering or technical work, reviewed the criteria for the route selection, one of which was the cost benefit analysis versus the capital cost, the evaluation criteria looked at is a long list according to Mr. Grimble and is in one of the original drafts of Exhibit 4. A number of other areas were reviewed with this witness.

Mr. Rogers, an Electrical Engineer and Sales expert formerly with Transalta Utilities also cross-examined Mr. Grimble as to the reason for the non-use of native soils as set out on page 6 of Exhibit 20, which Exhibit Mr. Grimble had never seen before. The tunnel would be at least 30 feet to 35 feet below grade, he acknowledged, that frost usually goes down about nine feet below grade but can be driven down somewhat more by a highway.

On re-examination by Mr. Chapman, Mr. Grimble identified the tunnel north of the river and the fact that, in the end result, the southbound lane will be closer to the northbound lane than what it now is. Mr. Grimble also acknowledged that the highway design will allow for eight lanes of traffic to be constructed eventually.

WITNESS - RON TENOVE

Mr. Tenove is a Professional Engineer having received his Bachelor of Science in Engineering from the University of Alberta in 1970, and a Master of Engineering Degree from the University of Alberta in 1971. He has been with Hardy B.B.T. Limited since 1971 and although he has been located in Alberta, he has worked in Western Canada. He has done civil, industrial and government



projects throughout his work period. He is a member of the Geologists and Geophysical Institute of Canada. He is a Vice-President of his Company. He is responsible for Hardy B.B.T. Limited's offices in Red Deer and north. He has some 25 geotechnical engineers working for him.

He has been involved since 1979 with the functional design of this project. His firm was hired by the Design Engineers, Reid Crowther and Partners Ltd.

His function was to drill and obtain samples from 15 boreholes, generally along the higher routes of the proposed alignment. Exhibits 9 and 10 were entered through this witness. He explained that Exhibit 9 is contained within Exhibit 10 and thus it is probably only necessary to refer to Exhibit 10.

Mr. Tenove explained that the boreholes were drilled between Highway 11 in the north to south of the Red Deer valley wall. His purpose was to obtain the soil structures in three areas, namely:

1. north of the Red Deer river valley;
2. the Red Deer River Valley itself and
3. the area south of the Red Deer River Valley.

He then explained the technical detail involved with these boreholes and the samples obtained. This technical detail is set out in Exhibit 10.

A number of additional boreholes were done in the River Valley as a soft material was located which created concerns as to its stability. He also explained the water tables, the

precipitation in this area and the surface water runoff which drains slowly through the type of material found in this area.

The south tunnel proposed in alternate 4 is in close proximity to the river. The concern here was how stable the slope is and if it is unstable, it may be for some distance. There are some anticipated ground water problems. Frost action is a consideration. Mr. Tenove explained that he had the benefit of the borehole testing done by Alberta Transportation when the Highway 2 relocation and bridge over the Red Deer River were built some twenty or more years ago.

On the north side of the river, only single boreholes were drilled. Most of the boreholes were drilled in the bridge and tunnel locations.

On cross-examination, Mr. Tenove confirmed that the contractual responsibility for the south tunnel or tunnels was that of Alberta Engineering Ltd. of Calgary and the contractual responsibility for the north tunnel was that of Reid Crowther and Partners Ltd. He and his firm received instructions from Reid Crowther and Partners Ltd. who had the responsibility for the north embankment of the Red Deer River and north of that along the alignment suggested.

In the fall of 1985, his firm did a series of borehole tests along the route to get a feel for it. Exhibit 22 followed along the route indicated. Boreholes 1 to 13 inclusive were done in 1985 and boreholes 14 to 25 inclusive were done in 1986. These boreholes were all done along the alignment indicated in Exhibit 22. After this had been done, he then received word of a route change. Exhibit 22 does not show the new boreholes that were done because of the route change and new alignment. In May of 1988, some 7 new boreholes were done, three at the north tunnel site and four at the proposed bridge site.

Mr. Tenove suggested that the geotechnical information obtained on the site of the south tunnel showed severe costs and this may have been a factor causing a change in the alignment. His firm's function was to react to instructions as far as he was aware and that meant going out and doing the borehole testing and investigate the alignment proposed.

It was noted that there had been more borehole drilling done on the west side of the river as opposed to those done on the east side of the river. Mr. Tenove explained that there was more organic material on the west side as opposed to the east side of the river.

He explained at some length what he meant by the soil at the eight meter level and below in Exhibit 20 being saturated. He also explained that the north tunnel is proposed to be some three meters deeper. He explained the continuous draining system that would be a possible answer to this problem and that such a system would have to be better on the south side as opposed to the north side of the river. He explained the possible water ponding problems below the surface and the purged water tables and what this meant.

On cross-examination by Mr. Berrien, the 1986 and 1988 reports were pretty well the same except that there was a difference in emphasis. The reports had been written by different people.

WITNESS - HARVEY OLSON

Mr. Olson testified that he is with Reid Crowther and Partners Ltd. in Calgary. He is a Professional Engineer specializing in transportation, that is, railways, roads and air. He is a graduate of the University of Calgary in Engineering in 1971 and obtained his Masters in Engineering in 1977 from the University of Calgary in Transportation Planning. His work experience started with Canadian Pacific Railway where he spent two years and then



joined Transport Canada. He joined Reid Crowther and Partners Ltd. some ten years ago and his work is mainly in roadways and railways. He is the Design Manager on behalf of Reid Crowther and Partners Ltd. for this project. He also described his professional associations.

He was the Design Manager when both the highway and railway were relocated in the City of Lethbridge. It was a division of Highway 3, the Crowsnest Pass Route from downtown Lethbridge to Kip, Alberta.

The assignment for this project commenced in the summer of 1985. Project A was the railway relocation on which Reid Crowther and Partners Ltd. were the prime consultants who employed associated engineers and subcontracted to consultants. The associated engineers provided a similar service to that which Reid Crowther and Partners Ltd. provided and the subcontracted consultants did small jobs, he explained.

Mr. Olson referred to Exhibit 11 which he said examined in greater detail the work which Mr. Grimble had previously done, looking at route crossings, staging for grade separation and other duties, along with qualitative and cost estimates being prepared. He received information from Canadian Pacific's own engineering staff who were working on the railway alignment. Mr. Olson's firm had to hold off on the alignment until it had the proposed alignment for the railway from Canadian Pacific. Canadian Pacific's report, Exhibit 12, became the basis for Reid Crowther's work under its contract.

In his functional design work, he worked from the conceptual design prepared by Mr. Grimble's firm, looked at what the final design might be, determined the right of way requirements, and addressed the engineering cost analysis only. The grade separations

he was concerned with were at 32nd Street, Highway 2 and 2A, 67th Street and Highway 11.

He described the two methods to design a railway over a road. In this case, he was asked for additional clearance in view of the possibility of electrical locomotives being used in the future. His estimates were done with both possibilities, electrical and non-electrical, in mind. His estimates were also done on the basis of an additional track being added at any time in the future. This resulted in four possibilities on which he did an estimate for each.

He explained that Highway 2 is a four lane divided highway which can be widened to six or even eight lanes. One of his objectives was to maintain the Highway 2 profile as it exists today. Any detours required would be designed to the same design standards as the present Highway 2. He described the tunnel on the south side as more of a culvert than a tunnel. He described the minimum allowable slope requirements involved with this tunnel and the railway, the 60 degree skew proposed for the tunnel which makes for a rather long tunnel and thus the tunnel is a very substantial portion of the overall cost. Concerns were expressed by Canadian Pacific about ploughing snow from the railway bridge immediately north of the river onto the road below as well as other debris. He described in some detail how the tunnel would be constructed, the scheduling program whether it be winter or summer, the high maintenance cost involved and other aspects of the tunnel construction. He reviewed the projected costs on page 28 of Exhibit 11 for the tunnel with the four possibilities in mind.

Reid Crowther did a supplementary report which was entered as Exhibit 14 and it reviewed five alternatives to the tunnel crossing of the rail line and Highway 2 south of the Red Deer River. Economy of cost would dictate, for the river crossing, one bridge.

One of the alternatives that was considered in addition to alternative 4 of Mr. Grimble's proposal and study was referred to as alternative C being a rail bridge across the Red Deer River and above Highway 2. This was a long and high bridge by Railway standards, according to Mr. Olson. The Railway expressed some concern about the curvature of the proposed bridge in this alternative. The Canadian Pacific Chief Engineer reserves the right of veto on a railway bridge and did just that with the suggested overhead bridge suggested by the alternate C alignment.

Table 2 in the supplementary report prepared by Reid Crowther, entered as Exhibit 14, estimates the long tunnel costs and Table 3 estimates the short tunnel costs.

According to Mr. Olson, the substructure design of the bridge and alignment, the tunnel and Highway 2 escarpment on the north end of the river are completed from a design work point of view and are in a position to go to tendering. The estimated cost of the tunnel is six million dollars and the estimated cost of the associated road work is 2.4 million dollars. In addition, the detour and a future southbound lane to be constructed are not included in this estimate.

The use of vertical shoring on the tunnel could possibly result in a saving of a million dollars, according to Mr. Olson.

On cross-examination, Mr. Olson identified alternate 4 as being Exhibit 15 (d) posted in the hearing room and alternate C which is a map included with Exhibit 14. Mr. Olson was questioned as to why the impetus to change from alternate 4 to alternate C, the latter having been in place since 1978. Mr. Olson said that he was asked to look at reducing the cost but had no instructions to look specifically for a three million dollar savings but only to look at a savings in cost. Mr. Olson did not know why alternate C was

eventually rejected. Both alternate 4 and alternate C had been prepared for the City at its request.

Mr. Olson's firm was then retained by Canadian Pacific to do two things:

1. The substructure for the river bridge;
2. A new tunnel south of the river.

Mr. Olson acknowledged that he was always aware that Canadian Pacific controlled the design of the river bridge.

Exhibit 14 being the alternate crossing study was prepared in January of 1987. The first knowledge that Mr. Olson had of any change was when he was contacted by Canadian Pacific in late 1987 or early 1988 for design work on behalf of Canadian Pacific.

Mr. Olson said he has had nothing to do with the alignment design work. Mr. Grumble did have something to do with the alignment design. In Mr. Olson's case, he said that he was given the alignment and asked to do the functional work and feasibility study. He had two comparisons to do, the crossing of the river and the crossing of Highway 2.

In Exhibit 14, two tunnels to the south are considered, a short tunnel of 360 metres in length and the long tunnel of 541 metres in length. These were alternatives. The north tunnel proposed is some 116 metres in length.

He explained where the long tunnel and short tunnel on the south fit into the project as alternatives, why the proposed north tunnel is shorter, that is, because the south tunnel crosses at a 60 degree angle and is thus longer in the skew whereas the north tunnel crosses at a 45 degree angle.

He acknowledged that there is a portal outside of the east side of the tunnel proposed and a portal inside of the west side of the tunnel proposed.

His cost estimates in Table 3 of Exhibit 14 are for the south tunnel. He did not have any cost estimates for the north tunnel. He explained that he was not privy to any comparison costs of the north and south tunnels.

Such cost comparisons of the north and south tunnels could be generated in conjunction with Canadian Pacific and Associated Engineering.

In the case of the north tunnel, Alberta Transportation supplied the concept for the long range plans of the roadway and the profile of the tunnel goes from the edge of the pavement to the other edge of the pavement. He acknowledged that if more retaining wall is employed, there would be less tunnel required.

The proposed south tunnel contemplates six lanes of traffic as well as an onramp for traffic from a ranch in the vicinity. He understands that the north tunnel contemplates eight lanes of traffic.

The 57th Street interchange requires ramp work but if the interchange is twinned, only one interchange would be required with two ramps which would be a cost saving.

Mr. Olson explained that he was not aware why there is a wide spread in the northbound and southbound lanes of traffic on the north side of the river in the area of the proposed north tunnel.

He explained the patented concept in Exhibit 14 being a reinforced earth tunnel which a company by the name of Reinforced Earth Company builds. The potential for saving if this type of



tunneling is done is some \$430,000.00 on the short tunnel and \$620,000.00 on the long tunnel.

Mr. Olson explained that the geotechnical work on the substructure for the bridge and the substructure for the tunnel south of the river is completed and these two projects are ready to go to tender. There may be geotechnical work that has to be done on the distance between the bridge substructure and the proposed tunnel on the south side of the river. This may have been what Mr. Tenove was referring to when he said that more geotechnical work was required in his evidence the day previous.

WITNESS - WAYNE WILLIAM FAWCETT

Mr. Fawcett was the City's next witness who stated that he is a licensed Alberta Land Surveyor. He was commissioned by the City to do a survey of the Squaw Point property. This survey which took about two days commenced on October 8th of this year.

His survey plan which was entered as Exhibit 23 shows the railway right of way and two pieces of the proposed roadway on Squaw Point's land and how these rights of way affect the trails, shown in the plan, on this Land. An updated version of the survey plan also showed the two dwellings on the Land and their location in relation to the proposed rights of way.

Mr. Fawcett also identified the tree line which is about 95 metres from the west limit of the right of way, the tree line consisting of spruce and poplar. The Gas Co-op's line was also identified and Mr. Fawcett explained that he had had discussions with the Gas Co-operative and the newest alternative proposal for this project in this area did not affect the Gas Co-op's lines so the Gas Co-op did not respond to the expropriation process.

On cross-examination, Mr. Fawcett identified the map attached to Exhibit 2 which showed the Land required for the project cross hatched. He explained that he had prepared this plan. The land required for this project consists of 3.39 acres out of the East Half of 13 and .11 acres out of the North East Quarter of 13 for a total requirement in these expropriation proceedings of 3.50 acres.

He acknowledged that the portion of land taken west of the present Highway 2 was not required for the railway but was required for Alberta Transportation.

The total width of the Land being expropriated is 62.0 metres. This was the dimension provided to him for the preparation of the survey. He explained that he was given the coordinates by Canadian Pacific to establish this centre line and the width of the right of way prescribed by Canadian Pacific. He explained that the parameters were not given to him as to how far the railway line was to be from the roadway. He did explain that he was not able to achieve a parallel boundary between the railway and the roadway. Yellow tapes for markers were placed on the Land designating the southerly and westerly limit of the proposed right of way taking.

Mr. Fawcett was not aware that the small building on the Land was other than a Pony Club headquarters. He explained that he did not know it was habitable.

He again identified the two small pieces in his plan attached to Exhibit 2 which were required for the road allowance as opposed to what was required for the railway right of way.

The upgraded survey plan prepared by Mr. Fawcett was entered as Exhibit 21 (a).

WITNESS - RONALD TANAKA

Mr. Tanaka is the Chief Construction Engineer for Canadian Pacific Railway Special Projects Branch in Calgary. He is a graduate in Civil Engineering from McGill in 1959, had two years of consulting following graduation, 22 years in construction and has been with Canadian Pacific for the past 5 years. He works in heavy construction as a Construction Manager and deals with heavy design. He is a member of the Order of Engineers of Quebec and the similar Order in Ontario, as well as a member of the Canadian Society of Engineering.

Mr. O'Ferrall questioned Mr. Tanaka on his qualifications and determined that Mr. Tanaka had worked on the Golden to Revelstoke, B.C., double trackage and the relocation of the Canadian Pacific terminal in Lethbridge. He has done a lot of engineering design across Canada for Canadian Pacific and has been involved in this project since late 1985.

On direct examination by Mr. Chapman, Mr. Tanaka testified that this proposed project started to become more serious in late 1985 as the parties had the will and determination to go ahead with it. Canadian Pacific agreed to do the preliminary design and cost estimates in conjunction with the City. Exhibit 12 was the result of Canadian Pacific's design and cost estimate work. The cover of Exhibit 12 identifies the alignment that was given to Canadian Pacific to work with. It is the original Grimble alignment referred to in these proceedings as alternate 4.

Road transportation is not within the scope of the study according to Mr. Tanaka. The highway overpasses are not within Canadian Pacific's study. The south tunnel is not within this study. Reid Crowther and Partners Ltd. were doing this.



Canadian Pacific dealt with the balast, ties, track, fill and bridges concerned with in this alignment. The alignment had already been selected and presented to Canadian Pacific when it got into the scope of its report. The purpose of the report was to do a management design and cost estimate. The cost estimate does not include any of the structures in the Reid Crowther report and work.

Canadian Pacific received its information from the City with contour maps and the proposed alignment. The geotechnical reports were done by Hardy BBT Limited insofar as the river bed, abutment and pier were concerned. The design criteria that Canadian Pacific was using as described on page 13 of Exhibit 12 was made to comply with all of the standards set out in this paragraph. At page 23 of Exhibit 12, the reference to the type of soils would come from the Hardy BBT geotechnical report.

After Canadian Pacific had completed its report, Exhibit 12, which was accepted by the City, negotiations commenced with the City's technical people and special projects people which met about once every three weeks to a month in either the City or Calgary.

Mr. Tanaka believed that Canadian Pacific had received the Reid Crowther report after it prepared its own report. In other words, Canadian Pacific prepared its own report without the benefit of the Reid Crowther report. The Reid Crowther report is based on the Grimble alignment, that is, alignment 4.

There was discussion with the City, in relation to Canadian Pacific's own report and Reid Crowther's report on the alignment. This is when the transition from the Grimble alignment, alignment alternate 4, to the alignment reflected in map 14 to Exhibit 14 was concluded.

The cost of the tunnels on the south side of the river was high according to Mr. Tanaka. Thus, the City and Reid Crowther

looked at a long alignment for the railway bridge as reflected in map 14 to Exhibit 14 and suggested the railway structure over the highway. Construction estimates were prepared and finally a memorandum of understanding was entered into by Canadian Pacific with the City in November, 1987, based on the alignment indicated in map 14 attached to Exhibit 14 and commonly referred to throughout these proceedings as alignment C.

According to Mr. Tanaka, the Province of Alberta was represented at the meetings with Canadian Pacific and the City or at least, most of these meetings.

Mr. Tanaka reiterated that Canadian Pacific was given the alignment, being alignment alternate C and not the Grimble alignment. Canadian Pacific had no input into the alignment suggested. The alignment was fixed so Canadian Pacific started their work from there. Mr. Tanaka said that Canadian Pacific did not compare the cost of alignment C with the Grimble alignment or otherwise referred to as alignment alternate 4. The cost of alignment C was between 41 million and 42 million dollars according to Mr. Tanaka. Other evidence in the proceedings indicated the cost of the Grimble alignment, that is, alignment 4 was around 36 million dollars.

Mr. Tanaka agreed that there was a change of alignment subsequent to the November 3, 1987, memorandum of understanding. After the memorandum was signed in November 1987, Canadian Pacific sent its field people out to the area to review and survey it. These field people found that alignment C called for a 1500 foot long overhead rail bridge with a 3 degree curve. The objective of the railway is to keep any alignment as straight as possible and bridges on such alignment as short as possible. Canadian Pacific's field people recommended that the proposed bridge in alternate alignment C be kept straight and thus stay on the west side of Highway 2 at the river crossing. In order to accomplish this, a

crossing of Highway 2 had to be accomplished and Canadian Pacific's field people suggested building a tunnel under Highway 2 north of the river. A point of wide separation between the north and southbound lanes of Highway 2 north of the river was suggested as the point at which the tunnel be built and to move the southbound lane of traffic on Highway 2 closer to the northbound lane of traffic.

Alternative C suggested the bridge on a curvature over a major highway. This presented concerns to Canadian Pacific, such as the degree of curvature suggested for the bridge, the fact that it is over a highway and snow removal may be a problem insofar as the Highway 2 itself was concerned. At this point after the field work had been done by Canadian Pacific, Canadian Pacific then approached the City and the Province about a possible change in the alignment. Canadian Pacific proposed that the alignment be changed to a new alignment maintaining the rail line on the west side of Highway 2 across the river which would eliminate the curvature in the railway bridge, the crossing of Highway 2 by a tunnel on the north side of the river and this change would be at the expense of Canadian Pacific. This would not change, in principle, the agreement between Canadian Pacific and the City. Any additional cost necessitated by the change in alignment suggested by Canadian Pacific would be at Canadian Pacific's expense. Therefore, the 36 million dollar figure in the agreement between Canadian Pacific and the City would remain the same. If there was additional cost involved in the new alignment suggested by Canadian Pacific, it would be borne by Canadian Pacific. The total cost would remain the same insofar as the City was concerned, that is, 36 million dollars, the City agreed to pay Canadian Pacific under the agreement of November, 1987.

Geotechnical work was done at the bridge location and the north tunnel. No geotechnical work was done on the west side of Highway 2 north of the river as this was privately owned property.

The geotechnical studies done and entered as Exhibits 21 and 22 were referred to.

According to Mr. Tanaka, no comparison was done by Canadian Pacific as between the lands on the east side of Highway 2 and the lands on the west side of Highway 2. He stated that it did not matter what the geotechnical studies indicated as Canadian Pacific had to decide on the alignment question first. It was a gamble on Canadian Pacific's part if the costs were higher on the west side as opposed to the east side of Highway 2. Also, he said that Canadian Pacific really did not know the cost until it went to tender. At present, the cost estimates by Canadian Pacific are approximately the same for locating its line on the west side as opposed to locating its line on the east side of Highway 2, that is, comparing the alignment suggested by Canadian Pacific with alignment alternate C. Canadian Pacific had no geotechnical information from Hardy BBT Limited when it did its estimates or its suggested alternate alignment. Canadian Pacific did have the Alberta Transportation borehole test which Alberta Transportation had done some 20 or more years ago when it built Highway 2 at this point. Mr. Tanaka did acknowledge that the closer you get to the river, the wetter the material conditions are. North of the river, the material conditions are relatively dry.

Looking at alternate 4 or the Grimble alignment, some 200,000 to 300,000 cubic metres of fill would be required to build the embankment on the east side of Highway 2. Looking at the alignment C, the elevation of the railway track is high over the river and Highway 2. The fill material required would be in the order of 800,000 cubic metres, the cost of which would be in the order of \$4.00 a cubic metre. In addition, if the railway crossed the highway at an angle, a 158 foot span for the bridge would be required which would be the longest permitted design span for the bridge which is extremely long according to Mr. Tanaka. If the angle of the railway bridge is 30 degrees, this 158 foot bridge span



would not accommodate such an angle. Also, because of the angle of the railway bridge south of the river, the railway line is further west of Highway 2 in alignment C compared with the shorter distance that the railway is from Highway 2 in the new alignment suggested by Canadian Pacific.

In the newest alignment suggested by Canadian Pacific, the fill material required for the west side will come from the cut required for the tunnel north of the river. Some 200,000 to 300,000 cubic metres of material will be required. Mr. Tanaka pointed out that one of the criteria Canadian Pacific was working with was that it could not change the elevation of Highway 2 northbound lane. Therefore, the tunnel would be 30 feet to 33 feet below the existing highway pavement, building the tunnel under both lanes and then moving the southbound lane of traffic on Highway 2 closer to the northbound lane of traffic on Highway 2. In other words, moving the southbound lane of traffic easterly. He also pointed out that Canadian Pacific's alignment requires that there be a lower elevation of track to cross 67th Street. This will also provide fill material to be used elsewhere on this alignment.

The type of tunnel being suggested by Canadian Pacific is a concrete box tunnel similar to what Reid Crowther talked about for a tunnel on the south side with respect to alignment 4 or the Grimble alignment. The tunnel on the north side of the river will be designed for two tracks now although only one track will be installed and the balance of the width would be used for an access road until two tracks become necessary. This design has not provided for the possible future electrification of the trains. If electrification is provided for, Canadian Pacific would have to raise the top of the tunnel or lower the grade by two feet to three feet as well as widen the tunnel. This is not planned for in the proposed north tunnel in Canadian Pacific's alignment. In Mr. Tanaka's view, there is no comparison between Canadian Pacific's alignment suggestion and the alignment C proposal. Canadian Pacific

does not like the suggestion of a 1500 foot long bridge over a major highway. He mentioned the problem with snow removal from the bridge over the highway, graffiti on the railway bridge, etc., as objections.

The volume of railway traffic through this area at the present time is between 12 and 15 trains a day. Mr. Tanaka did not know the number of these trains that travel by day or those that travel by night.

On cross-examination, Mr. Tanaka acknowledged that the existing Canadian Pacific rail line is within the City boundaries and from Canadian Pacific's point of view there is no need to move the line or the downtown terminal. The City had requested the relocation.

Therefore, in view of this request, the agreement between Canadian Pacific and the City was entered into, Canadian Pacific applied to the Canadian Transport Commission, now known as the National Transportation Agency, for what is called a "application for construction order". This application was made in June of this year. The plan profile and book of reference submitted with this application did not show the alternative alignment for the railway that Canadian Pacific is now suggesting. The ultimate profile alignment that Canadian Pacific is now suggesting was submitted by a letter of July 8, 1988, to the National Transportation Agency (Attention of Suzanne Clement) signed by a Mr. Wendlandt, the general counsel for Canadian Pacific in Montreal. The application is made under Section 119 and all other relevant sections for approval to the ultimate alternative alignment suggested by Canadian Pacific. Canadian Pacific has not received a response from the National Transportation Agency as yet. Mr. Tanaka pointed out that another application has to also be made to the National Transportation Agency for the structures, namely, the bridge and tunnel. The first application to the National Transportation Agency is for the alignment and grade and the second application will be

for the structures. Mr. Tanaka acknowledged that there have been objections filed with the National Transportation Agency to Canadian Pacific's application which Canadian Pacific was made aware of and has responded to these objections. Mr. Tanaka agreed that it is possible that the National Transportation Agency will not approve Canadian Pacific's alignment but he added that this was not logical that it would happen in his view.

The environmental concerns expressed by environmental groups about the destruction of the tamarack trees on the east side of Highway 2 if alternate C alignment was proceeded with was not one of the concerns that Canadian Pacific had in mind when determining its alignment. It is a plus for Canadian Pacific's ultimate alignment at it's suggested alignment would avoid this environmental concern.

Mr. O'Ferrall pointed out to Mr. Tanaka that a Mr. Pitt owns land on the north side of the river on both the east and west side of Highway 2. Mr. Tanaka stated that Canadian Pacific was not able to get on the west land of Mr. Pitt to do a survey. Mr. Tanaka also pointed out that Canadian Pacific has not commissioned anyone to do core samples on the north and east side of the river and Highway 2.

The cost mentioned in Exhibit 12 may have been reviewed by Mr. Tanaka any he may have had some input into the preparation of this information. In any event, the ultimate responsibility for this information is his. The cost figure of 36.6 million on page 6 of Exhibit 12 does not include the south tunnel. This cost estimate of 36.6 million also excludes the cost associated with 32nd Street, Highway 2, 67th Street and Highway 11 interchanges.

The 36.5 million dollar cost figure in Exhibit 16 (Schedule D) has no relationship to the 36.6 million dollar cost figure in Exhibit 12. These costs do not cover the same work. The 36.5

million dollar figure is a negotiated amount considering a number of debits and credits negotiated with the City.

Mr. Tanaka pointed out that Canadian Pacific had a high median area north of the river for a tunnel in order to cross Highway 2. He also acknowledged that Canadian Pacific had agreed to build the railway bridge proposed in alternate C. He also acknowledged that Canadian Pacific was steered completely away from alternate 4, the Grimble alternative alignment. Canadian Pacific did not consider going back to this latter alternative at all even after looking at alternative C alignment and noting the curvature of the raised railway bridge over the river and Highway 2.

Mr. Tanaka stated that he did not know if detailed environmental work or a review had been done by Canadian Pacific when he was referred to the last paragraph on page 12 of Exhibit 12. If environmental concerns were expressed, environmental studies would be done by Canadian Pacific. The cross section drawing was not prepared by Canadian Pacific but apparently by the City. There was no difference locating the railway line on the west side or the east side of Highway 2 north of the river from a cite point of view, Mr. Tanaka acknowledged. The location of this line would be subject to the geotechnical work done. Mr. Tanaka agreed that in connection with the alternative 4 alignment, Canadian Pacific does not have the constraint of elevation of pavement at the north end of its line compared to its own alternative alignment suggestion. Mr. Tanaka did point out that the alternative 4 alignment is some 300 feet to 400 feet longer.

Mr. Tanaka testified that the curvature of a rail line be no greater than 3 degrees whether it be the alternative C alignment or the ultimate alternative suggested by Canadian Pacific. On either side of the proposed north tunnel in Canadian Pacific' ultimate alignment, the curvature degree is no greater than 3 degrees according to Mr. Tanaka.



Mr. Tanaka acknowledged that the capacity of the railway line is only wide enough for single trackage; likewise with the tunnel suggested on the north side of the river. The bridge suggested for the railway across the river is only sufficient for single trackage. The railway across Squaw Point's Land is 62 metres wide. The reason for this is that an additional 14 metres in width is required if the railway goes to double trackage.

The cost to relocate the highway south of the river is about one million dollars, he was told. Canadian Pacific is only paying for the north tunnel. It is not paying anything for the south tunnel suggested in alternative alignment 4. The estimated cost for the tunnel and the highway detour north of the river is \$22,000.00 a metre.

Mr. Tanaka pointed out to Mr. Berrien on his cross-examination of Mr. Tanaka that it did not matter to Canadian Pacific which alignment it proceeded with based on a cost factor of 8 million dollars for the Grimbale alternative 4 alignment or the ultimate alignment suggested by Canadian Pacific if this was the only factor under consideration.

WITNESS - JOHN FREEMAN-MARSH

The City's next witness was Mr. John Freeman-Marsh, the Director of Special Projects (Planning) for the Urban Transportation and Planning Division of Alberta Transportation and Utilities. Mr. Freeman-Marsh explained that he is a registered profession engineer and has been in his present position for five years.

He explained that he was involved in the Lethbridge Railway Relocation from Transportation's point of view. He joined the team working on the City realignment project in 1984. He has participated in the meetings involving this project. He coordinates the design and engineering matters involved in the project. There is a

team or a steering committee composed of people from the City, the urban transportation group, the county, and himself to coordinate the engineering function.

He explained the Province of Alberta's major continuous corridor program and how it applies to the railway and transportation within the City. This program was announced by the Province in 1984. The contribution by the Province is much higher than on other programs, the Province's share being 90%. The Province's policy on such programs is that there will be one such project for each major centre. This program started with the two major cities in Alberta, Edmonton and Calgary. There is great expense and problems involved with such programs. In Calgary, the major continuous corridor program is the Deerfoot Trail and in Edmonton, it is the Yellowhead Trail. The project we are concerned with in this hearing is the corridor for the City of Red Deer. The program benefits the general transportation plan for the Province as well as a major centre's transportation network.

Highway 2, in the vicinity of the City, may be upgraded in the future from six basic lanes of travel which presently exist to eight lanes of travel but, in any event, as you approach the City area, additional lanes of traffic are necessary, namely, eight lanes. It is proposed that there will be eight lanes of traffic between Highway 11A in the north to McKenzie Drive south of the City. The Province has a substantial amount of right of way to do this expansion now and the additional land that will be necessary is for a couple of interchange locations.

Mr. Freeman-Marsh said that other studies had been done, in addition to those which had been referred to at this inquiry hearing. Transportation itself did some preliminary investigations on the alignment and one of the alignments rejected was on the east side of Highway 2 particularly at the south end where Highway 2 and Highway 2A junction. There is an interchange at this junction at

the present time which will have to be upgraded. He mentioned other reasons for rejecting other alignments suggested, one of the concerns being the impact on Red Deer College's property as well as the Heritage Ranch area. As well, there is a possibility of a ramp and rest area south of the river that is a consideration for the alignment. He reviewed other considerations arising out of the suggested alignments. For example, he and his department were shocked by the geotechnical work after it was done insofar as it applied to the alternate 4 alignment, the Grimble alignment. Also, there were major risk factors involved with this alignment. At this point, Mr. Freeman-Marsh said that the project had to go back to Cabinet as it was getting "a little rich for their blood", meaning the steering committee's blood. The steering committee was advised to redo some engineering and effect some cost saving. This is when alternate alignment C was suggested as it effected a cost saving of about 5 million dollars and did not have to go as far north as the Grimble alignment or some other alignment suggested would take the corridor.

Even with alternate alignment C, there were certain risk factors on the south side, for example, soil conditions and side slope. He also acknowledged though that any problem can be solved for a price.

The tunnel combination and grade separation are the responsibility of Alberta Transportation. The maintenance of structures on the roadways are the responsibility of Alberta Transportation. Mr. Freeman-Marsh pointed out that as you move further away from the river, the situation improves dramatically from a risk factor point of view and the cost involved. Thus, it was a significant exercise on the part of the City, the Province and the Railway to come to some sort of an agreement.

Mr. Freeman-Marsh said he was not happy with the alternate 4 alignment, the Grimble alignment and thus it was dropped from the

possible alignments. The newest alignment suggested came into being after the letter of understanding was signed by the City and Canadian Pacific.

Under the ultimate alignment proposal, the Railway is responsible for building and maintaining the suggested tunnel on the north side of the river as well as the bridge over the river. Canadian Pacific's price contribution would remain constant.

There is no question in Mr. Freeman-Marsh's mind that Alberta Transportation is much happier with the newest alignment suggested as opposed to alignment C.

On cross-examination, Mr. Freeman-Marsh said he has been with Alberta Transportation about 20 years and has been on this project since 1984.

Mr. Freeman-Marsh acknowledged that the potential number of lanes of traffic crossing the Red Deer River on the present bridge is 8 lanes and he explained how the present structure can be increased to accommodate the 8 lanes of traffic.

Alberta Transportation presently has some 300 feet of right of way south of the river crossing but that there is a problem at the interchange of Highway 2 and Highway 2A where more land is needed both on the east side and the west side of this interchange to upgrade the interchange. There is enough room between the embankment and the proposed railway right of way to construct the 8 lanes of traffic. There is no need to eliminate the median. Instead of a depressed swail for a median, the median will become a raised concrete median which will be narrower when the road is constructed to 8 lanes of traffic.

Mr. Freeman-Marsh testified that Alberta Transportation did have a few concerns with the raised railway bridge suggested in

alternate C but negotiated in any event with Canadian Pacific. As best Mr. Freeman-Marsh could recall, it was sometime in 1986 that his steering committee went back to Cabinet regarding this project.

The estimating for the cost was done inhouse according to Mr. Freeman-Marsh. The present estimate for the entire project is about 70 million dollars. He was not able to break this estimate down as between the roadway and the railway construction proposed.

Shock may have been too dramatic a word to use when describing the borehole test results south of the river. Possibly surprise would be a better adjective to describe the reaction of Alberta Transportation when it saw the borehole test results. It was a surprise to Alberta Transportation bridge people. It was in an area where Alberta Transportation had just 20 years before built a road but its tests at that time did not go as deep as the tests will and do now for the proposed bridge. Hardy BBT Limited was asked, after being directed by his steering committee to do so, to go back and check further with more test boreholes. Alberta Transportation's Materials Engineering Section was given the results from Hardy BBT Limited to evaluate.

Although the problem could be rectified with more dollars, the decision was made to get out of the area immediately south of the river particularly as contemplated by alternate alignment 4 or the Grimble alignment. He pointed out one of the major risk factors in construction south of the river, namely, the unstable soil condition. Whatever structure was done on this site, you could get settlement and thus a hump or dip which would be a hazard to the travelling public. The engineering firm would do its best to minimize this problem. He acknowledged though that if one had no other choice, one could build the tunnel south of the river as suggested by alternate alignment 4 but there were other factors that had to be considered, namely, the cost and the travelling public.



It was not Alberta Transportation's decision of solely vetoing the idea of the south tunnel but Alberta Transportation did have a great deal of influence on the decision that was made. There were 3 members of Alberta Transportation on the steering committee according to Mr. Freeman-Marsh.

Although Mr. Freeman-Marsh had not seen Exhibit 20 previously, he acknowledged that more geotechnical information regarding the proposed north tunnel design contemplated by the ultimate or final alignment, needs to be done. Mr. Freeman-Marsh acknowledged that it was possible, because of the further geotechnical studies and report required for the north tunnel, that it might not go ahead. At present, it has received approval in principle only but this is subject to:

1. design;
2. the number of lanes.

Mr. Freeman-Marsh could not recall the preliminary report made on subsurface soil conditions for the proposed Red Deer corridor functional planning study by UMA Engineering Ltd. in November, 1985. He did acknowledge that paragraph 10 of Exhibit 16 built some flexibility into the agreement for the alignment and any changes that might be necessary because of high expropriation costs. Exhibit 16 was signed before the City and Canadian Pacific Rail agreement was signed in June of this year. The flexibility of alignment was diminished when the City and Canadian Pacific Railway agreement was signed. One of the reasons for this is that under the newest alignment or ultimate alignment, the railway was brought closer to Highway 2 south of the river although the railway still crossed Highway 2, its crossing of this highway is north of the river under the final alignment proposal.

The suggested north tunnel for the railway is the full responsibility of the railway. As a general rule, if the structure supports, for example, a railway, the railway is responsible for the structure's maintenance. In this case though, the agreement with Canadian Pacific and the City is that Canadian Pacific will maintain the north tunnel even though that tunnel is supporting the highway above it.

Highway 2 was built approximately 22 years ago but Mr. Freeman-Marsh did not know the reason why there was a significant spread between the northbound and southbound lanes of Highway 2 north of the river. It may have been because the interchange north of the spread was proposed originally at this spread. Mr. Freeman-Marsh said he had never heard the rumour that the reason for this wide median or spread between the north and southbound lanes of traffic was because of the inability of the soil to support two lanes of traffic. The boreholes done in this area indicate that this is not the case, he said.

WITNESS - MICHAEL DAY

Mr. Day is employed by the City as its City Commissioner. He started in this position in January of 1976.

Mr. Day reviewed the history of this corridor project stating that it originally was a matter of the City endeavouring to relocate the railway yard from the downtown area. Between 1976 and 1984, the City worked with the Department of Economic Development to accomplish this. One of the City's views was that the land value of Canadian Pacific's land freed up by the proposed relocation of the railway should make a contribution to the cost of the project. Notwithstanding this possibility, it looked as though the project was not going to be successful in obtaining funding from the Province under the Economic Development Department. The major continuous corridor program came on stream and the City looked to

the Province for assistance under this program as the corridor idea would achieve some of the City's objectives as well as Alberta Transportation's objectives. One area of assistance to Alberta Transportation would be at the south end of the City where there was a problem with the road alignment. The City priced out alternative alignment 4, the Grimble alignment, and then went to the Provincial Cabinet for approval which it obtained in principle subject to certain conditions, one of which was that the cost was not to exceed 70 million dollars.

The City then engaged consultants, for example, Reid Crowther and Partners Ltd., to review the railway portion of the corridor project, and Underwood McLennan to review the use of the freed up Canadian Pacific land.

Once the initial reports were received, the price came in higher than expected, some of which was due to the roadway projects, for example, Highway 11A, and some of which was due to the bridge and the south tunnel. For example, the variance of price for the south tunnel was some 4 million dollars at a minimum.

Certain changes were effected at the north end of the alignment and the City came up with alignment C which brought it back within its budget. One of the disadvantages with alignment C was that the height of the structure was esthetically displeasing although the City was assured that it could be made safe.

According to Mr. Day, Canadian Pacific did give its undertaking to the county to keep the railway line as close to Highway 2 as possible.

One of the environmental concerns with alignment C was the treed area immediately north of the river in the north east corner where the railway line is located under alternate alignment C.



Mr. Day pointed out that up to now he has been talking about the capital cost of the project but there are actually 4 major elements involved in the project, namely,

1. the capital cost of the project;
2. the potential savings in operation and maintenance cost. This would come about because the newest alignment proposal is approximately one kilometre shorter than at present and there would be two less curves. Canadian Pacific should not gain or lose by the newest suggested alignment;
3. the valuation of the Canadian Pacific's land that would be freed up;
4. The effect on the corporate income taxes of Canadian Pacific's operation.

By November 3, 1987, the City provided Canadian Pacific with the suggested alignment and 36 million dollars under the agreement. Canadian Pacific was then in a position to review the alignment, do the relocation and build their share. A land exchange was contemplated between the City and Canadian Pacific.

Mr. Day was involved in discussions with Canadian Pacific on the new suggested alignment. The new suggested alignment by Canadian Pacific would:

1. minimize the impact on the adjoining land owners;
2. the railway would be closer to Highway 2;
3. the new alignment removed the railway from the northeast area immediately north of the river and thus satisfied the environmental groups concerned with this area.

Mr. Day said he had no objection to the new alignment proposed by Canadian Pacific provided:

1. there be no additional cost whatsoever insofar as the City was concerned;
2. Canadian Pacific enter into negotiations with Alberta Transportation with respect to the tunnel underneath Highway 2 north of the river.

Mr. Day described his personal appearances on behalf of the City before the county which was required of the City under the Municipal Government Act where land is acquired by the City outside of its limits and thus within the county. Although the City had approval from the county for proposed alignment C, a mistake was found in this presentation to the county for this approval with respect to not having obtained the county's approval to the land the City obtained for Alberta Transportation for this project. This was all resolved with the further appearance by the City before the county council to obtain approval for all land it, the City required in the new alignment including the Crown or Alberta Transportation land previously committed to the City for this corridor project.

Mr. Day outlined the City limits, pointing out that the Squaw Point Land is within the boundaries of the county of Red Deer.

Mr. Day then pointed out the land the City owns and the land that the City does not own which would be involved in this corridor project under the new alignment suggested. For example, there are two properties north of a Mr. Pitt's land which are owned by a corporation. Mr. Pitt's land is within the boundaries of the City and although this land is still registered in the name of the Veterans Land Act, Mr. Pitt was provided with a transfer to himself of this land in 1982 but has never registered the transfer. He pointed out that land east of the highway and north of Mr. Pitt's

land is owned by the City. There is land south of this on the east side of Highway 2 which is owned by a bank and was previously owned by Carma. The City owns land east of Highway 2 and south of the river to 67th Street although this land is within the county's boundary. The City owns the land at the north end of the corridor project on the east side of Highway 2.

Mr. Day acknowledged that if alternate C alignment was proceeded with and Canadian Pacific were prepared to accept full and all responsibility for its line and the location of it particularly where it overpasses Highway 2, the City would not have any problem with this.

Negotiations were not adversarial but even after the agreement had been signed, there were still matters which had to be resolved and there are matters which will continue to come up during the course of design and construction which will have to be resolved.

The new alignment suggested by Canadian Pacific over the Land owned by Squaw Point was previously described as swamp. Mr. Day would not go so far as to describe it as swamp. The newest proposed alignment involves the taking of less land because of the railway being closer in proximity to Highway 2. Although the City considered the environmental impact, no specific studies were done on this question.

The City does not take matters of expropriation lightly. The City is well aware that individuals do not like a body such as a city moving in and taking their land. In the end result, he felt that it was agreed by all that the impact of the new alignment was less.

When asked if he would look any differently at this project if starting from scratch at this time, Mr. Day acknowledged that one

factor he had never thought would happen is the change in the elevation on the north side of the river.

WITNESS - HARVEY OLSON

After a visit to the Land of Squaw Point, the site of the proposed tunnel on the south side of the river under alternative alignment 4, the Grimble alignment, and a view of the area for the site of the tunnel north of the river under the final alignment suggested, as well as the river itself, Mr. Olson was recalled to the stand as requested by Mr. O'Ferrall. Subsequent to his last appearance on the stand, Mr. Olson had got together with Canadian Pacific project office in Red Deer putting its and Reid Crowther's estimates together for cost comparison purposes as had been requested. This new table which was entered as Exhibit 25 and is referred to by the designation Table 3A is an extension of Table 3 in Exhibit 14 with an added sixth column. It is this sixth column which Mr. Olson prepared as requested. The objective he had in mind was to try and compare the cost of the south tunnel with the cost of the north tunnel. He tried to make the factors for each as equal as possible. The cost differential is 4.2 million dollars, that is, the cost of the north tunnel is estimated at 4.2 million dollars less than the cost of the short south tunnel without taking into consideration the 25% for engineering and contingencies. Taking this contingency percentage into consideration simply increases the differential. Each of the items in Exhibit 25 were reviewed with Mr. Olson to determine where the significant cost differential was. It is in the construction cost of the respective tunnels. The cost of the north tunnel being significantly less, by over 5 million dollars than the cost of the south tunnel. The north tunnel is involved with the newest or ultimate alignment suggested whereas the south tunnel is involved with the Grimble alignment or alternate alignment 4 in the Grimble report. The first four columns of Table 3 or Table 3A involve the Grimble alignment or alternate alignment 4 according to Mr. Olson.

Mr. Olson was cross-examined on the comparisons to show that or attempt to show that it was a comparison of apples to apples and not apples to oranges. Mr. Olson agreed that the 25% contingency is used more at the functional level whereas at the design level for the alignment and structures, this contingency factor could be reduced by 5% to 8% as at that point, one has a better handle on the project and what is involved.

One of the big differences between the two tunnels is that the short tunnel on the south is 360 metres in length under the Grimble alignment whereas the north tunnel under the newest or alternate alignment is some 168 metres in length. By the same token, the cost differential is not only attributable to length but also to the differences in the ground or soil. Also, the mitigating design that is built into one tunnel as opposed to the other is significant to the cost factors. This is a detailed costing exercising which he could not do by himself because the base treatment is different for the two tunnels, the backfill treatment is different and there is a variation of the wall thicknesses between the two tunnels. The nature of the two sites for the north and south tunnel are different, not only from a geotechnical point of view but otherwise. One has to be very careful with any rule of thumb approach because there are topographical as well as other variations that have to be taken into consideration. Other differences in the two tunnels were also reviewed with Mr. Olson at some length.

There are differences in topography, the retaining walls and the profile design of the railway in the south tunnel design which cause it to be some 360 metres in length. The railway has a different design drop from that of a roadway. The railway as it proceeds north of the river on the existing grade then has to drop to get under Highway 2 through the tunnel. As the railway line descends down, the backslopes become wider. Mr. Olson explained that there are differences in costs involved in excavating and



building retaining walls. In this case with a tunnel north of the river, retaining walls will have to be built immediately before the tunnel is reached where it crosses Highway 2 in order to ensure that the tunnel does not impend any future work on Highway 2. By the same token, sometimes it is cheaper to build a box as opposed to retaining walls. There are three options, namely:

1. an open cut;
2. a retaining wall;
3. a tunnel.

An economic decision has to be made as to whether you build a long tunnel which requires a minimum retaining wall; it is cheaper to build a tunnel than a retaining wall. The retaining wall is required to hold up Highway 2 whereas on the other side of the river, you have a 30 feet cut and a similar decision has to be made.

The railway line in and around the City is a very expensive line, one of the reasons being the poor soil conditions and thus the high maintenance costs. In winter, if frost causes even a slight rotation of the railway track this is a problem and a risk. He then explained the reasons why a transportation authority would decide on a long tunnel versus a short tunnel. The tunnel can be shortened by building high retaining walls at each end. He then explained how the retaining walls may be used more effectively by flaring out the wall thus making it shorter.

Also, the south tunnel is much deeper than the north tunnel. The south tunnel is about 15 metres deep whereas the north tunnel is about 10 metres deep.

Mr. Olson said he took the mitigating measures suggested in Exhibit 20, that is, that a geotechnical engineer be on the site

periodically during construction, into account in his estimates. The liabilities today are so enormous that one would have to have, in this case, the previous manager follow through with his suggestions and proposal.

Mr. Olson was examined by Mr. Berrien and confirmed that it was Canadian Pacific's calculation of the earth fill requirement and not that of Reid Crowther. Likewise with the rail embankment fill requirement which information was taken from Canadian Pacific's report.

Mr. Olson did not know whether the railway bridge which is west of Highway 2 under the new proposed alignment would be higher or lower than Highway 2 itself. It may be that the railway will be at the same elevation as the road.

Mr. Olson was also examined by Mr. Rogers and agreed that in a functional design, a 15% contingency for each estimate was made up of two components, namely, the unit price of the material and the quantity of the material. The risk factor was applied to both and it bumped up the unit price as well as the quantity, and it may be plus or minus.

#### WITNESSES FOR SQUAW POINT

The witnesses for Squaw Point were empanelled as a group to give evidence. These witnesses consisted of seven in number, two of whom were added to the panel after the initial panel of five witnesses started giving evidence. The panel of witnesses consisted of the following:

1. Mr. Robert Coates, the President and principal of Squaw Point;
2. Mrs. Robert Coates;



3. Mrs. Sheryl Coates who is unrelated to Mr. and Mrs. Robert Coates;
4. Lyndia McGeachy;
5. Robert Berrien;
6. Krista Carlyle of Blackfalds;
7. Mr. Jack Hawkins.

Sheryl Coates gave evidence that she lives southeast of the City, has known the Coates, Mr. and Mrs. Robert Coates, for some 8 years having been involved in their Pony Club. She has used the facility many times and it is tops in Alberta as well as Western Canada. She feels that it is very fortunate to have facility here. Regional championships have been held on the facility. The facility has involved hundreds of families. It would take years to rebuild. The facility affects children, not adults, through the Pony Club. She herself is the mother of three children, her eldest daughter having participated in events in Alberta, Ontario, British Columbia, Kentucky and is being considered for a New Zealand trip. Her son has participated in contralathon events. She herself teaches at the Pony Club.

Lyndia McGeachy is a member of the Alberta Greash Association and a member of the Pony Club. She provided a letter of her involvement with the program on the Coates' facility.

Mr. Berrien is a right of way consultant, does planning, damage assessment, sales and appraiser as it applies to general agricultural matters. He is the father of a Pony Club member and has first hand knowledge of the facility.

Mr. and Mrs. Robert Coates both gave evidence as to how the acquisition of the Land and their development of the facility on it came about. The Land was acquired in about 1968 and had the topography for a horse operation. Prior to that, Mr. Coates was the Manager for a large cattle ranch in Southern Alberta as well as being the Branch Manager in Red Deer for about a one year period with Midland Doherty. He had moved to Red Deer from Calgary. He looked around for a suitable place in the country as he did not like living in the City. This Land had the topography for a horse operation in his view.

He described the Pony Club as similar to scouts or guides on horseback. He described the use of suicide hill and how the Land had been built up for cross country course use. His place and the course have been used by people from British Columbia, Saskatchewan, and Eastern Canada. He said that Gressage shows and jumping shows are put on and in most years on the July 1st weekend, both shows are put on.

Mr. Coates stated that the Pony Club meets at his place every Wednesday night at 6:00 o'clock for six months of the year. He has had a record of success in that some 160 children over the years have used his facility, some for one year and others for ten years. Some ten children over the years have competed in international competitions in the United States, Australia and Hong Kong, as well as competing across Canada. His course has held three national competitions. He is known and knows people from Halifax to Victoria. He said his course is designed to accommodate combined events that were started in the Olympics.

Mrs. Coates described her involvement with the project as a dog body. She is a registered nurse, and has an interest in children.

For the first six or seven years she and her husband put every penny or spare cent that they had into the property as well as their own sweat. She is the person in charge of the training club. She is the background person organizing competitions. She has a tack shoppe from which she sells riding equipment and clothes. She said that it is not a good business. The best year she had with the business she might have received \$5,000.00 out of it. She said she went into this business purely by accident and it is not a money maker.

When Mr. Jack Hawkins joined the panel of witnesses, he testified that he owns an oil well servicing company, had some six years with the RCMP and is interested in horses. His interest in horses started with the Coates operation. He is now the Vice-President of the Alberta Combined Training Association. The combined is a three day event and an olympic equestrian sport. The three events consist of:

1. Dressage;
2. Cross-country;
3. Stadium.

He described how the combined eventing started with the military in Europe many years ago when young lads of 16 to 20 years of age were used for communication between military units on horseback. It was developed from this military use and its requirement.

Mr. Coates then described in more detail what is involved with each of the three events in what is referred to as the Olympic Equestrian sport of combined. The gressage portion of the three events is like a steeple chase track. It is the speed section of the three events and its origin from the military is when a message

was being delivered from one military unit to another. It is similar to a calvery exercise between horse and man.

In the cross country portion, the horse and rider leap over everything and take on anything according to Mr. Coates. The stadium portion is the show portion of the combined event.

He described how the Board's visit to the property had walked the first part of the cross country course.

Mr. Coates testified that when he bought the property it had been used for milk cows, hogs, chicken and other farm animals and was farmed to produce feed for the animals. He had to do a lot of cat work to turn the course into what it is today. He and a Mr. Graham started in the technical design work for such courses in about 1960. He has since done design work on such courses in the United States and Canada. He was a technical delegate to the Panam Games last year in the United States and his responsibility was for scoring, signage and checking out the safety of the course. He said that he leaves in a few weeks for Honduras to review their track and the design of it for the 1990 games being held there. He described himself as an International Olympic Official, having been in Seoul this year for the Olympics stewarding work and helping to build some of the jump courses, etc.

According to Mrs. Coates, as she is faced with the railway closer to the Land, there will be problems and dangers. The sound barrier of trees will be lost. Her first concept of the property was that it was peaceful and that she could maintain the attention of the students. At present, any noise from the railway can be shut off by the barrier of trees. In the case of dressage shows, the patterns would have to be shortened and there would be more noise and thus harder to do.

Mrs. McGeachy who has been associated with the Coates' Pony Club and the Alberta Combined Training program as a competitor, said that the railway line will make it more difficult for all aspects of the facility. She said that there are no other facilities in this area similar to what the Coates have. One would have to go to Calgary or the Edmonton areas but none of these have a cross country course comparable to that of the Coates. Similar facilities would cost a lot more money.

Sheryl Coates described the facility as a private facility but one that is open to anyone who wants to learn equestrian sport. She acknowledged that the Ron Southern family in Calgary has a similar private facility.

Mr. Hawkins testified that if the facility was lost it would have a drastic effect on the sport in the Province. He described how last summer one of the Canadian Olympic riders was brought to Alberta to instruct. His number one choice was the Coates' facility where he put on a clinic. The money that was taken in for the clinic was used to pay for the travelling expenses of the Olympic Instructor, Mr. Davis. In Mr. Hawkins' view, if three and a half acres was taken off one side, which is proposed in this expropriation, it would be like cutting off the end of a rink that Wayne Gretsky was instructing hockey in.

Sheryl Coates, Mr. Jack Hawkins and Lyndia McGeachy were cross-examined by Mr. Chapman at this point as they had to leave. Mr. Hawkins said that one alternative was the course at Leduc but this does not have an arena which is necessary for a clinic as he had described that was held this year on the Land. This was the only other possibility but the cost would make it impossible. He described the Calgary course as owned by an affluent Calgary person but it was not made available for the clinic. People are needed to come to make the clinic a success. He described the drainage and



bad footing that one has to be concerned with. There was nothing in Southern Alberta that would be a possible alternative.

After a lunch break, Krista Carlyle of Blackfalds joined the panel. She is 16 years old. An article in the Okotoks Western Wheel of Wednesday, October 5, 1988, reviewed her success at the Prince Philip Games in Toronto in August of this year. Canada won the World Champanionship at these games for the first time in the games twelve year history, beating out teams from Great Briton, Australia and United States.

The Prince Philip Games is a Gymkhana-type competition for riders 14 to 16 years of age. Krista qualified for Canada's team in July of 1987 and was one of the five riders to make the Canadian team which was represented by a rider from British Columbia, Nova Scotia and two from Ontario.

Krista said that she started riding western style before she started walking. She started riding with an English saddle when she was six years old as her mother started teaching English riding. Her mother was thaught by the Coates years ago.

If the facility is lost, Krista said that:

1. she would not be able to ride;
2. there would be no cross country facility set up;
3. she trains at the present time every week and
4. has friends who train there as well and this would all be lost.

She said that she has ridden at other facilities but that

the Coates' facility was one of the best. She said that she knows of only one other place that is better.

Krista is a Grade 11 student at Bentley and her further goals are to continue to train as she is too old for the Prince Philip Games again. She also said that she helps her sister to train.

Mr. Coates described the effect on his operation with trains being near the Land and the loss of the tree barrier. He said that a rider is in control of the animal so long as there is no other distraction but if a railway is travelling twenty to thirty feet above the ground near a horse and rider, this will be a distraction to the horse. The significant tree belt that will be lost will mean that there will be a general roar in this area all the time. It will create a sudden noise for the animal that was not there before. If he was teaching at the time a train came by, he would have to stop or at least relax until the train passed.

He described an experience he had in Guatemala a few years ago when an Guatemalan Olympic rider, he had met, had been frightened, or at least the horse had been frightened by a noise and galloped off two blocks in the wrong direction. No accident occurred, although it was an intermediate rider, but there could have been a real serious accident. He said that he may have to go to the Canadian Pacific Railway for a train schedule in order to avoid having his horses in that area of the course when the trains go through.

Mr. Coates said that in the past week or two he has seriously considered what would happen to his course if this expropriation went through. He said that:

1. he uses as little of the farm for the horses as he can;



2. it is only a small farm of 160 acres. Relocation of the course would cut out some farm land. He cannot move the area because of the post construction;
3. To build a new arena or rebuild the present arena today would cost some \$45,000.00. The old arena might make a good machine shed;
4. He could move some of the operation but it is going to cost a significant amount of money.

Mr. Coates described the course as a good cross country course. Mr. Hawkins had alluded to the Leduc course which is a flat one. His course takes on any type of terrain and one can harp back, in view of this, to the military beginnings of the combined. The course is set for every division of combined riding; some fences are wider and bigger than others and it is faster as he is used to the Olympic competitions.

Mr. Berrien said that he had some familiarity with the Pony Club in view of his daughter's involvement in it. One of his jobs is to assess damages for a taking such as this. He considered the cost of relocation and relocation could be done with the challenging terrain available. Such a facility has to be located within a reasonable distance to population centres for the riders. The present buildings are suitable for their purpose. He said he considered the size and value of the property, the hand work necessary to build the courses, buildings and land that Mr. Coates had right now and within \$100,000.00 either way, the turn key cost to relocate would be about one million dollars.

It would be a fairly long drawn out process to relocate and it certainly could not be done overnight. The training facility is the heart of the facility. He described the number of instructors and riders training at the same time, scattered all over the

facility area. He described the northbound train traffic as being slightly downhill and there may not be any problem with it but the railway traffic leaving the City, starting up with a big long load, would mean two or three minutes of exposure of that train for a six or eight mile distance past the Coates' facility while the train picked up speed uphill after leaving the City.

Mr. Coates described the liability considerations that he has had in mind for years saying that the risk factor is high and will continue to go up. There is some liability coverage through the Pony Club headquarters in the United Kingdom. As Mr. Coates said, he does not even think of the liability consideration but realizes that he is exposing himself and the whole project to complete loss because of a potential liability claim. Mr. Coates does have a professional licence as an instructor.

According to Mrs. Coates, the location of the railway line will have an impact on their personal lives. The house will be noisy when the train goes by and her husband will become harder to live with because of this. She said that they have a dozen people at a time at their house which they try to make it home for the young children and the train might disrupt this because of its noise.

Mr. Berrien said that there would be some 18 months of construction to contend with also if the project proceeds.

Krista Carlyle said that she would not be around if there were trains nearer to the Land.

On cross-examination, Mr. Coates said that his course is an intermediate type of course. There is only one other course similar to it that is near Millerville. There are lower levels of courses at Leduc, Morningside, Carstairs and Ponoka. The intermediate type of course is one notch below the top grade of course according to Mr. Coates.

Mr. Coates testified that what distinguishes his course from other courses in the Province is the challenge of the course both mentally as well as physically. He has given some thought to what he would do to maintain the site if the proposed railway and expropriation proceed. He said that last week prior to the hearings, he had walked the course to try to determine what alternatives he had in the event this expropriation proceeded. He said he took a measuring reel with him to measure the distance. He said he lost nearly 400 metres if the expropriation proceeded. The hill at the southwest corner of the Land which is 65 feet high would have to be cut off with a cat. He said he would lose a lot of timber, particularly a lot of the small ones. The poplar on his Land are taken by nature every ten or twelve years in any event. It would be a lot of caterpillar work that would have to be done on the Land in order to relocate the course. The obstacles today cost \$500.00 to \$1,000.00 in the United States and this does not include the cost of bringing in the timber for the obstacles.

Mr. Berrien said that he is a right of way consultant. He described what happens at a railway line near his home in Okotoks and the noise created by it. He acknowledged that the railway whistle is only used when approaching crossings. Some town bylaws prohibit this. In this area, there is no need for whistles whatever when the relocation is completed, he acknowledged.

Mr. Coates said that he has some flexibility of the length of the course. He described it as very touchy getting the course on a 160 acres of land. Horses can run into each other. In the case of his Land which is pie shaped triangular, this helps a lot.

Mr. Berrien said he did not know what the construction time on the west side of the railway line would be. His best estimate of the time required was 18 months for the construction on the south end of the project. Exhibit 26, being four photographs of the Land showing the buildings and course were entered.

Mr. Coates said that he has farm liability insurance of about \$30,000.00 but had no idea of what the amount of coverage is with the United Kingdom Pony Club insurance program.

III. ARGUMENTS ADVANCED ON BEHALF OF THE PARTIES

Mr. Chapman, in his summation, reviewed some of the highlights of the evidence given at the inquiry hearing and argued that:

1. Service of the Notice of Intention to Expropriate by the City had been accepted by the solicitors, Bennett Jones, for Squaw Point. Publication of the Notice of Intention to Expropriate had been done in the Red Deer Advocate as required under the Expropriation Act.
2. The history of the relocation of the railway had not been done on a whim. It had been a long term objective of the City to solve its transportation problem. It started with the relocation of the Railway yard in the City with the objective of freeing it up and thus freeing up Ross Street in the City in order that it continued westerly from its present westerly termination point at the railway yard and thus connect with the major urban corridor.
3. This project was started with the Grimble studies which were transportation studies and preliminary in nature;
4. In 1984, the parties got their wills together to resolve the transportation problem in the City. Studies were done to see if it all could be brought together and whether it could be done within certain economic restraints.

5. Reid Crowther was retained to do a study and report on the south tunnel arising out of the Grimble alignment. Reid Crowther employed Hardy BBT Limited to do the geotechnical studies.
6. The structure of the soils on the south side of the river, the purged water, the layers of soil, some of which were clay which water does not permeate through and the seepage of water were all considered in the study and report made by Hardy BBT Limited.
7. Reid Crowther then worked up the alternatives as reflected in Table 2 of its report.
8. The evidence of Mr. Olson on the differential in cost between the short and the long tunnel on the south side of the river is significant. The total cost, whether proceeded with the short or long tunnel, came in over the estimate when it reached the steering committee. The question then became one of whether savings in cost could be achieved.
9. Further studies were done by Reid Crowther and a new alignment suggested, namely on the map to Exhibit 14 evolving from this study. This involved an elevated bridge above Highway 2 of some 1500 metres in length on 3 degree curve. He referred to Table 3A entered as Exhibit 25 which reflected the cost savings of alternative C alignment relative to the first four columns of this Table which were based on the initial alignment suggested by Mr. Grimble.
10. The parties had before them the original Table C prior to the November, 1987, agreement being entered into. The memo of understanding was entered into and the City had to pay Canadian Pacific 36.5 million dollars.



11. Exhibit 17, the agreement between Canadian Pacific and the City sets out the mechanics of this agreement.
12. The City then approached the county and obtained approval from the county council as noted on Exhibit 24.
13. Following the agreement between Canadian Pacific and the City, which Mr. Tanaka in his evidence referred to as the understanding of agreement, Canadian Pacific sent its surveying and construction field people into the field to investigate. These field people from Canadian Pacific investigated the topography north of the river, the alignment, and had the benefit of the geotechnical work done for the highway by Alberta Transportation but did none of their own geotechnical work prior to the November, 1987 agreement.
14. The parties all had the concerns of the environment groups in mind.
15. Canadian Pacific took a gamble on the suggested alignment.
16. The suggestion by Canadian Pacific of a new alignment was satisfactory to the City as the cost had been fixed as between the City and Canadian Pacific. If the new alignment caused additional cost to Canadian Pacific, then it was Canadian Pacific's problem to bear this cost.
17. Notwithstanding that column 6 on Table 3A, Exhibit 25, was some 1.2 million dollars more than the alternate C alignment shown in column 5 of this Table, the savings were over 5 million dollars relative to column 3 of this Table.
18. The attempt to compare the cost of the north tunnel versus the south tunnel is difficult both from a cost and

geotechnical point of view. The north tunnel is some 8 metres below the surface before it reaches water.

19. Adequate testing of the soil was done to determine that the drainage in the north is much better than in the south relative to the river.
20. Mr. Chapman acknowledged that the impact on the Land is a difficult decision as it is a unique situation with the Land and the Coates operation on it particularly from Central Alberta's point of view.
21. Money is an object. There is a saving of almost 7.5 million dollars from the Grimbly to the alternate C alignment. From the project's point of view relative to the November, 1987, agreement, there is a savings of some 5 million dollars before the engineering studies are done.
22. The elimination of some of the tree cover on the Land will still leave the rail line some 243 metres from the Coates' residence. Some 95 metres of tree buffer that is proposed to be removed.
23. As there are no crossings, there is no necessity for train whistles. He acknowledged that there may be some noise from the train leaving the railyard and travelling south as it will be going uphill.
24. There is a possibility that the railway right of way will be above the roadway right of way.
25. He pointed out the scenario suggested by Mr. Coates that with money and work, he could potentially relocate the course. This may not be as onerous as Mr. Coates would have one believe.



26. He referred to Exhibit 6 filed with the Board and to page 16 of the City's report which will have to be examined carefully. The line from the northwest sector will have to be removed. As well as Exhibit 13, the City's concept plan report has to be reviewed.
27. On all of the evidence, Mr. Chapman submitted that the proposed taking of the Land is fair, sound and reasonably necessary in the City achieving its objectives.

Mr. O'Ferrall in his summation, reviewed some of the highlights of the evidence at the hearing and argued that:

1. His client takes the position that the expropriating authority has no authority under the Municipal Government Act to expropriate land for a railway. Thus he and his client are participating in the inquiry hearing on a without prejudice basis to its position.
2. The intention of the Municipal Government Act is exactly as it states. It is tilting at jurisprudence to suggest that the expropriating authority has the authority under the Municipal Government Act to expropriate for a railway. This cannot be taken lightly nor can it be lightly ignored.
3. The objective of the expropriating authority is to remove the railyards from the downtown portion of the City. The Land proposed to be expropriated in this instance is not for the expropriating authority but for the Canadian Pacific Railway.
4. In achieving its objectives, the expropriating authority is expropriating land from the land-owner that will not ultimately be used for its own purposes. Dealing with the expropriating authority may cause problems on the question

of compensation; if it proceeds, it will potentially cause a problem down the road.

5. Squaw Point did not have the opportunity to examine or explore with the Canadian Pacific rodmen or fieldmen on why and how it selected the route proposed by Canadian Pacific.
6. There are provisions in the Railway Act which permit the railway to clear any trees beyond the bounds of its rights of way that present a hazard to its right of way. This excavation can be done 100 feet or so beyond the limits of the railway right of way.
7. Also, the railway has jurisdiction under the Railway Act to erect snow fences beyond its right of way.
8. The land-owner can take the position that the land is not needed for the railway right of way on the NIMBY principle, that is, not in my backyard.
9. There should be compensation for the users of the facility on the Land.
10. Another route could be decided on relative to the original route, such decision being based on a number of factors.
11. The expropriating authority did not receive an overall look that such should have to the public facility.
12. The route was not thoroughly investigated for the proposed ultimate alignment as the factors indicated by the evidence were not overwhelming.
13. Any one of the three alignments would be satisfactory. Not

all of the studies have been completed yet to make a final determination.

14. The witnesses at the hearing were defending the decision, to which each was a party.
15. On the basis of a geotechnical information given at the inquiry hearing and filed in the reports, the one that gets the worst review is the geotechnical information on the north tunnel.
16. Mr. Tenove's testimony has to be kept in mind when weighing this matter. As well, regard must be had to the entirety of Exhibit 20.
17. The geotechnical study made by Hardy BBT Limited in August of this year and entered as Exhibit 20 was done before the Notice of Objection was filed in this hearing. This report presupposes the constructions of the north tunnel and tells us about it. Note page 4 of the report.
18. The ground water table is reached at 9 metres to 10 metres below the surface but this fluctuates since this year has been a very dry year. It represents the minimum elevation. Usually it is 2 metres to 3 metres below the surface.
19. No determination is necessary in this hearing based on the legal argument that a decision cannot be made until one knows if Canadian Pacific is going to proceed with the proposed relocation, namely, the ultimate alignment suggested by Canadian Pacific. In addition, National Transportation Agency's approval is necessary. Thus, the inquiry hearing is premature to make a determination.

20. The Provincial Cabinet said that the costs were too high and had to be cut. These cuts resulted in the railway relocation which affects his client's Land.
21. Canadian Pacific changes the alignment and appears to have cart blanche approval and the blessing of all the parties to do this.
22. The City is in a situation of conflict, that is, it is breaking its contract with Canadian Pacific if it says not fair, sound and reasonably necessary. This underscores the whole process it's is being fair to his clients.
23. The documentary evidence speaks to the Grimble alignment.
24. The difference in costs reflected in Exhibit 25 are the same as in Exhibit 11. We are not exactly comparing apples to apples and thus this information has to be treated with caution.
25. The equestrian training facility may be destroyed by this proposal and this has to be given serious consideration. As well, 18 months of construction or specifically 6 months in the summer when the training facility is being used will be tremendously disruptive to it. The tooting of any train whistle will also be very disruptive to the use of the training facility.
26. His client's house is some 800 feet from the railway right of way granted but the cross country course that is being bisected in a number of places by the proposal which is a quasi public facility has to be given serious consideration. His experience with the Energy Resources Conservation Board of this Province reflect that these kinds of facilities are worth rerouting the transmission

facilities around. It is not strictly for the public good versus the private or two public goods.

Before Mr. Chapman started his rebuttal, it was determined from him that the proposed railway alignment, the ultimate alignment proposed by Canadian Pacific will tie into the railway's old line in the south at Highway 2A to Penhold. There is a major traffic interchange to be constructed at this site. Mr. Chapman also pointed out that as a matter of fairness to the owner of the Land, there were two small squares of land included in the proposed expropriation; both of which he felt the land-owner was not aware of his ownership of. It was determined that the land-owner feels that the square on the west side of the proposed taking is of some value to him but the square in the proposed taking on the east side is of no value to him. This matter was left for the parties to resolve because the City's position was that it did not need them and if one of the squares or both of the squares, for that matter, are of some value to the land-owners, these squares of land would not be expropriated.

In rebuttal, Mr. Chapman pointed out that:

1. The purpose of the expropriation is for a Municipal Transportation system.
2. Section 126 (6) (d) of the Municipal Government Act permits a municipality or expropriating authority to acquire land for exchanging and for municipal purpose.
3. An expropriation by the railway and its treatment of the land-owners unfairly is not with foundation. The railway would make an offer. As well, the land-owner would be compensated for its costs of these proceedings. Although the Coates' facility on the Land is described as quasi public by the witnesses, the public have no guarantee of



their right to use this facility nor any guarantee as to how long the facility would remain.

4. The engineering witnesses made it clear that there would be no final decision until the National Transportation Agency approves the railway alignment.

Mr. O'Ferrall pointed out that the letter to the National Transportation Agency indicates that it does have jurisdiction and if the National Transportation Agency find the alignment is wrong then why proceed with this expropriation. Therefore, the whole expropriation proceedings should await the decision of the National Transportation Agency.

Mr. Chapman pointed out that his client has until about January 13, 1989, to register the Certificate of Approval under the Expropriation Act and will not, in all likelihood, be registering the Certificate of Approval until it receives the decision of the National Transportation Agency. If the proposed alignment by Canadian Pacific is not accepted by the National Transportation Agency, then the City is going to have to reconsider its position and the whole project.

IV. INQUIRY OFFICER'S FINDINGS OF FACT:

I FIND THAT:

1. The City has satisfied all of the requirements of the Expropriation Act and taken all the necessary steps to initiate this inquiry as required by this Act and the regulations thereunder. Although no procedural objections were taken by the solicitor for Squaw Point to the inquiry, he was appearing on behalf of his client without prejudicing his client's right to challenge the initiation of the proceedings in principle.



2. No evidence was adduced as to what, if any, negotiations were carried on by the City with Squaw Point to acquire the Land. I assume that there were such negotiations which were unsuccessful.
3. Although the City did not put in evidence or advise whether the necessary resolution authorizing its proceeding with this proposed expropriation was passed or not, I assume that such resolution was passed by the City. If such resolution was not passed, this may void the whole proceeding.
4. The City's General Municipal Plan (Exhibit 6) and its Northwest Sector Area Structure Plan (Exhibit 7) as amended by Exhibit 8, indicate the proposed realignment of the transportation corridor through the City and, in particular, indicate the relocation of the Canadian Pacific railyard to the northwest corridor of the City. These plans were adopted by the City of Red Deer by reason of bylaws passed in 1980 and 1981.
5. Three alignments were dealt with in these proceedings, namely:
  - (a) The original alignment suggested by Mr. Grimble which is referred throughout the proceedings pretty well as alternate alignment 4. This is the alignment which was part of the plans adopted by the City in Exhibits 6, 7 and 8.
  - (b) Alignment C which is the proposed alignment in the agreement made between the City and Canadian Pacific Railway dated November, 1987.

- (c) The ultimate or final alignment suggested by Canadian Pacific Railway and made part of the agreement between Canadian Pacific and the City dated June 13, 1988, and entered as Exhibit 17 as well as part of the amending agreement between the Province and the City dated July 20, 1988, and entered as Exhibit 18, the latter Exhibit indicating that the realignment was finalized on or about April 25, 1988.
6. It is only the ultimate or final alignment that necessitates any land owned by Squaw Point.
  7. The proposed taking does not affect the interest of Crossroads Gas Co-op Ltd. in its utility right of way across the Land.
  8. Mr. Grimble and his consulting company started its initial traffic studies in the Red Deer area in 1956 which were updated in 1964 and in 1972 was officially commissioned to study the transportation corridor through the City as well as the relocation of the railway terminal in the City. This study culminated in his first report to the City in June of 1978 being a Relocation Study and Transport Plan which was entered as Exhibit 4, followed by his firm's summary statement of the Red Deer Railway relocation prepared in 1979 and entered as Exhibit 3 and lastly by his firm's summary report on the City's rail relocation study prepared in September of 1979 and entered as Exhibit 5.
  9. The matter of the transportation study and relocation of the railway sat, more or less, dormant until 1984 approximately when a steering committee comprised of members representing the City, the Urban Transportation Group, the County and Alberta Transportation was formed. Prior to this, in fact, between 1976 and 1984, the City had

worked with the Provincial Department of Economic Development to try and come up with a plan to relocate the railway. In 1984, the Provincial Government announced its major continuous corridor program. This program involved a contribution of 90% of the cost by the Province of Alberta to a corridor project program through a major centre. This is when the question of the transportation plan through the City and the relocation of the railway started to take on a serious aspect. Canadian Pacific who own the railway through the City was brought into the project in late 1985 to do a study.

10. Canadian Pacific, for its study, was given the original Grimble alignment and prepared its study on the basis of this alignment.
11. After the steering committee received the Reid Crowther functional planning study of September 1986 (Exhibit 11) and the Canadian Pacific Railway report of October 10, 1986 (Exhibit 12), it was asked by the Provincial Cabinet to revisit the overall project with a view to effecting cost savings and thus reducing the cost.
12. This review resulted in the Reid Crowther report of January, 1987, entered as Exhibit 14. This report changed the alignment from that suggested by Mr. Grimble, the Grimble alignment, to alignment C.
13. After negotiations, Canadian Pacific Limited entered into a memo of understanding with the City in November, 1987.
14. Following the memorandum of understanding being entered into between Canadian Pacific in November, 1987, Canadian Pacific then sent its field people out to examine the area and the alignment. In the meantime, Canadian Pacific as

well as the City received the Reid Crowther report of January, 1987, entered as Exhibit 14 suggesting alignment C. After examining this alignment and Canadian Pacific receiving its field workers report, Canadian Pacific then suggested the ultimate or final alignment that gives rise to this expropriation hearing because it is that ultimate or final alignment suggested by Canadian Pacific and only this alignment that affects the Land of Squaw Point. An agreement was entered into dated June 13, 1988, Exhibit 17, between Canadian Pacific Limited and the City based on the ultimate or final alignment suggested by Canadian Pacific Limited.

15. The evidence clearly indicated that the railway, in this case, Canadian Pacific Limited, has the ultimate veto over the railway alignment under the Railway Act. Therefore, it can be concluded, that the ultimate or final alignment suggested by Canadian Pacific is its choice of alignment.
16. Alignment C from Canadian Pacific's standpoint presents problems and risks. The cost to Canadian Pacific is fixed under its agreement with the City whichever alignment is proceeded with. This cost arrangement was established by the agreement entered into with the City by Canadian Pacific in November, 1987.
17. The geotechnical studies that had been done by Hardy BBT Limited were done only at the site of the south tunnel proposed under the Grimble alignment, the bridge site over the river and the site of the north tunnel under the ultimate or final alignment suggested by Canadian Pacific. No geotechnical studies have been done on the west side of the proposed ultimate alignment. Notwithstanding that there are further geotechnical studies that have to be done, the geotechnical studies done to date clearly

indicate that the best of the suggested alignment alternatives is the Canadian Pacific ultimate or final alignment.

18. The cost saving prepared by Mr. Olson, referred to as Table 3A, and entered as Exhibit 25, clearly indicates that the ultimate or final alignment suggested by Canadian Pacific is considerably less expensive than the Grimble alignment by in excess of 4 million dollars before any percentage contingency is taken into account in the cost estimates. By the same token, the ultimate or final alignment suggested by Canadian Pacific is higher in cost by almost \$860,000.00 compared with alternate C, again, prior to any percentage for contingencies being taken into consideration and the cost estimates.
19. Notwithstanding all of the evidence given comparing the different alignments, the advantages and disadvantages of each, the cost estimates of each alignment, it is obvious that Canadian Pacific favours its suggested alignment being the ultimate or final alignment plan. Canadian Pacific did not address the Grimble alignment suggestion at all but did address the alternate C alignment which, when it did, gave rise to Canadian Pacific suggesting the ultimate or final alignment because of the risks and concerns expressed by Canadian Pacific with alternate C alignment.
20. Notwithstanding that only some 3.5 acres is involved in this taking from the Land of Squaw Point, this taking may severely impair what it has put in place in the way of a combined training course on the Land. By the same token, it appears that it is possible to relocate part of the course destroyed in this taking with some thought to design, work and money. Mr. Coates has recently started



giving some thought to the redesign of the course in the event this expropriation proceeds.

21. Not only does the course constructed by Squaw Point on its Land have to be redone in part, there is a much greater and significant potential for noise emanating from the railway as well the roadway to the Land of Squaw Point because of the loss of the noise barrier created by the trees.

V. OPINION AND REASON

The question before me for determination as the Inquiry Officer, is whether the intended expropriation by the City is fair, sound and reasonably necessary in the achievement of the objective of the expropriating authority, the City. This is my only function.

The City's sole purpose or objective is clear and unequivocal, that is, the construction of a transportation corridor through the City on a north-south axis and the relocation of the railway yard from the centre of the City to a site in the northwest sector of the City. Agreements are in place in principle with all parties to accomplish this. Notwithstanding the memorandum of understanding entered into between Canadian Pacific Limited and the City in November, 1987, which fixed the amount the City has to pay Canadian Pacific Limited at 36.5 million dollars, any change in the alignment which might incur additional cost is to be borne by Canadian Pacific Limited. By the same token, if any cost saving is effected by a change in the alignment, this will be to the benefit of Canadian Pacific Limited. Canadian Pacific has suggested the ultimate or final alignment. It has the final say in the railway alignment. The City is satisfied with this as it will not cost the City anything more. Therefore, the expropriation becomes necessary because of the ultimate alignment suggested by Canadian Pacific. The reasons given by Mr. Tanaka on behalf of Canadian Pacific



Limited for proposing this alignment are sound. The geotechnical studies done to date favour this alignment. The cost analysis made favours this alignment.

The overall objective of the City is to relocate the railway yard from its downtown core and realign its transportation corridor. The proposed expropriation by the City will accomplish this to the satisfaction of itself, Canadian Pacific Limited and the Province. The fact that the expropriation of the Land from Squaw Point may be for the benefit of Canadian Pacific Limited does not, in my view, impair the expropriation. The overall objective and purpose is the transportation corridor of which the rail line is only a part, albeit a very necessary part. In my view, the Municipal Government Act permits an expropriating authority to expropriate for such a purpose. The Act does not restrict the use of land acquired by the expropriating authority under the expropriation process for its own use only; land can be acquired for municipal purposes. The overall purpose here is municipal. The fact that some of the land acquired in the proposed expropriation will be deeded to Canadian Pacific for its railway right of way or bridge is a purpose included in the phrase "any municipal purpose" of S.126 of the Municipal Government Act. To restrict the definition of any municipal purpose to the municipality's own purposes only would defeat its intended purpose particularly in a project of this magnitude where the transportation requirements, not only of the City, but the railway and Alberta Transportation, have to be taken into account and resolved by the City. If this was not the case, each of the City, the railway and Alberta Transportation, would have to bring its own expropriation proceedings to acquire the necessary land for the proposed transportation corridor. In my view, this is not what was intended by the Legislature in the Municipal Government Act. Any municipal purpose includes the requirement of land for roads and railways in a major transportation corridor project as we have here. The proposed expropriation of the Land is for the purpose of the redevelopment and relocation of the

transportation corridor through the City. On this question, I would direct counsel to the Manitoba Court of Appeal decision in Favor and Favor v. City of Winnipeg and Canadian National Railways reported in (1988) 51 Man. R. (2d) 81 and [1988] 5 W.W.R. 73.

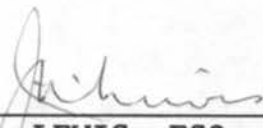
Therefore, I have no hesitation in finding that the intended expropriation by the City is fair, sound and reasonably necessary in the achievement of its objectives. In saying this and coming to this conclusion, I am not unmindful of the problems its presents for Squaw Point and Mr. and Mrs. Robert Coates in particular. I would suggest that the City work closely with Squaw Point and Mr. and Mrs. Robert Coates to assist, wherever possible and with the necessary funds, to relocate the course Mr. and Mrs. Coates have established on the Land for the combined training program, in particular, and the Pony Club. As well, I would suggest that the City work with Mr. and Mrs. Coates to re-establish some of the tree barrier that will be lost in the construction contemplated by reason of this expropriation. It is quite evident from the evidence adduced on behalf of Mr. and Mrs. Coates and Squaw Point, the significant impact, particularly on the children of this area, that the combined training program and Pony Club have. Mr. and Mrs. Coates are to be commended for their effort in establishing the Pony Club and combined training program. It is a program that should not be lost. Whatever assistance is necessary to preserve it following this expropriation and the construction contemplated by the City, should be provided by the City. Although I appreciate this is not within my mandate or jurisdiction, nevertheless I feel it is important enough and of such significance to the children of this area that it must be said and is said in the light of a strong recommendation to the City. Mr. and Mrs. Coates have set up this facility with no or very little monetary considerations coming their way. They are to be commended for this in this day and age and one of the strong reasons why I make this recommendation to the City.

It is my opinion that all reasonable costs of Squaw Point

be paid by the expropriating authority, that is, the City, pursuant to Section 15 (10) of the Expropriation Act.

This report of the Inquiry Officer is made pursuant to Section 16 (1) of the Expropriation Act to the Approving Authority, the City.

DATED at the City of Edmonton, in the Province of Alberta, this 28th day of October, 1988.



---

JAMES L. LEWIS, ESQ., Q.C.  
INQUIRY OFFICER  
1700 OXFORD TOWER  
EDMONTON CENTRE  
10235 - 101 STREET  
EDMONTON, ALBERTA  
T5J 3G1

DEER

No. 2

RIGHT BANK OF RED DEER RIVER AS TRAVERSED  
BY W. FAWCETT, A.L.S., JUNE 9th., 1888. —

4 SEC. 13 - 38 - 28 - W4M  
REQUIRED FOR R/W = 0.569 Ha.

699.528

W4M

S.E. 1/4 SEC. 13 - 38 - 28 - W4M  
AREA REQUIRED FOR R/W = 0.754 Ha.

Square Point.

FD. 1. R51  
IN CONC

FD. 1. R5  
IN CONC

E. 1/4 13  
FD. NO MK  
RE-EST PL L

R48 Wit 7.62 N.  
Fd. no mk  
Re-est. Left no mk.

ALLOWANCE

ROAD

# CHAPMAN RIEBEEK SIMPSON CHAPMAN WANLESS

Barristers & Solicitors

THOMAS H. CHAPMAN, Q.C.\*  
NICK P. W. RIEBEEK\*  
DONALD J. SIMPSON  
T. KENT CHAPMAN  
GARY W. WANLESS\*

---

\*Denotes Professional Corporation

208 Professional Building  
4808 Ross Street  
Red Deer, Alberta T4N 1X5

---

TELEPHONE (403) 346-6603

TELECOPIER (403) 340-1280

Your file:

Our file: 15,480 THC

November 7, 1988

The City of Red Deer  
P.O. Box 5008  
Red Deer, Alberta  
T4N 3T4

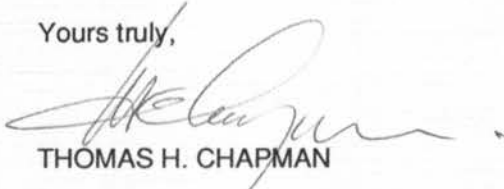
ATTENTION: Mayor and Members of Council

Dear Sirs:

**Re: Expropriation - Squaw Point Ranching Co. Ltd.**

Further to my correspondence forwarding to you a copy of the report of the Inquiry Officer, I attach hereto a resolution and reasons for decision which, if the same are satisfactory to the City, may be passed at the next Council meeting.

Yours truly,



THOMAS H. CHAPMAN

THC/kah  
Enclosure

IN THE MATTER OF THE EXPROPRIATION  
ACT BEING CHAPTER E-16 OF THE REVISED  
STATUTES OF ALBERTA 1980 AND  
AMENDMENTS THERETO

AND IN THE MATTER OF THE INTENDED  
EXPROPRIATION BY THE CITY OF RED DEER  
OF SQUAW POINT RANCHING CO. LTD.

AFFIDAVIT

I, CHARLES SEVCIK, of the City of Red Deer, in the Province of Alberta, MAKE  
OATH AND SAY:

1. THAT I am the City Clerk of the City of Red Deer, in the Province of Alberta as  
such, and I have knowledge of the matters herein deposed to.

2. THAT on the <sup>18</sup>th day of August, 1988, the Municipal Council of the City of Red  
Deer, duly assembled, did pass a resolution pursuant to the provisions of Sections 126 and 132 of the  
Municipal Government Act, R.S.A. 1980, Chapter M-26, to acquire by expropriation all those portions of  
lands owned by Squaw Point Ranching Co. Ltd. described as follows:

Firstly:

All that portion of the East Half of Section Thirteen (13)  
Township Thirty-Eight (38)  
Range Twenty-Eight (28)  
West of the Fourth Meridian  
Lying to the South of the Right bank of the Red Deer River as shown on a  
Plan of Survey of the said Township signed at Ottawa on the 13th day of  
August, 1884, west of Road Plan 2082 L.Z. and east of a line drawn  
parallel and 62.0 metres perpendicularly distant Westerly from the most  
Westerly limit of Road Plan 2082 L.Z., containing 1.37 hectares (3.39  
acres), more or less, as crosshatched on the sketch attached hereto.

Excepting thereout all mines and minerals, and

Secondly:

All that portion of the North East Quarter of Section Thirteen (13)  
Township Thirty-Eight (38)  
Range Twenty-Eight (28)  
West of the Fourth Meridian  
Lying to the South of the Right bank of the Red Deer River as shown on a  
Plan of Survey of the said Township signed at Ottawa on the 13th day of  
August, 1884, and lying East of Road Plan 2082 L.Z., containing 0.045  
hectares (0.11 acres) more or less, as crosshatched on the sketch  
attached hereto.

Excepting thereout all mines and minerals.



3. THAT I did on the 12th and 22nd days of August, 1988, cause to be published in the Red Deer Advocate, a newspaper in general circulation in the City of Red Deer, a true copy of the Notice of Intention to Expropriate, issued pursuant to the Council Resolution aforesaid and hereunto annexed and marked Exhibit "A" is a copy of the newspaper tear sheet of the Red Deer Advocate evidencing such publication.

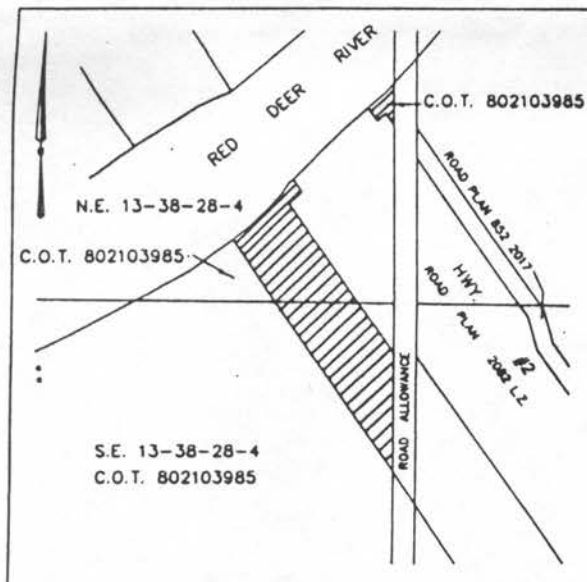
SWORN BEFORE ME at the City of )  
Red Deer in the Province of Alberta, )  
this 9 day of November, A.D. )  
1988. )

  
A COMMISSIONER FOR OATHS in and  
for the Province of Alberta

**THOMAS H. CHAPMAN**  
A Commissioner for Oaths in  
and for the Province of Alberta  
My appointment does not expire

  
\_\_\_\_\_

## NOTICE OF INTENTION TO EXPROPRIATE



1. TAKE NOTICE that the City of Red Deer intends to expropriate the following lands:

**Firstly**

All that portion of the East Half of Section Thirteen (13)  
Township Thirty Eight (38)  
Range Twenty Eight (28)  
West of the Fourth Meridian

Lying to the South of the Right bank of the Red Deer River as shown on a Plan of Survey of the said Township signed at Ottawa on the 13th day of August, 1884, west of Road Plan 2082 L.Z. and east of a line drawn parallel and 62.0 metres perpendicularly distant Westerly from the most Westerly limit of Road Plan 2092 L.Z., containing 1.37 hectares (3.39 acres) more or less, as crosshatched on the sketch attached hereto.

Excepting thereout all mines and minerals, and

**Secondly**

All that portion of the North East Quarter of Section Thirteen (13)  
Township Thirty Eight (38)  
Range Twenty Eight (28)  
West of the Fourth Meridian

Lying to the South of the Right bank of the Red Deer River as shown on a Plan of Survey of the said Township signed at Ottawa on the 13th day of August, 1884, and lying East of Road Plan 2082 L.Z., containing 0.045 hectares (0.11 acres) more or less, as crosshatched on the sketch attached hereto.

Excepting thereout all mines and minerals.

2. The nature of the interest in the lands intended to be expropriated is: fee simple title.

3. The work or purpose for which the interest in the lands is required is:

For the purpose of exchanging the firstly described lands with Canadian Pacific Limited, or their nominee, for railway right-of-way to replace railway right-of-way to be transferred by Canadian Pacific Limited to the City for the construction of a major urban

transportation corridor within the City of Red Deer.

For the purpose of conveying to Alberta Transportation the the secondly described lands for road right-of-way, which lands will be severed from the owners lands by the intended expropriation of the firstly described lands.

4. Section 6 of the Act provides that:

"6.(1) No purpose may in any proceedings under this Act dispute the right of an expropriating authority to have recourse to expropriation.

(2) In any proceedings under this Act the owner may question whether the taking of the land, or the estate or interest therein, is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority."

5. Section 10 of the Act provides that:

"10.(1) An owner who desires an inquiry shall serve the approving authority with a notice of objection

(a) in the case of an owner served in accordance with section 8(2), within 21 days of service upon him of the notice of intention, and  
(b) in any other case, within 21 days after the first publication of the notice of intention.

(2) The notice of objection shall state

(a) the name and address of the person objecting,  
(b) the nature of the objection,  
(c) the grounds on which the objection is based, and  
(d) the nature of the interest of the person objecting."

6. A person affected by the proposed expropriation does not need to serve an objection to the expropriation in order to preserve his

Red Deer Advocate  
Aug. 12/88  
Aug. 22/88

SQUAW POINT RANCHING

This is Exhibit A referred to in the  
affidavit of CHARLES SEVCIK

sworn before me

this 9 day of  
NOVEMBER A.D. 1988

Thomas H. Chapman  
A Commissioner for Oaths in and for  
the Province of Alberta

**THOMAS H. CHAPMAN**  
A Commissioner for Oaths in  
and for the Province of Alberta  
My appointment does not expire

THE CITY OF RED DEER	NORTH ALBERTA LAND REGISTRATION DISTRICT
MAYOR	
CITY ENGINEER	
CITY CLERK	

PLAN SHOWING SURVEY OF  
RAILWAY RIGHT OF WAY  
AFFECTING THE  
E. 1/2 SEC. 13, TWP. 38, RGE. 28 W4M  
ALBERTA

BY: WAYNE W. FAWCETT, A.L.S., 1988.  
SCALE: 1:1000

NOTES  
Distances are shown in metres.  
Statutory iron posts found are shown thus: \*  
Statutory line posts planted are shown thus: o  
non posts planted are slanted "PCB"  
also affected by this plan is outlined thus: ---  
A.S.C. monuments are shown thus: ▲  
Bearings are given and are referred to A.S.C.M.'s shown.  
River boundaries are of right angles to river line unless shown otherwise.  
Markers are shown thus: M.P.  
Cornerstone posts are shown thus: C.S.

I, Wayne W. Fawcett, of the City of Red Deer, Alberta Land Surveyor,  
make oath and say:  
That the survey represented by this plan was made under my personal  
supervision, and  
That the survey was made in accordance with good surveying practices  
and in accordance with the provisions of "The Survey Act" and  
That the survey was performed between the dates of June 9th,  
and August 3rd, 1988, and that this plan is true and correct, and is  
prepared in accordance with the provisions of "The Land Titles Act".

Sworn before me at the City of Red Deer  
in the Province of Alberta, this 7th day  
of November, 1988.

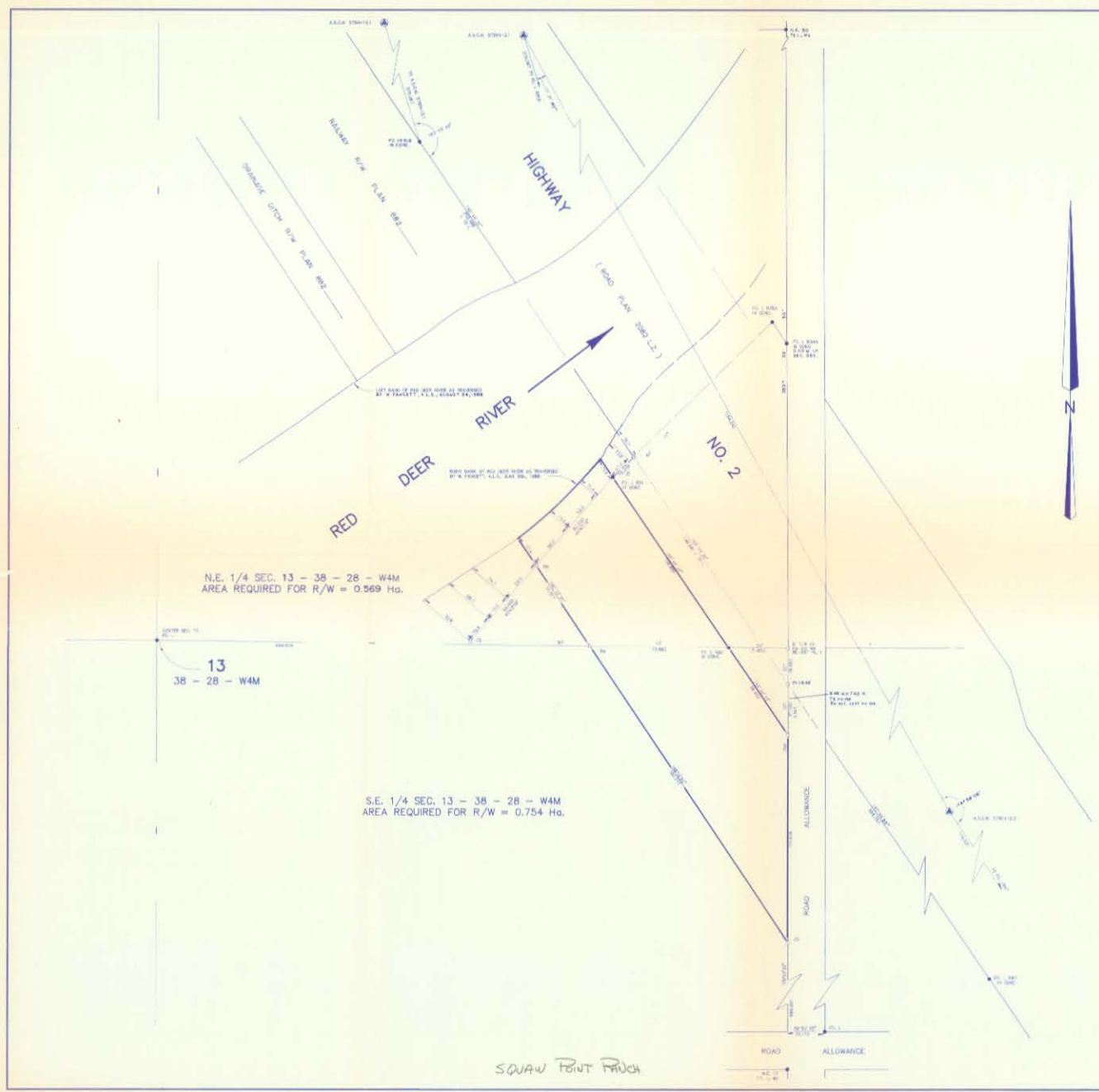
Wayne W. Fawcett  
When F. Less 28/10/90  
A Commissioner for Oaths in and for  
The Province of Alberta.

ALBERTA LAND SURVEYOR



DRAWING 84  
Nov 14/88

BETA SURVEYS LIMITED  
5000 3 - 50th AVE. S.W. CALGARY, ALBERTA T2C 0A6  
PHONE 243 9800 FAX 243 1044



DATE: November 15, 1988  
TO: City Solicitor  
FROM: City Clerk  
RE: EXPROPRIATION HEARING  
THE CITY OF RED DEER VS SQUAW POINT RANCHING CO. LTD.

---

Your report to Council dated October 31, 1988, concerning the above was presented to Council November 14, 1988, and at which meeting Council passed the attached motion.

The decision of Council in this instance is submitted for your information and I trust that you will take whatever action is deemed necessary on behalf of the City.

Trusting you will find this satisfactory.



C. Sevcik  
City Clerk  
CS/ds

c.c. City Commissioners  
Director of Engineering Services  
City Assessor  
Dir. of Community Services  
Dir. of Finance

WHEREAS the Municipal Council of the City of Red Deer, duly assembled as Expropriating Authority, did on the 8th day of August, 1988, pass a resolution pursuant to the provisions of Sections 126 and 132 of the Municipal Government Act, R.S.A. 1980, Chapter M-26, to acquire by expropriation all those portions of lands owned by Squaw Point Ranching Co. Ltd. described as follows:

Firstly:

All that portion of the East Half of Section Thirteen (13)  
Township Thirty-Eight (38)  
Range Twenty-Eight (28)  
West of the Fourth Meridian  
Lying to the South of the Right bank of the Red Deer River as shown on a Plan of Survey of the said Township signed at Ottawa on the 13th day of August, 1884, west of Road Plan 2082 L.Z. and east of a line drawn parallel and 62.0 metres perpendicularly distant Westerly from the most Westerly limit of Road Plan 2082 L.Z., containing 1.37 hectares (3.39 acres), more or less, as crosshatched on the sketch attached hereto.

Excepting thereout all mines and minerals, and

Secondly:

All that portion of the North East Quarter of Section Thirteen (13)  
Township Thirty-Eight (38)  
Range Twenty-Eight (28)  
West of the Fourth Meridian  
Lying to the South of the Right bank of the Red Deer River as shown on a Plan of Survey of the said Township signed at Ottawa on the 13th day of August, 1884, and lying East of Road Plan 2082 L.Z., containing 0.045 hectares (0.11 acres) more or less, as crosshatched on the sketch attached hereto.

Excepting thereout all mines and minerals

which said sketch is Schedule "B" to this resolution;

AND WHEREAS, pursuant to Section 8 of the Expropriation Act, R.S.A. 1980, Chapter E-16, the City of Red Deer has filed a Notice of Intention to Expropriate the above-described lands in the Land Titles Office for the North Alberta Land Registration District on the 15th day of August, 1988 as Instrument No. 882187156, served a Notice of Intention to Expropriate on the registered owner, Squaw Point Ranching Co. Ltd., in care of their solicitors, Bennett Jones, and upon all persons shown on the records of the said Land Titles Office and known to the City of Red Deer as having an interest therein, and caused Notice of Intention to Expropriate to be published in the Red Deer Advocate on the 12th day of August and the 22nd day of August, 1988;

AND WHEREAS Squaw Point Ranching Co. Ltd. filed a Notice of Objection to the intended expropriation, dated August 19, 1988;

AND WHEREAS, pursuant to the provisions of the Expropriation Act, James L. Lewis, Barrister and Solicitor, was appointed as Inquiry Officer, and did hold an Inquiry and Hearing into the intended expropriation on the 17th, 18th and 19th days of October, 1988, and as a result thereof, prepared a report and did serve such report on the expropriating authority on the 31st day of October, 1988;

AND WHEREAS the County of Red Deer #23 has consented to the acquisition of land by the City for railway right of way;

AND WHEREAS each member of the Council of the City of Red Deer have been provided with a copy of the report of the said Inquiry Officer and have had an opportunity to review the same;

NOW THEREFORE, the Municipal Council of the City of Red Deer in the Province of Alberta, duly assembled, resolves as follows:

1. That, pursuant to the provisions of the Municipal Government Act and the Expropriation Act, the Municipal Council of the City of Red Deer, as the approving authority, hereby approves the expropriation of the following lands, namely:

All that portion of the East Half of Section Thirteen (13)  
Township Thirty-Eight (38)  
Range Twenty-Eight (28)  
West of the Fourth Meridian  
Lying to the South of the Right bank of the Red Deer River as shown on a  
Plan of Survey of the said Township signed at Ottawa on the 13th day of  
August, 1884, west of Road Plan 2082 L.Z., as more particularly  
described and designated on the Plan of Survey annexed hereto,  
containing 1.323 hectares (3.27 acres), more or less,

Excepting thereout all mines and minerals

which said Plan of Survey is Schedule "C" to this resolution.

2. The interest in the land to be expropriate is in fee simple.



3. The expropriation is approved for the following purposes:
- a. the subject property is required for the purpose of exchanging such lands with Canadian Pacific Limited, or their nominee, for railway right of way to replace railway right of way to be transferred by Canadian Pacific Limited to the City of Red Deer for the construction of a major urban transportation corridor within the City of Red Deer.

4. The within expropriation is approved for the reasons as set forth and annexed as Schedule "A" to this resolution.

5. That the intended expropriation of the following described lands:

All that portion of the North East Quarter of Section Thirteen (13)  
Township Thirty-Eight (38)  
Range Twenty-Eight (28)  
West of the Fourth Meridian  
Lying to the South of the Right bank of the Red Deer River as shown on a  
Plan of Survey of the said Township signed at Ottawa on the 13th day of  
August, 1884, and lying East of Road Plan 2082 L.Z., containing 0.045  
hectares (0.11 acres) more or less, as crosshatched on the sketch  
attached hereto.

Excepting thereout all mines and minerals, and

All that portion of the East Half of Section Thirteen (13)  
Township Thirty-Eight (38)  
Range Twenty-Eight (28)  
West of the Fourth Meridian  
Lying to the South of the Right bank of the Red Deer River as shown on a  
Plan of Survey of the said Township signed at Ottawa on the 13th day of  
August, 1884, west of Road Plan 2082 L.Z., containing 0.02 hectares  
(0.049 acres), more or less, as crosshatched on the sketch attached  
hereto.

Excepting thereout all mines and minerals

which said sketch is Schedule "D" to this resolution, with the concurrence of the City of Red Deer as the expropriating authority, be and is hereby abandoned.

6. The Mayor and City Clerk are hereby authorized to issue the necessary Certificate of Approval of Expropriation for the lands described in Clause 1 of this resolution and to take all steps necessary under the provisions of the Expropriation Act to acquire title to the said lands.

## **SCHEDULE "A"**

### **REASONS FOR APPROVAL OF INTENDED EXPROPRIATION**

The Municipal Council of the City of Red Deer, having considered the report of the Inquiry Officer dated the 28th day of October, 1988, including a summary of the evidence of the witnesses produced by Squaw Point Ranching Co. Ltd. and the City of Red Deer, proposes to approve a resolution approving the intended expropriation of the following lands, namely:

All that portion of the East Half of Section Thirteen (13)  
Township Thirty-Eight (38)  
Range Twenty-Eight (28)  
West of the Fourth Meridian  
Lying to the South of the Right bank of the Red Deer River as shown on a  
Plan of Survey of the said Township signed at Ottawa on the 13th day of  
August, 1884, west of Road Plan 2082 L.Z., as more particularly  
described and designated on the Plan of Survey annexed hereto,  
containing 1.323 hectares (3.27 acres), more or less,

Excepting thereout all mines and minerals

for the purpose of exchanging such lands with Canadian Pacific Limited or their nominee for railway right of way to replace railway right of way to be transferred by Canadian Pacific Limited to the City for the construction of a major urban transportation corridor within the City of Red Deer, for the following reasons:

1. The evidence indicates that it has been a long-term plan of the City of Red Deer to resolve its transportation problems in the downtown area in the City of Red Deer by the removal of the railway yards owned by Canadian Pacific Limited, and the relocation of such yards and portions of the main line from within the downtown area of the City as well as other areas in the City to lands situate in the northwest sector of the City, and west of Highway No. 2 outside of the boundaries of the City. After many years of negotiations, the agreements entered into between the City of Red Deer, the Government of the Province of Alberta as represented by the Minister of Transportation and utilities, and the City of Red Deer and Canadian Pacific Limited are designed and intended to achieve this purpose.

2. The evidence as summarized in the Inquiry Officer's report indicates that extensive study was effected by the City of Red Deer, the Red Deer Regional Planning Commission, and Canadian Pacific Limited and the Government of the Province of Alberta, with respect to a number of proposed alignments for the relocation of the main line west of the City of Red Deer, and that care was taken to consider the pros and cons of each such alignment.

3. An examination of the agreement between the City and the Government of Alberta as represented by the Minister of Transportation and Utilities, as well as the Memorandum of Understanding, dated November 3, 1988 attached thereto, was the first time that any of the parties had reached any agreement with respect to any of the proposed alignments. The proposed alignment which would have accommodated a bridge over the Red Deer River and over Highway No. 2 to accommodate the rail line constituted a substantial intrusion into the property owned by Squaw Point Ranching Co. Ltd. Notwithstanding such intrusion, it is clear that the difference in cost between the Grimbale alignment which would have provided for a tunnel underneath Highway No. 2 at the south side of the Red Deer River as compared to the bridge crossing of both the Red Deer River and Highway No. 2 shows that a saving of in excess of \$5,000,000 would be achieved as a result of the agreed alignment.

4. The subsequent alignment, which is set forth in the agreement between Canadian Pacific Limited and the City of Red Deer dated June 13, 1988 which provides for a minimal intrusion into the lands owned by Squaw Point Ranching Co. Ltd. as compared to the previously agreed alignment is highly preferable to the previously agreed alignment for the following reasons:

- a. it reduces the area of land impacted and required to be taken from Squaw Point Ranching Co. Ltd.;
- b. aesthetically, it is far superior as it eliminates a long overhead tressel above a highway;
- c. it eliminates the safety concerns which would be involved with a railway crossing over a major arterial highway;
- d. it results in no additional cost to the City of Red Deer;
- e. that for the geo-technical reasons, the construction of a railway tunnel underneath Highway No. 2 on the north side of the Red Deer River is less problematic than an underground tunnel crossing of Highway No. 2 on the south side of the Red Deer River;
- f. The alignment set forth in the agreement with Canadian Pacific Limited does not intrude into any of the lands owned by the City in its urban park corridor, on the south side of the Red Deer River, nor does it intrude into the somewhat environmentally sensitive tamarac bog lands lying to the east of Highway No. 2 north of the Red Deer River, which are proposed to be incorporated into Maskepetoon Park and the City urban park system.

5. The City proposes that the expropriation of the following lands:

All that portion of the North East Quarter of Section Thirteen (13)  
Township Thirty-Eight (38)  
Range Twenty-Eight (28)  
West of the Fourth Meridian

Lying to the South of the Right bank of the Red Deer River as shown on a Plan of Survey of the said Township signed at Ottawa on the 13th day of August, 1884, and lying East of Road Plan 2082 L.Z., containing 0.045 hectares (0.11 acres) more or less, as crosshatched on the sketch attached hereto.

Excepting thereout all mines and minerals, and

All that portion of the East Half of Section Thirteen (13)  
Township Thirty-Eight (38)  
Range Twenty-Eight (28)  
West of the Fourth Meridian

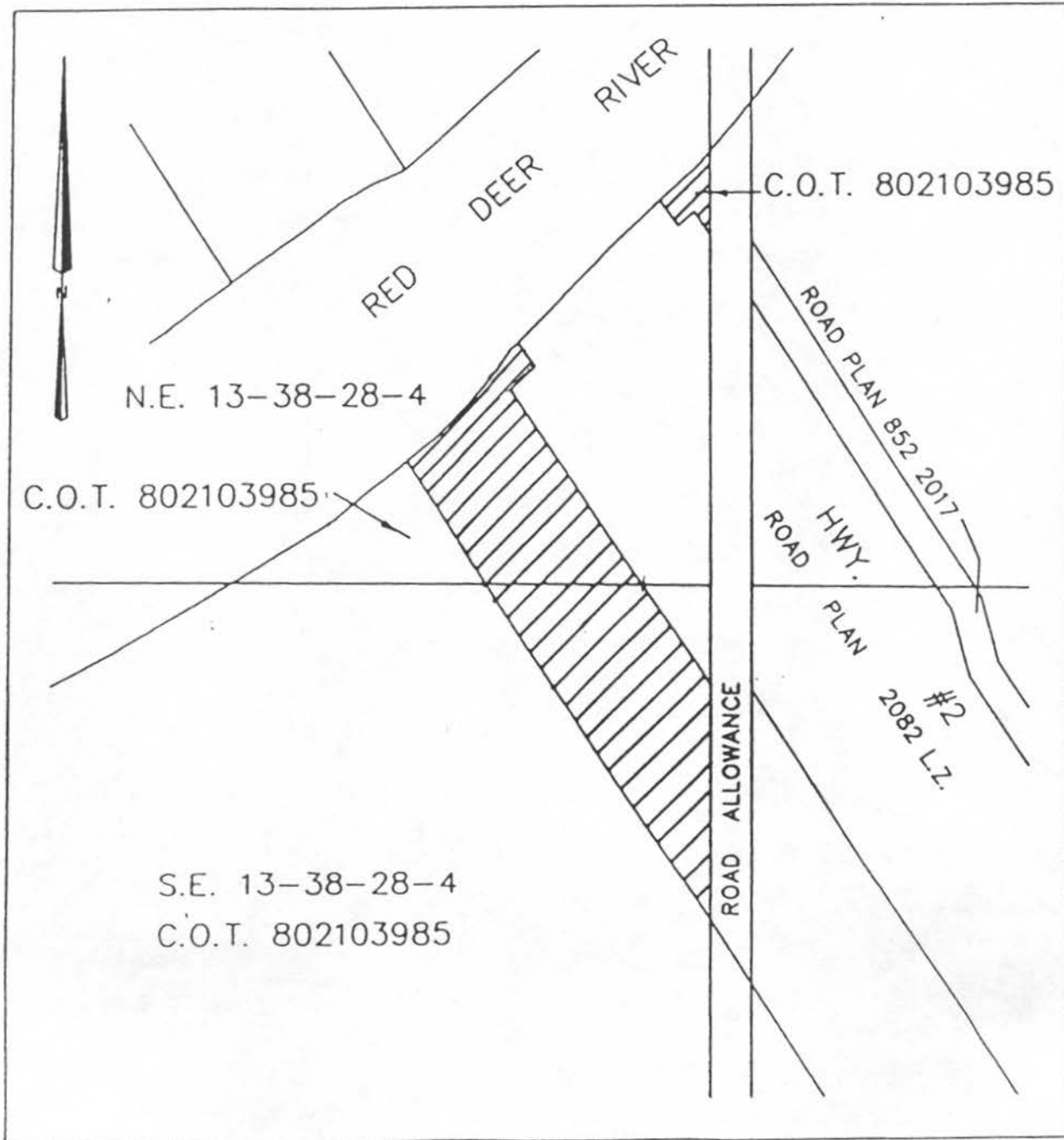
Lying to the South of the Right bank of the Red Deer River as shown on a Plan of Survey of the said Township signed at Ottawa on the 13th day of August, 1884, west of Road Plan 2082 L.Z., containing 0.02 hectares (0.049 acres), more or less, as crosshatched on the sketch attached hereto.

Excepting thereout all mines and minerals

which sketch is annexed hereto as Schedule "D", be abandoned for the following reasons:

- a. the lands are technically not required for railway relocation.

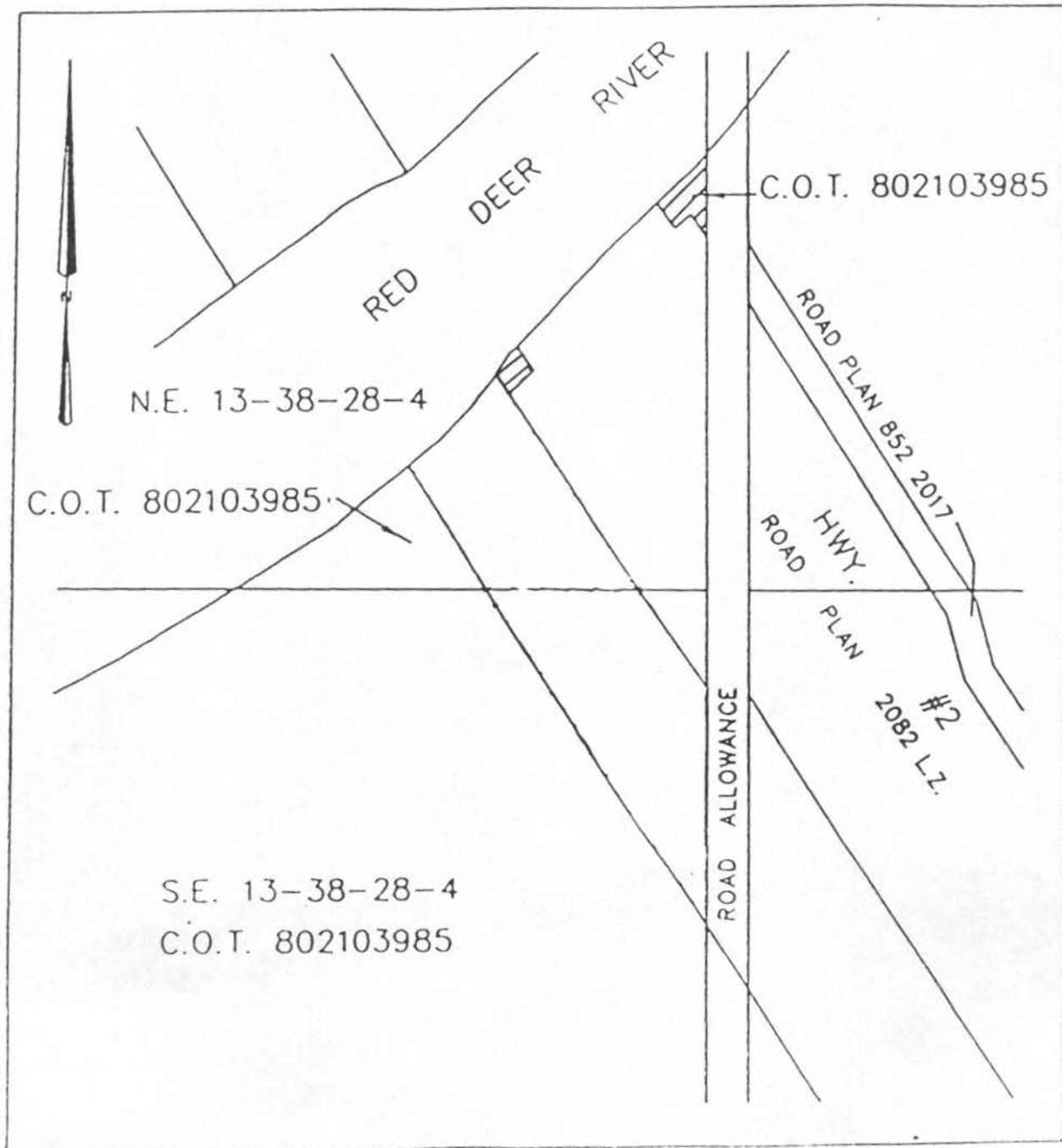
SCHEDULE "B"







SCHEDULE "D"



NO. 7

47.

DATE: November 3, 1988

TO: CITY COUNCIL

FROM: RICK ASSINGER  
Social Planning Manager

RE: OLD PROVINCIAL BUILDING/  
CORRESPONDENCE FROM DOWNTOWN HOUSE

---

Council Members are aware that Montfort Community Services Centre closed down at the end of June, 1988. It was a highly successful venture providing accommodation for Social Service agencies thereby allowing them to share resources and work more cooperately. The Montfort Centre was self-financing in that the rents paid over the six year period covered all operating and capital costs of the operation.

For the past eight months the Social Planning Department has been investigating the feasibility of using the old Provincial Building as a community service centre in the downtown area. In June, a letter was received from Provincial Authorities offering the facility on a lease basis (copy attached). Over the summer months we requested Bearden Engineering to thoroughly inspect the facility and give us a report on repairs and renovations that may be necessary to bring it up to standard. Attached is the resulting proposal that was reviewed by the Family and Community Support Services Board at a special meeting held on Wednesday, November 2nd. The plan for use of the old Provincial Building includes space for the relocation of Downtown House.

In September, 1988 a letter was received from Downtown House about the pending availability of the Treasury Branch building on Ross Street as an alternative location for Downtown House when it is vacated. Attached is the correspondence including a letter from Ernie Isley, Minister of Public Works, Supply and Services, regarding the availability of this building.

The F.C.S.S. Board, at its November 2nd meeting, agreed that we should pursue the lease of the old Provincial Building as a first priority and not consider the Treasury Branch at

.../2

this time. After considering the proposal for community use of the old Provincial Building, the F.C.S.S. Board adopted the following resolution:

"THAT the Red Deer and District Family and Community Support Services Board having considered the proposal for community use of the old Provincial Building, hereby recommend to Council of The City of Red Deer that the City of Red Deer enter into a lease with the Provincial Government for the old Provincial Building and that this project be managed by the Social Planning Department as per the proposal dated November, 1988 with the Social Planning Department making further investigations as to the most suitable term of lease for this facility after determination of more specific costs of renovations."

The F.C.S.S. Board felt that a longer term lease may be more appropriate particularly if the costs of improving the access to the second floor are excessive. The F.C.S.S. Board felt that approval should be obtained from City Council to proceed with this project in order to begin more serious negotiations with Provincial Authorities and the various organizations interested in moving into the facility.

We would request Council's approval to proceed with this project subject to further consideration of the proposed financial arrangement. Council support, at this time, would enable us to more seriously negotiate with the Province on the terms of the lease and it would enable us to more seriously investigate other renovations costs necessary with the organizations that plan to move into the facility.

Council should also be aware that Provincial Authorities would no longer make available a grant in lieu of taxes for this facility at the commencement of the lease. This grant in lieu of tax amounts to \$21,150.00. Under a lease arrangement, the City would forego this revenue during the period of the lease.

It is the intention of our Department to make this project self-financing in the same way as Montfort Community Services Centre was financed. That is, once we know the renovation costs and operating costs of the facility the rents would be

established to recover all capital and operating costs over the duration of the lease. We feel confident that this can be achieved and look forward to the support of City Council to proceed with this project.



RICK ASSINGER  
Social Planning Manager

RA/ad

Atts.

c.c.      Jack VanVliet, Chairman, F.C.S.S. Board  
            Al Wilcock, Director of Finance  
            Al Knight, City Assessor  
            Craig Curtis, Director of Community Services



PUBLIC WORKS, SUPPLY  
AND SERVICES

Office of the Minister

131 Legislature Building, Edmonton, Alberta, Canada T5K 2B6 403/427-3666

August 16, 1988

Mr. E. G. Davies  
Secretary of the Downtown House  
Senior Citizens  
Apt. 509, 4810 - 54 Street  
Red Deer, Alberta  
T4N 6R3

Dear Mr. Davies:

Further to my July 25, 1988 letter, this is to advise that the former Treasury Branch Building on Ross Street is no longer required by the Province. In accordance with my Department's policy for disposing of surplus properties, the facility will be offered for sale or on a long-term lease to the City of Red Deer. You may therefore wish to approach City officials to discuss your organization's interest in this building.

Yours truly,

Ernie Isley  
Minister

c.c. John Oldring, M.L.A.  
Stockwell Day, M.L.A.

Sept. 16; 1988.

Red River City Council:

We the board members of the Sr. Citizens  
 Mountaion House; have made inquiries into the  
 former Treasury Branch building on Ross st.

We are very interested in finding a more  
 suitable location for our drop in centre, and we  
 are very interested in this building.

We have also inquired into the Old Treasury  
 building, but we understand there is no bathroom  
 wash room facilities on the main floor in it  
 so would require more alterations for our needs.

If and when the discussion comes up regarding  
 a long term lease on the Ross St building, please  
 consider our needs for the Mountaion House  
 Sr. Citizens Group.

Thank you.

Edith J. Davies (sec)

Elmer Reese (pres)

4519 - 46 st

Red River

T4N 1M5.

PS. I am inclosing the letter  
 we received from Ernie Isley  
 M. of Public Works.

10/40  
 Sept 19/88  
 JS



PROPOSAL FOR COMMUNITY USE OF  
THE OLD PROVINCIAL BUILDING

PREPARED BY:

Social Planning Department  
City of Red Deer

FOR CONSIDERATION OF:

The F.C.S.S. Board  
Red Deer City Council

November, 1988

## TABLE OF CONTENTS

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7. Costs of Project	6
8. Cost Recovery	7

1. BACKGROUND

In December, 1987, provincial authorities approached The City of Red Deer to determine if there was any interest in use of the Old Provincial Building for some community purpose. In February, 1988 The City responded indicating interest in using the building to accommodate community, non-profit organizations in the downtown area. Provincial authorities responded indicating that they would not be prepared to sell the property but would be interested in entering into a long-term lease with The City of Red Deer.

Following further discussions and clarification, a response from the Department of Public Works, Supply and Services dated June 30, 1988 revealed that the Province would be prepared to lease the facility to The City of Red Deer on the following terms and conditions:

- 1) Term of 25 years;
- 2) Nominal rental of \$1.00
- 3) City to have the authority to sub-lease the space to certain third parties;
- 4) City responsible for upgrading of the building subject to approval of the Province; and
- 5) City responsible for operating costs, excluding building insurance, and grants in lieu of taxes.

In July, 1988 the Social Planning Department, through the Land Department, contracted with Bearden Engineering to investigate the facility and complete a report on the structure of the facility, maintenance costs, essential renovations required, and the state of the heating, mechanical and electrical systems. This report was received in September, 1988.

The Social Planning Department is interested in the lease of this facility to make space available for community, non-profit organizations. In particular, we are extremely interested in securing the building for the relocation of Downtown House and as a main street, store-front location for the Community Information and Referral Service.

Both organizations are interested in the site and many other organizations have expressed similar interest. This facility could also serve to house some of the organizations that were previously at Montfort Community Services Centre.

Although the location of the Old Provincial Building makes it of greater interest to organizations other than those previously housed at Montfort, the concept of a "Community Services Centre" would apply. A major organization such as The City of Red Deer is required to provide the leadership in coordinating the project and handling the legal responsibilities. The City is able, in this way, to provide support to many smaller community organizations. The "Community Services Centre" concept provides agencies with an opportunity to share resources and cooperate with one another often resulting in improved services at no additional expense. This would be the intended purpose of leasing the Old Provincial Building.

## 2. LOCATION

The Old Provincial Building is located on the corner of Gaetz Avenue and 51st Street. It is across 51st Street from the new Provincial Building at the west end of that block. Immediately east of the facility, across the back lane, is a small store and former restaurant. Immediately south of the facility are smaller office buildings.

The building was built in approximately 1950 to house the Treasury Branch and Liquor Store on the main floor with office space for other provincial functions on the second floor. In 1959, the Liquor Store moved out and more provincial office space was made available. In the mid-70's, the Treasury Branch moved and it was used for provincial offices until the new Provincial Building was completed. Alberta Public Works occupied the building from 1983 to 1987. Red Deer College occupied a portion of the building from about 1985 to 1987. Since then, only a few small organizations have leased space in the building.

3. DESCRIPTION OF FACILITY

The building is 118 feet by 50 feet with three levels. The basement consists mainly of good storage area. The main floor consists of some office space in the east and west ends of the building with a large open area in the middle towards the west end. The second floor consists of a large number of rooms that could be used for offices. Access to the second floor is through separate entrances on the northeast and southwest corners of the building. The stairwells to the second floor are quite narrow and steep and may need to be modified.

4. ENGINEERING REPORT

Bearden Engineering completed its report in September, 1988. They indicate that the building has been very well maintained and performed quite well over its 40 year existence. They identify a number of minor repairs and maintenance that is required to bring the building closer to satisfying the Alberta Building Code for fire and exit safety. These are fully detailed in their report. In a subsequent meeting with Terry Bearden, he mentioned that the boiler has been well maintained and no major work is required but there would need to be a start up inspection if and when we take over the facility. He estimates that the cost of all of the necessary repairs to the facility would be approximately \$17,000.00. He also mentioned that the estimate of replacing the roof in eight to ten years would be approximately \$18,000.00. However, the roof will not likely need to be replaced if we are looking at a lease period of ten years.

5. ORGANIZATIONS INTERESTED

In May, 1988, we invited representatives from Downtown House, Community Information and Referral, Family Service Bureau, Sexual Assault Centre, Family Day Home, and the Red Deer Action Group to tour the facility. We asked these organizations to reply to us indicating their interest in leasing some space. The Community Information and Referral Service, Downtown House, Sexual Assault Centre, and Red Deer Action Group all expressed interest in moving into the facility subject to a reasonable rent being established. The Family

Service Bureau indicated it may be interested in having some of its operation moved to this facility. The Family Day Home program expressed some reservations but wanted to be kept informed. Following this, we received some expression of interest from other organizations that were looking for space including the Red Deer Clothing Bank and the Kidney Foundation.

We feel that there would be other smaller organizations that would be quite interested in leasing space in this facility particularly if they would be able to share in some of the resources such as secretarial or receptionist time. This has not been included in the proposal to date but we do intend to discuss this with the tenants interested if support for this initiative is received from the F.C.S.S. Board and City Council.

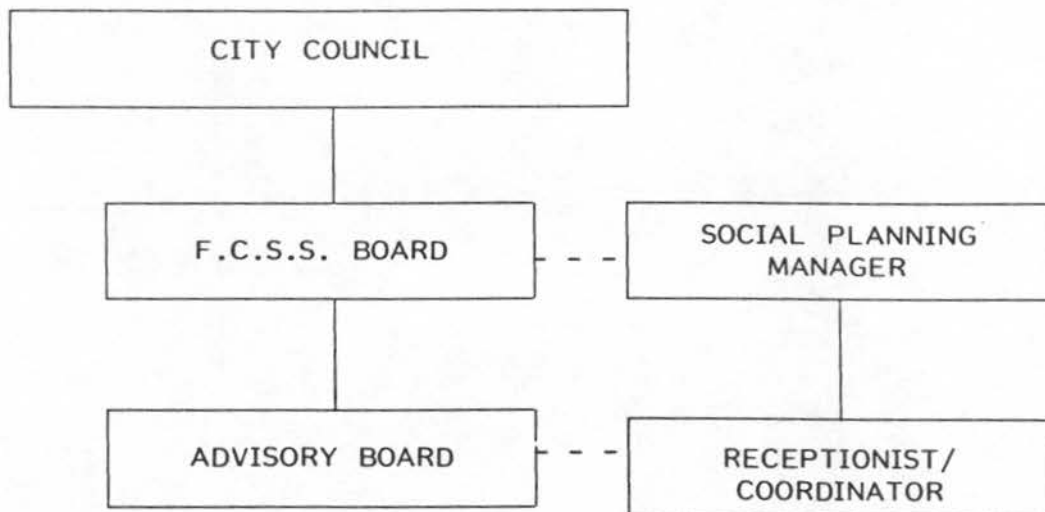
Some of the organizations currently leasing space in the facility may also be interested in remaining. This would be negotiated with them at the request of the Province.

#### 6. PROPOSED OPERATION

It is proposed that the operation of this facility as a "Community Services Centre" would be slightly different from the operation of Montfort Community Services Centre. We would like to investigate with the tenants the possibility of including a receptionist/coordinator for this centre under contract to the Social Planning Department. This individual would then have primary responsibility for managing the facility. The tenants would then each appoint a representative to an advisory committee that would oversee this operation, similar to the Montfort Community Services Centre Management Board.

The City of Red Deer would enter a lease with the provincial authorities and the Social Planning Department would manage the facility on behalf of The City. The F.C.S.S. Board would provide overall direction for the operation.





## 6. COSTS OF PROJECT

The initial capital costs for this project are estimated to be as follows:

1) Needed repairs as per Bearden Report -	\$17,000.00
2) Additions and renovations (in consultation with tenants) -	<u>\$33,000.00</u>
TOTAL CAPITAL	\$50,000.00

The cost of amortizing this \$50,000.00 capital cost over a ten year period at an interest rate of 10.5% is \$8,310.00/year. The interest rate is the current one for The City of Red Deer.

Upon commencing operations as a "Community Services Centre" the annual operating budget is estimated to be as follows:

1) Utilities	\$16,000.00
2) Caretaking	12,000.00
3) Caretaking Supplies	1,000.00
4) Building Maintenance	3,000.00
5) Insurance	2,000.00
6) Miscellaneous	<u>1,000.00</u>
TOTAL OPERATING	\$35,000.00
TOTAL ANNUAL OPERATING AND AMORTIZED CAPITAL	\$43,310.00

## 8. COST RECOVERY

It is proposed that this project be self-financing with The City front-ending the capital costs and assuming major responsibility for managing the overall project through the Social Planning Department.

Approximately 3,725 square feet of space is rentable on the main floor and 4,550 square feet of space is rentable on the second floor. The storage, washrooms, hallways, board room, reception area, and coffee room would be common areas with no rent recovered but available to all tenants.

It is proposed that the large open area on the main floor be reserved for Downtown House but also be made available to other tenant groups for large meetings when required. Therefore, a reduced rent would be established. Similarly, office space on the main floor would be more costly than office space on the second floor and office space on the second floor with no windows would be the cheapest rent.

Recoverable rents for the facility then could be established as follows:

1)	Open area on main floor: 1,800 sq. ft. x \$4.50/sq. ft. =	\$ 8,100.00
2)	Office space on main floor: 1,925 sq. ft. x \$8.50/sq. ft. =	16,360.00
3)	Window space on second floor: 3,800 sq. ft. x \$7.50/sq. ft. =	28,500.00
4)	Internal space on second floor: 750 sq. ft. x \$6.50/sq. ft. =	<u>4,880.00</u>
	TOTAL RENT	\$57,840.00
	80% OCCUPANCY	\$ 46,270.00

Additional rents could be obtained by renting some of the common areas to outside groups as was done at Montfort.

These proposed rents appear to be acceptable to representatives of organizations we talked with and are slightly below current rates with the exception of Downtown House. Their rent would increase to \$750.00 per month from \$550.00 and they would require additional funding of approximately \$2,400 per year.



PUBLIC WORKS, SUPPLY AND SERVICES  
Realty Division

College Plaza, 8215 - 112 Street, Edmonton, Alberta, Canada T6G 5A9

Fax No.: (403) 422-0022  
Telephone No.: (403) 427-7644

Our File: R0666-1

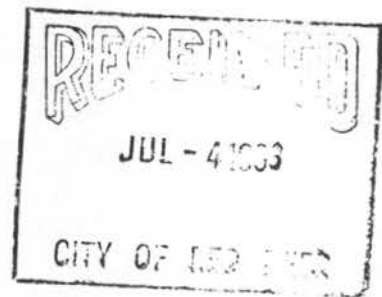
June 30, 1988

City of Red Deer  
Box 5008  
Red Deer, Alberta  
T4N 3T4

Attention: Al Knight, Land Administrator

Dear Sirs:

RE: OLD PROVINCIAL BUILDING - RED DEER -  
LEASE OF PREMISES TO CITY OF RED DEER



Further to our telephone conversation of June 22, 1988, I confirm that our Planning Branch is currently arranging for the necessary approvals to proceed with the lease agreement.

The proposed lease would be on the following terms and conditions:

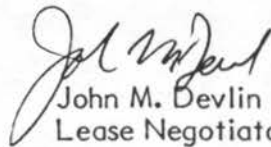
1. Term of 25 years;
2. Nominal rental of \$1.00;
3. City to have the authority to sublease the space to certain third parties;
4. City responsible for upgrading of the building subject to approval of the Province;  
and
5. City responsible for operating costs, excluding building insurance, and grants in lieu of taxes.

As indicated, there are currently three tenants in the building as shown on the attached floor plans.

I understand you will be providing a letter addressing the requirement of obtaining space for the non-profit organizations as soon as possible. I understand from discussions with our Planning Branch that these organizations have previously been in contact with the Planning Branch and our Minister.

Should you have any questions with regards to the foregoing, please give me a call.

Sincerely yours,

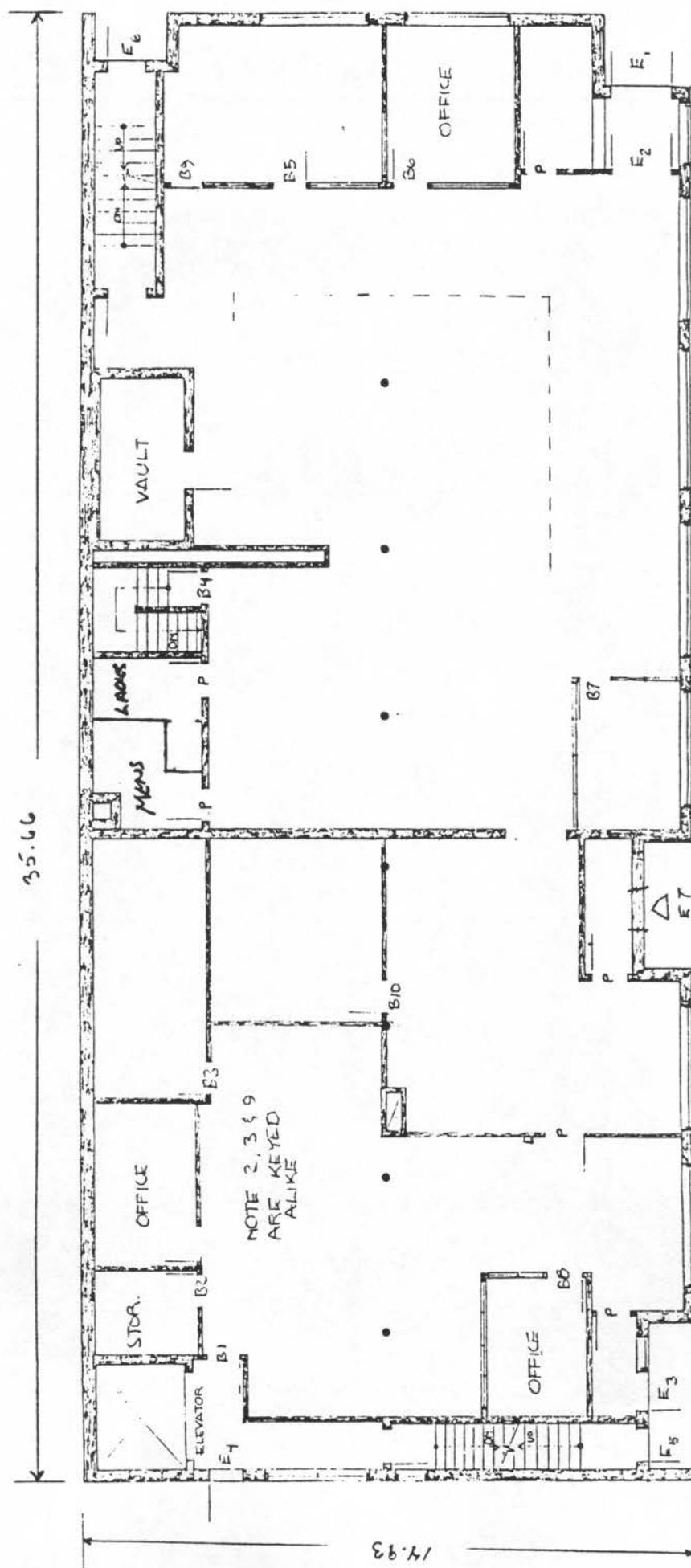
  
John M. Devlin  
Lease Negotiator

Att'd.

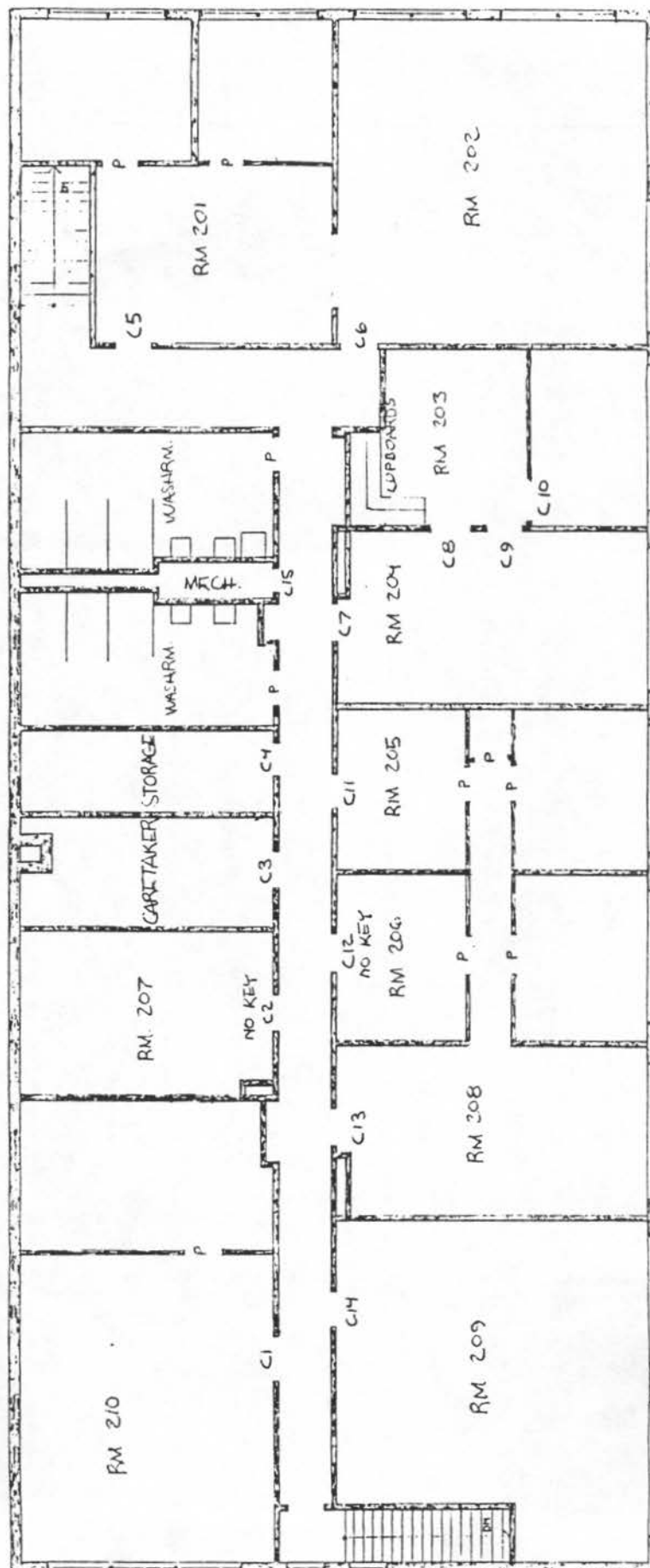
JMD/sh



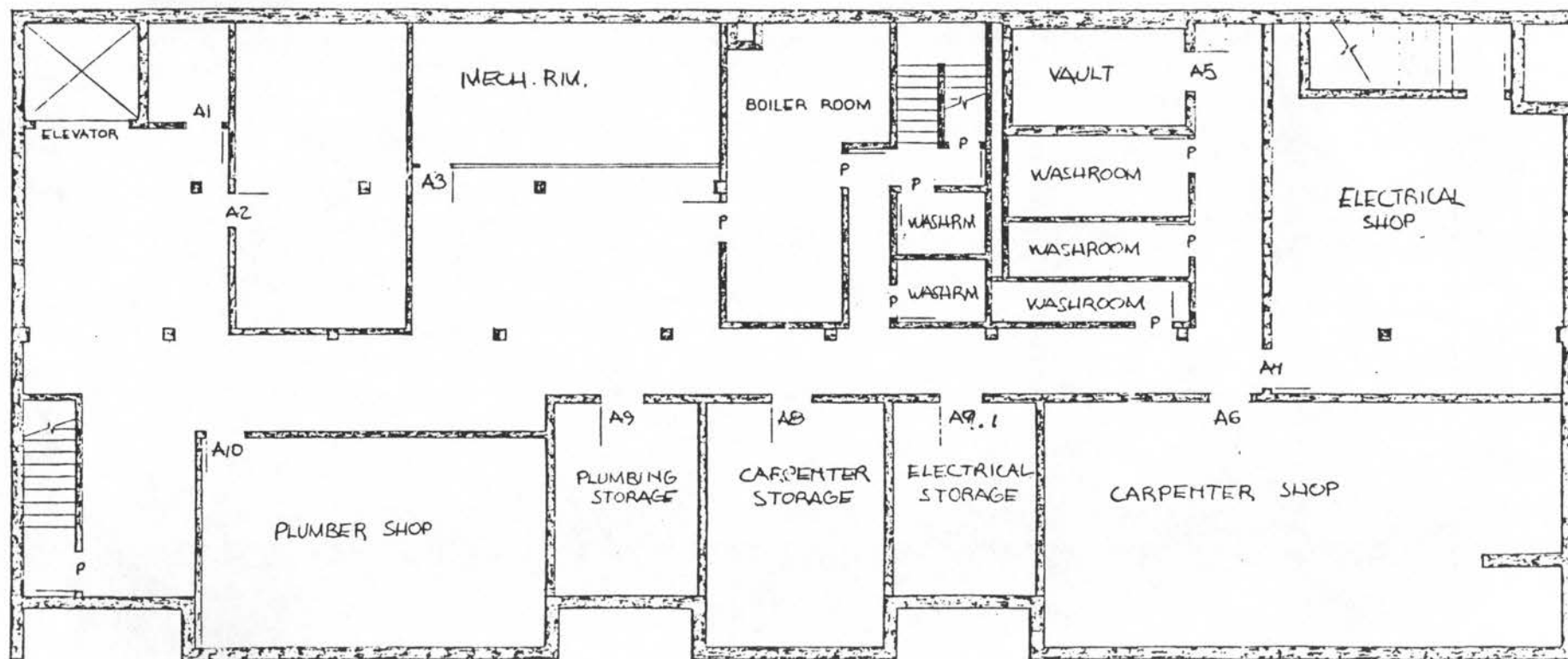
OLD RED DEER PROVINCIAL BUILDING  
MAIN FLOOR PLAN



OLD RED DEER PROVINCIAL BUILDING  
SECOND FLOOR PLAN



OLD RED DEER PROVINCIAL BUILDING  
BASEMENT PLAN



DATE: November 7, 1988

TO: City Clerk

FROM: City Assessor

RE: OLD PROVINCIAL BUILDING  
CORRESPONDENCE FROM DOWNTOWN HOUSE

Further to a memo to City Council from the Social Planning Manager, Rick Assinger, dated November 3, 1988, I will comment on the property tax portion of this lease, sublease by The City of Red Deer:

- A. As this property has existed in the past the Province has paid a grant in lieu of taxes. In 1988 the grant was approximately \$21,150.00 as indicated in Mr. Assinger's memo.
- B. Should The City of Red Deer lease this property and utilize it for internal offices, etc., and not sublease the property an exempt assessment would be carried, pursuant to the Municipal Taxation Act.
- C. Should The City of Red Deer sublease the premises to house Family and Community Support Services groups, then, based on the tenants as proposed and as per the Municipal Taxation Act and regulations thereto, the assessment and taxation of this property must be carried on the roll as taxable.
- D. Provisions of the Municipal Tax Exemption Act, specifically Section 3, is quoted as follows:
 

"A non profit organization may apply in accordance with this act for an order declaring property to be exempt from assessment and taxation if

  - a) the non profit organization
    - (i) owns the property
    - (ii) leases the property from the crown or
    - (iii) owns the property and leases the property to another non profit organization, and
  - b) the property
    - (i) is used chiefly for a charitable, education, religious, benevolent or welfare purpose that is to the general public advantage or benefit
    - (ii) is subject to assessment and taxation under the Municipal Taxation Act."
- E. It would therefore then be incumbent on the sublessees, each organization individually, to make application to the Local Authorities Board pursuant to the Municipal Tax Exemption Act for tax exemption of the area or areas that they are utilizing for their purpose.

City Clerk  
Page 2  
November 7, 1988

Further information can be obtained from the Land, Tax and Assessment Department for applications for exemption under the above mentioned act or further information pertaining to this.

A handwritten signature in cursive script, appearing to read 'Al Knight', followed by a large, stylized star-like flourish.

Al Knight, A.M.A.A.

AK/bw

cc Social Planning Manager

DATE: NOVEMBER 8, 1988

TO: CITY CLERK

FROM: DIRECTOR OF FINANCE

RE: OLD PROVINCIAL BUILDING/CORRESPONDENCE FROM DOWNTOWN HOUSE

---

If the revenue and expenditure projections are correct, it appears the project could be self-financing assuming:

1. The City would agree to provide funding of \$50,000 to finance repairs and renovations (to be amortized and recovered over 10 years as an operating cost), and
2. No property taxes would be levied.

If property taxes were levied, the project could run an annual deficit of some \$18,000.

The statement is made in the report that "Under a lease agreement, the City could forgo this revenue (meaning property taxes) during the period of the lease." It is not that easy.

The City would probably be required by legislation to levy property taxes against the tenants in the building. There are two options that could be taken regarding these taxes:

1. Council could agree each year to cancel the taxes, or
2. The tenants could make an application to the Province to have them declared exempt from taxation. This exemption may or may not be approved and the City could indicate whether it supports the application.

If Council did agree under (1) above each year to cancel the taxes, the problem would be the portion of the taxes related to requisitions from other authorities would have to be funded by the City. If, however, the taxes were included in operating costs they would be subject to cost sharing with other authorities, such as the Province, through Social Planning grants. It should be recognized, however, that Provincial funding is limited and funds used to fund taxes could reduce the funding available for other organizations.



A. Wilcock, B. Comm., C.A.  
Director of Finance

AW/mrk

c.c. Social Planning Manager  
Director of Community Services

DATE: November 8, 1988  
TO: CITY COUNCIL  
FROM: CRAIG CURTIS  
Director of Community Services  
RE: OLD PROVINCIAL BUILDING:  
PROPOSED COMMUNITY SERVICES CENTRE

---

CS-1.945

1. The Social Planning Department has prepared a detailed proposal for the use of the old Provincial Building as a community services centre. The proposal is based on the City leasing the building from the Province for a ten-year period, at a nominal rent, and undertaking the necessary renovations. However, the proposal anticipates the City foregoing tax revenue in the sum of \$21,150 per annum.
2. The F.C.S.S. Board supported the proposal and recommended that the City enter into a lease for the building with the Provincial Government. However, it also recommended further investigation into the most appropriate term of the lease and more specific costs of renovation.
3. I fully support the concept of utilizing the old Provincial Building as a community services centre. One of the major advantages would be the relocation of the Downtown House and the Community Information and Referral Service into ground floor accommodation.

However, I cannot support foregoing tax revenue on this building. The lost tax revenue is, in effect, a direct cost to the project, and should either be recovered through rental income or through cost sharing in the F.C.S.S. Grant Program. Foregoing tax for these non-profit agencies would make it difficult to recommend against other applications, and set a precedent for the future. It must be acknowledged, however, that all non-profit groups can apply to the Province to have their taxes waived, subject to certain limitations.

.../2



City Council  
Page 2  
November 8, 1988  
CS-1.945

---

4. RECOMMENDATION

I recommend that City Council endorse the concept of leasing the old Provincial Building for development as a community services centre, subject to a more detailed cost analysis and feasibility study.



CRAIG CURTIS

CC:dmg

- c. Rick Assinger, Social Planning Manager  
Alan Wilcock, Director of Finance

Commissioners' Comments

We would concur with the comments of the Director of Community Services and his recommendation that Council endorse the concept of this project subject to a more detailed cost analysis and feasibility study.

We also cannot support foregoing the tax revenue nor if this project represents any additional increase in the F.C.S.S. Budget.

"R.J. MCGHEE"  
Mayor

"M.C. DAY"  
City Commissioner



## THE CITY OF RED DEER

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

September 19, 1988

Elmer Reese, President &  
Edith G. Davies, Secretary  
Senior Citizens Downtown House  
4519 - 46 St.  
Red Deer, Alberta  
T4N 1M5

Dear Sir/Madam:

RE: DOWNTOWN HOUSE/TREASURY BRANCH BUILDING

Thank you for your letter in regard to the above, and we would advise that this matter will be presented to Red Deer City Council at its meeting on October 31, 1988.

We shall call you prior to the meeting to determine a suitable time, in the event you wish to be present.

Trust you will find this satisfactory.

Sincerely,

C. Sevcik  
City Clerk  
/ds

DATE September 19/88

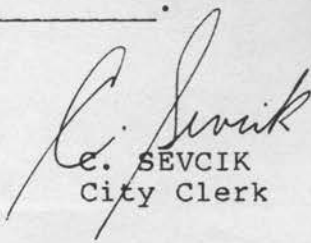
TO: ☒ DIRECTOR OF COMMUNITY SERVICES  
☐ DIRECTOR OF ENGINEERING SERVICES  
☐ DIRECTOR OF FINANCE  
☐ BYLAWS & INSPECTIONS MANAGER  
☒ CITY ASSESSOR  
☐ ECONOMIC DEVELOPMENT MANAGER  
☐ E. L. & P. MANAGER  
☒ F.C.S.S. MANAGER  
☐ FIRE CHIEF  
☐ PARKS MANAGER  
☐ PERSONNEL MANAGER  
☐ R.C.M.P. INSPECTOR  
☐ RECREATION MANAGER  
☐ TRANSIT MANAGER  
☐ URBAN PLANNING SECTION MANAGER  
☐ \_\_\_\_\_

FROM: CITY CLERK

RE: Former Treasury Branch Building on Ross Street/Sr. Citizens

Please submit comments on the attached to this office by Oct. 24

for the Council Agenda of Oct. 31/88.

  
C. SEVCIK  
City Clerk

Sept. 16, 1988.

Red Deer City Council:

We the board members of the Sr. Citizens  
Downtown House; have made inquiries into the  
former Treasury Branch building on Ross st.

We are very interested in finding a more  
suitable location for our drop in centre, and we  
are very interested in this building.

We have also inquired into the Old Treasury  
building, but we understand there is no bathroom  
wash room facilities on the main floor in it  
so would require more alterations for our needs.

If and when the discussion comes up regarding  
a long term lease on the Ross St building. Please  
consider our needs for the Downtown House  
Sr. Citizens Group.

Thank you.

Edith G. Davies (sec)

Elmer Fess (pres)

4519 - 46 st

Red Deer

T&N 1M5.

PS. I am inclosing the letter  
we received from Bernie Isley  
M. of Public Works.

THE CITY OF RED DEER  
CLERK'S DEPARTMENT

RECEIVED	
TIME	10:40
DATE	Sept. 19/88
BY	68



PUBLIC WORKS, SUPPLY  
AND SERVICES

Office of the Minister

131 Legislature Building, Edmonton, Alberta, Canada T5K 2B6 403/427-3666

August 16, 1988

Mr. E. G. Davies  
Secretary of the Downtown House  
Senior Citizens  
Apt. 509, 4810 - 54 Street  
Red Deer, Alberta  
T4N 6R3

Dear Mr. Davies:

Further to my July 25, 1988 letter, this is to advise that the former Treasury Branch Building on Ross Street is no longer required by the Province. In accordance with my Department's policy for disposing of surplus properties, the facility will be offered for sale or on a long-term lease to the City of Red Deer. You may therefore wish to approach City officials to discuss your organization's interest in this building.

Yours truly,

Ernie Isley  
Minister

c.c. John Oldring, M.L.A.  
Stockwell Day, M.L.A.

*Letter typed for Council Agenda if to  
be included on 31st Oct Agenda.*

September 16, 1988

Red Deer City Council:

We the board members of the Sr. Citizens Downtown House; have made inquiries into the former Treasury Branch building on Ross St.

We are very interested in finding a more suitable location for our drop in centre, and we are very interested in this building.

We have also inquired into the Old Treasury building, but we understand there is no wash room facilities on the main floor in it so would require more alterations for our needs.

If and when the discussion comes up regarding a long term lease on the Ross St. building, please consider our needs for the Down Town House Sr. Citizens Group.

Thank you.

"Edith G. Davies"(Sec.)

"Elmer Reese" (Pres.)

4519 - 46 St.

Red Deer

T4N 1M5

P.S. I am enclosing the letter we received from Ernie Isley  
M. of Public Works

DATE: November 15, 1988  
TO: Social Planning Manager  
FROM: City Clerk  
RE: OLD PROVINCIAL BUILDING

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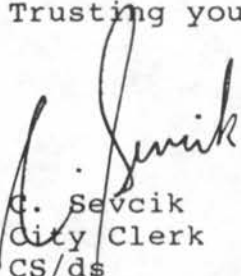
Your report dated November 3, 1988, concerning the above topic was presented to Council November 14, 1988, and at which meeting Council passed the following motion.

"RESOLVED that Council of The City of Red Deer having considered various reports and correspondence relative to the old Provincial Building/Downtown House - proposed Community Services Center hereby endorse the concept of leasing the old Provincial Building for development as a Community Services Centre subject to a more detailed cost analysis and feasibility study and as presented to Council November 14, 1988."

The decision of Council in this instance is submitted for your information and appropriate action.

I trust that you will ensure submission back to Council of a more detailed cost analysis and feasibility study as directed in the above resolution. I also trust you will notify the Downtown House Senior Citizens Group of Council's decision in this instance who have expressed an interest in leasing space in this building.

Trusting you will find this satisfactory.



C. Sevcik  
City Clerk  
CS/ds

c.c. City Commissioners  
Dir. of Community Services  
Dir. of Finance  
City Assessor  
F.C.S.S. Board  
E.L. & P. Mgr.



NO. 8

DATE: November 7, 1988  
TO: City Clerk  
FROM: Director of Engineering Services  
RE: REVISION TO TRAFFIC BY-LAW

---

With the upgrading (widening) of the Riverside Drive between the Lions Campground and 77 Street, Riverside Drive could be considered for a posted speed limit of 70 km/h, within these limits.

We suggest that Part 1 Speed, sentence 12 be revised from

"12. No person shall drive a vehicle in excess of 70 kilometers per hour on 67 Street between 67 Avenue and Highway No. 2."

to read

"12. No person shall drive a vehicle in excess of 70 kilometers per hour on any highway referred to in Schedule "Q" annexed hereto and made part of this by-law."

We also request that Schedule "Q" be created as outlined below and added to the Traffic By-law.

"Schedule Q  
70 km/h

Referred to in Part 1

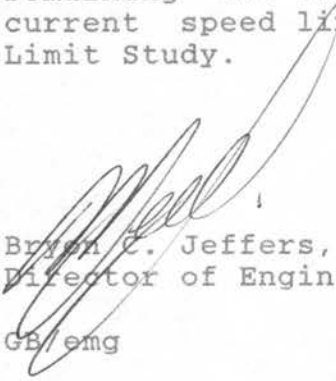
Avenues

1. 67 Street between 67 Avenue and Highway No. 2.
2. Riverside Drive between the Lions Campground access and 77 Street.

In view of the design speed being 80 km/h and the rather limited access available along this section, we would recommend that Council consider the 70 km/h posting now rather, than wait for the results of the overall Speed Limit Study scheduled for 1989.

City Clerk  
Page 2  
November 7, 1988

As a matter of interest, we did not recommend a 70 km/h speed limit on the new 67 Street River Bridge route even though it was designed to the same standards, due to both directions of travel operating within one carriageway. It was our feeling that the 67 Street speed limit should be increased to 70 km/h once the remaining two lanes are in place. In any event, the 67 Street current speed limit would be reviewed as part of the 1989 Speed Limit Study.



Bryan C. Jeffers, P. Eng.  
Director of Engineering Services

GB/emg

Commissioners' Comments

We would concur with the recommendations.

"R.J. MCGHEE"  
Mayor

"M.C. DAY"  
City Commissioner

C  
BYLAW NO. 2800/~~8~~-88

Being a Bylaw to amend Bylaw No. 2800/82, the Traffic Bylaw of The City of Red Deer.

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

1. Bylaw 2800/82, as amended, is hereby further amended

*As to Part V Speed*

*b) As to Section 12 by deleting same and substituting therefor the following:*

*"12. No person shall drive a vehicle in excess of 70 kilometers per hour on any highway referred to in Schedule "Q" annexed hereto and made part of this bylaw."*

*a) By adding new Schedule "Q" as attached.*

2. This Bylaw shall come into force on the date of its passage.

READ A FIRST TIME IN OPEN COUNCIL this       day of       A.D. 1988

READ A SECOND TIME IN OPEN COUNCIL this       day of       A.D. 1988

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED this       day of  
A.D. 1988.

\_\_\_\_\_  
MAYOR

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

~~87~~  
Schedule Q

70 km/h

Referred to in Part 1

Avenues

1. 67 Street between 67 Avenue and Highway No. 2.
2. Riverside Drive between the Lions Campground access and 77 street.

Preparé By Law

620-011  
640-005  
640-005II Z  
110-029

DATE: November 7, 1988  
TO: City Clerk  
FROM: Director of Engineering Services  
RE: REVISION TO TRAFFIC BY-LAW

With the upgrading (widening) of the Riverside Drive between the Lions Campground and 77 Street, Riverside Drive could be considered for a posted speed limit of 70 km/h, within these limits.

We suggest that Part 1 Speed, sentence 12 be revised from

"12. No person shall drive a vehicle in excess of 70 kilometers per hour on 67 Street between 67 Avenue and Highway No. 2."

to read

"12. No person shall drive a vehicle in excess of 70 kilometers per hour on any highway referred to in Schedule "Q" annexed hereto and made part of this by-law."

We also request that Schedule "Q" be created as outlined below and added to the Traffic By-law.

"Schedule Q  
70 km/h

Referred to in Part 1

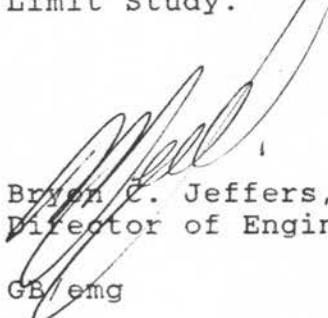
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City Clerk  
Page 2  
November 7, 1988

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Bryan C. Jeffers, P. Eng.  
Director of Engineering Services

GB/emg

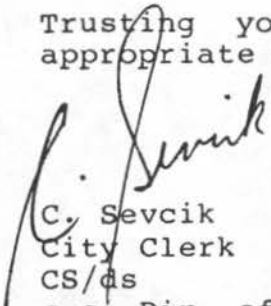
DATE: November 15, 1988  
TO: Dir. of Engineering Services  
FROM: City Clerk  
RE: TRAFFIC BYLAW AMENDMENT 2800/C-88

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Your report dated November 7, 1988, regarding revisions to the Traffic Bylaw and in particular recommending a posted speed limit of 70 km/hr. on Riverside Drive between Lions Campground access and 77 Street was presented to Council November 14, 1988.

At the above noted meeting, Council gave three readings to amending Bylaw 2800/C-88, a copy of which is enclosed herewith. Revised pages for inclusion in your office consolidation copy of the Traffic Bylaw will be sent to you under separate cover.

Trusting you will find this satisfactory and that you will take appropriate action.



C. Sevcik  
City Clerk  
CS/as  
c.c. Dir. of Finance  
Inspector Pearson  
Encl.



DATE: November 4, 1988

TO: City Clerk

FROM: City Assessor

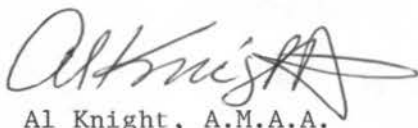
RE: ACCOUNT #20-1-0430  
PLAN 7604S, BLOCK 21, LOTS 1-6

---

We forward the original of the letter mailed to The City of Red Deer, to my attention, from Acro-West Investments Ltd. and signed by Mr. Herb P. Kroeker. Mr. Kroeker was in my office on November 1, 1988 and expressed a concern over the interpretation of the application of penalty dates, etc. In discussion with Mr. Kroeker and reviewing the conversations that were held with him by members of the Land and Tax staff, it is apparent that the City staff indicated to him that the penalty would be applied to this account, should it remain unpaid, as at a certain date; however, this statement may have been made that the payment was required to be made by November 1, 1988, in which instance it could have been interpreted that if paid on that date a penalty would not be imposed. Mr. Kroeker indicates in his letter that certain members of our staff understand this in the way that he has interpreted the statement; however, this is untrue and that statement was not made to him at any time by members of the Tax Department staff.

The 1988 property taxes in the amount of \$10,447.40 are outstanding plus the 9% penalty as allocated on July 1, 1988, and 4.5% as allocated on September 1, 1988, for a total of \$11,900.11. The only portion of penalty that is being questioned at this time is the November 1 penalty as allocated in the amount of \$416.50 because of the facts as quoted in this report.

Council is respectfully requested to review the circumstances of the imposition of this property tax penalty and consider the request of refunding penalty of \$416.50.



Al Knight, A.M.A.A.

AK/bw

cc Director of Finance

Commissioners' Comments

In view of Council's recent decision, we would respectfully request Council's direction.

"R.J. MCGHEE"  
Mayor

"M.C. DAY"  
City Commissioner

# ACRO-WEST INVESTMENTS LTD.

#220, 1210 - 8 STREET S.W.  
CALGARY, ALBERTA  
T2R 1L3  
(403) 229-9558

November 2, 1988

The City of Red Deer  
RED DEER, Alberta  
T4N 3T4

Attention: Mr. A.G. Knight

THE CITY of RED DEER  
LAND & TAX DEPARTMENT

<b>RECEIVED</b>	
TIME	12:00
DATE	8/11/05
BY	B

Dear Sir:

RE: Account Number 2010430  
Plan 76045, Blk 21, Lots 1-6

Further to our meeting on November 1, 1988, this letter will confirm our discussions regarding the November 1st penalty on the outstanding taxes on the above property.

As discussed with you, I was at City Hall on October 18th and talked to several people in your department as well as to certain individuals in the utility department. I was informed that the taxes had to be paid by November 1st to avoid the additional penalty. It was my clear understanding that if I paid these taxes on November 1st that the November 1st penalty would not apply. This understanding was confirmed by certain members of your staff.

As you are aware, I came to Red Deer on November 1st to pay the taxes and was then informed that the November 1st penalty of 3.5% must also be paid. Based on the information that I was given by your office, I consider this to be unfair and request that this penalty of \$416.50 be reversed.

We trust you will give this matter your serious and equitable consideration.

Yours truly,



Herb P. Kroeker

HPK/seb

H. P. (HERB) KROEKER, PRESIDENT



# THE CITY OF RED DEER

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

OCTOBER 3, 1988

PROPERTY TAX MASTER FILE INQUIRY

ENTER ROLL NUMBER: 2010430`  
 HEM CONSULTING & HOLDINGS LTD  
 C/O JERRY KENNEY  
 6 GEE STREET  
 RED DEER ALTA

6017 54 AV  
 LT 1 TO 6 BK 21 PL 7604S

T4P 2Z5

	TAXABLE	EXEMPT
OWNER TYPE	1	0
SEP. SCHL.	.0	.0

MORTGAGE NO.  
 MORTGAGE CODE 000  
 TAX CAVEAT DATE 00/00/00  
 CHANGE DATES - L.T. 17/02/87  
 CITY 23/08/88  
 S.O. 10/06/87

## -----ASSESSMENT INFORMATION-----

	TAXABLE	EXEMPT
LAND TYPE	1202	
OWNER TYP	1	0
SEP.SCHL.	.0	.0
LAND	95550	0
IMP.	255480	0
EQ.	0	0
TOT	351030	0

## -----TAX LEVIED-----

MUNICIPAL	4623.77
ED.FOUND	1635.10
PUB.SCHL.	2788.50
SEP.SCHL.	772.34
HOSPITAL	5.97
FRONTAGES	621.72
TOTAL TAX	10447.40

## -----BALANCE OWING-----

CURRENT	12316.62
ARREARS	5717.65
TOTAL	18034.27

ENTER H - HISTORY  
 S - SEARCH/CERT



# THE CITY OF RED DEER

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

## PROPERTY TAX TRANSACTION HISTORY

LEVY	ARREARS OR PREPAYMENTS	ACCOUNT DATE	NUMBER 2010430 AMOUNT	CODE	BALANCE
=====	=====	=====	=====	=====	=====
10447.40	.00	6/05/88			10447.40
		1/07/88	940.27	PENALTY	11387.67
		14/07/88	1927.09	UTIL. CHG	13314.76
		4/08/88	90.40-	UTIL. CHG	13224.36
		1/09/88	567.55	PENALTY	13791.91
		3/10/88	1189.22	UTIL. CHG	14981.13
		7/10/88	2541.06	UTIL. CHG	17522.19
		1/11/88	512.08	PENALTY	18034.27

**THE CITY OF RED DEER**

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

November 15, 1988

Acro-West Investments Ltd.  
220 - 1210 - 8th Street S.W.  
Calgary, Alberta  
T2R 1L3

Attention: Mr. Herb P. Kroeker

Dear Sir:

RE: ACCOUNT NO. 20-1-0430 LOTS 1-6, BLK. 21, PLAN 7604S

Your letter of November 2, 1988, appealing the November 1st penalty for late payment of taxes in the amount of \$416.50 was considered by Council November 14, 1988. In this regard, I am enclosing herewith all of the material which appeared on the aforesaid Council Agenda.

Council at its meeting above noted denied your application as you did not pay the outstanding taxes, nor the penalties allocated on July 1 and September 1, 1988.

The decision of Council in this instance is submitted for your information and if you have any questions, please do not hesitate to contact the undersigned or the City Assessor, Mr. Al Knight.

Sincerely,



C. Sevcik  
City Clerk  
CS/ds

c.c. City Assessor  
Dir. of Finance

DATE: November 8, 1988  
TO: City Council  
FROM: Finance & Audit Committee  
RE: LOCAL IMPROVEMENT CHARGES

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78.

At the Finance & Audit Committee Meeting of November 7, 1988, consideration was given to the report from the Director of Finance dated October 31, 1988, re: local improvement charges and at which meeting, the following resolution was passed.

"RESOLVED that the Finance & Audit Committee having considered report from the Director of Finance dated October 31, 1988, re: local improvement charges hereby recommend to Council of The City of Red Deer to approve a bylaw to amend the local improvement charges authorized by Bylaws 2723/81, 2729/81, 2732/81, 2755/82, 2783/82, 2848/84 and 2867/85, to reflect the interest rate being paid on the debentures."

Attached for the information of Council is said report from the Director of Finance.

The preceding is submitted for Council's consideration.

  
For Alderman G. Surkan  
Chairman

Encl.



DATE: OCTOBER 31, 1988  
TO: FINANCE AND AUDIT COMMITTEE  
FROM: DIRECTOR OF FINANCE  
RE: LOCAL IMPROVEMENT CHARGES

---

The City of Red Deer does local improvements at certain locations and recovers the cost of the improvements from adjacent property owners.

The recoveries for local improvements are based on a unit rate bylaw approved by Council before a local improvement debenture bylaw is approved by Council and usually well before the debenture borrowing is made.

The unit rate bylaw is calculated to include an estimated interest rate for borrowing. As a result of the time lapse between the time the unit rate bylaw is approved and the borrowing is made, the interest rate on the borrowing may be higher or lower than the interest rate used to calculate the unit rate bylaw. Usually the difference is not significant and the City absorbs any loss or gain.

During the early 1980's significant interest rate changes were experienced from approximately 9% to 19%. This resulted in some significant differences between interest rates used for calculating unit rates and actual borrowing rates. In addition, in 1987 and 1988 the Alberta Municipal Financing corporation has reduced the maximum interest rate paid on debentures to 12.5%.

Prior to 1988 legislation was not in place to allow municipalities to reduce the local improvement levy to reflect the reduced cost of borrowing. In 1988 the following amendment was made to the Municipal Taxation Act:

"106(2) A council shall with respect to a specific property or business pass a resolution or by-law in any case where the council considers it equitable to do so providing for the refund, cancellation or reduction of all or any part of a specific frontage or a special local benefit assessment for 1 or more years if the municipality

- (a) has received a grant or other assistance from the Government of Alberta or the Government of Canada that is to be applied to the cost of the local improvement, or



Finance and Audit Committee  
Page 2  
October 31, 1988

- (b) has refinanced at a lower interest rate the debt created to pay for the local improvement."

By enacting this provision, the Legislative Assembly intended to ensure that local improvement ratepayers would receive the benefits of

- (a) the reduced interest rates on local improvement debentures as a result of the refinancing by the Alberta Municipal Financing Corporation of municipal debentures; and
- (b) the remaining Municipal Debenture Interest Rebate applicable to the debentures.

If the City used the ability to amend the local improvement levies to reflect the debenture borrowing rate presently being paid by the City, the annual loss of revenue would be approximately \$34,000. Serious consideration to make the reduction is recommended because of the significant difference in interest rates that now exist as shown on the attached graphs.

#### RECOMMENDATION

That Council approve a by-law to amend the local improvement charges authorized by by-laws 2723/81, 2729/81, 2732/81, 2755/82, 2783/82, 2848/84 and 2867/85 to reflect the interest rate being paid on the debentures. The changes will result in levy reductions of between 16% to 30%.

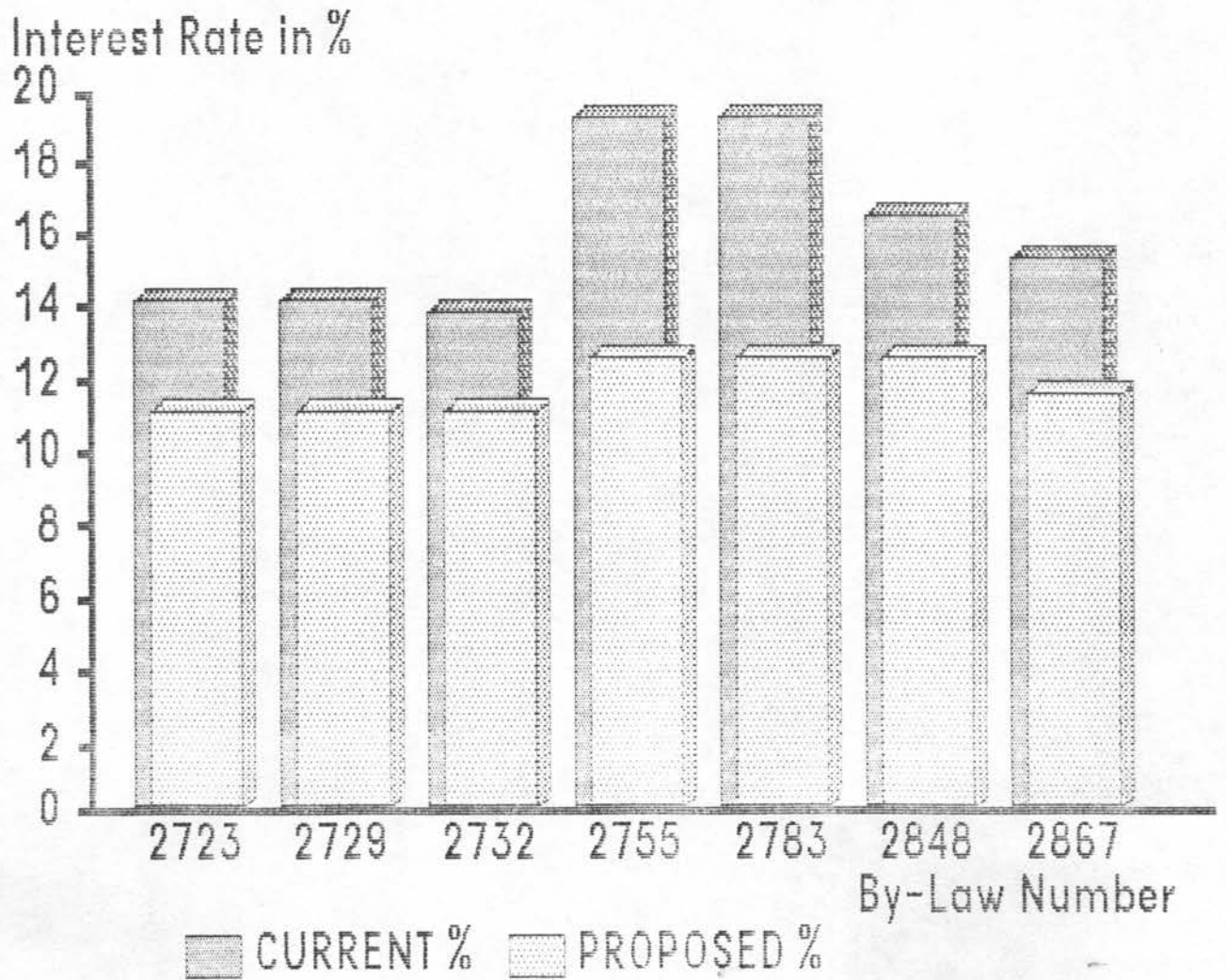


A. Wilcock, B. Comm., C.A.  
Director of Finance

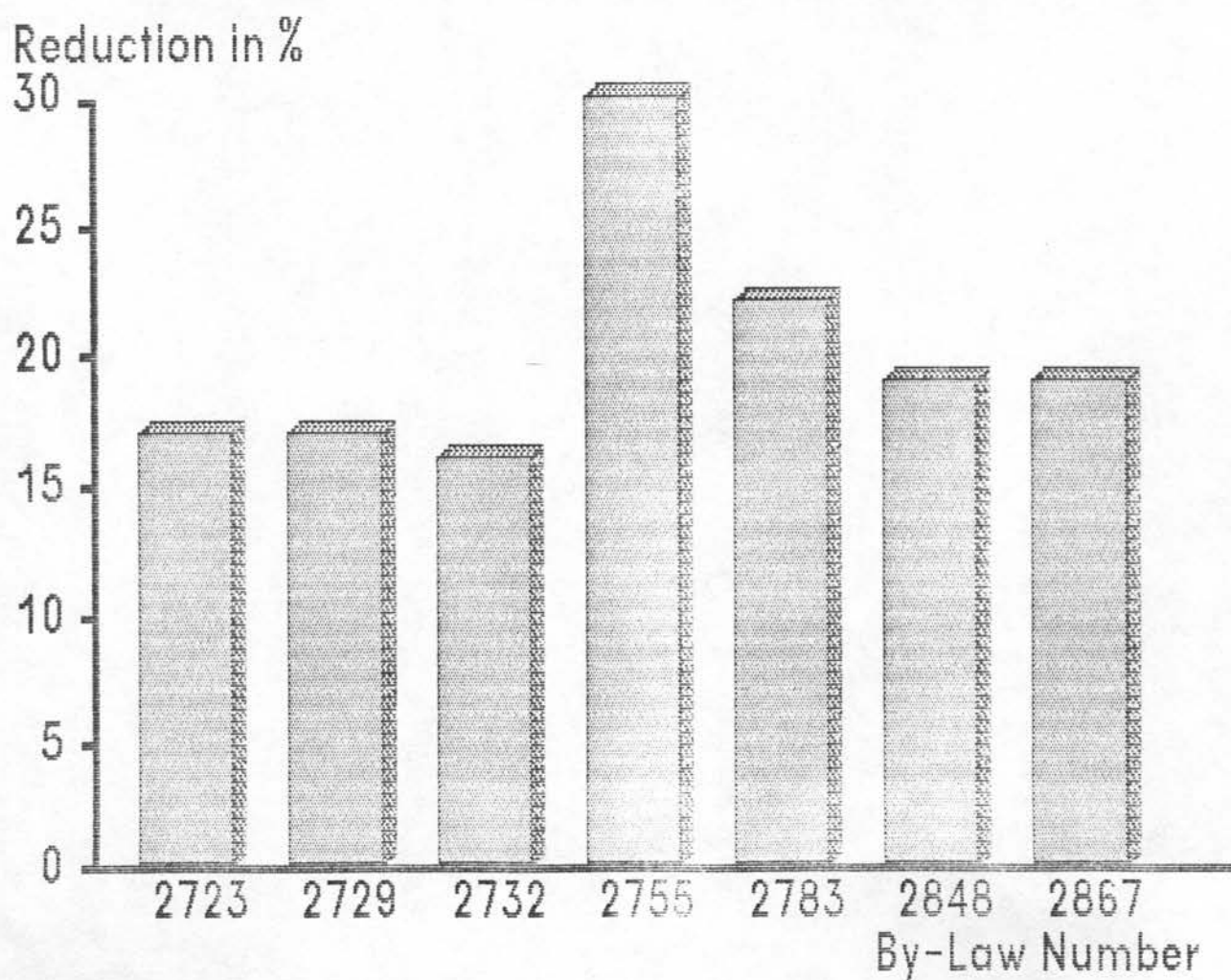
AW/mrk

c.c. City Assessor

## LOCAL IMPROVEMENT LEVIES PROPOSED REDUCTIONS



## PERCENT REDUCTION IN LOCAL IMPROVEMENT LEVIES



**BY-LAW # 2963/88**

Being a by-law to amend certain local improvement by-laws of the City of Red Deer.

WHEREAS, pursuant to Section 106(2) of the Municipal Tax Act Amendment Act, S.A. 1988, a council of a municipality is required to pass a resolution or by-law in any case where the council considers it equitable to provide a refund cancellation or reduction of all or any part of a local improvement if the municipality has received a grant or other assistance from the Government of Alberta or the Government of Canada that is applied to the cost of the local improvement, or if the municipality has refinanced the local improvement at a lower rate.

NOW THEREFORE the Municipal Council of the City of Red Deer duly assembled enacts as follows:

1. This By-law may be cited as the "Local Improvement By-law Amending By-Law".
2. Schedules "A", "B", "C", "D" and "E" of By-law #2723/81 be and are hereby amended by substituting in the place and stead of the existing unit rates set forth therein, the new unit rates specified in Schedule "A" annexed hereto.
3. Schedules "A", "B" and "C" of By-law #2729/81 be and are hereby amended by substituting in the place and stead of the existing unit rates set forth therein, the new unit rates specified in Schedule "A" annexed hereto.
4. Schedule "A" of By-law #2732/81 be and is hereby amended by substituting in the place and stead of the existing unit rates set forth therein, the new unit rates specified in Schedule "A" annexed hereto.
5. Schedules "A", "B", "C", "D", "E" and "F" of By-law #2755/82 be and are hereby amended by substituting in the place and stead of the existing unit rates set forth therein, the new unit rates specified in Schedule "A" annexed hereto.
6. Schedules "A", "B" and "C" of By-law #2783/82 be and are hereby amended by substituting in the place and stead of the existing unit rates set forth therein, the new unit rates specified in Schedule "A" annexed hereto.
7. Schedule "A" of By-law #2848/84 be and is hereby amended by substituting in the place and stead of the existing unit rates set forth therein, the new unit rates specified in Schedule "A" annexed hereto.
8. Schedules "A" and "B" of By-law #2867/85 be and are hereby amended by substituting in the place and stead of the existing unit rates set forth therein, the new unit rates specified in Schedule "A" annexed hereto.
9. This By-law shall come into full force and effect as at January 1, 1989.

READ A FIRST TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1988.

READ A SECOND TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1988.

READ A THIRD TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 198\_\_.

\_\_\_\_\_  
MAYOR

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

## SCHEDULE OF UNIT RATE CHANGES

## SCHEDULE "A"

BY-LAW NO.	SCH. NO.	DESCRIPTION	PER ASSESSABLE METRE		PER ASSESSABLE FOOT	
			EXISTING UNIT RATE	NEW UNIT RATE	EXISTING UNIT RATE	NEW UNIT RATE
2723/81	A	Paved Roads (Industrial)	37.45	31.14	11.41	9.49
	B	Paved Roads (Industrial)	21.59	17.95	6.58	5.47
	C	Paved Lanes	6.78	5.64	2.07	1.72
	D	1.5 metre separate sidewalk	8.53	7.09	2.60	2.16
	E	1.5 metre standard sidewalk	13.03	10.83	3.97	3.30
2729/81	A	Paved Road (Residential)	15.17	12.80	4.62	3.90
	B	0.25 metre Curb & Gutter	4.26	3.54	1.30	1.08
	C	1.5 metre standard sidewalk	10.51	8.73	3.20	2.66
2732/81	A	Storm Sewer	20.08	16.96	6.12	5.17
2755/82	A	Paved Roads (Industrial)	3.03	2.14	0.92	0.65
	B	Paved Lanes	13.72	9.68	4.18	2.95
	C	1.5 metre standard sidewalk	16.37	11.52	4.99	3.51
	D	2.35 metre sidewalk	9.60	6.77	2.93	2.06
	E	Curb & Gutter	7.25	5.12	2.21	1.56
	F	Storm Sewer	29.02	20.44	8.84	6.23
2783/82	A	Residential Street Lighting	4.14	3.25	1.26	0.99
	B	Commercial Street Lighting	1.45	1.12	0.44	0.34
	C	Commercial Street Lighting	4.14	3.25	1.26	0.99
2848/84	A	1.5 metre separate sidewalk	8.43	6.78	2.57	2.07
2867/85	A	Industrial Paved Street	4.50	3.66	1.37	1.12
	B	250mm Curb & Gutter	6.60	5.35	2.01	1.63

**BY-LAW #2960/A-88**

Being a by-law to amend By-law #2960/88.

The Municipal Council of the City of Red Deer, in the Province of Alberta, duly assembled enacts as follows:

1. By-law #2960/88 is hereby amended by deleting therefrom Sections 106 to 119, inclusive, and substituting in their place and stead Sections 106 to 118, inclusive, annexed as Schedule "A" to this By-law.

READ A FIRST TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1988.

READ A SECOND TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1988.

READ A THIRD TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 198\_\_.

\_\_\_\_\_  
MAYOR

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

SCHEDULE "A"

**PART 8**

**GARBAGE UTILITY**

106. In this part and in the schedules hereof, related thereto:

- (a) "Ashes" means the residue left after the combustion of any substance, but shall not include ashes which may accumulate as a result of building operations;
- (b) "Commercial Premises" shall mean all lands within the City other than lands used for residential purposes whether single family or multiple family;
- (c) "Container" means a metal container for garbage, ashes and refuse which is designated to be emptied only by mechanical means and is supplied by the garbage contractor retained by the City;
- (d) "Contractor" shall mean the person who is designated by the City as the holder of the exclusive franchise for garbage service in the City pursuant to Clause 108(1) of this Bylaw;
- (e) "Dangerous Goods" shall mean any product, substance or organism specified, or included by its nature in any of the classes listed in the regulations under the Transportation of Dangerous Goods Control Act, R.S.A.;
- (f) "Disposal Grounds" shall mean the land fill site operated under the jurisdiction of the City and legally known as NE 1/4 33-37-27-4;
- (g) "Garbage" means any animal or vegetable matter, except night soil, which has been used or intended for use as food;
- (h) "Garbage Service" shall mean and include the collection, removal and disposal of garbage, ashes and refuse;
- (i) "Hazardous Waste" - shall be as defined in the "Hazardous Chemicals Act";
- (j) "Hazardous Waste Manifest" - shall be the forms as provided by the Alberta Department of Environment;



- (k) "Lane" means a public thoroughfare not exceeding 9.144 metres (30 feet) in width which provides a secondary means of access to lands;
- (l) "Mechanical Compactor" means a container designed or equipped with a mechanism to compress and compact the contents thereof;
- (m) "Multiple Family Building" means a building in which are situated 3 or more residential dwelling units as defined in the City Land Use By-law;
- (n) "Premises" means land, including any buildings erected thereon;
- (o) "Receptacle" means a container not exceeding 45 centimetres (18 inches) in diameter and 71.12 centimetres (28 inches) in height, the capacity or volume of which does not exceed 126 cubic decimetres (4-1/2 cubic feet) and non-returnable plastic bags of 126 cubic decimetres (4-1/2 cubic feet) maximum capacity and of not less than 1-1/2 millimetres (1-1/2 mils) in thickness;
- (p) "Refuse" means any waste, rubbish, trash or discarded material or object whatsoever, including without limiting the generality of the foregoing waste produced in the process of constructing, altering or repairing a building and includes earth, vegetation, clay, silt, sand or rock displaced in the process of building;
- (q) "Special Waste" means waste, other than garbage, ashes, refuse, hazardous waste and dangerous goods, which requires special disposal treatment at the disposal site;
- (r) "Superintendent" shall mean the By-laws and Inspections manager appointed by the City.

#### ESTABLISHMENT AND CONTRACTING

107. The City hereby establishes the garbage utility system for the collection, removal and disposal of all garbage, ashes, refuse, special waste, dangerous goods and hazardous waste throughout the City at the expense of the owners or occupants of the lands in respect of which such service is

rendered.

108 (1). The City hereby grants the exclusive franchise for the collection, removal and disposal of garbage, ashes and refuse collected within the boundaries of the City for a term commencing upon the passage of this Bylaw and terminating upon the 31st day of December, 1992 to Laidlaw Waste Systems Ltd. in accordance with the terms and conditions of the agreement entered into between the City and Laidlaw Waste Systems Ltd. dated the 29th day of October, 1987, which said agreement was intended to be an exclusive agreement, and which said agreement is hereby ratified and confirmed by this Bylaw.

(2) Except as provided in this Part 8 of this Bylaw, no person other than Laidlaw Waste Systems Ltd. shall directly or indirectly remove and/or dispose of garbage, refuse or ashes collected within the boundaries of the City.

#### GARBAGE SERVICE CHARGES AND BILLING RATES

##### Rates Payable

109 (1). The City hereby levies and the consumer shall pay for garbage services provided the amounts and charges provided for in this by-law and in Schedule "D" attached hereto and forming part of this by-law, as amended from time to time.

(2). Where a person requires services other than those provided in clause 1 and 2 of Schedule D, such person shall be billed directly by the contractor for the service provided.

(3). Where service is provided for a partial billing period, the rate shown under Schedule "D" for such service shall be pro-rated and charged for the portion of the period the service is provided.

(4). No charges shall be levied or collected on residential lands which are leased to third parties by the owner when such lands are not occupied and the garbage service is not being used.

#### ADMINISTRATION OF GARBAGE COLLECTION, REMOVAL AND DISPOSAL SERVICE

110 (1). The superintendent shall:

- (a) Supervise the collection and removal of garbage, ashes and refuse under this by-law and under any contract entered into by the City.

- (b) Decide what does or does not constitute garbage, ashes and refuse which shall be collected and removed under this bylaw, and
  - (c) Determine the quantities or volumes of garbage for the purpose of schedule of rates hereunto annexed and forming part of this bylaw.
- (2). The Director
  - (a) shall supervise the disposal of garbage, ashes and refuse under this by-law and under any contract entered into by the City, and
  - (b) designate waste which constitutes special waste, hazardous waste or dangerous goods.

#### USE OF THE GARBAGE SERVICE AND DISPOSAL GROUNDS

111 (1). No material shall become or be considered to be "garbage" or "refuse" within the meaning of this bylaw unless and until the owner of the same shall have placed it in a receptacle, container or compactor for collection.

(2). All garbage, ashes and refuse shall be removed to and disposed of in the disposal grounds maintained by the City subject to the regulations established by the City therefor, and the person so removing and disposing of same shall pay the charges specified in clause 4 of schedule "D".

(3). No person shall deposit or dispose of garbage, ashes or refuse to any location in the City except to the disposal site.

112 (1). All owners or occupants of land who do not provide containers which are emptied in a regular and proper manner shall provide upon such lands receptacles in good condition adequate to contain the accumulation between the pickup times of garbage, ashes and refuse originating from such lands and into which shall be placed all garbage, ashes and refuse to be collected, removed and disposed of under this bylaw.

(2). The receptacles referred to in Section 112(1) shall be placed as near as practicable to the lane abutting the lands upon which the same are situated as to be easily accessible to the persons

required by this bylaw or any contract pursuant hereto to handle the same, or in the event that a lane does not abut such lands, or for any other reason the placement required by this section is impractical, such receptacles shall be placed in such manner as the superintendent directs.

113. When a building is constructed or added to so that the exterior wall thereof abuts the lane or the lane setback as required by the Land Use Bylaw of the City and no alternate location is provided on the site accessible to the lane, a space within the building, accessible to the lane, shall be provided of sufficient dimensions to reasonably contain all garbage between periods of collection to the satisfaction of the superintendent.

114 (1). Notwithstanding any other provision of this bylaw, the weight of a receptacle containing garbage, ashes and refuse shall not exceed 34.02 kilograms (75 pounds) in weight, refuse contained therein shall not have a dimension greater than 1.219 metres (4 feet) in length and the volume thereof shall not exceed 126 cubic decimetres (4-1/2 cubic feet). All such garbage, ashes and refuse complying with the foregoing regulations shall be collected, removed and disposed of under or pursuant to this bylaw.

(2). The City or its contractors are not required to handle, collect or remove a receptacle, or the contents of a receptacle which does not comply with Section 114(1) of this bylaw.

(3). All owners or occupants of land shall remove and dispose of all garbage, ashes and refuse originating on their lands or premises which are not collected, removed and disposed of pursuant to this bylaw, and in default of their so doing, the City may remove and dispose of such garbage, ashes and refuse at the expense of such owners or occupants and the owners or occupants shall make payment of such expenses on demand.

115 (1). The owner or occupant of residential lands or premises may remove the garbage, ashes or refuse therefrom at his own expense and employ some other person for such purpose, but such action shall not relieve the owner or occupant of his liability to pay to the City the rate levied pursuant to this bylaw for removing such garbage, ashes or refuse .

(2). The owner or occupant of non-residential lands or premises may remove his own garbage, ashes or refuse at his own cost and expense by employing the services of his own workers or employees, but such owner or occupant shall not contract such work out to any party other than to the contractor.

(3). Any person who breaches the provisions of subsection (2) hereof, in addition to his liability to be prosecuted for an offence under this bylaw, shall be liable for and make payment to the City of the fees and charges for removal and disposal of garbage, ashes and refuse which such person would have had to pay had such person used the services of the contractor for such purpose.

(4). This section 115 does not apply to removal of garbage, ashes or refuse from the site of the Michener Centre Complex situate in the N.W. 15-38-27-W4th.

116. No person shall remove garbage from a hotel, boarding house or restaurant for use for food for swine or other livestock, except under authority of a permit issued by the Medical Health Officer appointed by the government of Alberta and having authority in health matters within the City.

#### HAZARDOUS WASTE. DANGEROUS GOODS. SPECIAL WASTE

117 (1). The owner or occupants of land which produces or possesses any dangerous goods, hazardous waste or special waste shall remove and dispose of such goods in accordance with this by-law and any regulations of the Governments of Alberta and of Canada.

(2). The owner or occupant of any lands from which any dangerous goods, hazardous waste or special waste is removed shall properly identify such waste or goods and shall be responsible for obtaining approvals for the safe transport and disposal thereof.

(3). No person shall place or mix with any garbage, ashes or refuse for collection in the garbage service or delivery to the disposal grounds any dangerous goods, hazardous waste or special waste .

(4). No person shall place, or cause to be placed, any dangerous goods, hazardous waste or special waste into the garbage service or disposal site without obtaining a hazardous waste manifest from the Director and making payment of the disposal charge specified in Schedule D.

(5). Any person breaching any part of this section 117 shall be responsible for all costs incurred in eliminating any pollution or contamination of the disposal grounds or any other site in the City and shall make payment of the same to the City on demand.

BURNING

*any area of the City:*

118. Except as provided in the Fire Permit Bylaw no person shall burn or attempt to burn any garbage or refuse outside of a building in ~~these areas of the City designated residential in the City Land Use Bylaw, as amended from time to time, or used for residential purposes, nor in the commercial area outlined in the map marked schedule "E" annexed hereto and forming part of this bylaw.~~

*} delete*

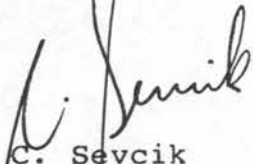
DATE: November 15, 1988  
TO: Dir. of Finance  
FROM: City Clerk  
RE: LOCAL IMPROVEMENT CHARGES/BYLAWS NO. 2963/88

---

Your report dated October 31, 1988, concerning the above, along with recommendations from the Finance & Audit Committee received Council consideration November 14, 1988, and at which meeting, Council gave three readings to Bylaw 2963/88, a copy of which is enclosed herewith.

Bylaw 2963/88, amends Debenture Bylaws 2723/81, 2729/81, 2732/81, 2755/82, 2783/82, 2848/84, and 2867/85, to reflect the interest rate being paid on the Debentures.

The decision of Council in this instance is submitted for your information and appropriate action. Trusting you will find this satisfactory.



C. Sevcik  
City Clerk  
CS/ds

Encl.

c.c. City Commissioners  
City Assessor  
Finance & Audit Committee



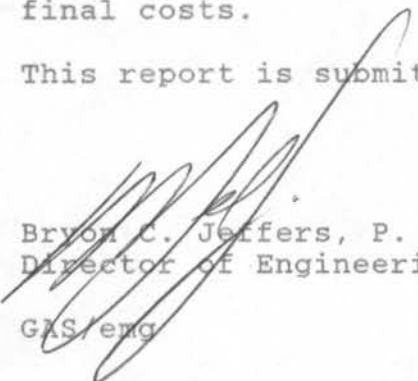
NO. 12

DATE: November 8, 1988  
TO: City Clerk  
FROM: Director of Engineering Services  
RE: NORTHWESTERN UTILITIES LTD. GAS PIPELINE RELOCATION

---

On February 17, 1986, the City entered into an Agreement with Northwestern Utilities Ltd. for the relocation of a high pressure gas line through the CNR Light Industrial Subdivision and in the vicinity of the west approach to the 67 Street Bridge. The estimated cost was \$90,000, of which \$50,000 was to be charged to the Bridge and \$40,000 to the Subdivision. The final costs were \$139,265.05, of which \$72,690.12 was charged to the Bridge and \$66,574.93 to the Subdivision. In view of the sizable overrun in costs from the original estimates, Northwestern Utilities Ltd. was contacted for additional information. Northwestern Utilities Ltd. indicated the overrun was due to trench compaction, landscape repairs, and the removal of an existing railway spur which had not been included in the original estimate. Wet weather also affected final costs.

This report is submitted for the information of Council.



Bryon C. Jeffers, P. Eng.  
Director of Engineering Services

GAS/eng

Commissioners' Comments

Submitted for Council's information.

"R.J. MCGHEE"  
Mayor


"M.C. DAY"  
City Commissioner

DATE: November 16, 1988  
TO: Dir. of Engineering Services  
FROM: City Clerk  
RE: NORTHWESTERN UTILITIES LTD. GAS PIPELINE RELOCATION  
CNR LIGHT INDUSTRIAL SUBDIVISION

---

Your report dated November 8, 1988, advising of the sizeable overrun in costs from the original estimates supplied by Northwestern Utilities Ltd. pertaining to relocation of a high pressure gas line through the CNR Light Industrial Subdivision and in the vicinity of the west approach to the 67 St. Bridge, was presented to Council November 14, 1988, for information.

Council agreed that the said report be filed and we thank you for this information.

  
C. Sevcik  
City Clerk  
CS/as  
c.c. Dir. of Finance

DATE: November 8, 1988

TO: City Clerk

FROM: City Assessor

RE: LOTS 1 & 2, BLOCK 2, PLAN 862-0308  
1 AND 5 GILBERT CRESCENT  
GLENDALE SUBDIVISION  
(PLEASE SEE ATTACHED MAP)

---

We respectfully submit the attached offer from Norbert Altvater, Solicitor for New Apostolic Holding Company Limited, to purchase the above described lots for the development of a church.

These lots were initially placed on sale on July 30, 1986, for development of single family dwellings. Lots 1 & 2 (indicated crosshatched on the attached map) are two of the four lots remaining to be sold in the City developed Glendale Subdivision. (A total of 64 single family lots were available at this sale.)

A church site was initially planned for this subdivision, at the time of the initial July 1986 sale. As no interested congregation came forward at that time, the site was sold and developed as a group home site.

The offer from the New Apostolic Holding Company is based on the City's list price of \$28,058.00/lot for a total of \$56,116.00 for Lots 1 and 2.

The Administration has reviewed this request and their comments are summarized as follows:

1. Red Deer Regional Planning Commission

The size of the proposed site (12,060 sq. ft. or .27 acres) to be developed as a church is considered to be on the small side in comparison with existing neighbourhood church sites, which range from .56 acres to .71 acres. This has been discussed with the agent for the New Apostolic Church and he has indicated that the two lots are all that they require for their development.

2. Bylaws and Inspection Manager

This Department has no objection to this proposal.

As the zoning is R1 a church development is a discretionary use and an application must be submitted for a development permit to the Municipal Planning Commission for approval. If approval was granted by the Municipal Planning Commission, the decision would be advertised in a local newspaper for a fourteen day period during which time appeals could be made to the Development Appeal Board by parties claiming to be affected by the decision of the Municipal Planning Commission. The Solicitor for the New Apostolic Church has indicated that the church would be willing to meet with the neighbourhood to discuss their plans.

City Clerk  
Page 2  
November 8, 1988

3. EL&P

No objection to this proposal.

The service cost for the connection that will be required, is the responsibility of the purchaser. A quotation will be provided on the receipt of a request from the customer.

4. Community Services Director

No objection providing access to the site and parking requirements are met.

5. Director of Engineering Services

No objection subject to the review of the proposed development plan, including parking, access to the site, service kills, etc.

6. Land Department

We have no objection to this proposal in principle, and would recommend approval subject to:

a. Council approval

b. Land sale agreement, satisfactory to the City Solicitor for standard City of Red Deer land sale policies and covering all concerns of the administration

c. The \$1,100.00 option fee to be refunded if an approved development cannot be obtained within 8 weeks of City Council's approval. This \$1,100.00 fee to be retained by the City if the purchaser does not proceed to provide the necessary information and proceed to obtain approvals within 8 weeks of City Council's resolution. A cheque for this amount is presently being held by the Director of Finance

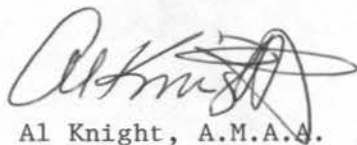
d. Approval of the development by M.P.C.

e. Consolidation of the two lots by plan of survey, costs to be the responsibility of the purchaser

f. Service kills where required to be the responsibility of the purchaser

g. Purchaser to meet with neighbourhood to discuss plans

We recommend approval in principle subject to the above.



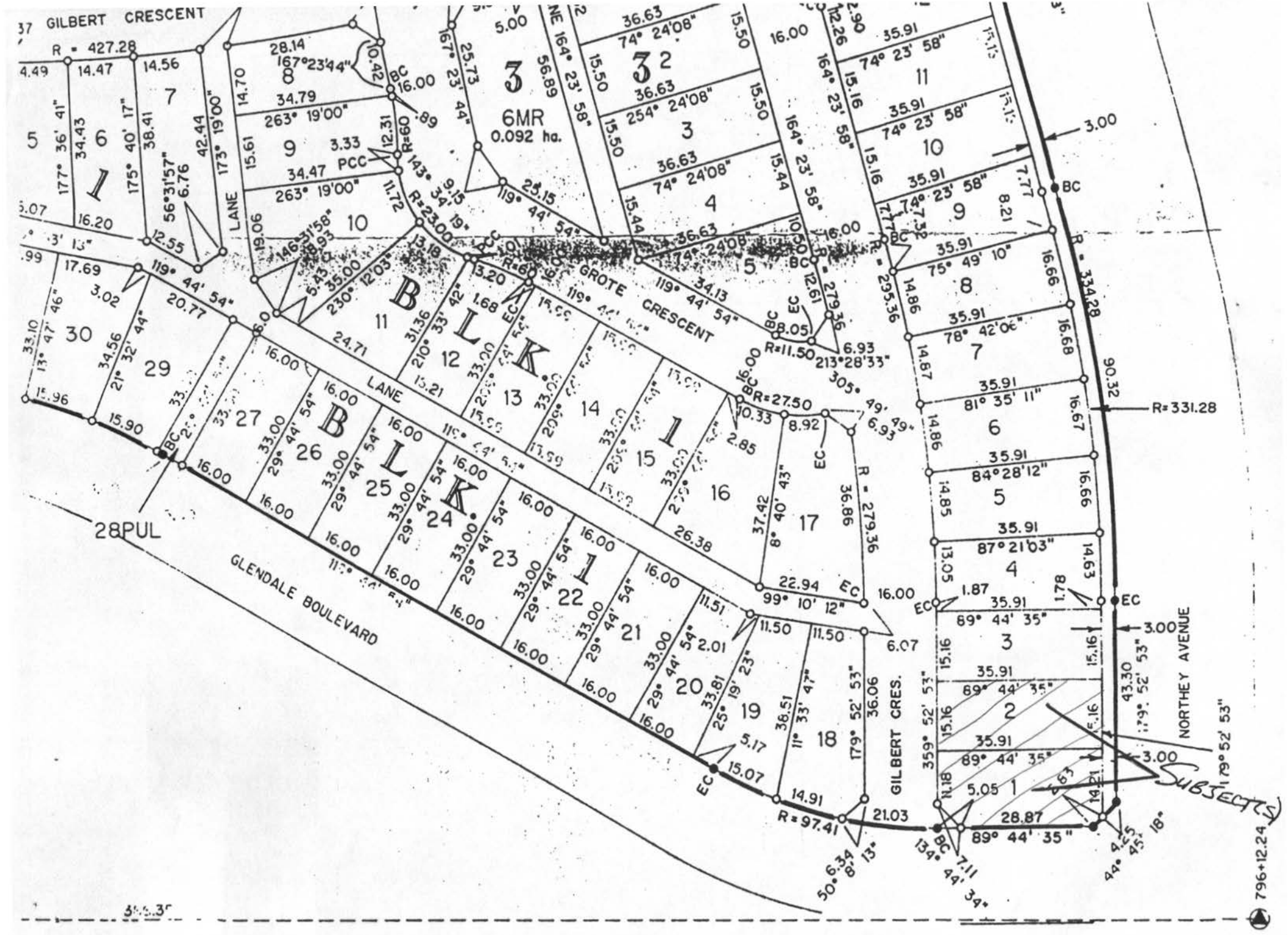
Al Knight, A.M.A.A.

AK/bw

Commissioners' Comments

We would concur with the recommendations.

"R.J. MCGHEE", Mayor  
"M.C. DAY", City Commissioner





DATE: November 15, 1988  
TO: City Assessor  
FROM: City Clerk  
RE: 1 & 5 GILBERT CRES. (LOTS 1 & 2, BLOCK 2, PLAN 862-0308)  
NEW APOSTOLIC HOLDING COMPANY LTD.

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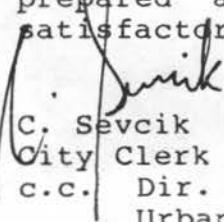
Your report dated November 8, 1988, advising of an offer from Norbert Altvater, Solicitor for the Church, New Apostolic Holding Company Ltd., was considered by Council November 14, 1988, and at which meeting the following motion was passed in accordance with your recommendations.

"RESOLVED that Council of The City of Red Deer having considered report from the City Assessor dated November 8, 1988, re: Lots 1 & 2, Block 2, Plan 862-0308 - 1 and 5 Gilbert Crescent - New Apostolic Holding Company Ltd. (Church Site) hereby approve the sale of the above noted land to the new Apostolic Holding Company Ltd. subject too the following conditions:

1. Land sale agreement, satisfactory to the City Solicitor for standard City of Red Deer land sale policies and covering all concerns of the administration
2. The \$1,100.00 option fee to be refunded if an approved development cannot be obtained within 8 weeks of City Council's approval. This \$1,100.00 fee to be retained by the City if the purchaser does not proceed to provide the necessary information and proceed to obtain approvals within 8 weeks of City Council's resolution. A cheque for this amount is presently being held by the Director of Finance
3. Approval of the development by M.P.C.
4. Consolidation of the two lots by plan of survey, costs to be the responsibility of the purchaser
5. Service kills where required to be the responsibility of the purchaser
6. Purchaser to meet with neighbourhood to discuss plans.

The decision of Council in this instance is submitted for your information and appropriate action.

I trust that you will convey Council's decision to the applicant in this instance and if the conditions are satisfactory to the applicant, you will ensure that an appropriate legal agreement is prepared and executed by all parties. Trusting you will find this satisfactory.

  
C. Sevcik  
City Clerk

c.c. Dir. of Finance  
Urban Planner  
Bylaws & Inspections Mgr.  
Dir. of Engineering Services

Dir. of Community Services  
E.L. & P. Manager  
City Solicitor  
M.P.C. Secy. E.L. & P. Mgr.

DATE: November 8, 1988  
TO: City Council  
FROM: Finance & Audit Committee  
RE: PROPOSAL TO ABOLISH THE BUSINESS TAX LEVY IN THE CITY OF RED DEER

---

At the Finance & Audit Committee meeting of November 7, 1988, consideration was given to the report from the Director of Finance dated September 22, 1988, re: proposal to abolish the business tax levy in the City of Red Deer and at which meeting the following motion was passed.

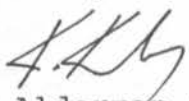
"RESOLVED that the Finance & Audit Committee having considered report from the Director of Finance dated September 22, 1988, re: proposal to abolish the business tax levy in The City of Red Deer hereby recommend to Council of The City of Red Deer that the proposal to abolish the business tax levy in The City of Red Deer be approved in principle subject to the following conditions:

1. that the proposal be implemented over a two year period beginning either in 1989 or 1990, subject to feedback received from affected parties.
2. that various community organizations affected by the change be requested to provide comment.
3. that a notice advising that Council is considering the abolishing of the business tax levy in the City of Red Deer be sent in 1989 as follows:
  - a) to all persons receiving a business tax levy;
  - b) in conjunction with the assessment notices for all non-residential property owners within the City of Red Deer."

The Finance & Audit Committee further recommends to Council that the City Assessor be available to speak to interested parties to outline said proposal.

Attached are the reports from the Director of Finance, Economic Development Manager, and City Assessor relative to this matter.

The preceding is submitted for Council's consideration.

  
for Alderman G. Surkan  
Chairman



DATE: SEPTEMBER 22, 1988  
 TO: CITY CLERK  
 FROM: DIRECTOR OF FINANCE  
 RE: PROPOSAL TO ABOLISH THE BUSINESS TAX LEVY IN THE CITY OF RED  
 DEER

---

This report is prepared for Council consideration as a proposal to discontinue the levy of business taxes and increase the non-residential property taxes to replace the lost revenue.

In the 1988 budget there is \$1,245,780 budgeted to be recovered from the levy of Business Taxes.

If the levy of Business Taxes was to be discontinued and the funds recovered from an increase in the non-residential tax levy, it would increase the non-residential tax levy as follows:

IMPACT OF RECOVERY OF BUSINESS TAX LEVY  
 FROM AN INCREASE IN THE NON-RESIDENTIAL TAX LEVY

<u>DESCRIPTION</u>	<u>PERCENT INCREASE</u>
1. Municipal portion of mill rate only	23%
2. Total mill rate	10%

The above table indicates the total property taxes for non-residential properties would increase by 10% if business taxes were discontinued and recovered from an increase in non-residential taxes.

The increase of 10% in non-residential property taxes would be offset for many property owners by the cancellation of business taxes. Attached is Appendix "A" that discloses what the cancellation of business tax would mean for a sample of properties. The last two columns indicate the next change in total taxes (business and property taxes) for each of the sample properties.

City Clerk  
Page 2  
September 22, 1988

Those property owners adversely effected by the cancellation of business taxes would be:

1. The Federal Government because it does not pay business taxes but does pay property taxes (an additional 10% or \$9,600 in property taxes).
2. Owners of vacant land (full 10% increase)
3. Owners of property who are unable to pass the tax increases on to tenants that pay business taxes because:
  - a) The property is vacant, or
  - b) Leases with tenants do not provide for increases in property taxes to be passed on to tenants.
4. Owners or tenants of property that have only a small building located on it relative to the land area (eg. storage yard).

The impact on owners of vacant land is illustrated on Appendix "B". This appendix uses the land portion of properties on Appendix "A" to illustrate the impact of a 10% increase on various size properties.

In regard to 3(b) above, most owners include in their rental agreements provision to recover increases in property taxes from tenants. As a result, most property owners that do not occupy their premises should not be adversely affected.

The total number of non-residential properties is 939. Of the non-residential properties, there are 8% or 75 properties that are vacant lots. These are the properties, in addition to any developed properties with no tenants, that would pay the full 10% property tax increase without an offsetting reduction in business taxes.

Some advantages of discontinuing business taxes are:

. . . 2

City Clerk  
Page 3  
September 22, 1988

1. A saving of 3/4 of a position that could then be used to offset part of the additional workload demand due to the reassessment.
2. Some organizations, such as the Federal Government, that are exempt business taxes would now be required to pay additional taxes.
3. It would be easier to recover the taxes than if they were levied as business taxes. In 1987 there was \$8,570 that had to be written off as uncollectible.
4. Some of the cost of the issuing and recovery of business taxes would be saved (except for administration still required to assess and levy taxes for the Town Centre Association). The estimated savings is at least \$2,000.
5. Those people that consider business taxes a form of double taxation would be satisfied.

Disadvantages are that:

1. While some Alberta cities have discontinued the levy of business taxes, most cities still levy them. This means if property taxes only are compared between cities, then those cities levying business taxes have an advantage in being able to show a lower property tax charge. Appendix "C" summarizes which cities levy business taxes.
2. Some property owners would experience an increase in net taxes up to 10%.

RECOMMENDATION

That for the 1989 taxation year The City of Red Deer phase out by 50% the collection of business taxes by a levy on non-residential taxpayers sufficient to recover an amount equivalent to what 50% of the business tax levy would have been. This would mean that in 1990 no business tax levy would be made.

The worst impact of the recommendation on any non-residential property would be a 5% property tax increase in 1989 and 1990 in addition to the normal tax increase.

This recommendation assumes the special levy for the Towne Centre Association would be continued.

City Clerk  
Page 4  
September 22, 1988

RECOMMENDATION    (CONTINUED)

Because the recommendation could have significant impact on some property owners, it is recommended (if Council are favourably considering the change) that various community organizations effected by the change be requested to provide comment. Groups could include, for example, the Chamber of Commerce, Real Estate Board, Towne Centre Association and the Canadian Association of Small Businesses. The proposed implementation date of 1989 could be changed to 1990 if it was necessary to allow adequate time for comment and changes that may be required in existing building leases.



A. Wilcock, B. Comm., C.A.  
Director of Finance

AW/mrk

Att'd.

PROJECTION OF THE IMPACT ON VARIOUS BUSINESSES  
OF NOT CHARGING BUSINESS TAXES

APPENDIX "A"

PROPERTY LOCATION/ BUSINESS DESCRIPTION	1988 PROPERTY TAXES **	10% OF PROPERTY TAXES	1988 BUSINESS TAXES ***	NET INCREASE OR DECREASE IN TOTAL TAXES PAYABLE	
				\$	%
North Hill					
1. Equipment Rental*	\$16,799	\$1,680	\$1,777	-97	-0.5%
2. Car Sales	1,572	157	311	-154	-8.2%
3. Hotel	59,374	5,937	3,174	2,763	4.4%
4. Distributor	4,925	493	741	-249	-4.4%
Gaetz North					
1. Car Dealership	37,008	3,701	3,907	-206	-0.5%
2. Car Dealership*	46,494	4,649	6,492	-1,843	-3.5%
Downtown					
1. Dept. store*	68,644	6,864	6,997	-133	-0.2%
Cronquist Industrial Park					
1. Retail*	16,333	1,633	1,179	454	2.6%
2. Recreation Facility	16,446	1,645	2,427	-782	-4.1%
CNR Light Industrial					
1. Wholesale Distribute	14,684	1,468	905	563	3.6%
2. Warehouse	12,429	1,243	937	306	2.3%
3. Office*	14,684	1,468	880	588	3.8%
CNR Heavy Industrial					
1. Food Processor*	94,170	9,417	6,102	3,315	3.3%
2. Retail	16,380	1,638	1,957	-319	-1.7%
3. Food Processor	54,760	5,476	4,549	927	1.6%
South Hill					
1. Fast Food Restaurant	13,615	1,362	1,484	-123	-0.8%
2. Manufacturer*	35,897	3,590	5,265	-1,675	-4.1%
3. Shopping Centre	487,468	48,747	133,756	-85,009	-13.7%
4. Warehousing	54,335	5,434	8,252	-2,819	-4.5%
5. Retail Store	28,992	2,899	5,194	-2,295	-6.7%
6. Car Dealership	36,896	3,690	6,318	-2,628	-6.1%
Edgar Industrial					
1. Distributorship	18,371	1,837	1,866	-29	-0.1%
2. Servicing*	43,565	4,357	3,768	589	1.2%

NOTES:

\* These properties are used on Appendix "B" (land portion only) to illustrate the impact of the proposal on vacant land.

\*\* Excludes frontage taxes.

\*\*\* The Business Tax figure excludes the levy for the Towne Centre Assn.

PROJECTION OF THE IMPACT ON VACANT LOTS  
OF NOT CHARGING BUSINESS TAXES

APPENDIX "B"

PROPERTY LOCATION/ BUSINESS DESCRIPTION	1988 PROPERTY TAXES	10% OF PROPERTY TAXES	1988 BUSINESS TAXES	NET INCREASE OR DECREASE IN TOTAL TAXES PAYABLE	
				\$	%
North Hill	4,571	457	0	457	10.0%
Gaetz North	26,330	2,633	0	2,633	10.0%
Downtown	14,006	1,401	0	1,401	10.0%
Cronquist Indust. Park	8,484	848	0	848	10.0%
CNR Light Industrial	2,142	214	0	214	10.0%
CNR Heavy Industrial	11,274	1,127	0	1,127	10.0%
South Hill	14,451	1,445	0	1,445	10.0%
Edgar Industrial	15,017	1,502	0	1,502	10.0%

NOTE: The vacant lots above are based on the developed properties indicated by an \* on Appendix "A", for the land portion only.

## ANALYSIS OF ALBERTA CITIES LEVYING BUSINESS TAXES

## APPENDIX "C"

CITY	BUSINESS TAX		COMMENTS
	YES	NO	
Drumheller	X		
Ft. Saskatchewan	X		
Lloydminster	X		
Spruce Grove		X	
Grande Prairie	X		
Fort McMurray	X		Only professional corporations
St. Albert	X		
Medicine Hat		X	
Wetaskiwin		X	
Camrose	X		Effective 1988
Leduc	X		
Airdrie		X	
Lethbridge	X		
Edmonton	X		
Calgary	X		



DATE: September 28, 1988  
TO: Director of Finance  
FROM: Manager Economic Development  
RE: PROPOSAL TO ABOLISH THE BUSINESS TAX LEVY IN THE CITY OF RED DEER

---

I have no objections to abolishing this business tax. In spite of the fact that most cities in Alberta levy a business tax, it would be simple for us to point out in our documents that the property tax is the only tax applied to the land and it should be taken into account when comparing the rates in Red Deer with other cities in Alberta or Western Canada.

I feel that being able to make a statement to the effect that Red Deer does not have a business tax is a positive statement which may well assist us in our economic development procedures.



Alan V. Scott  
MANAGER ECONOMIC DEVELOPMENT

AVS/mm

DATE: October 12, 1988

TO: Director of Finance

FROM: City Assessor

RE: PROPOSAL TO ABOLISH THE BUSINESS TAX LEVY IN THE CITY OF RED DEER

---

We are in receipt of a memo outlining the proposal to abolish the Business Tax Bylaw within The City of Red Deer. We concur with most statements as made by the Director of Finance regarding the implementation of the rescinding of this bylaw; however, would suggest that it may be reasonable to consider an adjustment to the implementation of same. Because property owners have leases with tenants, some of which contain a clause that requires the lessee to pay property taxes and some of which do not, we suggest that the rescinding of the Bylaw not be implemented until 1990, at which time the phase in period of at least two years be considered. Council should, if it is of the opinion that it wishes to dispense with business tax, proceed at its earliest convenience to do so, at a specified time during the 1990 tax year, preferably January 1, so that we may advise the business community of the intent, and they may alter leases, amend leases, or whatever is necessary in preparation for the increase in the improvement tax and the decrease or the elimination of business tax. Should Council wish to not entertain delaying this for the one year period, but rescind the bylaw for 1989 tax year, I would suggest that a three year phase in period be utilized thereby allowing ratepayers and business owners somewhat more of a chance to absorb the shift of taxes that has been outlined by the Director of Finance.


The business assessment that is carried on the roll presently is, and must be retained, for a basis of taxation for the BRZ in downtown Red Deer. At the present time the business tax assessment, and tax collection, is a one person, full time operation. We would anticipate that should the business tax bylaw be rescinded and the business tax assessment be administered only for the BRZ that this would require approximately  $\frac{1}{4}$  to  $\frac{1}{3}$  of a position annually. The Municipal Government Act requires that the municipality must have a business assessment to base BRZ taxes on. We therefore have no choice as long as the BRZ is in effect.

Should Council wish to pursue this it is my understanding that the existing Business Tax Bylaw would be rescinded and a bylaw passed to replace it that would designate the BRZ area as a business tax requirement, and assessment notices mailed that would be subject to appeal to the Court of Revision and Alberta Assessment Appeal Board as any other assessment is.

In conclusion we would not have any objection to the rescinding of the Bylaw, subject to the implementation in 1990 with a two year phase in. We make these comments and suggestions subject to the feedback and advice that would be forthcoming from the business community as suggested by the Director

Director of Finance  
Page 2  
October 12, 1988

of Finance's' memo whereby he indicates that groups should be contacted and allowed to respond, such as Chamber of Commerce, Real Estate Board, Towne Centre Association, Canadian Association of Small Bussinesses, and any other associations and/or businesses that may have or choose to comment.



Al Knight, A.M.A.A.

AK/bw

DATE: November 16, 1988  
TO: Dir. of Finance  
FROM: City Clerk  
RE: PROPOSAL TO ABOLISH THE BUSINESS TAX LEVY IN THE CITY OF  
RED DEER

---

Your report dated September 22, 1988, and recommendations from the Finance & Audit Committee regarding the above were presented to Council November 14, 1988, and at which meeting Council passed the following motion.

"RESOLVED that Council of The City of Red Deer having considered report from the Finance & Audit Committee dated November 8, 1988, re: proposal to abolish the business tax levy in the City of Red Deer hereby approve said proposal in principle subject to the following conditions:

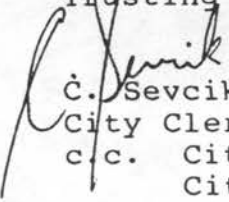
1. that the proposal be implemented over a two year period beginning either in 1989 or 1990, subject to feedback received from affected parties
2. that various community organizations affected by the change be requested to provide comment
3. that a notice advising that Council is considering the abolishing of the business tax levy in the City of Red Deer be sent in 1989 as follows:
  - a) to all persons receiving a business tax levy;
  - b) in conjunction with the assessment notices for all non-residential property owners within the City of Red Deer

and as presented to Council November 14, 1988."

The decision of Council in this instance is submitted for your information and appropriate action.

I assume that upon receipt of comment from the business community and various organizations, a further report will be brought back to Council for final approval in the event the proposal is to proceed.

Trusting you will find this satisfactory.

  
C. Sevcik  
City Clerk  
c.c. City Commissioners  
City Assessor  
Finance & Audit Committee  
Econ. Dev. Mgr.

DATE: November 8, 1988

TO: City Council

FROM: Finance & Audit Committee

RE: ASSESSMENT AND TAXATION ON THE SALE OF CITY OWNED NEWLY  
DEVELOPED LOTS


---

At the Finance & Audit Committee meeting of November 7, 1988, consideration was given to the report from the Director of Finance dated October 20, 1988, re: assessment and taxation on the sale of City owned newly developed lots and at which meeting, the following motion was passed.

"RESOLVED that the Finance & Audit Committee having considered report from the Director of Finance dated October 20, 1988, re: assessment and taxation on the sale of City owned newly developed lots hereby recommend to Council of The City of Red Deer as follows:

1. that when exempt property is sold to a party that would result in a change to taxable assessment, the property would become taxable at the time of sale and property taxes would be levied from the date of sale unless subdivision had occurred in the year of sale;
2. that the present policy with regard to the sale of industrial land by the City remain unchanged."

Attached for Council's information are reports from the Director of Finance, the City Assessor, and Economic Development Manager concerning this matter. The preceding is submitted for Council's consideration.

*for*   
Alderman G. Surkan  
Chairman  
Encl.

DATE: OCTOBER 20, 1988  
TO: FINANCE AND AUDIT COMMITTEE  
FROM: DIRECTOR OF FINANCE  
RE: ASSESSMENT AND TAXATION ON THE SALE OF  
CITY OWNED NEWLY DEVELOPED LOTS

---

The Committee will recall that at the March 21, 1988 Council meeting Council requested the Committee to review the taxation of City owned newly developed lots upon their sale.

The request by Council was the result of a letter received from Melcor Developments Limited asking the City to review the taxation of newly developed lots. Melcor Developments Limited had indicated that as soon as their lots are registered, then taxes must be paid. City lots are not taxed until the year following sale. Melcor Developments Limited suggested it would be fairer to private developers if City owned lots were taxable as soon as they were registered.

At the May 24, 1988 meeting of the Committee the City Assessor was asked to submit a detailed report with regard to assessing City-owned lots at the time of sale. Attached is that report.

Until subdivision is registered, assessment, and therefore taxes, are based on, and payable by a developer, based on the use of the property. If the use meets the definition of "farmland" in the Municipal Taxation Act, then agricultural assessments would be allocated which could be significantly less than if the property was assessed and taxed as commercial, industrial or residential, based on market value.

Assessments are done annually, based on the use of any given property as at December 31 of any year for the next following year. Any subdivision of a parcel that occurs between January 1 and December 31 of any year does not effect assessment or taxes or the assessment roll of either privately owned land or City owned land until the next following year.

In the immediate year following subdivision, privately developed lots become taxable, whereby City owned lots are entered and carried on the assessment and tax roll as exempt. Under present City policy these City owned lots remain on the exempt roll, even if sold, until the next following year, whereas the private developers' lots are taxable.



Finance and Audit Committee  
Page 2  
October 20, 1988

Under Section 20 of the Municipal Taxation Act, as quoted in the City Assessors letter, the City could at the time a lot is sold by the City make the lot at that time assessable for tax purposes. Unless subdivision had occurred prior to the year of sale no property taxes could be levied for the balance of that year.

To be consistent as much as possible with the way developers lots are levied property taxes, the following is recommended for City owned lots:

1. City lots shall be entered on the assessment roll at the time of sale.
2. Property taxes shall be levied from the date of sale if subdivision occurred prior to the year of sale.

The only change from the current procedure is that if subdivision occurred prior to the year of sale, property taxes would be levied from the date of sale to the end of the year of sale. These taxes are not presently being levied.

To be consistent with the recommended change all transfers of property that result in a use change and taxation change from taxable to exempt should be treated in the same way. Examples are sale of a church to a private citizen or a sale of a government building to a private citizen.

If Council would like to consider exempting the sale of industrial land by the City from the proposed change, it is recommended it be done by a credit to the sale price for the additional taxes that would now be levied (from the date of sale to the end of the year).

#### Recommendation

1. That when exempt property is sold to a party that would result in a change to taxable assessment.
  - a) The property will become taxable assessment at the time of sale, and
  - b) Property taxes will be levied from the date of sale unless subdivision had occurred in the year of sale.



Finance and Audit Committee  
Page 3  
October 20, 1988

Recommendation (Continued)

2. If Council want to exempt the sale of industrial land by the City from (1) above, it could be done by crediting the sale price with the taxes levied from the date of sale to the end of the year.

The above recommendations to become effective January 1, 1989.



A. Wilcock, B. Comm., C.A.  
Director of Finance

AW/mrk

c.c. City Assessor  
Economic Development Manager

DATE: September 8, 1988

TO: Director of Finance

FROM: City Assessor

RE: ASSESSMENT AND TAXATION OF EXEMPT LAND  
ON SALE OF MUNICIPALLY OWNED PROPERTY

---

Pursuant to requests made by you and the Finance Committee regarding the taxation of land during the calendar year on sale of land, I quote Section 20 of the Municipal Taxation Act as follows:

"When any land or improvement owned by the crown or a municipality is sold and the land or improvement thereupon becomes liable to assessment, then, notwithstanding anything in this or any other act, a municipality may, in the year in which the land or improvement is sold,

- (a) assess the land or improvement in the name of the person to whom it is sold,
- (b) enter the assessment in the assessment roll,
- (c) mail an assessment slip to that person, and
- (d) levy a tax on the land or improvement for the year equal to that proportion of the full tax for the year that the number of full calendar months of the year occurring after the sale bears to twelve, the month in which the sale occurs not being counted."

In 1987 a review of residential land sales within the City indicates that 96 lots sold, representing a potential tax collection of \$14,247.00, prorated as required by the above legislation. This does not include the commercial, industrial property that sold. I do not have the up to date information regarding these. We may obtain this information from the Economic Development Manager should it be necessary.

Pursuant to this legislation, an assessment notice and tax notice would be required to be mailed to the purchaser of the property within a reasonable time of purchase thereby allowing said purchaser to appeal the assessment of the property to the Court of Revision and/or the Alberta Assessment Appeal Board. This could mean that additional Courts of Revision would be necessary to hear the appeals, as the Court of Revision requires that appeals must be heard within 150 days of the date of appeal.

As the legislation is permissive, in other words a may clause, the provision to utilize said clause and assess and tax these properties in the past has not been done. However, it may be the wish of the Finance Committee to propose to City Council that this be implemented in the future. If this

Director of Finance  
Page 2  
September 8, 1988

is the wish, we have no objections, as it is workable and feasible to administer. Costs involved would be internal and difficult to estimate at this time. We would predict the costs would not be unreasonable..

A handwritten signature in dark ink, appearing to read "Al Knight". The signature is stylized with a large, looped initial "A" and a trailing flourish.

Al Knight, A.M.A.A.

AK/bw

DATE: September 28, 1988  
TO: Director of Finance  
FROM: Manager Economic Development  
RE: ASSESSMENT AND TAXATION ON THE SALE OF CITY OWNED  
NEWLY DEVELOPED LOTS

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I would recommend the City continues with its present policy of taxing non-residential lots in the year following their purchase. Our land sales agreements provide up to 11 months for a purchaser to make final payment for the land and up to 12 months for the commencement of construction on the parcel. While some of them do not take the full period of time, it is sometimes necessary, due to the complexity of a project, to spend a considerable amount of time in the design stage. Often times, the project may not get underway with construction until 12 months after the land is first optioned, and the project is not completed for a further 12 months.

I believe that delaying the taxation until the year after the acquisition provides a small bonus to the purchaser and assists him with his cash flow at a time when money may be somewhat tight.



Alan V. Scott  
MANAGER ECONOMIC DEVELOPMENT

AVS/mm

DATE: November 16, 1988  
TO: Dir. of Finance  
FROM: City Clerk  
RE: ASSESSMENT & TAXATION ON THE SALE OF CITY OWNED NEWLY  
DEVELOPED LOTS

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Your report of October 20, 1988, and recommendations from the Finance & Audit Committee concerning the above topic were considered by Council November 14, 1988, and at which meeting Council passed the following motion.

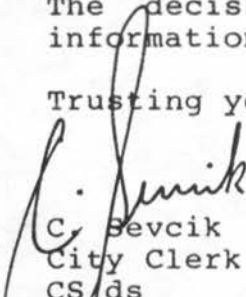
"RESOLVED that Council of The City of Red Deer having considered report from the Finance & Audit Committee dated November 8, 1988, re: Assessment and Taxation on the Sale of City Owned Newly Developed Lots hereby agree as follows:

1. that when exempt property is sold to a party that would result in a change to taxable assessment, the property would become taxable at the time of sale and property taxes would be levied from the date of sale unless subdivision had occurred in the year of sale;
2. that the present policy with regard to the sale of industrial land by the City remain unchanged

and as presented to Council November 14, 1988."

The decision of Council in this instance is submitted for your information and implementation.

Trusting you will find this satisfactory.

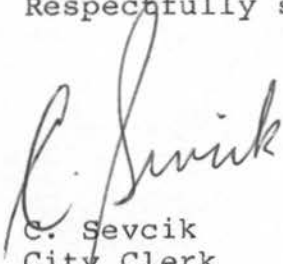
  
C. Sevcik  
City Clerk  
CS/ds  
c.c. City Assessor  
Finance & Audit Committee  
Econ. Dev. Mgr.

DATE: November 8, 1988  
TO: City Council  
FROM: City Clerk  
RE: COUNCIL MEETING DECEMBER 27, 1988

---

As Council is aware, under the current schedule of Council meetings, the second meeting in December will fall during the holiday season between Christmas and New Years. Council may wish to consider cancellation of this meeting at this time, in order to serve ample notice to the public and administration of said cancellation.

Respectfully submitted,



C. Sevcik  
City Clerk  
CS/ds

Commissioners' Comments

We would recommend that Council cancel the meeting scheduled between Christmas and New Years.

"R.J. MCGHEE"  
Mayor

"M.C. DAY"  
City Commissioner

DATE: November 16, 1988

TO: City Commissioners  
Directors  
Department Heads  
Urban Planner  
City Solicitor

FROM: City Clerk

RE: COUNCIL MEETING DECEMBER 27, 1988

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Council of The City of Red Deer at its meeting held on November 14, 1988, passed a motion agreeing to cancel the Council meeting scheduled for December 27, 1988.

In view of the above, there will only be one meeting in December, that being December 12. The next meeting following December 12 will be on Monday, January 9, 1989.

Trusting you will schedule Council agenda items accordingly.



C. Sevcik  
City Clerk  
CS/as

c.c. City Council



DATE: November 8, 1988  
TO: City Council  
FROM: Finance & Audit Committee  
RE: CITY DEER PARK PHASE 2A, REVIEW OF CITY PRICING AND LAND SALE POLICIES

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At the Finance & Audit Committee Meeting of November 7, 1988, consideration was given to the report from the City Assessor dated October 28, 1988, re: City Deer Park Phase 2A, review of City pricing and land sale policies and at which meeting the following motion was passed:

"RESOLVED that the Finance & Audit Committee having considered report from the City Assessor dated October 28, 1988, re: City Deer Park Phase 2A, review of City pricing and land sale policies hereby recommend to Council of The City of Red Deer as follows:

1. that the basic price for Deer Park Phase 2A be established at \$627.00 per front foot for a 5,750 sq. ft. lot with adjustments for size, location to municipal reserves, side lanes, commercial areas, multiple family sites, topography, ecetera;
2. that the land sale policies and procedures as they apply to Deer Park Phase I remain in effect with the exception that only one initial draw be allowed which would be open to both individuals and eligible contractors at the same time with the breakdown of 60% of the lots allocated for homeowners and 40% of the lots allocated for contractors."

Attached is the said report from the City Assessor relative to this matter.

The preceding is submitted for Council's consideration.

  
for Alderman G. Surkan  
Chairman

DATE: October 28, 1988

TO: Finance Committee

FROM: City Assessor

RE: CITY DEER PARK PHASE 2A  
SEE ATTACHED MAP  
REVIEW OF CITY PRICING AND LAND SALE POLICIES

The May 30, 1988, meeting of City Council approved a resolution authorizing the servicing of Phase 2A.

The rezoning, surveying and servicing has progressed to a stage that a tentative sale date could be set in late November 1988 or the early part of December 1988, subject to City Council approval of Pricing and Land Sale Policies.

We therefore respectfully submit the following for review by the Finance Committee prior to being submitted for Council approval.

#### PRICING

The land sale policy (September 12, 1983) as it applies to the sale of residential lands developed by the City, states that pricing for residential lands should be based on market value, taking into consideration:

1. Conditions of sale such as restrictive covenants, special zoning, additional landscaping, parking requirements, etc.
2. Cost of raw land, servicing and carrying charges
3. Replacement costs of inventory
4. Demand

A summary of the City pricing in relation to the market place (private sector) since 1983 is as follows (based on an average lot said to be 50 X 110 or 5,500 to 6,000 sq.ft. more or less):

YEAR	PRIVATE	CITY
1983	555/fr.ft.	546/fr.ft.
1984	569/fr.ft.	491/fr.ft.*
1985	562/fr.ft.	520/fr.ft.
1986	605/fr.ft.	520/fr.ft.
1987	601/fr.ft.	546/fr.ft.
1987	602/fr.ft.	602/fr.ft.

\*City Council reduced price by 10% on March 19, 1984, due to a petition from local housebuilders.

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The following analysis of current private sales indicates location, number of sales analyzed, average lot size and average values. This analysis was carried out as of March 16, 1988 to September 16, 1988 (please see attached map)

Map Index	Average lot size 50' X 115' = 5,750 sq.ft.	
1	Kentwood/Avalon 13 lots (5,500 sq.ft. to 6,000 sq.ft.) Ave. 5,750 sq.ft. - \$29,555	\$591/fr.ft.
2.	Deer Park/Melcor 19 lots (5,500 to 6,000 sq.ft.) Av. 5,710 - 32,147	\$643/fr.ft.
3.	Eastview/Melcor 10 lots (5,500 to 6,000 sq.ft.) 5,750 - 30,590	\$612/fr.ft.
4.	Clearview/Laebon 6 lots (5,500 to 6,000 sq.ft.) 6,000 sq.ft. - 31,320	\$626/fr.ft.
5.	Anders South/Avalon 1 lot (5,500 to 6,000 sq.ft.) 6,000 sq. ft. - 36,780	\$736/fr.ft.

Values as indicated are summarized from sales that have transpired in the private sector.

On review of the above we would recommend that the Kentwood/Avalon Subdivision not be included in determination of value for the lots in the Deer Park Phase IIA, due to its location in the NW Section of the City and the other private subdivisions being in the SE Sector similar to Deer Park Phase IIA.

The analysis indicates an increase to the City's present price of \$602.00/fr.ft. (approved by Council May 19/87) is in order to reflect the current market value of serviced residential lots.

We would recommend that a 4% increase be applied to the present \$602.00/fr.ft. base price to \$627.00/fr.ft. (av. between \$612 and \$643/fr.ft. in analysis).

This increase brings the proposed City pricing higher than the Eastview lots (which has a higher density of townhousing, apartments) and lower than

Finance Committee  
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October 28, 1988

Deer Park/Melcor which reflects a higher value due to the architectural controls and lack of Multiple Family Development in the areas presently being developed.

We feel that \$627/fr.ft. being the mean of the analysis (excluding Anders South) is a fair estimate of market value for Deer Park Phase IIA which will be immediately adjacent to a Commercial Site and a 3.0 acre± multiple family site.

The pricing recommended is indicative of lots in the 5,500 to 6,000 sq.ft. range with adjustments to be made for lots larger or smaller in size, location to municipal reserves, side lanes, commercial sites, multiple family sites, topography, etc. At this recommended pricing the new lots will range in value from \$26,000 to \$35,000.

This pricing increase is not to be applied to the remaining lots in Deer Park City Phase I or Glendale, due to location to intersections and busy arterial roads, and 1.5 to 3.5 m of fill in 15 of the 32 lots left to sell in Deer Park.

There presently are 32 lots left to sell in Deer Park City Phase I and 4 lots in Glendale.

Deer Park Phase IIA is comprised of 4 semi-detached and 70 single family lots. There is an application to develop one of the semi-detached lots (2 units for a group home site). This application is scheduled to be presented to City Council at their November 14, 1988, meeting.

#### POLICIES

The present land sale policies and procedures as they apply to Deer Park Phase I are attached for the Committee's perusal. We recommend that all policies remain as stated with the exception of the following.

The change recommended is that the land sale policies be revised to allow only one initial draw open to both individuals and eligible contractors at the same time. Any lots remaining after the initial draw would be made available to contractors on a draw system should they wish to continue with the selection of lots.

In review, there are presently two categories, homeowners and contractors, with 60% of the lots available for sale allocated for Home Owners and 40% of the lots allocated for contractors. This suggested change is one that local contractors feel would make for a more equitable allocation of City lots.

In review of this request City Council should give consideration to:

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Page 4  
October 28, 1988

1. Private developers to date have only recognized sales to contractors
2. City policy to date gives an opportunity to build or act as own general contractor

SUMMARY

The Committee approval respectfully requested for the following:

Pricing - Basic Price for Deer Park Phase IIA be established at \$627/fr.ft. for a 5,750 sq.ft. lot with adjustments for size location to municipal reserves, side lanes, commercial areas, multiple family sites, topography, etc.

Policies - Revision to sale procedures whereby initial draw to be open to homeowners and contractors as indicated in report. All other policies to remain as is. (copies of policies attached hereto)



Al Knight, A.M.A.A.

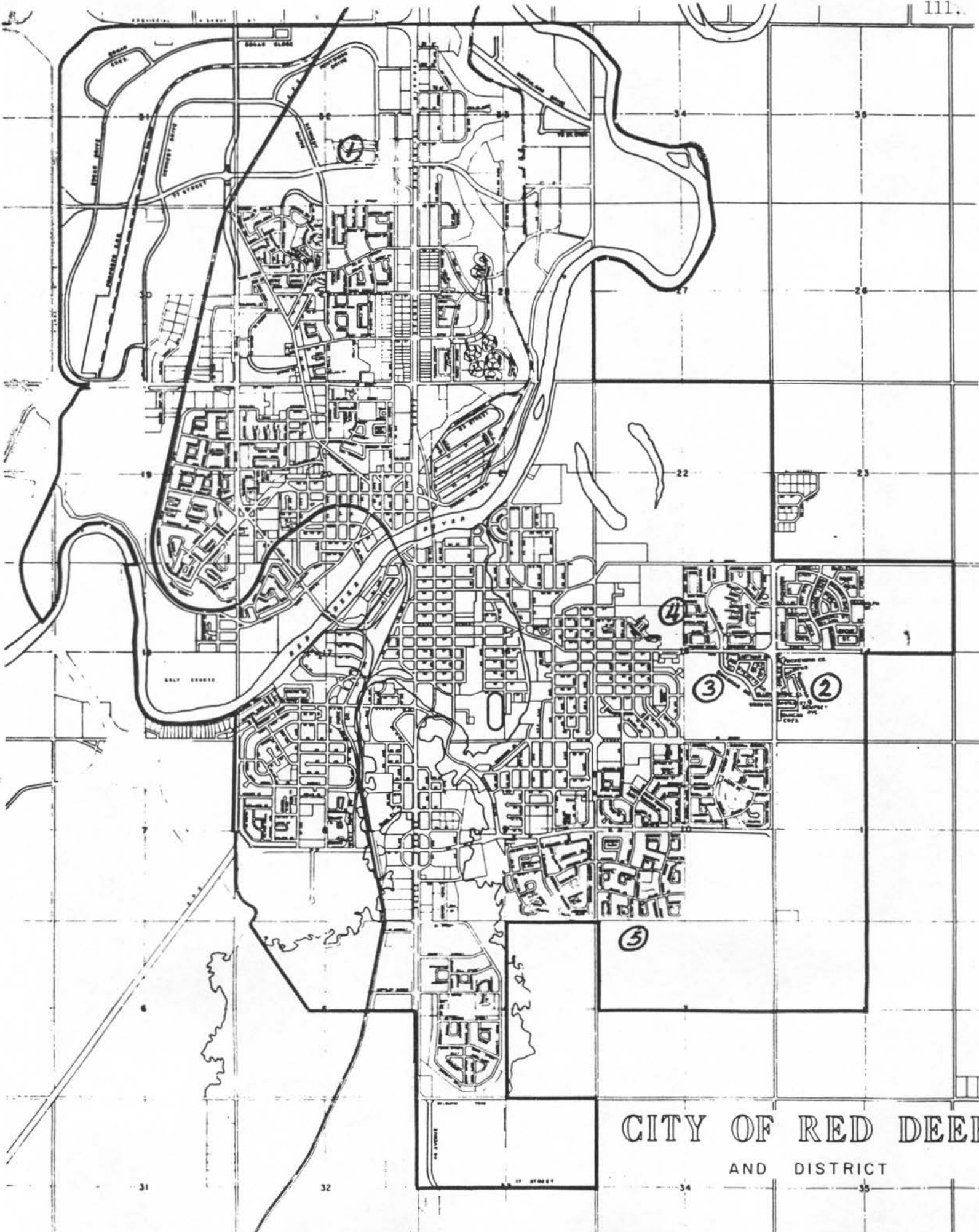
WFL/bw

att'd.



# Subdivision Locations

111.



## D E E R P A R K

## Phase IIA

## RESIDENTIAL LAND SALE POLICY, RULES AND PROCEDURES

## A. Re: Homeowner Applicants Only

1. Only one application per family may be submitted per draw. "Family shall mean the immediate family (spouse, father, mother, children) who have resided in the same residence as the applicant at any time within three months immediately preceding the date of the lot draw".
2. If unable to be present an applicant may be represented by an agent. Such agent must have written authorization and produce such authorization when making application for the draw and when selecting a lot. An agent may not represent more than one applicant.
3. Persons who have defaulted under a previous City residential land sale agreement by failing to meet the twelve month residency requirement and who have failed to pay the liquidated damage penalty specified therein shall not be eligible to apply to purchase a City lot under this lot draw.
4. Homeowner applicants agree to sign an Option to Purchase and Development Agreement with the City which among other things shall require that:
  - a. The Applicant must reside in the dwelling unit for twelve months immediately following substantial completion thereof, and until such time has expired, shall not sell, gift, transfer, rent, lease, grant options to purchase, or otherwise dispose of or part with possession of the said lands. In default hereof, the Applicant shall pay liquidated damages of \$5,000.00 to the City. The City may register a caveat on the title to the said lands to protect its interest therein.
  - b. The Applicant shall provide to the City a Statutory Declaration verifying the required occupancy before release of the Caveat will be given.
  - c. Duplicate Certificate of Title and land transfer will not be released until the lot is paid for in full and the Transfer Back to the City has been provided in accordance with the option agreement. Mortgage approval must be in the name of the Applicant.



-2-

5. The general policies set forth on page 3 and following shall apply to all homeowner applicants.

B. Re: Contractor Applicants Only

1. Options to purchase and develop will be restricted to companies where there are no duplicate shareholders or directors of other companies in the lot draw.
2. Contractors must present a current City of Red Deer General Contractors License upon making application to register for the draw.
3. Duplicate Certificate of Title and land transfer will not be released until the lot is paid for in full, in accordance with the option and development agreement.
4. The general policies on page 3 and following shall apply to all Contractor applicants.

C. General Policies and Rules which apply to both Homeowner and Contractor Applicants

1. Applicants shall be required to deposit \$550.00 toward the total purchase price in cash or by certified cheque, bank draft or money order, upon making application to participate in the City lot sale. Such deposit shall be forfeited if the applicant selects a lot but does not proceed to enter into the Option Agreement.
2. Options to Purchase and Develop are prepared for signing as soon as possible after the lot sale. Agreements are to be signed and returned to the City within thirty (30) days of forwarding by the City.
3. Terms of Option:
  - a. 1/3 of purchase price less deposit of \$550.00 on signing agreement.
  - b. 1/3 of purchase price within 4 months of signing agreement.
  - c. 1/3 of purchase price within 8 months of signing agreement.
  - d. A building permit shall not be issued until the full purchase price has been paid, and no sooner than two full working days from the receipt of payment in full. The City will not accept mortgage draws for payment of lots.
4. Construction shall be commenced not later than 12 months from the date of the Option Agreement, and be completed not later than 18 months from the date of said agreement, to the satisfaction of The City of Red Deer. "Commence Construction" shall mean that the basement walls and sub-floor shall be completed and in place, and outside basement excavation shall be back-filled.

-3-

5. Any Optionee returning a lot to the City after signing the option agreement shall be entitled only to a refund equal to the amount paid by the Optionee for the said option, less the original \$550.00 deposit, plus an amount equal to 6% per year of the total purchase price multiplied by the number of days elapsed from the date of the agreement.
6. The Optionee prior to commencement of construction may exchange his lot for a lot in the same subdivision, if available, for a fee of \$100.00 with the dates of construction being the same as the original agreement.
7. Front driveways are not required. If a front or rear driveway is proposed, the location is to be approved by the Engineering Department. Curbcut and sidewalk crossings will not be constructed due to the modified type of rolled monolithic curb to be constructed in these areas. Settlement of driveways in easement areas to be the responsibility of purchasers.
8. Footing elevations for the subdivision will vary. It will be the Optionee's responsibility to ensure that the house type is compatible with sewer grades. Information may be obtained from the Engineering Department.
9.
  - a. Lands are purchased in "as is" condition and the City does not warrant that soil conditions are suitable for building.
  - b. These lots have had approximately 1 metre of fill placed on them and a purchaser is advised to consider this when undertaking their building design.
    1. Block 4 - Lots 24, 23, 22, 32, 33, 34, 35, 38, 39.
    2. Block 5 - Lots 10, 11, 12, 13, 14, 15, 16.
  - c. On all lots in Deer Park City Phase IIA purchaser is advised a soils report is available and may be reviewed at the City of Red Deer Engineering Department. Purchaser responsible to review the soils report as filed in The City Engineering Department.
10. It is the responsibility of the Optionee:
  - a. To check for easements. See attached lot listing and maps.

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- b. To check for utilities. Contact the City Engineering Department - phone 342-8160, the City Electric Light and Power Department - phone 342-8274, Northwestern Utilities, Alberta Government Telephones and Shaw Cable T.V. See attached map index for servicing (i.e. front servicing and/or rear servicing).
- c. To consult the Building Inspections Department to determine if the proposed dwelling meets Land Use By-Law requirements, as per By-Law 2672/80. Information is available such as side yard requirements, maximum and minimum floor areas required, etc. Please see attached price list and map for Building Line Frontages and Front Yard Setback requirements. All building plans must be submitted in metric dimensions.
- d. To protect the property pins which have been checked and replaced by an Alberta Land Surveyor prior to the lot draw. The City shall not be responsible for the replacement of property pins after the lot has been sold.
- e. To be responsible to contain the excavation dirt from his basement, and construction debris, entirely within the property lines and not on City property (lane or boulevard). Failure to do this will result in removal of such material by the City at cost to the property owner.
- f. To be responsible for the installation and connection of the electrical service lead, video, gas service, water service and sanitary sewer from the meters on the building to the utility system at a point on the property line designated by the City, the location of which will be by the various utility departments.
- g. To be responsible for the placement and hauling of black dirt for landscaping purposes. The black dirt may be obtained from the Deer Park stockpile for those properties located in the Deer Park subdivision only. The soil hauled to the lot is not to exceed 8 inch in depth of the area of the lot excepting out the building, driveways, decks, parking areas, etc. Once the black dirt stock piles are depleted the City will not be responsible for the supply of top soil. No other fill will be supplied.
- h. To check if lot has lane access. Check with Development Officer as to side yard requirements if garage is to be in the rear yard.
- i. To check for Super Mail Box locations.

-5-

11. Note: Lot 37, Block 4, may be constructed and utilized as a temporary access from 32 Street R/W to Dixon Avenue, until such time as 32nd Street is extended east to Douglas Avenue.
12. All lots to be completely serviced in 1988 with the exception of paved roads and gravel lanes which will be constructed to a finished stage in 1989.
13. Lot draw rules and policies are subject to such other qualifying criteria as Council may establish prior to the date of sale and possible rescheduling of the sale date.
14. Notwithstanding any representations made, the title to all lots sold by the City shall be subject to all easements and restrictions registered against the title to such lands, and it will be the Optionee's responsibility to investigate such title at the Northern Alberta Land Titles Office in Edmonton.
15. See attached Schedule "B" for proposed location of Group Home Facility in Stage 2A and Day Care Facility in Stage 5.
16. The price list for all lots offered for sale in this lot draw are in accordance with attached price list.

DATE: November 9, 1988

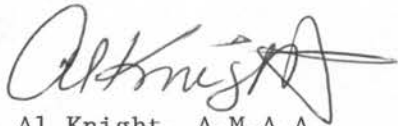
TO: City Clerk

FROM: City Assessor

RE: REVIEW OF CITY PRICING AND LAND SALE POLICIES

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Further to the report requesting Council consider and authorize a lot price adjustment for Phase IIA of Deer Park Subdivision, I would advise that contact has been made with Mr. Gord Bontje of Laebon Developments and the City liason person between the Red Deer Home Builders' Association and the City, Mr. Steve Scott of Avalon Industries and Mr. Fred Lebedoff of Melcor. All concur that the proposed pricing is reasonable and fair in comparison to lots marketing in the private sector, with Mr. Lebedoff of Melcor indicating that we appear to be within 1% with this proposal.

A handwritten signature in dark ink, appearing to read 'Al Knight', with a stylized flourish extending from the end.

Al Knight, A.M.A.A.

AK/bw



# THE CITY OF RED DEER

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

DATE: March 24, 1988  
 TO: Dir. of Engineering Services  
 FROM: Assistant City Clerk  
 RE: MELCOR DEVELOPMENTS LTD. - REDUCTION OF LETTER OF CREDIT - DEER PARK PHASE 2/  
 TAXATION OF NEWLY DEVELOPMENT LOTS

At the Council Meeting of Monday, March 21, 1988, the above topic was considered with the following resolution being passed:

*To Council June 13/88*  
 "RESOLVED that Council of The City of Red Deer having considered correspondence by Melcor Developments Ltd. dated March 9, 1988, re: reduction of letter of credit - Deer Park Phase 2 and taxation of newly developed lots hereby agree that no changes be made to:

- 1) clause 5.1.1 of the Standard Development Agreement to reduce Melcor Developments Ltd. letter of credit for Deer Park Phase 2.
- 2) the taxation of newly developed residential lots.

and as recommended to Council by the administration March 21, 1988."

Although the request of Melcor as outlined above was not approved, Council did direct that the Finance & Audit Committee review the security requirements as outlined in the Standard Development Agreement as well as the taxation of newly developed lots.

I am requesting the Engineering Department to supply the Finance & Audit Committee the following information in regard to security requirements outlined in the Standard Development Agreement:

1. What do other communities/cities require for security
2. Are the City of Red Deer's standards for security out of line, i.e. could the amount of security be reduced and still protect the City
3. Are there any examples of the City having to utilize the security provided by a company with regard to a Development Agreement, i.e. the Commissioner indicated we had a problem with the sidewalk having to be replaced due to substandard concrete.
4. Any other comments that are relevant or you wish to express with regard to this matter.

..2



BE A FRIEND OF THE GAMES  
 January 28, 29, 30, 31



page 2  
Dir. of Eng. Services  
March 24, 1988

Also at the March 21, 1988, Council meeting, Ron Eberley asked the City to review the taxation of newly developed lots. Mr. Eberley indicated that once his lots are registered, Melcor begins paying taxes on them, however the City lots are not taxed until they are actually sold. Mr. Eberley feels that as soon as the City's lots are registered, they should be taxed, sold or not, and the cost of the taxes would be recovered through the sale of lots. He feels this would be fairer to private developers as costs related to the development of lots for the City and private sector are more closely related, i.e. both are paying taxes on unsold lots.

By way of a copy of this memo, I would request the City Assessor, in consultation with the Dir. of Engineering Services and the Dir. of Finance, if necessary, to provide the Finance & Audit Committee a report relative Ron Eberley's view of taxation and if it would be feasible or desirable for the City to tax its unsold lots and charge same against the land bank.

The next meeting of the Finance & Audit Committee is set for April 12, 1988, and as such, I would ask that the above requested reports be submitted to the undersigned by April 6, 1988. If this deadline does not allow you to compile all of the necessary information, please let me know as soon as possible so I may adjust the Committee's schedule.

The preceding is submitted for your information and appropriate action.

Trusting you will find this satisfactory.



K. Kloss  
Assistant City Clerk  
KK/ds  
c.c. City Assessor  
Dir. of Finance  
City Commissioner





# THE CITY OF RED DEER

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

March 24, 1988

Melcor Developments Ltd.  
#1, 5579 - 47 Street  
Red Deer, Alberta  
T4N 1S1

Attention: Ron Eberley

Dear Sir:

RE: REDUCTION OF LETTER OF CREDIT - DEER PARK PHASE 2/TAXATION OF NEWLY DEVELOPED LOTS

I would advise that your letter of March 9, 1988, concerning the above topic was presented to Council Monday, March 21, 1988, and at which meeting Council passed the following motion:

"RESOLVED that Council of The City of Red Deer having considered correspondence by Melcor Developments Ltd. dated March 9, 1988, re: reduction of letter of credit - Deer Park Phase 2 and taxation of newly developed lots hereby agree that no changes be made to:

- 1) clause 5.1.1 of the Standard Development Agreement to reduce Melcor Developments Ltd. letter of credit for Deer Park Phase 2.
- 2) the taxation of newly developed residential lots.

and as recommended to Council by the administration March 21, 1988."

Although Council did not approve your request, they did direct the Finance & Audit Committee to review the City's requirements for security as outlined in the Standard Development Agreement and to review the taxing of newly developed residential lots. This matter will be brought back to a future meeting of Council and at that time, Melcor shall be informed of said date.

The decision of Council in this instance is submitted for your information. I would also like to take this opportunity to wish you all the best in your future endeavors as you had indicated this will probably be your last presentation to Council in your present capacity with Melcor.

Trusting you will find this satisfactory.

Sincerely,

K. Kloss  
Assistant City Clerk  
c.c. Dir. of Engineering Services  
City Assessor

Econ. Dev. Mgr.  
Dir. of Comm. Serv.

Urban Planning Mgr.  
Dir. of Finance

**MELCOR DEVELOPMENTS LTD.**

NO. 4

March 9, 1988

Mayor McGhee & Members of Council  
City of Red Deer  
City Hall  
Red Deer, Alberta

Dear Mayor McGhee &amp; Members of Council:

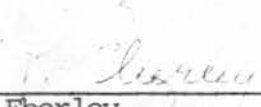
Re: Reduction of Letter of Credit - Deer Park Phase 2  
- and -

Taxation of Newly Developed Lots

Your consideration is requested please, for an appointment to address Council in respect to two items of concern:

- 1.) A request for a revision to Clause 5.1.1 of the Standard Development Agreement to reduce our letter of credit, for Deer Park Phase 2. The attached letter from your Engineering Department and Page 19 of the Development Agreement refers.
- 2.) To identify the need for equitability in taxing newly developed residential lots.

Yours truly,

  
\_\_\_\_\_  
R.N. Eberley  
Regional Manager  
Land Development Division  
RNE\*tj

4:05 p.m.  
88/03/09  
AK

**THE CITY OF RED DEER**

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

056-001B

Engineering Department 342-8158

February 25, 1988

Melcor Developments Ltd.  
1-5579-47 Street  
RED DEER, ALBERTA  
T4N 1S1

Attention: Mr. R. Eberley

Dear Sir:

**RE: DEER PARK PHASE 2 - LETTER OF CREDIT**

The retention of the Letter of Credit in the amount of \$207,500 is as per the signed Development Agreement. In addition to the possibility of problems during the maintenance period; which the Letter of Credit is designed to ensure; in this particular instance there remains approximately \$40,000 worth of final lift paving to be completed.

We are not empowered to reduce Letters of Credit beyond that provided for in the Development Agreement without the authorization of City Council.

Yours truly,

Gordon Stewart, P. Eng.  
Project Engineer

GAS/emg

SECTION FIVE: PERFORMANCE BONDS, INSURANCE CERTIFICATES

5.1 The Developer shall, in order to ensure performance and maintenance of its covenants and obligations under this Agreement, supply to the City on or before the date of this Agreement, security in the form of a performance bond, Irrevocable Letter of Credit, or other security satisfactory to the City Solicitor. The amount provided shall be a minimum of 50 percent of the total cost of the on-site Municipal Improvements to be installed in place by the Developer as per the estimated value set out in Clause 2.12.

5.1.1 The approved security may be reduced upon application by the Developer to 25 percent of the total cost of the on-site Municipal Improvements aforesaid as previously determined, once the Construction Completion Certificates for all on-site Municipal Improvements excepting those items included in the Construction Completion Certificate for Parks, Boulevards and Fencing, constructed by the Developer has been issued. The reduced security shall remain in effect for the full maintenance period or until such time as the Final Acceptance Certificate has been issued by the Engineer.

5.2 In addition to any other remedy the City may have available, the City may realize upon the security provided to it by the Developer or Contractor at any time during which the Developer or Contractor is in default of the terms, conditions and covenants herein contained, for the purposes of completing the construction and installation of all Municipal Improvements not then complete OR for the purposes of maintaining such Municipal Improvements as herein required to be maintained by the Developer or Contractor OR for payment of any amount owing to the City OR for damages and extra costs incurred by the City.

5.3 The Developer shall indemnify and save harmless the City, its officers and employees from and against all losses, costs, damages, actions, suits, claims, demands or proceedings arising out of or attributable to the performance of the City under this Agreement including but not limited to any work or act committed or omitted by the Developer in the pursuance of this Agreement.

5.4 The Developer shall provide and maintain, without restricting the generality of Clause 5.4, comprehensive general public liability and property damage insurance applying to all activities including but not limited to the use of owned or non-owned vehicles and equipment, of the Developer in connection with this Agreement. This protection shall include, but not be limited to the Developer's contingent liability with respect to the activities of anyone, including Sub-contractors, or anything done, pursuant to this Agreement. The Developer shall have the City added

DATE: MARCH 10, 1988  
TO: CITY CLERK  
FROM: DIRECTOR OF FINANCE  
SUBJECT: MELCOR DEVELOPMENTS LTD./DEER PARK PHASE 2

---

Melcor Developments Ltd. is requesting Council to approve two items:

1. Reduction in the letter of credit.
2. Request to reduce taxes on newly developed residential lots before they are sold by the developer.

In reference to the first item, the letter of credit is intended to ensure that any items which are the responsibility of the developer under the development agreement are completed. A reduction in the letter of credit should only be considered if the possible liability of the developer is less than the amount of the letter of credit. The Engineering Department should comment on this.

The second item is an item that Mr. Eberley has discussed with Council many times. Under Provincial legislation a developer must be charged current year property taxes on lots that have been subdivided and had a plan registered by December 31st of the previous year.

In addition, if a house has been constructed or partially completed by December 31st of the previous year by the developer, the developer is also responsible for property taxes based on the stage of completion at December 31st.

Mr. Eberley has indicated previously that the method of taxation described is unfair because the City as a developer does not have to pay property taxes. Whether the City does or does not pay property taxes does not determine what the selling price of the City's lots will be. The price of the City lots is determined by the market price

...2

City Clerk  
March 10, 1988  
Director of Finance

charged by developers such as Melcor. If the City does not have to pay certain costs, such as property taxes, then it helps to offset other costs that the developer does not have to pay. For example, Council will recall that Council agreed at budget time this year to not make developers responsible for \$5.8 million in offsite costs that had been incurred and would normally have been recovered from developers.

Yours truly,



A. Wilcock, B. Comm., C.A.  
Director of Finance

AW/jhm  
cc Director of Engineering Services  
City Assessor  
Economic Development Manager  
Director of Community Services  
Urban Planning Section Manager



DATE: March 11, 1988  
TO: City Clerk  
FROM: Director of Engineering Services  
RE: REDUCTION OF LETTER OF CREDIT - MELCOR DEVELOPMENTS LTD.  
DEER PARK PHASE 2

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The amount of the Letter of Credit for this development is in accordance with the terms of the Private Development Agreement. This security requirement policy was reviewed by Council in the fall of 1987, and the present requirements confirmed.

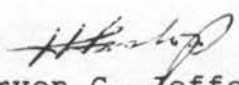
In this particular instance the total cost of on-site improvements was indicated by the Developer to be \$830,000. The original security deposit was \$415,000, based on 50% security as required in Clause 5.1. This was reduced to \$207,500 after the Construction Completion Certificates were issued, or to 25% of the total cost required in Clause 5.1.1.

The security is held in order that if the Developer should default on his obligation to repair defects in the construction during the maintenance period, the City is protected and able to have the necessary work completed by someone else.

It is our experience that repairs of defects during the maintenance period can cost 2-3 times the original construction cost to repair. In this particular instance there remains \$40,000 in top lift paving to be completed in addition to possible repairs to other on-site works such as sidewalks and utilities.

Since the security held on this development is as provided for in the Development Agreement, we would recommend the amount not be reduced, as this would be special treatment of one developer and would lead to similar requests from all other developers.

The matter of equitability in taxing newly developed lots will be comments on by the Land and Tax Department.

  
Bryon C. Jeffers, P. Eng.  
Director of Engineering Services

GAS/emg

c.c. Director of Community Services  
c.c. Director of Finance  
c.c. Urban Planning Section Manager



DATE: March 14, 1988

TO: City Clerk

FROM: City Assessor

RE: MELCOR DEVELOPMENTS LTD./DEER PAKR PHASE 2

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We have reviewed the response of the Director of Finance to this memo and concur with the statements made by him with regard to the issues that pertain to the Land and Tax Department.

We would further emphasize, and support, the position that the Director of Finance has taken with regard to the land pricing proposals that are made and presented to City Council for their approval periodically. The analysis of lot prices paid, and the proposed selling prices that are presented to Council for their approval, are in fact based on the selling prices of lots within the community, including but not exclusively restricted to, the private sector. It would; however, be fair to say that the price levels are, for the main part, predicated on the private sectors' selling prices.

  
Al Knight, A.M.A.A.

AK/bw

cc Director of Engineering Services  
Director of Finance  
Director of Community Services  
Urban Planning Section Manager  
Economic Development Manager

DATE: March 14, 1988 CS-1.547

TO: CHARLIE SEVCIK  
City Clerk

FROM: CRAIG CURTIS  
Director of Community Services

RE: MELCOR DEVELOPMENTS LIMITED -  
DEER PARK PHASE 2  
Your memo dated March 10, 1988 refers.

---

Mr. Eberley of Melcor Developments Limited is requesting an appointment to address City Council regarding a request to reduce the letter of credit for Deer Park Phase 2, and the need for equitability in taxing of newly-developed residential lots.

I have discussed these two items with the Recreation, Parks and F.C.S.S. Managers, and we have no comments from a Community Services perspective.



CRAIG CURTIS

/dmg

c. Lowell Hodgson, Recreation Manager  
Rick Assinger, F.C.S.S. Manager  
Don Batchelor, Parks Manager



# RED DEER REGIONAL PLANNING COMMISSION

2830 BREMNER AVENUE; RED DEER, ALBERTA, CANADA T4R 1M9

DIRECTOR: Robert R. Cundy M.C.I.P.

Telephone: (403) 343-3394

March 14, 1988

Me. C. Sevcik,  
City Clerk  
City of Red Deer  
Box 5008  
Red Deer, Alta.  
T4N 3T4

Dear Sir:

Re: Melcor/Deer Park Phase 2

Melcor Developments Ltd. is requesting Council's consideration of two requests; a reduction of the Letter of Credit regarding Deer Park Phase 2 and a concern regarding taxation of newly developed lots.

The City Planning Section is not directly involved in either aspect and therefore has no comment. These are items that are better addressed by the City Engineering Department, Director of Finance, and the Land and Tax Department.

Yours truly,

Vernon Parker  
ASSOCIATE PLANNER  
CITY PLANNING SECTION  
VP/cc

## Commissioners' Comments

The attached comments fully explain the reasons why these particular clauses are in a development agreement. We therefore strongly recommend that Council consider no changes to the current policies.

"R.J. MCGHEE"

Mayor

"M.C. DAY"

City Commissioner

## MUNICIPALITIES WITHIN COMMISSION AREA

CITY OF RED DEER—TOWN OF BLACKFALDS—TOWN OF BOWDEN—TOWN OF CARSTAIRS—TOWN OF CASTOR—TOWN OF CORONATION—TOWN OF DIDSBUY—TOWN OF ECKVILLE—TOWN OF INNISFAIL—TOWN OF LACOMBE—TOWN OF OLDS—TOWN OF PENHOLD—TOWN OF ROCKY MOUNTAIN HOUSE—TOWN OF STETTLE—TOWN OF SUNDRE—TOWN OF SYLVAN LAKE—VILLAGE OF ALIX—VILLAGE OF BENTLEY—VILLAGE OF BIG VALLEY—VILLAGE OF BOTHA—VILLAGE OF CAROLINE—VILLAGE OF CLIVE—VILLAGE OF CREMONA—VILLAGE OF DELBURNE—VILLAGE OF DONALDA—VILLAGE OF ELNORA—VILLAGE OF GADSBY—VILLAGE OF HALKIRK—VILLAGE OF MIRROR—SUMMER VILLAGE OF BIRCHCLIFF—SUMMER VILLAGE OF GULL LAKE—SUMMER VILLAGE OF HALF MOON BAY—SUMMER VILLAGE OF NORGLINWOLD—SUMMER VILLAGE OF ROCHON SANDS—SUMMER VILLAGE OF WHITE SANDS—SUMMER VILLAGE OF JARVIS BAY—COUNTY OF LACOMBE No. 14—COUNTY OF MOUNTAIN VIEW No. 17—COUNTY OF PAINTERTON No. 18—COUNTY OF RED DEER No. 23—COUNTY OF STETTLE No. 6—MUNICIPAL DISTRICT OF CLEARWATER No. 99

DATE: November 16, 1988  
TO: City Assessor  
FROM: City Clerk  
RE: CITY DEER PARK PHASE 2A  
CITY PRICING AND LAND SALE POLICIES

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Your report dated October 28, 1988, and recommendations from the Finance & Audit Committee concerning the above were considered by Council November 14, 1988, and at which meeting Council passed the following motion.

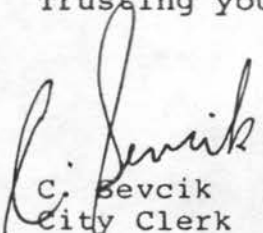
"RESOLVED that Council of The City of Red Deer having considered report from the Finance & Audit Committee dated November 8, 1988, re: City Deer Park Phase 2A, Review of City Pricing and Land Sale Policies hereby agree as follows:

1. that the basic price for Deer Park Phase 2A be established at \$627.00 per front foot for a 5,750 sq. ft. lot with adjustments for size, location to municipal reserves, side lanes, commercial areas, multiple family sites, topography, etc.,
2. that the land sale policies and procedures as they apply to Deer Park Phase I remain in effect with the exception that only one initial draw be allowed which would be open to both individuals and eligible contractors at the same time with the breakdown of 60% of the lots allocated for homeowners and 40% of the lots allocated for contractors.

and as recommended to Council November 14, 1988."

The decision of Council in this instance is submitted for your information and appropriate action.

Trusting you will find this satisfactory.

  
C. Bevcik  
City Clerk  
CS/ds

c.c. Dir. of Finance  
Finance & Audit Committee

NO. 17

118.

DATE: September 20, 1988  
TO: City Clerk  
FROM: Director of Engineering Services  
RE: SOLID WASTE STUDY

---

Council has received a copy of the Study prepared by Reid Crowther & Partners Ltd. relating to alternate methods of handling solid waste.

This Study is a revised version of a report presented to Council at its regular meeting of September 1, 1987. At that time the Consultant indicated that incineration with energy recovery as electricity was the preferred alternative. As a result of further investigation and collaboration with another consultant, Reid Crowther & Partners Ltd. have determined that the most cost-effective method of solid waste disposal is "Direct Haul to Landfill". This, of course, presupposes that an acceptable site can be found within a reasonable distance of Red Deer. The site could be 60-80 km distance, and direct haul to landfill could still remain a viable alternative.

Reid Crowther & Partners Ltd. will be present at Council to answer any questions Council may have with respect to the Report.

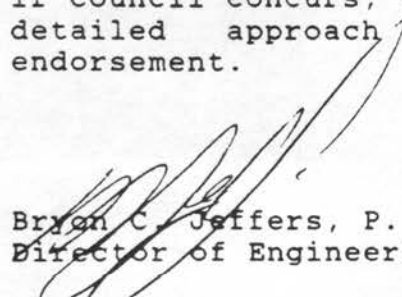
If Council accepts the conclusions reached in this Report, then the Engineering Department would respectfully recommend that further investigation of the favoured option be undertaken. While it is indicated that the Landfill option is the most cost-effective solution from a purely economic and technical analysis, there are other considerations.

Environmental issues must be addressed and will introduce several constraints to site selections.

An even more sensitive matter will be the social-political impact. Finding a site acceptable to the public will be a difficult and lengthy process, and perhaps not possible.

In any event, it is our recommendation that this alternative be pursued.

If Council concurs, the Engineering Department will prepare a more detailed approach and bring it back to Council for its endorsement.



Bryan C. Jeffers, P. Eng.  
Director of Engineering Services

BCJ/emg

Commissioners' Comments

Following Council's consideration of this report, we would seek Council's direction on which way they wish to proceed with the solution to this problem.

"R.J. MCGHEE"

Mayor

"M.C. DAY"

City Commissioner

October 5, 1988

TO: MAYOR  
ALDERMAN

FROM: CITY CLERK

RE: SOLID WASTE STUDY

As Council members will recall, at the Committee of the Whole meeting of October 3, 1988, it was agreed that the Solid Waste Study be brought back to an open meeting of Council on October 17, 1988.

Unfortunately, the Director of Engineering Services, Bryon Jeffers, will not be in attendance at the October 17th Council meeting and as such, it is our intention to delay bringing this to open Council until Mr. Jeffers will be in attendance.

It would appear that this matter will come to Council on October 31st however as this is the date of the organizational meeting, if the agenda appears to be too heavy we will bring the Solid Waste Study to the November 14, 1988 meeting.

In the meantime, the City Commissioner has requested that I forward for your information, the Summary Report on Recycling (copy attached) as you may wish to review same prior to discussion of the Solid Waste Study in Council. Please note that said summary was previously submitted to Council at the August 10, 1987 Council meeting.

Trusting you will find this satisfactory.

  
fr C. SEVCIK  
City Clerk

Attach:

c.c. City Commissioner  
Director of Engineering Services



**THE CITY OF RED DEER**

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

October 5, 1988

Sunnybrook United Church  
#12, Stanton St.  
Red Deer, Alberta  
T4N 0B5

Attention: Ms. Alice Williamson

Dear Ms. Williamson:


I would advise that your letter of September 13, 1988, concerning the matter of recycling and community compost piles was presented to Council October 3, 1988, and at which meeting the following motion was passed.

"RESOLVED that Council of The City of Red Deer hereby agree that the correspondence from "The Elsie Carlson UCW" regarding recycling and community compost piles be referred to the Engineering Department to be considered in the Waste Management Study currently under way, and as recommended to Council October 3, 1988, by the City Commissioners."

The decision of Council in this instance is submitted for your information. I would further advise that it is anticipated the Waste Management Study will be discussed at a Council Meeting in the near future.

Again, we thank you for taking the time to express your views on this important issue. Should you have any questions, please do not hesitate to contact the undersigned.

Sincerely,



C. Sevcik  
City Clerk  
CS/ds

c.c. Dir. of Engineering Services  
City Commissioners  
Parks Planner  
Senior Planner  
Bylaws & Inspections Mgr.  
Dir. of Community Services

NO. 8

SUNNYBROOK UNITED CHURCH  
#12, STANTON ST.  
RED DEER, ALBERTA, T4N 0B5

THE MAYOR AND CITY COUNCIL  
RED DEER, ALBERTA  
SEPTEMBER 13, 1988

OUR LADIES GROUP CALLED 'THE ELSIE CARLSON UCW (UNITED CHURCH WOMEN) MET LAST EVENING AND HAD A VERY INTERESTING DISCUSSION ON OUR CONCERN FOR THIS WORLD OF OURS. WE ALL AGREED THAT ONE THING THAT WE COULD AND ARE WILLING TO DO IS TAKE PART IN A RE-CYCLING PROGRAM. THE PURPOSE OF THIS LETTER IS TO ASK YOU AT CITY COUNCIL TO PROVIDE THE WAY TO DO THIS. STATISTICS INDICATE THAT 80% OF GARBAGE CAN BE RE-CYCLED. WE ARE CONCERNED ABOUT SUCH THINGS AS: GLASS JARS, TIN CANS, PLASTIC, AND MATERIALS THAT COULD BE PUT IN A COMPOST PILE SUCH AS TOPS OFF VEGETABLES AND LEAVES FROM THE TREES. IN SOME AREAS WE HAVE HEARD THAT THERE ARE COMMUNITY COMPOST PILES.

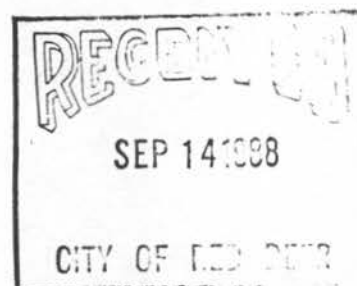
OUR REQUEST IS THAT YOU PROVIDE THE WAYS AND MEANS FOR US TO SHOW CARE AND CONCERN FOR A SITUATION THAT WE HOPE IS NOT ALREADY OUT OF CONTROL.

THANK YOU FOR YOUR TIME AND ATTENTION. WE LOOK FORWARD TO HEARING FROM YOU.

YOURS TRULY

*Alice L. Williamson*

ALICE WILLIAMSON



DATE: September 9, 1987  
TO: Dir. of Engineering Services  
FROM: City Clerk  
RE: LANDFILL OPERATIONS

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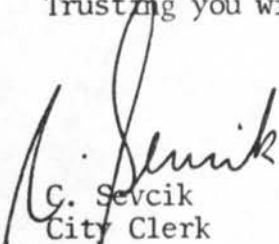
Your report dated September 1, 1987, concerning the above topic was presented to Council September 8, 1987, at which meeting Council passed the following motion in accordance with your recommendations:

"RESOLVED that Council of The City of Red Deer having considered report dated September 1, 1987, from the Director of Engineering Services re: Landfill Operations hereby concur with the recommendations that a further report be undertaken specifically on the incineration issue to determine more concisely the desirability of pursuing this option, said report to encompass such issues as outlined in the report from the Director of Engineering Services and as presented to Council September 8, 1987."

The decision of Council in this instance is submitted for your information and appropriate action.

As noted in your report, we trust that you will proceed with preparing a request for a proposal, contact the consultants, receive and review proposals and subsequently bring back your recommendations to Council and a budget figure for inclusion in the 1988 budget.

Trusting you will find this satisfactory.



C. Sevcik  
City Clerk

CS/ds  
c.c. Dir. of Finance  
Urban Planning Section Mgr.

NO. 17

DATE: September 1, 1987

TO: City Clerk

FROM: Director of Engineering Services

RE: LANDFILL OPERATIONS

---

Submitted for Council information and consideration is the Report from Reid Crowther & Partners Ltd. outlining landfill options for The City of Red Deer.

The primary purpose of the Report was to analyse various solid waste disposal options and determine which might prove the most attractive for the City. Five options were considered.

1. Direct haul to the Landfill.
2. Short haul to transfer station; long haul to Landfill.
3. Incineration without energy recovery.
4. Incineration with energy recovery as steam.
5. Incineration with energy recovery as electricity.

The obvious conclusion drawn from the Report is that incineration without energy recovery is not economically viable having a net present cost of \$30,086,000.

The Report indicates that incineration, with energy recovery as electricity, is the most attractive. This conclusion is drawn based on the premise that the energy can be sold at 3.5¢/kW. This rate is considerably higher than the normal value if sold to the Provincial Grid. The City is fortunate in that it may be able to use the electricity generated to replace some of the base load currently supplied by Trans Alta Utilities to the City.

Recent discussions with Trans Alta officials revealed that a rate of 3.5¢/kW is a reasonable figure to base our analysis on. It should be noted, however, that these discussions were at best, preliminary in nature. Certainly further discussions and a renegotiation of our Contract with Trans Alta would be necessary prior to being able to confirm the price.

At .02¢/kW, which is the more common price quoted, this option (incineration with energy recovery as electricity) is not attractive, having a net present cost of approximately \$18,000,000 over the life of the Project.

City Clerk  
Page 2  
September 1, 1987

In the Report the various options with respect to incineration are evaluated. It would appear from the Report that the technology exists to supply Red Deer with an incineration system that would comply with current air emission standards.

Placement of an incineration on our existing site, in the not to distant future, should this be the option chosen, would result in us being able to stay on the existing site if we so desired for many years. The life of a landfill can be prolonged by a factor of 5-10 by utilizing the incineration process. Given that the present site has 11-12 years of life left and if an incinerator were to be operable within 5 years, we should be able to incinerate and dispose of the ash and unincinerables for the next 20-30 years depending upon City growth.

The option of constructing a new landfill at a new site, is analysed in some detail. Two scenarios are discussed, one is direct haul to landfill, while the other involves utilization of a transfer station for longer hauls. It is stated in the Report that at a distance of approximately 50 km it becomes more attractive to construct and use a transfer station.

Conventional landfilling brings with it the rather complex issue of siting the landfill. This issue was not addressed in this Report. Rather, the effects of increasing distances from the City were considered. Actual determination of a new site, should this be the route taken, would be the subject of a separate report. This would be a complex difficult task, as finding a site acceptable to all the concerned parties is often next to impossible. Council is aware, we are sure, with the "NIMBY" syndrome; translated, this is NOT IN MY BACKYARD. Everyone realizes the need for a landfill, but no one wants it next to them.

The matter of Government participation in the Project, and also the issue of regionalization was discussed in general terms. Further detail in this area is difficult as the ground rules for Government participation and assistance, and for regional site criteria are somewhat vague at present.

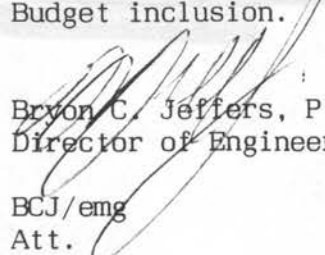
It would be the Engineering Department's respectful recommendation that Council consider a further report narrowing in only on the incineration issue to determine more consisely the desirability of pursuing this option. We would emphasize this present Report is very cursory in nature. The next Report would encompass such issued as:

- a. Present technology and recommendations regarding types of incineration.
- b. Determination of schedule of implementation.
- c. Effects on life of landfill at present site.
- d. Refined estimate of capital and operating costs.

City Clerk  
Page 3  
September 1, 1987

- e. Determine probable revenue generation through negotiation with Trans Alta.
- f. Discussion and consultation with Province regarding Provincial participation.
- g. Review and determine effects of regionalization.

If Council concurs with this recommendation, we would prepare a "request for proposal", contact consultants, and receive and review proposals. We would bring back to Council our recommendations and a budget figure for 1988 Budget inclusion.

  
Bryon C. Jeffers, P. Eng.  
Director of Engineering Services

BCJ/emg  
Att.

c.c. Operations Engineer

Commissioners' Comments

The attached report from the Director of Engineering was prepared in conjunction with the Commissioners and we endorse the recommendations contained therein.

"R. J. McGhee"  
Mayor

"M. C. Day"  
City Commissioner

October 5, 1988

TO: MAYOR  
ALDERMAN

FROM: CITY CLERK

RE: SOLID WASTE STUDY

As Council members will recall, at the Committee of the Whole meeting of October 3, 1988, it was agreed that the Solid Waste Study be brought back to an open meeting of Council on October 17, 1988.

Unfortunately, the Director of Engineering Services, Bryon Jeffers, will not be in attendance at the October 17th Council meeting and as such, it is our intention to delay bringing this to open Council until Mr. Jeffers will be in attendance.

It would appear that this matter will come to Council on October 31st however as this is the date of the organizational meeting, if the agenda appears to be too heavy we will bring the Solid Waste Study to the November 14, 1988 meeting.

In the meantime, the City Commissioner has requested that I forward for your information, the Summary Report on Recycling (copy attached) as you may wish to review same prior to discussion of the Solid Waste Study in Council. Please note that said summary was previously submitted to Council at the August 10, 1987 Council meeting.

Trusting you will find this satisfactory.

  
for C. SEVCIK  
City Clerk

Attach:

c.c. City Commissioner  
Director of Engineering Services





*Council Aug 10/87*

88.

ENVIRONMENT

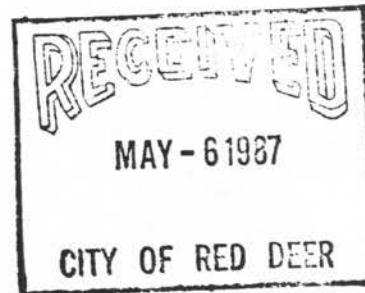
Office of the Minister

132 Legislature Building, Edmonton, Alberta, Canada T5K 2B6 403/427-2391

NO. 3

May 4, 1987

Mayor McGhee  
City of Red Deer  
City Hall, Box 5008  
Red Deer, Alberta  
T4N 3T4



Dear Mayor McGhee:

It is my pleasure to send you the enclosed copy of the Summary Report and Recommendations of the Public Hearings on Recycling in Alberta held by the Environment Council of Alberta.

The Report contains a number of interesting and innovative recommendations on recycling that will form the basis of a number of new initiatives in the coming years. Additional copies of the Summary Report and the longer, more complete, Technical Report can be obtained directly from the Environment Council of Alberta.

As recycling affects the quality of life of all Albertans and a number of the recommendations directly impact on how cities handle used material, I urge you to carefully consider the Report.

I will be extending an invitation to the executive of the Alberta Urban Municipalities Association to meet with me this fall to discuss the Report. I request that your council review the Report and forward your comments to your executive so that they can prepare for this meeting. I would be pleased, as well, to receive a copy of your comments.

I look forward to your interest and ongoing support, as we progressively move forward to implement solutions to our waste management

.....2

- 2 -

problems particularly those that can both protect the environment and create new and expanded economic opportunities and employment.

Yours sincerely,

*Ken Kowalski*

Hon. Ken Kowalski  
Minister  
Alberta Environment

KK:ek  
Encl.



# RED DEER REGIONAL PLANNING COMMISSION

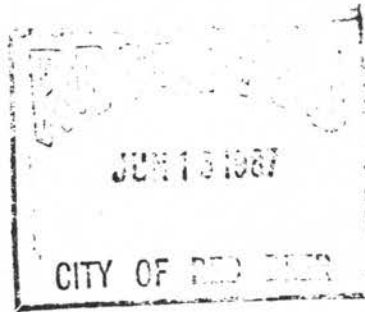
2830 BREMNER AVENUE, RED DEER, ALBERTA, CANADA T4R 1M9

90.

DIRECTOR: Robert R. Cundy M.C.I.P.

Telephone: (403) 343-3394

10 June 1987



City of Red Deer  
P.O. Box 5008  
RED DEER, Alberta  
T4N 3T4

Attention: Patricia Shaw,  
Executive Assistant to the Mayor and Commissioner

Dear Madam,

Re: ECA Report and Recommendations,  
Recycling of Waste in Alberta

Your letter of May 12, 1987 has been referred to me by Bill Shaw for comment. This office has now had an opportunity to review the above noted report and would like to provide the following comments in this regard.

## General

The Environment Council of Alberta report strongly supports the recycling of recoverable materials which would otherwise be disposed of in landfill sites. The Environment Council believes in the concepts of "user pay" and that municipal waste disposal systems be run as "cost effective, self supporting utilities". The report encourages the recycling of all types of recoverable materials including glass, plastic, used oil, iron, aluminum, cardboard, paper, pesticide containers and tires.

The report states that a methodology should be developed to fully assess landfill costs to "meter" the collection of waste in order to charge users for those costs accordingly. An accurate charging for all waste disposal costs, the report indicates, will provide the financial impetus necessary to encourage Albertans to begin to recycle.

The report states "Subsidies from general municipal revenue or the provincial government lower the direct charges for the collection and disposal of garbage, and have the undesirable effects of limiting recycling" (p.25). It suggests that the present capital grant structure for developing regional landfill sites should be phased out and that those funds should be used instead for recycling purposes.

.... /2

## MUNICIPALITIES WITHIN COMMISSION AREA

CITY OF RED DEER—TOWN OF BLACKFALDS—TOWN OF BOWDEN—TOWN OF CARSTAIRS—TOWN OF CASTOR—TOWN OF CORONATION—TOWN OF DIDSBURY—TOWN OF ECKVILLE—TOWN OF INNISFAIL—TOWN OF LACOMBE—TOWN OF OLDS—TOWN OF PENHOLD—TOWN OF ROCKY MOUNTAIN HOUSE—TOWN OF STETTLE—TOWN OF SUNDRE—TOWN OF SYLVAN LAKE—VILLAGE OF ALIX—VILLAGE OF BENTLEY—VILLAGE OF BIG VALLEY—VILLAGE OF BOTHA—VILLAGE OF CAROLINE—VILLAGE OF CLIVE—VILLAGE OF CREMONA—VILLAGE OF DELBURN—VILLAGE OF DONALDA—VILLAGE OF ELNORA—VILLAGE OF GADSBY—VILLAGE OF HALKIRK—VILLAGE OF MIRROR—SUMMER VILLAGE OF BIRCHCLIFF—SUMMER VILLAGE OF GULL LAKE—SUMMER VILLAGE OF HALF MOON BAY—SUMMER VILLAGE OF NORGLAND—SUMMER VILLAGE OF ROCHON SANDS—SUMMER VILLAGE OF WHITE SANDS—SUMMER VILLAGE OF JARVIS BAY—COUNTY OF LACOMBE No. 14—COUNTY OF MOUNTAIN VIEW No. 17—COUNTY OF PAINTWATER No. 18—COUNTY OF RED DEER No. 23—COUNTY OF STETTLE No. 6—MUNICIPAL DISTRICT OF CLEARWATER No. 99

10 June 1987  
Mrs. Patricia Shaw  
Page two

The report makes a number of other recommendations on recycling ranging from the increased use of municipal incineration to the placement of a surcharge on manufacturers of non-recyclable packaging and the inclusion of all types of beverage containers under the Beverage Container Act. It recommends that the Provincial Government provide increased funding to the Resource Recovery Grant Program to aid recycling and implement additional recycling projects like the Edmonton's curbside collection test project and calls for joint efforts for recycling by government, business and community sectors. The basic intent of the report is to increase awareness of the need for recycling and to reduce the amount of refuse material presently going into landfill sites. A summary of the report's recommendation which could impact on the City's landfill and garbage collection operations is provided.

#### Analysis

The principle of recycling and the need to reduce the amount of waste disposed in landfill sites is commendable and should be supported by the Planning Commission and City of Red Deer. For the most part, the City landfill site does operate on a direct user pay basis, is unsubsidised and is self supporting. Therefore, none of the recommendations contained in the report would have any real short term effect on the City. Recycling is practiced on a relatively minor basis in the area at the present time, i.e., scrap metal, bottles, used oils, pesticide containers, some glass and paper, etc. It is felt that recycling projects would have a good potential in the City, however such projects are expensive, labour intensive and require a lot of organizational and promotional efforts. Unless additional funding is made available by the province, such recycling projects would be difficult for municipalities to fund, especially during times of financial restraints.

The provincial government's policy initially appears to be that no additional funds will be made available to encourage recycling, but rather to partially shift existing regional landfill site funds into recycling. Alberta Environment Minister Ken Kowolski, recently stated that the Alberta Waste Management Assistance Program grants which currently cover 100% of the capital costs of regional landfill sites, may be reduced to 86%, with the remaining amounts being used for the promotion of recycling.

As noted, at the present time the City of Red Deer receives no provincial funds for the operation of the City landfill which is basically self supporting, except possibly for the initial land costs. The reduction of grant monies however, could effect the City in the future if it seeks to expand or relocate the present site into a regional landfill site.

#### Recommendations

It is felt that the ECA Report contains many significant recommendations and the recycling of recoverable materials is a desirable and possibly necessary way of reducing the amount of refuse materials deposited into landfill sites. Due to the existing self supporting nature of the City landfill site, none of the recommendations in the report would appear to have a

10 June 1987  
Mrs. Patricia Shaw  
Page three

substantial effect on its current financial operation. However, it could have an effect in the future if the City seeks provincial funds for a new regional landfill site.

However, some recommendations could have an impact on the physical operation of your landfill, for example with respect to storage areas for tires.

If the province is serious about creating viable recycling programs, additional funds should be made available to assist municipalities rather than reducing existing grants and possibly placing the financial responsibility for recycling on local municipalities during times of economic restraint.

Thank you for this opportunity to comment on this matter.

Yours truly,



Alan Ward  
Senior Planner  
Rural and Regional  
Planning Section

AW:lt

## ECA REPORT ON THE RECYCLING OF WASTE IN ALBERTA

June 8, 1987

NUM.	ECA RECOMMENDATION	RDRPC COMMENTS
1	user pay principle	generally agree, City now has basic user pay policy
2	operate waste management system on a cost recovery basis	agree, City now operates on this basis, except land acquisition
4	operate waste management system as a utility; be financially self supporting	agree but special financial assistance may be needed at times; City landfill site is self supporting
5	Environment phase out capital assistance for regional landfill, use funds for recycling	disagree, this could create a financial burden on municipalities
6	Province examine waste collection "metering" system and charge accordingly	agree, this goes along with the user pay principle
7	Government to adopt a "reuse, recycle, recover and reduce" policy	agree, the principle of recycling is desirable
8, 9	national effort to reduce packaging and require it to be recyclable	agree, this would take national and international efforts
10-12	the increased use of backyard and institutional composting	this is a good idea but has a limited potential number of uses due to public acceptability
14-20	expand the Beverage Container (collection) Act to include all types of beverage containers	agree, this would help to reduce the bulk of containers going to the landfill site
21	better publicize the current Oil Drop Program	agree, it is a successful program but it could be better publicized
26-29	need for further studies into the desirability and need for municipal incineration	agree but due to high costs and potential real or perceived pollution problems, this still seems a long way off
34	the need for better public education and information on recycling	agree, the need for better public awareness is necessary
47	more Provincial recycling projects like Edmonton's curb-side collection project	agree, but costs would be fairly high and a greater public awareness is necessary

NUM.	ECA RECOMMENDATION	RDRPC COMMENTS
48	place pressure on municipalities who subsidize garbage collection to also subsidize recycling projects.	do not agree, although the City is not effected, due to local circumstances, other areas may be unable to do so due to a lack of funds
49	amend building codes to require additional storage space in apartment buildings to be available for the storage of recycled materials	the idea would increase building costs and could be a problem for fire protection and other reasons
59	Government offices should take the lead by collecting and using recycled paper	good idea but needs more information on the cost, quality, etc.
61	tires to be stored in specified areas of landfill site for future recovery	disagree, this may be difficult at City landfill site due to possible fire hazard, rodent habitat and lack of a market at this time
62-67	need for the general recycling of plastics, paper, glass, oil and aluminum	agree, however this will require a City wide curbside collection program, which requires much time, cost and organization
68	encourage the formation of a western Canada recycling Committee	agree, would promote better coordination



DATE: July 23, 1987

TO: City Clerk

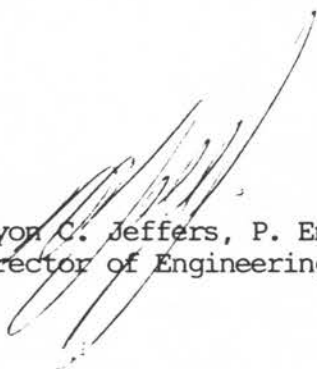
FROM: Director of Engineering Services

RE: **RECYCLING OF WASTE IN ALBERTA - SUMMARY REPORT AND RECOMMENDATIONS**

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The Engineering Department has reviewed the above captioned report and basically concur with the numerous recommendations, with the exception of Recommendations #5 and #61. Recommendation #5 suggests that Alberta Environment should phase out its capital assistance program for development of regional landfills and make the funds available as incentives for recycling. The report is somewhat utopian in nature, inasmuch as it infers that landfills may not be required at some time in the future. Currently, numerous municipalities are having problems with siting landfills. It makes economic and environmental sense to encourage regionalization so as not to repeat mistakes that occurred in the past (i.e. numerous unregulated smouldering dumps).

The Engineering Department also disagrees with Recommendation #61, with respect to designating a specific area for rubber tires. The department would adopt this recommendation once a market was identified, but to do so at this time would create operational problems and be a potential inefficient use of the site.



Bryon C. Jeffers, P. Eng.  
Director of Engineering Services

SU  
RKP/sh  
c.c. Operations Engineer  
c.c. By-laws and Inspections Manager

Commissioners' Comments

We would recommend Council approve consolidating the attached comments for submission to the A.U.M.A. and the Minister. A copy of the Technical Report can be viewed at the City Clerk's Office.

"R.J. MCGHEE", Mayor

"M.C. DAY", City Commissioner

# RECYCLING OF WASTE IN ALBERTA

## Summary Report and Recommendations



Alberta  
ENVIRONMENT COUNCIL OF ALBERTA



# **RECYCLING OF WASTE IN ALBERTA**

## **Summary Report and Recommendations**

**April 1987**

**Environment Council of Alberta**

Distributed without charge as a public service.

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Market Development 17

Copies of this report may be obtained upon request to:

Environment Council of Alberta  
8th Floor Weber Centre  
5555 Calgary Trail Southbound N.W.  
Edmonton, Alberta  
T6H 5P9  
Telephone (403) 427-5792

This report may be cited as:

Environment Council of Alberta. 1987. *Recycling of Waste in Alberta: Summary Report and Recommendations*. ECA87-18/RR2. Environment Council of Alberta. Edmonton. 24 pages.

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ECA87-18/RR2

Lieutenant-Governor in Council  
Legislative Building  
EDMONTON, Alberta

Honourable K. Kowalski  
Minister  
Department of the Environment  
132 Legislative Building  
EDMONTON, Alberta  
T5K 2B6

Dear Sirs:

I have the honour to transmit, herewith, the Report and Recommendations of the Environment Council of Alberta on Recycling of Waste in Alberta, as required under Section 7 (1) (i) of the Environment Council Act (Chapter E-13 R.S.A. 1980).

I have the honour to be, Sirs,

Your obedient servant,

A handwritten signature in cursive script, reading "M. K. Morstad".

Merrill K. Morstad  
Chairman, Recycling Panel  
Environment Council of Alberta

## TERMS OF REFERENCE

### FOR PUBLIC HEARINGS ON THE RECYCLING OF WASTE IN THE PROVINCE OF ALBERTA

The Environment Council of Alberta is hereby requested to:

- 1) Enquire into the potential for the economic recycling of products presently disposed of as wastes; giving particular attention to:
  - a) the potential, scope, and obstacles to increased recycling by private sector business enterprises;
  - b) the potential, scope and obstacles to increased recycling by volunteer organizations;
  - c) the support role of local governments and the provincial government in facilitating recycling by the private sector and volunteer organizations, considering the potential reduction in waste disposal costs, the enhancement of the environment and privatization.
- 2) Consider the potential and comparative economics of the generation of energy from wastes when the alternative of the creation of useful goods and services from wastes is not feasible.
- 3) Hold public hearings at suitable locations throughout the province, and report to the Minister of Environment and the Lieutenant-Governor in Council on completion of the report.

— Order In Council 106/85

# INTRODUCTION

Recycling exists in Alberta today because of the outstanding efforts of volunteers, because of the intrinsic value of materials or markets enhanced by regulation, and because of modest but effective provincial programs. The full potential of recycling in Alberta, however, has not been achieved. Recycling can be substantially expanded so that less material is wasted and more is recycled for the betterment of Alberta's economy and environment. How this potential could be achieved is what the provincial government asked the Environment Council of Alberta when, in 1985, it requested the Council to conduct an enquiry and hold public hearings to find ways of encouraging the recycling of materials presently disposed of as waste. Order in Council 106/85, February 20, 1985, gave the Council the terms of reference for the enquiry. On April 3, 1986, a panel was appointed by Order in Council 244/86 to conduct the Council's hearings. The Panel consists of:

**Merrill K. Morstad, Chairman.** *Mr. Morstad, a resident of Edmonton, held various positions with Renn Sales Edmonton Ltd. including President and General Manager, was Past President of the Alberta Farm Equipment Wholesale Association, and has been active in many community groups.*

**Alistair D. Crerar, Vice-Chairman.** *Mr. Crerar is Vice-Chairman of the Panel by virtue of his position as Chief Executive Officer of the Environment Council of Alberta. Mr. Crerar is an economist and planner.*

**David Chan, Member.** *Mr. Chan, an architect who graduated from McGill University, is currently practicing in Calgary. He is active in charitable and volunteer community work, including the Calgary Chinatown Lions Club.*



**Robert M. Jones, Member.** *Mr. Jones is retired from farming and lives in the Warner area. He is involved with a number of local community activities, including the Warner Chamber of Commerce, the Elks Club, and the Border Counties Hospital Board.*

**Gordon Osgood, Member.** *Mr. Osgood worked for many years at Domglas in Redcliff. As well, he has been active in numerous service organizations, including the Redcliff School Board and the Redcliff Planning Commission.*

## The Hearings

In preparation for the hearings, Environment Council staff researched and wrote a series of background reports on recycling and energy from waste. These reports are listed in the Appendix. Prior to the hearings, the Environment Council also made a substantial effort to contact people who might be interested in recycling. These included the general public, people involved with volunteer organizations and recycling projects, people in industries directly or indirectly affected by recycling or the recovery of energy from waste, generators of potentially recoverable waste, enterprises interested in the use of recovered materials, and government officials at all levels.



Information meetings were held, featuring a specially prepared video tape entitled *One Man's Garbage, Another Man's Gold?*, a panel discussion about local recycling issues and present Alberta government policies and programs, and information about the hearing process and the Council's role and mandate. Public hearings were held at 11 locations across the province and, in total, 134 briefs were received, including 23 submissions received after the hearings.

Excellent submissions were received at all locations and the Panel expresses our sincere appreciation to those people who participated in the hearings or took the time to write to the Panel about their concerns and recommendations. The variety of views expressed was most appreciated. The effort that people made to attend the hearings or to share their ideas and concerns with the Panel was an inspiration to us as we worked toward developing a comprehensive set of recommendations for the province.

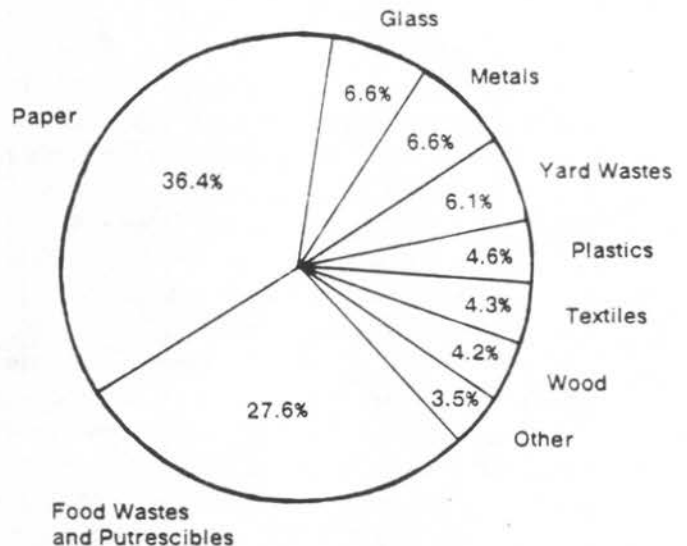
After the hearings, the Panel met with 25 government and non-government agencies whose policies and programs could have an impact on recycling in Alberta. The Panel also visited many recycling projects and industries in Alberta. In addition, members of the Panel attended conferences, met with government officials, and visited recycling operations in Ontario, British Columbia, and Washington State.

## The Current Waste Management Situation

Alberta's diverse economic development has resulted in a variety of waste materials, waste management problems, and waste management systems. The wastes that must be dealt with include those from the entire range of industries as well as schools, hospitals, construction sites, office buildings, farms, and commercial enterprises, and the variety of materials that individuals discard as household garbage. Approximately 1.8 million tonnes of solid waste is landfilled annually in Alberta, averaging almost 800 kg per person each year.

FIGURE 1

### Composition of Municipal Waste in Canada



Information about the composition of the waste stream provides a starting point for improving our waste management system.

The volume of waste produced is increasing, and so are waste management costs. An estimate of \$86 million has been made for total disposal costs in Alberta in 1984. The increase in costs is due to the ever-larger volume of waste being generated as well as higher operating and capital expenses for improved waste management. Higher standards in waste management are being developed and sanitary landfills and transfer stations are replacing scattered, open, and often smoldering dumps.

## General Impressions

There was one notable overall impression gained through the enquiry. No one, in any capacity, was against recycling. There were those who felt that others (not themselves) were not sufficiently motivated to make the extra effort that recycling requires. There were many who felt

that low population density and high transportation costs make the economic viability of additional recycling doubtful in Alberta. But even the skeptics wanted recycling to succeed and had helpful suggestions to overcome the barriers.

Albertans we heard from at the hearings were proud of their province and valued its cleanliness. They saw the recycling we have done so far as contributing to the tidiness and beauty of the province and they heartily approved of the results. It is the Panel's overall impression that there is substantial support for recycling and its perceived beneficial results.

In Alberta today, the recycling industry employs more than 3,500 people and produces goods valued in excess of \$300 million. This industry is based on the utilization of materials removed from the municipal solid waste stream. Management of the remainder of the wastes cost Albertans about \$86 million in taxes and charges in 1984.

When you ask Albertans if it is better to spend \$86 million per year to put wastes into landfills in the hope — not the certainty — that the material will be rendered innocuous, or to use that material to expand an industry that produces useful goods and productive jobs, you would receive the kind of answer that the Panel did at the public hearings on recycling. Virtually everyone is in favor of recycling, almost no one favors landfilling as the only means of waste disposal, and no one wants a landfill as a neighbor.

Although landfilling may seem to be an inexpensive solution to waste management problems, it offers few benefits other than burying wastes out of sight and out of mind. Landfilling still poses a number of social and environmental liabilities. These liabilities may include odor, dust, noise, traffic, and litter during the operating life of the landfill. As well, there are post-closure concerns about long-term environmental and health effects of leachates and gases from landfills. Future productive use of the site also is compromised. In many ways, landfilling is not a treatment system but more a means of storage. Because recycling can provide a safe, certain solution for a substantial portion of the waste stream, it has become increasingly attractive as an alternative to conventional waste disposal methods.

So why don't we do more recycling? There are a number of impediments. Transportation costs are a major deterrent to recycling in rural Alberta and, in all areas, the cost of collection of materials is a major factor. If recycling efforts expand, then participation rates, collection costs, and the ability of existing markets to accept the increased volume of recovered materials are all factors that must be considered.

But a major factor is that we judge recycling and landfilling by two entirely different criteria. Recycling is considered an economic activity like any other. It is expected to pay full cost for the acquisition of its raw material — collection, storage, and processing. It may be abetted in the collection phase by volunteer groups who donate their labor, or assisted by a bottle depot system that has been set up principally to keep Alberta uncluttered, but essentially recycling is expected to pay the full cost of acquiring its raw materials.

On the other hand, those same raw materials, discarded into the waste stream, become an uncontested charge on the public, with only a few municipalities in the province charging for waste disposal on a "user pay" basis. Most of the population pays for waste disposal out of municipal taxes and it therefore appears to be a virtually "free" service of municipal government.

## The Choices

Albertans have a choice: they can plug into a waste disposal system whose only requirement is that you put garbage down the chute or at the back of the property for pick up and disposal by a complete and seemingly costless system. The alternative is to separate out newspapers, glass, metal, and oils, store them until sufficient volume has been collected, and then try to contact elusive (except for beverage containers) recyclers who often find the small amount of waste recovered from an individual household more trouble than it's worth. With those choices, it is surprising that recycling is undertaken in the province as much as it is. The Panel concludes that a basic change in attitude toward waste management will have to underlie any major

expansion in the rate of recycling and volume of wastes recycled.

That basic change is to provide a level playing field for the choice between garbage collection followed by landfill disposal, and materials recovery and recycling. At present the major difference between the two approaches is that it is easy to create garbage and difficult to segregate and store waste products, the essential first steps for a successful materials recovery program.

Fortunately, the participation rates that are evident in Ontario and lately in the Edmonton experiment with curbside collection suggest that householders are willing to make the extra effort that is required to segregate recyclables, if after that segregation their removal is no more difficult than disposing of garbage. For somewhere between 70 and 80 percent of the population,

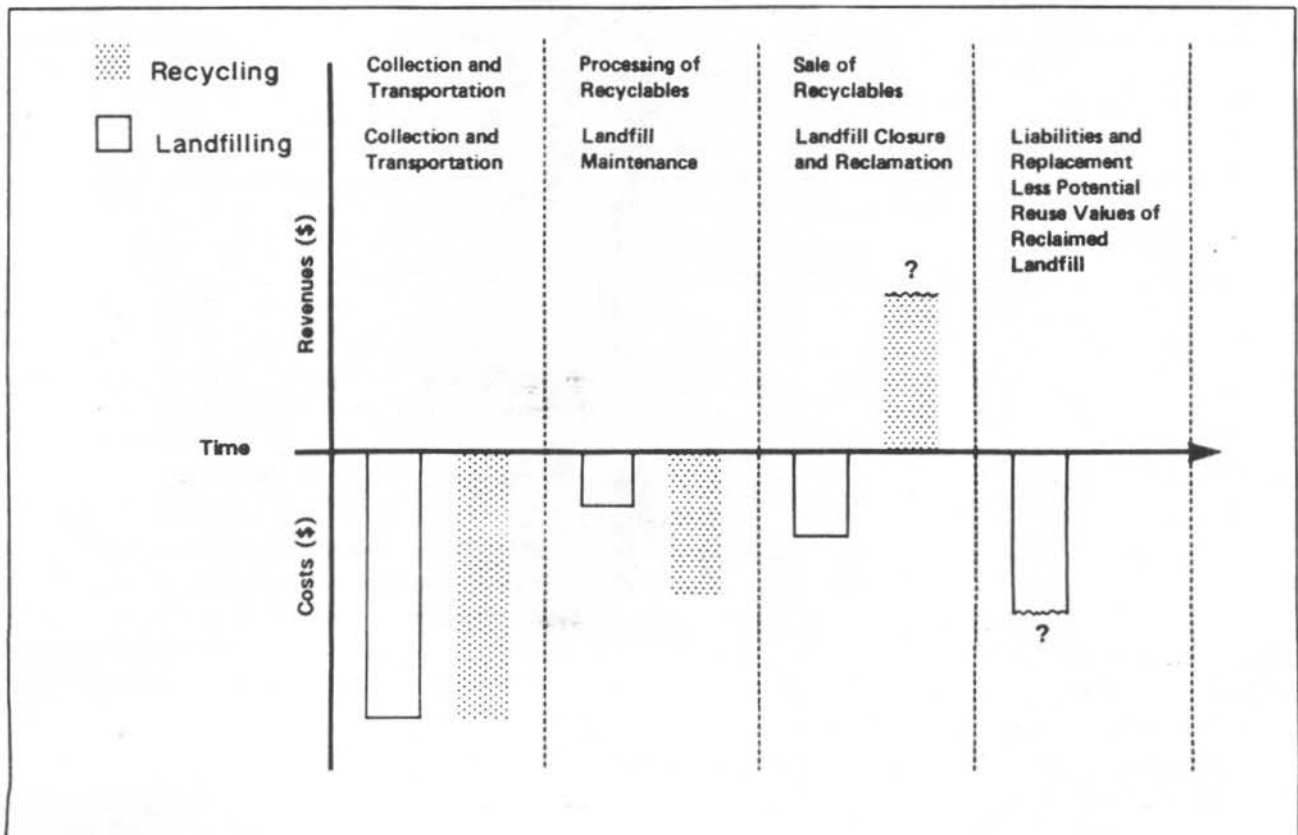
the commitment to recycling is sufficiently strong that, given easy access to a recycling system, they are willing to undertake the necessary separation and storage.

The example of one of the more successful of the recycling sectors — metals, both ferrous and nonferrous — is instructive. The portion of metal scrap that is recycled is high. Industrial waste generators recycle because they have to pay the full cost of collecting and hauling if they wish to dispose of metal waste in a landfill. The recycling alternative is easier and potentially profitable, since scrap dealers often provide collection bins for major generators and pay for the scrap.

There are important differences in the overall pattern of the incidence of costs and revenues over time, depending on whether wastes are recycled or landfilled (see Figure 2).

FIGURE 2

### Comparison of Costs and Revenues for Landfilling and Recycling



# SPECIFIC RECOMMENDATIONS

The following pages summarize the recommendations resulting from the Panel's enquiry. The recommendations are based on the information gathered during the enquiry and the knowledge and experience of the Panel members.

This summary report does not provide a full and complete rationale for all of the recommendations. Such a rationale can be found in the companion technical report (available from the Environment Council Library), and readers should consult the technical report for more detail.

## Level Playing Field for Recyclable Materials

The core of the Panel's recommendations is the need to remove the discrepancy between garbage collection and disposal, a public service that is usually heavily subsidized, and recyclable materials collection and recovery, normally provided by industry or volunteer groups with little or no support from the public purse. It is to eliminate this bias toward garbage collection and landfill disposal that the Panel recommends the following actions:

**Recommendation 1:** *The Government of Alberta should adopt, as a policy, the principle of "user pay" for municipal waste management systems.*

As long as waste management costs are carried predominantly by the public sector, there is no incentive to the manufacturer, distributor, or user to reduce waste or increase recyclability. Adoption of the user pay principle would force recognition of the costs of waste disposal and place recycling on a more equitable economic footing with disposal alternatives.

A number of municipalities in Alberta operate waste management systems on a "cost-recovery" basis, with the present cost being covered by the revenues. This is a major first step toward



The "user pay" principle encourages recycling rather than out-of-sight, out-of-mind land-filling of wastes.

implementing the user pay principle and much can be learned from these municipalities.

**Recommendation 2:** *A comprehensive study should be undertaken by Alberta Environment and Alberta Municipal Affairs to determine the conditions for operating municipal waste management systems on a cost-recovery basis. The study should include an analysis of transferability of such approaches to other municipalities.*

It was suggested, both at the hearings and by other technical sources, that the true or full social costs of landfill disposal were not being included in current charges or tipping fees for municipal landfills. Because the current low cost of landfilling inhibits alternative methods of disposal such as incineration or recycling, the federal Department of Energy, Mines and Resources is sponsoring a study to arrive at the true cost of landfilling. It is the Panel's impression that the next generation of landfills, even in Alberta, are going to be very difficult to locate and substantially more expensive to obtain.



**Recommendation 3:** *Alberta Environment and Alberta Municipal Affairs should develop a methodology for the full assessment of landfilling costs, determine those costs for a variety of Alberta situations, and maintain an information base on true landfill costs for use by Alberta municipalities. It would be desirable to integrate the Alberta cost analysis with that being conducted by the federal Department of Energy, Mines and Resources, to avoid duplication and to integrate methodologies as much as possible.*

The Panel believes that the underestimation of landfilling costs is a major barrier to both recycling and energy-from-waste alternatives. Development of a methodology for assessing the full costs of landfilling would allow municipalities to more accurately assess waste management options and to make prudent waste management decisions.

The following recommendations are intended to remove programs at the municipal or provincial level that preferentially support garbage

collection and landfill disposal over alternative methods of managing waste. The Panel believes that waste generators need not be shielded from the cost of waste disposal; indeed, little increase in the use of alternatives is likely until the reality of waste disposal costs is faced.

**Recommendation 4:** *The Municipal Government Act should be amended to require that waste management be treated as a utility, and be self-supporting on the basis of revenue generated.*

Treating waste management as a utility would provide both waste managers and waste generators with a clear understanding of the costs of waste management and the relationship between waste generation and disposal costs.

However, another step is required: removal of government financial assistance for landfilling. The provincial government funds a program that encourages the development of regional landfills. By making special assistance available for regional landfills, the province is showing a preference for landfilling as a waste management option and



What is the true cost of landfilling? Opportunity costs, and health, social, and environmental costs for future generations should all be considered when calculating the cost of landfills, but rarely are.

creating an artificially low cost for landfilling. Shifting this funding to a program that would cover start-up costs for economically viable recycling enterprises would not only provide an incentive to recycle but also would help to establish the true costs of landfilling.

**Recommendation 5:** *Alberta Environment should phase out its capital assistance program for development of regional landfills and make the funds that are freed up available as incentives for recycling.*

Theoretically, waste generators should pay on the basis of the amount they generate. Where flat rates are charged or where funding from general revenues is used to cover costs, there is little incentive to reduce waste. Metering of waste and basing disposal charges on the amount of waste produced is one means of passing on the cost of disposal to the waste generator. Several such systems are in place in other jurisdictions. The Panel agrees that metering of waste is desirable, but is not convinced that any particular system has been shown to be sufficiently simple and effective to recommend that it be adopted.

**Recommendation 6:** *Alberta Environment and Alberta Municipal Affairs should examine the practicality of different methods of "metering" waste collection and charging accordingly. Information obtained should be developed in a form that is readily accessible to municipalities to allow them to choose the metering approach that most adequately fits their situation.*

The Panel is aware that landfill disposal will be required for many years into the future. However, we also believe that the public will demand, as a precondition before considering the location of any new landfill sites, the assurance of "best efforts" in developing alternatives to landfilling. Any municipal authority that, in the future, suggests that it is a public duty to provide landfills as the only method of waste disposal will, on that basis alone, have provided the inevitable NIMBY (Not In My Back Yard)

group with an excellent basis for opposition to a new landfill site.

## The Four R's of Waste Management

There will always be some residual wastes and therefore a real need for new landfill sites. However, there is also an opportunity to put less and less into landfills as time passes. An ultimate goal is to reduce garbage production and to maximize that portion of the waste stream that is reused, recycled, or recovered. There is no easy remedy, no program that will enable recycling to instantly replace our present methods of garbage disposal. To begin the task of replacing garbage disposal with materials recovery as the chief method of waste management, the Four R's of waste management should be adopted by the Alberta Government as its principal policy of waste management.

**Recommendation 7:** *The Government of Alberta should adopt the "Four R's" — reduce, reuse, recycle, and recover — as its policy and priority sequence in waste management.*

A commitment to the Four R's of waste management should result in a close examination of the Government's own waste management practices as well as careful scrutiny of the impacts of government policies on recycling in the private and volunteer sectors.

Reduce

Reuse

Recycle

Recover

The Four R's of Waste Management represent a strategy for efficient and effective conservation of resources.

## Reduce

The first of the Four R's is reduce. The aim is to halt the production of wastes before it starts. Excessive packaging and the design of products to reduce waste or improve recyclability are significant problems for individuals and private enterprises concerned about recycling. But improvement in product design and packaging are areas in which the federal government is the most influential decision maker.

**Recommendation 8:** *The Minister of Environment should request the federal government to conduct a study of the impact of product design and packaging upon waste disposal costs and upon the environment. The objective is to establish a set of rules or guidelines for goods marketed in Canada which would:*

- 1) *reduce waste generation*
- 2) *maximize reuse of resources*
- 3) *provide for recycling*
- 4) *facilitate resource and energy recovery.*

**Recommendation 9:** *The Minister of Environment should request the federal Department of Consumer and Corporate Affairs and Environment Canada to examine the feasibility of a surcharge or checkoff at the manufacturer or import level that is related to the extra disposal costs generated by non-recyclable packaging, wrapping, and container materials and by products that are difficult to dispose of, such as rubber tires.*

To the Panel it seems inequitable that a substantial portion of a packaging material like corrugated cardboard is collected for recycling without charge to the public, while most plastic packaging material can only be disposed of in the garbage at substantial cost.

Based on current costs of incineration, the checkoff or surcharge recommended above would be approximately \$50 per tonne of material produced or imported. The funds should go into a research and development fund to search for ways to increase the proportion of material recycled. The checkoff could be lifted once the

research and development had been shown to be effective by, for example, raising the percentage of plastic packaging materials recycled to the level of paper and ferrous metals.



Polyethylene terephthalate (PET) plastic bottles are one of the few plastic packaging wastes for which a recycling pathway is being established.



Well-established recycling pathways reduce the amount of paper that must be landfilled.

A major fraction of waste streams is yard wastes and other putrescibles (putrescibles are all kinds of organic materials subject to biodegradation). All of these materials, and particularly yard waste (grass clippings, leaves, and twigs), can be successfully composted. An increase in composting could significantly reduce the volume of waste generated per household. Individuals could be encouraged to compost by providing them with "how to" information.

**Recommendation 10:** *Alberta Environment should develop an information package on backyard composting methods and the advantages of composting.*



There is an excellent opportunity available to collect data and assess the impact that composting may have on the amount of household waste discarded. By adding composting to the curbside recycling project in place in Edmonton, Alberta Environment and the City of Edmonton could gain additional benefit from the information base that is being developed about the overall impacts of recycling on waste disposal. Depending on the results, the composting program could be expanded to other municipalities.

**Recommendation 11:** *Alberta Environment and the City of Edmonton should implement an experimental composting project in those areas of Edmonton currently served by the curbside recycling project.*

Organic material from households is only a portion of the organic material in municipal solid waste. Substantial amounts of organic matter are also collected from parks, boulevards, tree trimming, and other sources. This material could be composted at areas set aside at the landfill, using equipment available there, or at other suitable locations. The result would be production of a usable commodity, as well as savings in landfill space, savings in disposal costs, and an improved public image.

**Recommendation 12:** *Alberta Environment should work with large producers of organic material, such as city parks departments, zoos, and race-tracks, to encourage the establishment of composting areas at landfills or other suitable locations.*

In 1985, about 22 percent of the material disposed of in the Cloverbar landfill in Edmonton was construction rubble. The proportion has been as high as 50 percent at the height of the construction boom in 1981. There is no need for this relatively clean waste to take up scarce space in a sanitary landfill.

**Recommendation 13:** *Alberta Environment and Alberta Municipal Affairs should establish a system for advertising the locations of disposal sites that would be willing to accept construction and demolition rubble.*

When the service is fully established, municipalities should consider banning the burying of construction rubble in sanitary landfills. However, this may not be necessary if tipping fees are raised to reflect the true cost of providing landfill.

## Reuse and Recycle

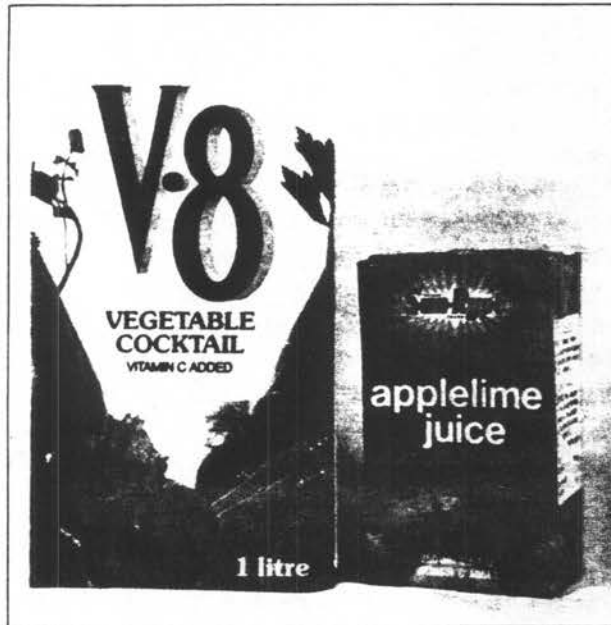
Actions that will support reuse will aid recycling and vice versa. The backbone of government support to reuse and recycling in Alberta is the Beverage Container Act. This has been an unique approach to the universal problem of littering of beverage containers and has promoted their reuse and recycling. The Panel believes that the Beverage Container Act has been extremely successful and our recommendations are intended to update, improve, and build upon this success. The following recommendations relate to the Beverage Container Act specifically. Their basic objective is to treat all beverages (except milk) and all container materials equitably. The Beverage Container Act should be as neutral as possible to allow various types of containers and beverages to compete on the market without an advantage, in cost or convenience, gained from an Act whose principal objective is to reduce littering.



The Beverage Container Act has resulted in accumulation of resources rather than their dispersal through littering.

A first step in enabling the Act and the universal depot system to better respond to changes in beverage markets and packaging types is to include the widest possible range of beverages and beverage containers.

**Recommendation 14:** *The Beverage Container Act and its regulations should be amended to include all beverages sold in all types of sealed containers, except milk or milk products.*



Deposits on "Tetrapak" containers would encourage development of a recycling pathway, as was the case with plastic bottles.

The purpose of a deposit on beverage containers is to encourage their return and keep them from being discarded into the environment. A uniform deposit is the simplest means of operating the return system for the bottle depot operator, the retailer, and the customer.

**Recommendation 15:** *A single minimum deposit level should be placed on all beverage containers, except those used for milk and milk products.*

The deposit should be sufficiently large to encourage the return of the containers. A higher deposit increases the return rates, although return rates vary depending on the container type. A deposit of 10 cents would be sufficient to achieve high return rates, without drastically

affecting the sale of single-serving containers, many of which currently have deposits of 10 cents.

**Recommendation 16:** *A uniform minimum deposit of 10 cents should be set for all containers included under the Beverage Container Act.*

At the public hearings, there were suggestions that universal depots were less efficient than they might be and that there was a temptation for operators to ask for higher handling charges rather than increasing efficiency and productivity. The best way to increase efficiency, in the Panel's view, is to provide for greater competition.

**Recommendation 17:** *In order to increase the number of universal depots, Alberta Environment should relax the licensing policy concerning the number and locations of these depots.*

The Panel believes that, when bottle depots are established, they also should be able to achieve some other useful social objectives. These would include aiding recycling by accepting recyclables other than beverage containers (corrugated cardboard, newspaper, non-beverage container glass, used lubricating oil).

**Recommendation 18:** *Alberta Environment guidelines for universal depot licences should include special consideration of proposals that include recycling of commodities not covered by the Beverage Container Act.*

Universal depots have been an important feature of handicapped or sheltered workshops and in this way make a significant contribution to the social well-being of the community.

**Recommendation 19:** *Applications for the establishment of universal depots as sheltered workshops, or as part of a sheltered workshop, should be considered favorably by Alberta Environment and refused only under exceptional circumstances.*

Implementation of the above recommendations will have substantial impacts on the

operation of the universal depot system and adjustments in the present level of handling charges likely will be required. Before any adjustments are made, time is required to allow the system to adjust to the other changes in the scope of the Act and the operation of the universal depot system.

**Recommendation 20:** *A two-year freeze should be placed on handling charges to allow the universal depot operators time to adjust to changes to the Beverage Container Act. During this freeze, there should be a thorough examination of the system in order to determine appropriate handling charges.*

Another current program that assists recycling and protects the environment is the Oil Drop Program. As a result of this program and the efforts of the private and volunteer sectors, about 20 percent of the lubricating oil sold in Alberta is recovered for re-refining. The Oil Drop Program would benefit from increased publicity.

**Recommendation 21:** *Alberta Environment, in conjunction with local government, should develop an effective information program to publicize the use of the Oil Drop Program and oil collection tank network.*



Alberta Environment's Oil Drop Program is designed to promote collection of used oil for recycling.

The Pesticide Container Collection Program is an important assist to recycling and an effective method of reducing environmental pollution in rural Alberta. The steel containers that are collected are recycled as steel scrap and thus any harmful residues are destroyed in the steel furnaces. Plastic pesticide containers and their residues, however, are landfilled, because there is no economical way to clean and recycle the plastic. Until such time as a satisfactory cleaning and recycling process is developed, the disposal of these non-recyclable, non-reusable containers poses a threat to the environment and imposes the costs of proper management on society.

**Recommendation 22:** *The Government of Alberta should recommend to Agriculture Canada that it ban all pesticide containers that are not safely and economically recyclable or reusable.*



Over 643,000 empty pesticide containers were collected in 1985 through the Pesticide Container Collection Program.

If the federal government permits the use of non-recyclable or non-reusable containers for pesticides, then it should bear the cost of their proper disposal.

**Recommendation 23:** *Agriculture Canada should contribute funds to Alberta to cover the costs of its Pesticide Container Collection Program.*

The Panel identifies the Resource Recovery Grant Program as a particularly cost-effective provincial program. This is because it provides a means of obtaining for local recycling efforts the essential up-front capital funding that allows them to get established. The Panel recommends:

**Recommendation 24:** *The Alberta Environment Resource Recovery Grant Program should be continued with increased funding so that volunteer recycling efforts can be provided the essential boost that they often need in the form of capital equipment to get recycling projects started.*

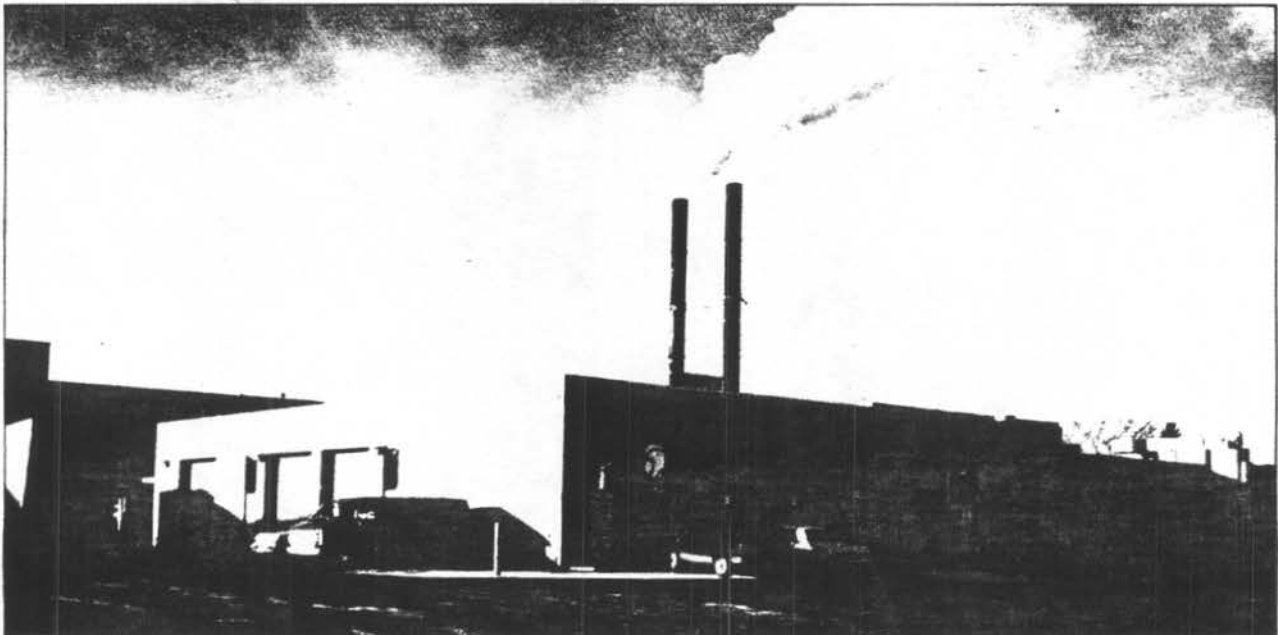
**Recommendation 25:** *Alberta Environment should expand the Resource Recovery Grant Program to include recycling businesses as well as non-profit recycling projects.*

In making the recommendation to extend the Resource Recovery Grant Program to recycling businesses, the Panel was not considering the larger waste management firms or major recyclers. Elsewhere in this report, increased access to the Accelerated Capital Cost Allowance program, as well as improved availability of business development programs at the federal

and provincial level, are suggested, which would be more attractive to larger capital-intensive businesses. The Resource Recovery Grant Program would be more suitable for small, local businesses, of under 10 employees with very small capitalization.

## Recover

The final "R", recover, includes the recovery of energy from waste. Energy recovery does not have the same potential as reuse and recycling to produce useful, high-value goods. However, in conjunction with proper operation of a well-designed and well-maintained incinerator, energy recovery also provides safe destruction of wastes, a substantial reduction in volume, and a residue of known or measurable composition. The basic problem is that the high cost of incineration is only partly compensated by the ability to recover heat. In many other jurisdictions, the value of energy from waste is sufficient to make incineration an economically viable alternative to landfilling. In Alberta, the energy province, there will be few instances when energy from waste will be competitive.



STANLEY ASSOCIATES ENGINEERING

The recently completed waste incinerator for the University of Alberta Hospitals uses heat generated by incineration to produce steam for heating, as well as providing safe, efficient disposal for potentially hazardous hospital and biomedical wastes.



However, there will be instances when incineration will be the preferred waste disposal option and, for those instances, energy recovery considerations should be an integral part of the proposal.

**Recommendation 26:** *Alberta Environment should modify current incineration guidelines to require incineration proposals to include consideration of energy recovery in the design, siting, and operation of the facility.*

Concerns have been expressed about the environmental and economic implications of incineration. These aspects must be thoroughly researched under Alberta conditions.

**Recommendation 27:** *Alberta Environment should ensure that sufficient research is done under Alberta conditions to establish the desirability of incinerating municipal solid waste from an environmental and economic perspective.*

Alberta Environment should take advantage of the information being generated by federal government incinerator testing programs and by research in Alberta, as well as through operation of the incinerator at Wainwright, to ensure that the appropriate decisions are made about incineration of municipal solid waste.

**Recommendation 28:** *Alberta Environment should revise current incinerator guidelines to incorporate new information or experience under Alberta conditions before any additional incinerators are permitted to burn municipal solid waste.*

**Recommendation 29:** *Since proper operation of incinerators is just as essential as good design, the Province should develop, or adopt from other Canadian jurisdictions, training programs, certification standards, and testing practices that will help ensure adequate skills and operational proficiency for those who operate waste incinerators.*

Markets are the key to successful energy-from-waste projects. However, some of the current formulae for charging customers for electricity discourage energy conservation and

reduce the attractiveness of generating electricity from alternative sources such as municipal solid waste.

**Recommendation 30:** *The Public Utilities Board and Alberta Energy should conduct a review of utility rate structures with the intent of removing unnecessary barriers to the recovery and use of energy from waste.*

## Information and Education

A very prevalent theme of the public hearings was that the success of recycling in the long term would depend on a multifaceted information program. The program would involve elements that would enhance understanding of the potential for recycling in the population at large as well as elements focusing specifically on the formal school system.

Within the school system, the Panel believes the following recommendations would be helpful:

**Recommendation 31:** *The Minister of Education should ensure that when the Alberta school curriculum is reviewed, waste management and recycling are included as an integral part of the curriculum — as part of the knowledge base expected of Alberta citizens.*

**Recommendation 32:** *Alberta Environment in conjunction with Alberta Education should develop and circulate an information kit describing extra-curricular activities or projects that could be used in Alberta classrooms to encourage recycling habits.*

**Recommendation 33:** *Alberta Education, the Alberta Teachers' Association, and the Alberta School Trustees' Association should ensure that the Four R's of waste management are included in teachers' in-service training.*

Additional resource materials focusing on the Four R's of waste management should be developed for use in Alberta schools.

**Recommendation 34:** *ACCESS Alberta should produce a series of audio-visual resource materials based upon the Four R's of waste management.*

The Alberta school system is a major institution that consumes a vast amount of materials and generates large quantities of waste. A careful examination of waste management in the school system by both the school boards and by individual schools could result in savings in waste disposal costs as well as provide an excellent example for the students and the community.

The intent of the following three recommendations is to ensure that, in the administration and daily operation of all Alberta schools, every opportunity is taken to teach the Four R's of waste management by practical example. Some examples would include support for school bottle drives; paper recycling; urging Home and School Associations to sponsor flea markets, rummage sales, garage sales; and so on. The school system should also take the lead in promoting the use of recycled products.

**Recommendation 35:** *Alberta Education should direct Alberta school boards to examine and improve the operation of the Alberta school system to better reflect the Four R's of waste management.*



Bottle drives are a way of learning about recycling by doing it.

**Recommendation 36:** *Alberta Education should encourage schools to recycle paper and other recyclable materials that are currently being incinerated or otherwise disposed of.*

Schools are major users of paper. The use of recycled paper in the schools would provide a boost to the market for recycled paper and increase its use in Alberta.

**Recommendation 37:** *Alberta Education should provide Alberta school boards with information about the availability and cost of recycled paper and encourage the boards to take advantage of opportunities to purchase recycled paper.*

For the general public, programs that increase overall awareness or make it easier to recycle would be useful. The Panel was most impressed by the effectiveness of the federal *Participation* program. If something with as much flair and impact could be developed for the Four R's of waste management, the concept would be better understood and more appreciated.

**Recommendation 38:** *The Minister of Environment, through the Canadian Council of Resource and Environment Ministers, should encourage the federal government to develop and implement a public awareness program focusing on the Four R's of waste management: Reduce, Reuse, Recycle, and Recover.*

If consumers are to take personal action to reduce waste generation or to recycle useful material, they must be provided with information with which to guide their decisions.

**Recommendation 39:** *Alberta Consumer and Corporate Affairs should develop a consumer education program aimed at reducing the quantity of waste generated by consumer goods and services. This program should focus on reuse, recyclability, repairability, and durability of products, as well as product packaging.*

A well-recognized symbol, accompanied by an appropriate phrase, also would facilitate the identification of favored products that are easily recycled or contain recycled materials.

**Recommendation 40:** *Alberta Environment should promote the development of a national recycling symbol. This symbol should be displayed with an appropriate message indicating whether the product is recyclable or contains recycled material.*



Variations on this basic recycling logo are used widely to indicate either use of recycled materials or product recyclability.

A major current barrier to recycling is the lack of knowledge of where used materials can be recycled. A mechanism is needed by which the public can easily obtain information about different recycling programs, recycling opportunities, and local markets for recyclable materials.

**Recommendation 41:** *Alberta Environment should establish a toll-free telephone service for information about recycling in Alberta.*

Computer modelling is now used in waste management to plan efficient collection routes, analyze costs, maintain records, and, more recently, to assist municipalities in evaluating the potential for incorporating recycling into their municipal waste management services. The Environment Council of Alberta has experimented with a computer model developed for the State of Ohio. The test results suggest that certain recycling programs could generate revenues

for municipalities. The information available from the Recycling Computer Model would help municipalities decide whether additional recycling makes sense in their particular situation.

**Recommendation 42:** *Alberta Environment should evaluate the Recycling Computer Model and make modifications to improve its relevance for Alberta. The Department should then make this computer program available to municipalities for use as a planning tool for waste management services.*

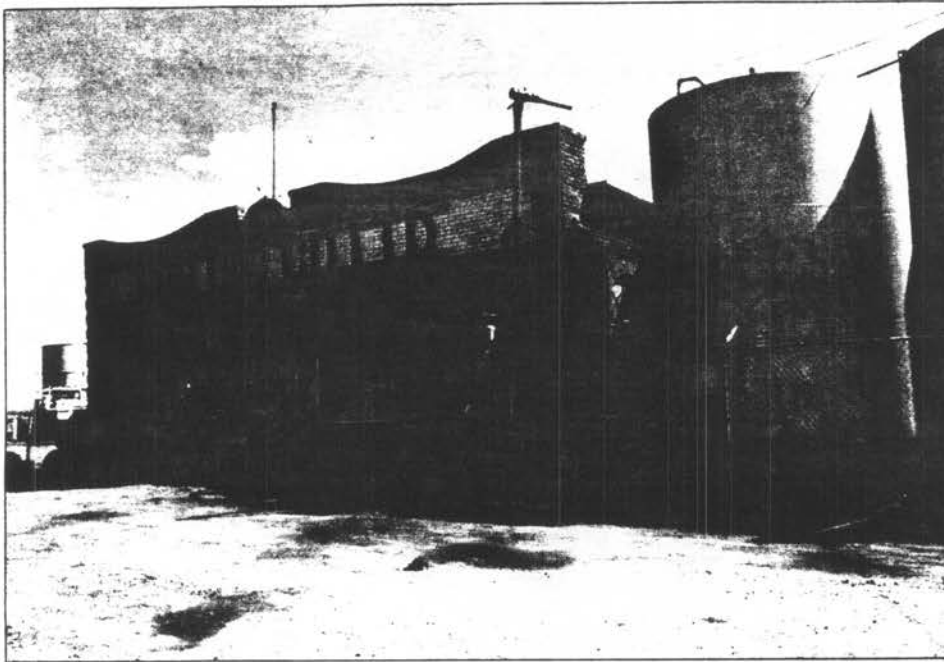
## Equitable Treatment for Recycling Enterprises

In the long run, for recycling to be successful, it must become a viable business enterprise. Today recycling is expected to compete in the market for waste materials against a highly subsidized, publicly financed waste collection and disposal system. The Panel has made recommendations to provide a level playing field with respect to the competition for raw material supply. However, recycling also faces penalties at the manufacturing level that should be removed, and there are instances where assistance available for the processing of virgin materials should be available equally to processors of recyclable materials, so that recyclers are not penalized because of the raw material they use.

**Recommendation 43:** *The Alberta government, through the Minister of Environment, should urge the federal Minister of Environment to initiate action within the federal government to treat recyclable goods and materials and virgin materials in an equitable manner with respect to taxes, exemptions, and industrial development programs.*

The Accelerated Capital Cost Allowance (ACCA) for pollution control equipment provides for the depreciation of such equipment at the rate of 25 percent in the year of purchase,





Oil re-refiners such as Hub Oil in Calgary perform a valuable function, but have to compete with producers of virgin materials.

50 percent in year two, and 25 percent in year three. Recycling is certainly one method of reducing or controlling pollution. If recycling processes were eligible for the ACCA, this would help to rectify the preference provided to virgin materials, provide an incentive for industry to increase their use of recycled materials, increase the demand and price for recycled materials, and contribute to a reduction in pollution.

**Recommendation 44:** *The Alberta Minister of Environment should bring before his colleagues on the Canadian Council of Resource and Environment Ministers the recommendation that all capital expenditures associated with processing of recyclable materials be eligible for the Accelerated Capital Cost Allowance (ACCA) for pollution control equipment on the basis of the percentage of recyclable material used.*

This recommendation would place the recycling industry on approximately equal footing with virgin material using industries that are eligible for depletion allowances.

Better use could also be made of available industrial development grants. Plants that process and upgrade recyclable materials should be considered for the same level of support as

manufacturing plants on the basis that they reduce disposal costs while they create new materials.

**Recommendation 45:** *The recycling industry should be considered a manufacturing industry and should be eligible for the full range of industrial development grants.*

The oil re-refining industry is suffering from the fall in crude oil prices and, if assistance is not given, the industry could collapse. The Province should recognize the savings in environmental protection and waste management that result through re-refining used oil. These savings should be available to any company that is willing to establish modern, environmentally sound, oil re-refining technology in Alberta.

**Recommendation 46:** *Alberta Environment should investigate the merits of providing a one-time capital grant to assist any company willing to develop a modern used oil re-refinery in Alberta. The levels of assistance should be comparable to those provided for such projects as heavy oil upgraders, since the principle of equality between processing used and virgin materials should apply.*

## Market Development

In addition to removing barriers to equality with other manufacturing sectors, there should also be major programs aimed at improving the market for recycled materials. Market development can be considered from two basic viewpoints: supply and demand.

Both aspects of the market should be developed together: the supply side, which will increase the volume and availability of recyclable material, and the demand side, which represents increased use and consumption of goods made from recycled materials. It is possible to argue that increasing final demand is the more appropriate approach, since the demand signals will work their way through to bring forth more supply. However, there are a number of instances where the existence of an abundant supply of high-quality recyclable material resulted in secondary manufacturers or exporters identifying an opportunity and moving to take advantage of it, for example, the reprocessing of plastic beverage containers by Applied Polymer Research Ltd. Both aspects of market development need to be pursued simultaneously.

## Development of Supply

One means of developing the supply of recyclable materials is through separation of recyclables from other waste materials at the household level. Curbside collection of recyclable materials makes recycling very convenient. Residents simply segregate and store materials and set them out at curbside on collection days. Participation rates are high and curbside collection programs provide flexibility in the range of materials collected. Curbside collection programs also encourage the public to view waste materials as potential resources and, as a result, change attitudes, to the overall benefit of all recycling programs.

**Recommendation 47:** *If the City of Edmonton's curbside collection project continues to be successful, it should be continued as a regular service and gradually expanded to cover the entire city.*



**Edmonton's curbside recycling project diverts high-grade waste streams of newspaper, glass, and metals from the city's landfills.**

Some municipalities subsidize waste collection with funds provided from their general revenues. This practice inhibits recycling by shielding residents from the actual cost of waste collection. Recommendations 1 to 6 are intended to help with a full assessment of the costs of landfilling and payment of these the costs by the waste generator. A true assessment would help place recycling and waste collection on an equal footing. However, some municipalities may choose to continue to subsidize waste collection; in that case recycling should receive similar support.

**Recommendation 48:** *The provincial government should pressure those municipalities that subsidize waste collection to provide equivalent subsidies for collection of recyclables.*

Many calls for diversion credits were made at the public hearings, and suggested elsewhere. The Panel appreciates the principle behind the suggestion for diversion credits, but we feel that they would not be particularly effective in the current Alberta situation. For one thing, the currently estimated cost of landfilling is so low

that diversion credits would not provide much assistance to recycling. After the experience of siting the next generation of landfills has been incorporated, and the true and full cost of landfilling has been calculated, the impact of diversion credits could be re-evaluated.

In the meantime, the Panel believes that the principle of Recommendation 48 should apply. If a municipality wishes to subsidize the collection and landfilling of garbage, it should be prepared to provide an equivalent subsidy to recycling. It is the Panel's belief that, if recycling and garbage collection are treated equally, recycling will be able to expand its share of waste materials substantially, with no extraordinary government assistance.

Storage space is an important requirement for recycling. Suitable, convenient space is rarely available in multi-family dwellings, office buildings, and shopping malls. The design of these buildings is governed by provincial building codes and municipal bylaws. Currently municipal bylaws specify the amount of space that must be provided to accommodate the collection and storage of refuse, but similar provisions are not included for recyclable materials.

**Recommendation 49:** *Alberta Environment, in co-operation with Alberta Municipal Affairs, should develop a municipal bylaw provision that would provide for adequate safe and convenient storage space for recyclable materials in new multi-family dwellings, office buildings, and shopping malls.*

There are many opportunities within industry and commercial businesses to reduce waste production or to manage waste materials in a manner that facilitates their recycling. Actions taken by the private sector could reduce waste disposal costs and increase the supply of recyclables, but assistance is needed to assess these opportunities.

**Recommendation 50:** *The Alberta Research Council, in consultation with industry, should develop a "waste audit" program to assess waste management practices in appropriate industrial and commercial businesses and provide advice on ways to reduce waste generation.*

Landfills frequently provide opportunities to segregate materials and, like industrial and commercial sources, could be managed to become sources of recyclable materials.

**Recommendation 51:** *Alberta Community and Occupational Health and Alberta Environment should develop guidelines to facilitate and encourage salvaging of resources from municipal landfills.*

Segregated waste materials from one source may be of value as a feedstock for another. This principle has led to the establishment of "waste exchanges," which provide a mechanism for advertising the availability of or the requirement for materials that might otherwise be discarded as waste. This relatively inexpensive service can potentially produce substantial benefits by increasing recycling.

**Recommendation 52:** *Alberta Environment and the Alberta Research Council should place a high priority on maintaining the Alberta Waste Materials Exchange and improving its effectiveness.*



**The steel industry in Alberta is based entirely on reprocessing metal scrap from a variety of sources.**

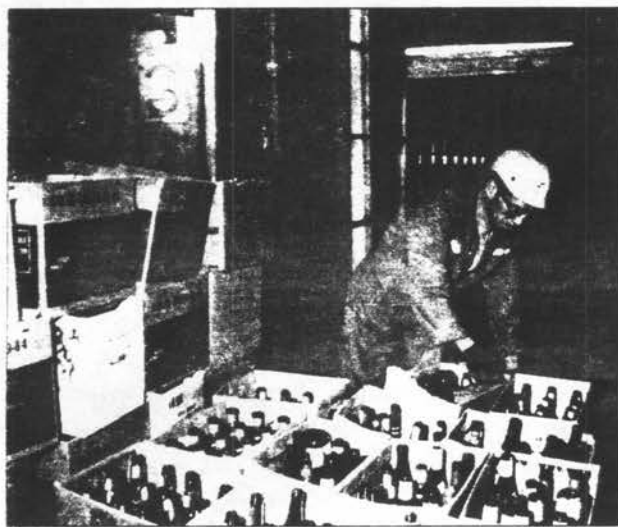
One of the major difficulties in the development of the recycling industry, as with all other Alberta industries, is the burden of transportation costs. All industries are looking for ways to reduce transportation costs. The following three recommendations deal specifically with

reducing transportation costs for recyclables and hence opening up additional supply areas.

There may be a good potential for using backhauls to reduce some of the transportation costs facing recyclers, as well as to benefit the trucking industry. Some recyclers already make use of backhauls. These arrangements are made on an informal basis and would be greatly assisted if there were an information system to allow truckers and recyclers to identify backhaul opportunities.

**Recommendation 53:** *Alberta Environment should approach the trucking industry in Alberta to establish an information system to facilitate the use of backhauls for moving recyclable materials.*

Increased recycling of non-beverage container glass seems to hinge on improving economics through reducing transportation costs, as well as diversification of the markets. The costs of transporting glass to Redcliff, Alberta, the location of the major buyer of cullet, are a major deterrent to the collection of non-deposit glass, especially in rural areas, where glass may be available only in small volumes. One means of reducing the transportation costs would be to permit non-deposit glass in reasonable quantities to be purchased at Contain-A-Way warehouses in Edmonton and Calgary. It could be processed and combined with the



Operations at Contain-A-Way - only deposit glass is accepted for recycling at present.

deposit glass to achieve economies of scale in processing and transportation.

**Recommendation 54:** *In order to facilitate the recycling of non-deposit glass, the Alberta Liquor Control Board and Alberta Environment should investigate the feasibility and desirability of Contain-A-Way purchasing bulk loads (one tonne or more) of non-deposit glass at its warehouses in Calgary and Edmonton.*

Recommendation 54 is aimed mainly at stimulating collection of non-deposit glass by volunteer organizations. Universal depot operators also might collect non-deposit glass if they too could sell the glass to Contain-A-Way and avoid the large expense of transporting small loads of cullet to southern Alberta. Transportation costs could be minimized by piggy-backing the non-deposit glass with the transport of deposit glass to Contain-A-Way's glass-processing facilities in Calgary or Edmonton.

**Recommendation 55:** *Alberta Environment should investigate the feasibility of including non-deposit glass from universal depots in the current system for collecting and transporting beverage containers.*

There is currently a substantial supply shortage of old corrugated cardboard and prices are high. The three recommendations below are intended to improve the handling of this commodity and bring forth more supplies of corrugated cardboard both in the short and long term.

Economic transportation of old corrugated cardboard usually requires compression and baling. In some instances, balers may be available locally that recyclers could use, but often there are concerns about liability and access to business premises. If these concerns were overcome, greater access to balers would be available.

**Recommendation 56:** *Alberta Environment should investigate ways for potential recyclers to have access to balers in local businesses, or liquor stores.*

In some instances, especially in rural areas where smaller, less accessible sources of old



corrugated cardboard will have to be tapped, there may be insufficient cardboard available to justify a permanent baler. Nevertheless, the material must be baled to make transportation economic.

**Recommendation 57:** *The feasibility of using a mobile baler to increase recycling of old corrugated cardboard in rural areas should be investigated by Alberta Environment.*

A cardboard baler is a very expensive item. Hay balers have been modified and used successfully for baling cardboard and may provide an inexpensive substitute.

**Recommendation 58:** *Alberta Environment should issue a call for proposals to adapt agricultural balers for baling old corrugated cardboard.*

Office buildings offer a good source of some grades of paper, but recycling programs are often difficult to implement in office buildings. Alberta Environment and several other generators have implemented office paper recycling programs, but the Alberta Environment program has not received the commitment, publicity, and recognition that it deserves. Stronger government leadership is required.

**Recommendation 59:** *To show government support and leadership in recycling, Alberta Environment should consider its office paper recovery program an example for other office buildings, take steps to increase public awareness of the program, and encourage implementation by other major generators, beginning initially with provincial government departments and agencies.*

Used oil is a valuable non-renewable resource. Its use as a road oil is potentially harmful to the environment and an undesirable use of a recyclable material.

**Recommendation 60:** *Alberta Environment should investigate methods for prohibiting the use of used oil in major road-oiling projects.*

Implementation of the above recommendation will not only avoid an environmental

problem, but also will improve the supply of used oil for re-refining. Recommendations 46 and 66 provide other suggestions for assisting the recycling of used lubricating oil.

Used tires are a universal problem at landfills, where their disposal creates operational difficulties for landfill operators. Some landfill sites have special areas set aside for the storage or burial of tires. This limits the problem to a specific area of the landfill, improves management of the disposal of tires, and provides an opportunity for recovery of tires if they are needed.

**Recommendation 61:** *Alberta Environment and Alberta Community and Occupational Health should encourage all municipalities to place discarded tires in designated areas of the landfill to facilitate future recovery and recycling.*



Some two million tires are discarded each year in Alberta. Segregating tires in special areas of landfills would facilitate their recycling.

Plastics are increasingly used in a wide variety of products and pose problems both through littering and in landfills, primarily because of their non-biodegradable nature. A fairly high level of recycling has been achieved for industrial scrap plastics, but with the exception of the recycling of PET (polyethylene terephthalate) beverage containers, little recycling of post-consumer plastic in Alberta was brought to the attention of the Panel. Additional research aimed at improving the recycling of plastics is needed, and it should be the responsibility of the plastics manufacturers to ensure that their products are recyclable.

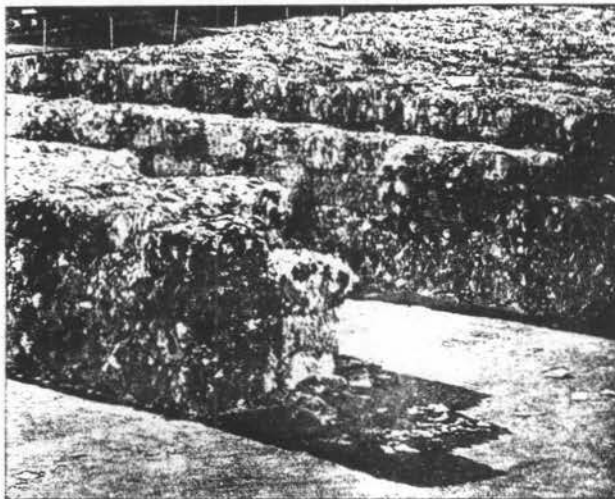
**Recommendation 62:** *Alberta, through the Minister of the Environment, should encourage Environment Canada, in conjunction with the Society of the Plastics Industry of Canada, to establish a research institute with the objective of improving the recycling of post-consumer plastics in Canada. This research institute could be funded in part by funds collected by a check-off on plastic products and in part by direct contributions from the plastics industry.*

## Development of Demand

In conjunction with increasing the supply of recyclable materials, it is equally important that the demand side of the market be developed. The following are specific recommendations to increase the demand for recyclables and for materials made from recycled goods.

Among the options that should be examined for the various grades of paper are: Pacific Rim markets, improved access to United States markets, and development of local or regional end users.

**Recommendation 63:** *A major market survey and feasibility study should be conducted by Alberta Economic Development and Trade to determine the markets for all grades of paper, and the feasibility of accessing domestic and foreign markets.*



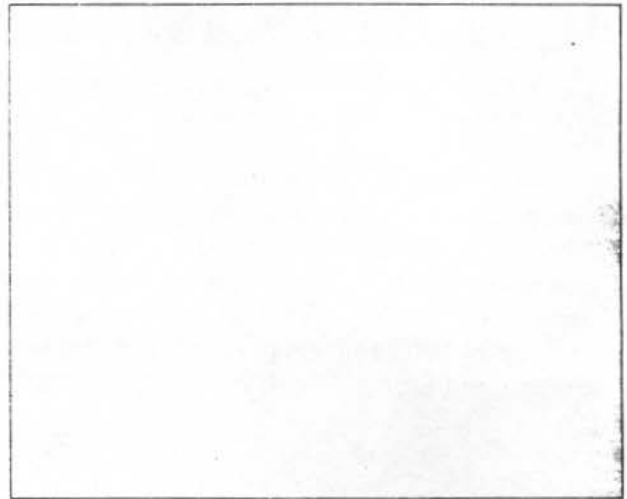
Paper stockpiled by I G Paper Recycling. Are there markets for our surplus waste paper in other parts of the world?

The use by the government of paper containing recycled fiber would set an example for others, promote the use of recycled paper and help create a market. It is the role of government to take a lead in promoting and using recycled materials where possible.

**Recommendation 64:** *Alberta Public Works, Supply and Services should investigate the feasibility of requesting suppliers of paper to the government to supply paper containing recycled fiber.*

Cullet can be used in the manufacture of fiberglass at levels of up to 30 percent on a continuous basis. At present the two fiberglass plants in Alberta use only small amounts of uncured scrap fiberglass generated in their manufacturing process, but they are interested in using cullet from other sources. Although the fiberglass companies would not be major users of cullet, they offer potential to diversify markets for cullet, especially in northern Alberta and for green cullet, which is usually in over-supply.

**Recommendation 65:** *Alberta Environment and Alberta Economic Development and Trade, in conjunction with the fiberglass industry, should undertake a study to determine the feasibility and economics of supplying cullet, especially green, for use by the fiberglass industry.*



Glass bead - beaded cullet is used in reflective signs and markers and for sandblasting. Are there additional uses for waste glass?

Expansion of used oil recycling is hampered not only by the present low value of oil, but also by poor development of markets. Neither of the two oil re-refiners in Alberta have achieved a major breakthrough into the automotive oil markets, although the re-refined oils meet all of the specifications for automobile engines. To capture a significant portion of this market would require a major effort in market development.

**Recommendation 66:** *Alberta Environment and Alberta Public Works, Supply and Services should work together with the used oil re-refiners to determine the market for recycled oil and to promote its use in federal, provincial, and municipal government vehicles.*



Lubie Lube - recycled oil products made by Hub Oil Ltd.

As a result of beer and soft drinks in Alberta being sold in aluminum cans, a considerable amount of aluminum is collected through the universal depots and the beer container return system. Currently, this scrap is sorted and baled in Alberta before proceeding through dealers in Calgary and Edmonton or Vancouver to markets

in the United States or eastern Canada. It is possible that there is now, or soon will be, sufficient aluminum scrap recovered to support further processing in Alberta.

**Recommendation 67:** *Alberta Environment and Alberta Economic Development and Trade should investigate the feasibility of further processing aluminum scrap within Alberta.*

A co-operative effort is required whenever a recycling or environmental issue has the potential to be beneficial to society but extends beyond the jurisdiction of a single province. Recycling is such an issue, and a mechanism is needed to encourage co-operative efforts, especially in aspects such as markets for recycled newspaper, management of pesticide containers, investigation of landfilling costs, integration of waste exchanges, and information and education programs.

**Recommendation 68:** *Alberta, through the Minister of the Environment, should encourage the development of a Western Canadian Recycling Committee. The Committee's prime objective should be to promote co-operative recycling efforts across Western Canada.*

As evidenced by the status of the present recycling industry, recycling can thrive in Alberta. An already considerable recycling industry exists. If recycling is treated fairly and equitably, if it does not have to compete against subsidized waste collection and disposal services, or against industries that receive special considerations because they are using virgin materials, then recycling can expand substantially. Implementation of the Panel's recommendations would build on the existing resource recovery industry in Alberta toward even greater levels of recycling, and an ultimate objective of recycling or reusing most materials presently discarded as waste.



The Council wishes respectfully to place these recommendations and this report before you.

Environment Council of Alberta  
Panel on Recycling of Waste in Alberta

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Merrill K. Morstad, Chairman

A handwritten signature in cursive script, appearing to read "Alistair Crerar".

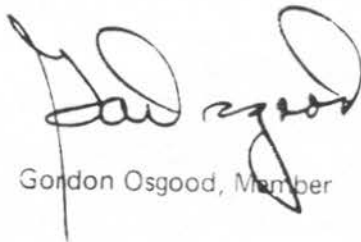
Alistair D. Crerar, Vice-Chairman

A handwritten signature in cursive script, appearing to read "David Chan".

David Chan, Member

A handwritten signature in cursive script, appearing to read "Bob Jones".

Robert M. Jones, Member

A handwritten signature in cursive script, appearing to read "Gordon Osgood".

Gordon Osgood, Member

# APPENDIX

## Background Reports

### **Municipal Solid Waste — Alberta's Untapped Resource?** Brian Free. 1985

About 1.8 million tonnes of municipal solid waste are discarded each year in Alberta. This report answers questions such as: What is the composition of this waste? How is it collected, transported, and disposed of? What waste treatment practices are available to handle this waste and what might be done in the future?

### **A Social Perspective of Recycling in Alberta** Brian Free. 1986

In this report recycling is examined from a social perspective. What is the role of public attitudes and personal motivation? What are some of the social costs and benefits of recycling? The report also describes the involvement of individuals and groups in recycling activities.

### **Resource Recycling in Alberta** John Lilley. 1985

This report discusses the amounts of metals, rubber, glass, lubricating oil, plastics, and paper used and recycled in Alberta and some of the opportunities and constraints that affect increased recycling of these materials.

### **Garbage to Gold? Issues and Opportunities: Terms of Reference and Background Information** John Lilley. 1985

This report presents the terms of reference for the hearings, describes the hearing process, and provides a summary of the background reports, highlighting some of the issues relevant to the hearing and public consideration of the topic.

### **Economic Barriers to Recycling** Cal Webb. 1985

This report discusses some of the environmental advantages to recycling in the context of the flow of materials through the economy, and describes some basic economic obstacles to recycling and to increasing the supply of and demand for recycled products.

### **The Use of Municipal Waste as Fuel (reprint)** Cal Webb. 1983.

This report, prepared in 1983, reviews literature related to the use of municipal waste as a fuel for power generation and discusses some of the options that involve separation and processing of usable elements in the waste. The report also describes some issues relevant to discussion of landfilling versus energy and resource recovery options.

### **Legislation, Policies, and Programs Affecting Recycling in Alberta** Tom Rogers. 1986

This report, prepared by and available from Alberta Environment, describes and discusses legislation, policies, and programs in Alberta that affect recycling. Included are reviews of the Beverage Container Act, the Oil Drop Program, Alberta Environment's Municipal Resource Recovery Program for assisting local recycling efforts, and the Alberta Waste Materials Exchange.

### **Bibliography of Recycling** Brian Free (comp.). 1986

This is a bibliography of reference materials used in the preparation of the background reports. Sources and call numbers are provided where available.

### **Video Tape**

The Environment Council of Alberta, in co-operation with Alberta Environment, also has prepared a video tape called *One Man's Garbage, Another Man's Gold?* This 15-minute video tape was used during the information program to provide an overview of recycling in Alberta and discussion of some future options. It may be borrowed from the Environment Council Library.

DATE: November 16, 1988  
TO: Dir. of Engineering Services  
FROM: City Clerk  
RE: SOLID WASTE STUDY

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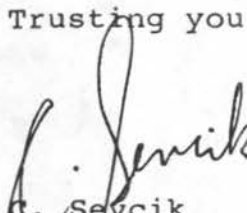
Your report dated September 20, 1988, and the study prepared by Reid, Crowther & Partners Ltd. relating to alternate methods of handling solid waste received consideration by Council at its meeting held on November 14, 1988.

At the aforesaid meeting, Council passed the following motion:

"RESOLVED that Council of The City of Red Deer having considered report from the Dir. of Engineering Services dated September 20, 1988, re: Solid Waste Study, hereby agree that the method of solid waste disposal for the City of Red Deer be direct haul to landfill and Council further agrees that the Engineering Department prepare a report on a more detailed approach of this method and an aggressive recycling program, with same being submitted back to Council for further consideration and as presented to Council November 14, 1988."

While Council passed the above motion, considerable concern was expressed by members of Council that we may be ruling out other viable options. It is my understanding that once you have the terms of reference completed, you will submit same back to Council for review and consideration before proceeding any further.

Trusting you will find this satisfactory.

  
G. Sevcik  
City Clerk  
CS/ds  
c.c. City Commissioners

DATE: November 9, 1988  
TO: Mayor and Members of Council  
FROM: Manager Economic Development  
RE: OPTION AND LAND SALES AGREEMENT - MOHAWK PROPERTY CORPORATION/  
THE CITY OF RED DEER - LOT 1, BLOCK 3, PLAN 812-1569

---

Mohawk Property Corporation is requesting that they be given a 30 day extension to their option agreement in order to allow them time to prepare final plans for the area. We are prepared to support this request for two reasons:

1. At the time Mohawk acquire the land, it was still zoned agriculture use. As a result, there was a delay while the City arranged a re-zoning to industrial. That zoning is now in place, but it was only completed on November 14.
2. There was a misunderstanding between the City and Mohawk as to their obligation for landscaping the rear yards of the property. This was partly the result of misinformation provided to Mohawk by the City.

Provided the City is prepared to grant the extension, Mohawk expects to proceed with the development as originally proposed.



Alan W. Scott  
MANAGER ECONOMIC DEVELOPMENT

AVS/mm

Att.

Commissioners' Comments

We would concur with the recommendations of the Economic Development Manager.

"R.J. MCGHEE"  
Mayor

"M.C. DAY"  
City Commissioner



121.

**Mohawk Property Corporation**

6400 Roberts Street  
Burnaby, B.C.  
V5G 4G2

(604) 299-7244  
Fax: (604) 299-3813

November 8, 1988

The City of Red Deer  
P.O. Box 5008  
Red Deer, Alberta  
T4N 3T4

ATTENTION: Mr. William F. Lees  
Land Supervisor

Dear Sirs:

RE: Option and Land Sales Agreement  
Lot 1, Block 3, Plan 812 1569  
Red Deer, Alberta

We refer to Clause C of the Option and Land Sales Agreement,  
dated August 29, 1988.

We hereby request an extension of time to exercise our option to  
December 8, 1988.

Yours truly,

MOHAWK PROPERTY CORPORATION

  
Peter H. Vandriel  
Vice-President

EXTENSION OF TIME TO DECEMBER 8, 1988  
AGREED AND APPROVED, THIS DAY  
OF NOVEMBER, 1988.

THE CITY OF RED DEER

PER:

AUTHORIZED SIGNATORY

THE CITY OF RED DEER  
LAND & TAX DEPARTMENT

<b>RECEIVED</b>	
TIME	
DATE	Nov. 8/88
BY	[Signature]

DATE: November 16, 1988  
TO: Economic Development Manager  
FROM: City Clerk  
RE: OPTION AND LAND SALES AGREEMENT  
MOHAWK PROPERTY CORPORATION/LOT 1, BLK. 3, PLAN 812-1569

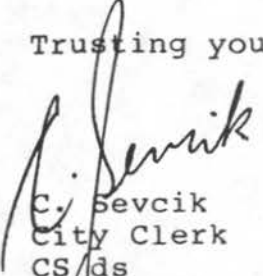
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Your report dated November 9, 1988, concerning the above topic was presented to Council, November 14, 1988, and at which meeting Council passed the following motion.

"RESOLVED that Council of The City of Red Deer having considered report from the Economic Development Manager dated November 9, 1988, re: Option and Land Sales Agreement - Mohawk Property Corporation/The City of Red Deer - Lot 1, Block 3, Plan 812-1569 hereby grant a 30 day extension to Mohawk Property Corporation on their option agreement for said lands in order to allow Mohawk time to prepare final plans for the area and as recommended to Council November 14, 1988."

The decision of Council in this instance is submitted for your information and appropriate action.

Trusting you will find this satisfactory.

  
C. Sevcik  
City Clerk  
CS/ds  
c.c. Dir. of Finance  
City Assessor



DATE: November 4, 1988  
TO: Mayor and Members of Council  
FROM: Manager Economic Development  
RE: RAILWAY RELOCATION PROJECT

---

The final alignment of the proposed CP main line entering the City from the north, has resulted in slight adjustment in boundaries to some of the industrial lots in Edgar Industrial Park. One of the affected properties has not been sold, and therefore the adjustment can be made and the lot advertised at the new selling price.

The second lot that has been affected was sold by The City of Red Deer to Halliburton Services Limited, and is currently occupied by their central Alberta operation. A map is attached, indicating a parcel consisting of 0.123 ha (0.305 acres) which will lie between the Halliburton Services' lot and the proposed CP main line. The land is not required by the City, and indeed would create problems in the areas of weed control, etc.

Halliburton has developed their lot with the understanding that rail service in a form of a spur line would be provided from the east. CP's preference is to run the spur to the Halliburton property from the west side, which will result in several minor changes being required within the Halliburton property. While the additional land owned by the City, between Halliburton's property and the CP main line, is not necessary for the rail service to proceed, Halliburton has agreed that they would be prepared to acquire the land from the City, consolidate it with their parcel and realign their fence to include it.

Certainly it would be preferable for the land to be included as part of Halliburton's site, and we would therefore recommend The City of Red Deer enter into an agreement with Halliburton Services Limited, to sell them this small parcel of land for One (\$1) Dollar.



Alan V. Scott  
MANAGER ECONOMIC DEVELOPMENT

AVS/mm

Att.

cc: Al Knight  
Engineering Department



123.

## HALLIBURTON SERVICES LIMITED

W. P. (PETE) NIVEN  
VICE-PRESIDENT AND GENERAL MANAGER

1100 Calgary House  
550 Sixth Avenue S.W.  
Calgary T2P 0S2, Alberta

TELEPHONE (403) 269-6141

October 31, 1988

The City of Red Deer  
P. O. Box #5008  
Red Deer, Alberta  
T4N 3T4

Attention: Mr. Alan V. Scott

Dear Sir:

### Re: Additional Land Acquisition

With reference to your letter dated October 19, 1988, Halliburton Services Limited is in agreement with your proposal to acquire for one (\$1.00) dollar the 0.305 acres as indicated on the map, Lot 5, Plan 832 2008.

Halliburton Services Limited agrees to fence re alignment, etc.

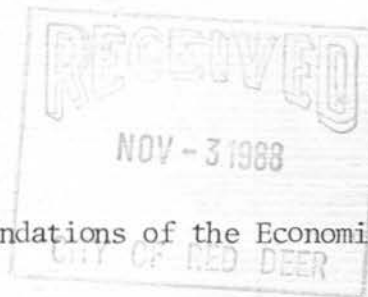
Yours truly,

W. P. Niven

WPN:in

### Commissioners' Comments

We would concur with the recommendations of the Economic Development Manager.



"R.J. MCGHEE"  
Mayor

"M.C. DAY"  
City Commissioner



A Halliburton Company

CLOSE

EDGAR

200.02

44

198.80  
183.25

LOT 3-B  
BLOCK 3  
PLAN 832 2008  
(BOARD ORDER 103-M-86/87)

AREA PROPOSED TO BE ADDED  
TO LOT 3B =  
0.123 ha. ( 0.305 Ac.)

EXISTING LOT LINE  
EXISTING FENCE

858.10  
160.33

683.00  
94.22

EXISTING FENCE

916.19  
32.82

31.56

858.10  
17.68

AREA  
= 0.005 ha. ( 0.012 Ac.)

42.01

1149.16  
24.37

44

210.91  
208.95

LOT 1-A  
PLAN 832 2008

1' 29' 09"  
1149.16  
29.80

EXISTING LOT LINE

PROPOSED R.R. BO

PROPOSED R.R. CENTRI

PROPOSED R.R. BOUNDAR

LOT 5  
PLAN 832 2008

# RED DEER

PLAN SHOWING AREAS AFFECTED by  
RAILWAY RELOCATION on  
LOT 3-B, BLOCK 3, PLAN 832 2008  
in the N.W.1/4 SEC.32, TWP.38, RGE.27 W4M

DATE: November 16, 1988  
TO: Economic Development Manager  
FROM: City Clerk  
RE: RAILWAY RELOCATION PROJECT/HALIBURTON SERVICES LTD.  
EDGAR INDUSTRIAL PARK

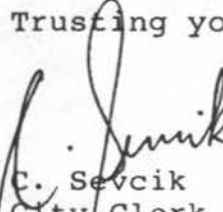
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Your report dated November 4, 1988, concerning the above topic was presented to Council November 14, 1988, and at which meeting Council passed the following motion:

"RESOLVED that Council of The City of Red Deer having considered report from the Economic Development Manager dated November 4, 1988, re: Railway Relocation Project hereby agree to the sale of land to Haliburton Services Ltd., as outlined in the above noted report from the Economic Development Manager, for \$1.00 subject to an agreement satisfactory to the Economic Development Manager and City Solicitor, and as recommended to Council by the Administration November 14, 1988."

The decision of Council in this instance is submitted for your information and appropriate action. I trust you will ensure an appropriate agreement is prepared and executed by all parties.

Trusting you will find this satisfactory.

  
C. Sevcik  
City Clerk  
CS/ds

c.c. Dir. of Finance  
City Assessor  
Dir. of Engineering Services  
Urban Planner

November 7, 1988

125.

TO: City Commissioners  
FROM: City Assessor  
RE: LOTS 2 & 3, BLOCK 48, PLAN 6990 E.T.  
5321 - 47 AVENUE  
LEASE TO BOY SCOUTS OF CANADA

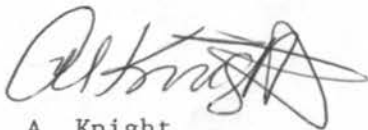
The above described City land has been leased to the Boy Scouts Association for the past twenty four years. The existing lease agreement expires on February 28, 1989.

As per the attached correspondence the Scout Association wishes to renew their lease on the property for a 5 year period.

There are no objections from other City Departments to the lease of these lands, with the exception of the Director of Community Services showing concern about the maintenance of the property.

We therefore recommend that a new lease be subject to the following and approval for same be granted.

1. 5 year term at \$5.00 per year, option to renew.
2. 30 Day cancellation clause
3. Site to be properly maintained and kept free of garbage, to the satisfaction of the Parks Manager (present condition is unsatisfactory);
4. The lease area to be fenced with a 1.8m chain link fence, as indicated on the attached sketch.
5. Standard lease agreement to be entered into.



A. Knight

WFL/dm



# BOY SCOUTS OF CANADA

RED DEER DISTRICT  
RED DEER, ALBERTA  
CANADA



126.

October 21, 1988  
Red Deer District Scouts  
36 5344 - 76 St.  
Red Deer, Alta. T4P 2A6

City of Red Deer  
City Hall, Red Deer  
%Mr. William Lees  
Land Supervisor

Dear Sir:

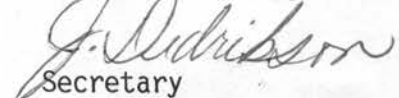
Please be advised that we would like to renew the lease on the Log Cabin Lots 2 and 3 Block 48 Plan 6990ET. This renewed lease would be for a five year period (please refer to clause 33 of present lease agreement).

The City of Red Deer is added to our Insurance Policy as an Additional Insured, but only with respect to lease of said property by the Boy Scouts of Canada.

We will expect to hear from you in the near future. Thank you.

Sincerely,

Jo-Anne Didrikson



Secretary

Red Deer District Scouts

## Commissioners' Comments

We would concur with the recommendations.

"R.J. MCGHEE"

Mayor

"M.C. DAY"

City Commissioner

*Received Oct 25/88  
W.F. Lees*



DATE: November 16, 1988  
TO: City Assessor  
FROM: City Clerk  
RE: BOY SCOUTS OF CANADA  
LOTS 2 & 3, BLOCK 48, PLAN 6990 E.T.  
5321 - 47 AVE.

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Your report dated November 7, 1988, concerning the above was presented to Council November 14, 1988, and at which meeting Council passed the following motion.

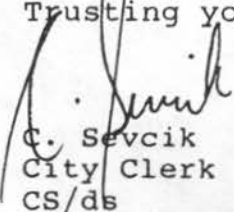
"RESOLVED that Council of The City of Red Deer having considered report from the City Assessor dated November 7, 1988, re: Lots 2 & 3, Block 48, Plan 6990 E.T., 5321 - 47 Avenue/lease to Boy Scouts of Canada hereby approve a new lease to the Boy Scouts of Canada for the above noted lands subject to the following conditions:

1. 5 year term at \$5.00 per year, option to renew
2. 30 day cancellation clause
3. Site to be properly maintained and kept free of garbage, to the satisfaction of the Parks Manager (present condition is unsatisfactory);
4. The lease area to be fenced with a 1.8 m chain link fence, as indicated on the attached sketch
5. Standard lease agreement to be entered into satisfactory to the City Solicitor

and as recommended to Council November 14, 1988."

The decision of Council in this instance is submitted for your information and I trust that you will convey said decision to the Boy Scouts of Canada. If said conditions are acceptable to the Boy Scouts of Canada, please ensure that appropriate legal documentation is prepared and executed by all parties.

Trusting you will find this satisfactory.

  
C. Sevcik  
City Clerk  
CS/ds

c.c. Dir. of Community Services  
Dir. of Engineering Services  
Dir. of Finance  
Urban Planner  
Bylaws & Inspections Mgr.

DATE: November 8, 1988

TO: City Clerk

FROM: City Assessor

RE: CITY'S DEER PARK PHASE IIA  
GROUP HOME SITE - DIXON CRESCENT  
(SEE ATTACHED MAP)

---

We respectfully submit for City Council's information the following comments.

On April 13, 1981, City Council approved a policy whereby sites for development of group homes would be set aside in subdivisions to be developed by The City of Red Deer.

Upon City Council's approval of the overall concept plan for Deer Park on September 28, 1981, a group home site was identified. This site is situated in Phase IIA which presently is being serviced, with completion of all servicing excluding constructed lanes and paving scheduled for this month.

A call for submissions to develop the proposed group home site was advertised and closed on October 28, 1988.

One submission was received from F & H Child Care Services of Red Deer. This submission is for the purchase of  $\frac{1}{2}$  of the proposed group home site. One half of this site is equivalent in area to a single family lot with a 54' frontage. The F & H proposal is to develop a single family dwelling compatible to the architecture of the community. F & H Child Care Services presently have a similar structure for their services at 74 Denovan Crescent (situated in Melcor's Deer Park). The City Clerk has pictures of this development for City Council's review.

The Social Planning Manager (comments attached) has reviewed the services to be provided by F & H Child Care Services and supports their application.

City Council approval is respectfully requested for the sale of this site by way of the standard residential land sale agreement excluding the residency condition and based on the pricing and policy report submitted for City Council's approval, found elsewhere on this agenda.

City Council's approval is requested for the remaining portion of this group home site (crosshatched on the attached map) to be registered as duplex lots (zoning already in place) and placed on the open market at the same time as the overall sale of Phase IIA lots (tentatively scheduled for late November 1988/first part of December 1988) on the condition that if these lots are not sold to the Homeowner and Contractor categories that a group home could possibly purchase these lots in the future for group home use.

  
Al Knight, A.M.A.A.

WFL/bw

att'd.

SP-1.919

DATE: November 3, 1988

TO: BILL LEES  
Land Supervisor

FROM: RICK ASSINGER  
Social Planning Manager

RE: F & H CHILD CARE SERVICES  
GROUP HOME PROPOSAL

---

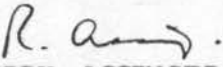
I have now had an opportunity to review the Group Home Proposal for the Deer Park subdivision with Hank Hubert, Director of F & H Child Care Services. This organization is in the process of relocating some of their services in order to provide a more effective range of Child Welfare resources available to the Central Alberta region. Their plan is to develop a group home on the Deer Park site to provide a Residential Treatment Program for youth between the ages of twelve and eighteen with behavior and emotional problems. The appearance of the facility would be similar to the group home they currently operate on Denovan Crescent. Its function would be similar to that of the Parkland Clinical Treatment facility in Glendale, but not quite as intensive. They would offer an education program on site and the youth would stay in this facility for an average length of six months. The young people in this facility would be from the Central Alberta area and the longer-term plan would be to have them reunited with their family. The young people in this facility would become part of their home based/family therapy program which attempts to reunite the family.

F & H Child Care Services has now had an extensive and successful involvement in the Child Welfare field. They are well qualified to operate this facility and will seek its integration with the rest of the neighbourhood. Although the young people scheduled to reside in this facility would have more serious social problems than the youth residing in their Denovan

.../2

Group Home, they have adapted their program to provide a more intensive treatment. They also operate the Youth Assessment Centre which would be used to accommodate any youths that might present danger to themselves or others.

I would recommend in support of the proposal by F & H Child Care Services to operate the proposed group home from the Deer Park Group Home site.

  
RICK ASSINGER

RA/ad

c.c.     Hank Hubert, Director, F & H Child Care Services  
           Craig Curtis, Director of Community Services

OF FOOTING AND LOT DIMENSIONS WITH THE  
CITY ENGINEERING DEPARTMENT-BUILDING GRADES.

131.



F&H SITE

FUTURE ACCESS TO  
DOUGLAS AVENUE

FUTURE GROUP  
HOME SITE

FUTURE MULTIPLE FAMILY SITE

DIXON AVENUE

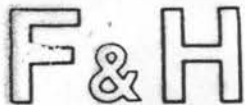
DIXON AVENUE

FOR SALE AT THIS TIME AS  
AS A TEMPORARY PUBLIC  
DIVISION.

32 STREET

UTURE 4 LANE DIVIDE c/w BERM





Child Care Services Ltd.  
Directors: R. Foss, H. Hubert

YOUTH ASSESSMENT  
CENTER  
26 Gunn Street  
RED DEER, ALBERTA  
T4P 2N2  
Phone (403) 340-5363

DENOVAN PLACE  
74 Denovan Cres.  
RED DEER, ALBERTA  
T4R 1W2  
Phone (403) 342-5124

DIREWOOD  
RECEIVING HOME  
74 Denovan Cres.  
RED DEER, ALBERTA  
T4R 1W2  
Phone (403) 342-7907

HOME BASED  
TREATMENT  
Ste. 211, 4711 - 51 Avenue  
RED DEER, ALBERTA  
T4N 6H8  
Phone (403) 343-3422

SUPPORTED  
INDEPENDENT LIVING  
Ste. 211, 4711 - 51 Avenue  
RED DEER, ALBERTA  
T4N 6H8  
Phone (403) 343-3422

132.



Alberta Association of Services  
for Children and Families  
Accredited Member

October 27th, 1988

City Deer Park Phase II Group Home Site,  
City Hall,  
4914 - 48 Avenue,  
RED DEER, Alberta.

Dear Sirs,

Please accept this submission for the purchase of 1/2 (one-half) of the proposed group home site with the Deer Park subdivision (South of 39th Street and East of 30th Avenue). We propose to develop a single family dwelling, compatible in every sense to the surrounding community, on a single lot of approximately 1/2 the size of the lot designated as "Deer Park Phase II Group Home Site". If necessary we would be prepared to develop a facility by modifying a duplex design to be compatible with the immediate community.

F & H Child Care Services Ltd. has been serving the child welfare needs of Red Deer and area for the past thirteen years through the following programs.

Youth Assessment Centre  
Denovan Group Home  
Direwood Assessment Centre  
Supported Independent Living  
Home-Based Treatment

We feel, as does the Child Welfare Branch of the Department Of Social Services, Central Region, that we could better meet these needs by making a change in location of a couple of the programs that we presently offer. This would be facilitated by moving the treatment program, which is presently a part of the Youth Assessment Centre to the proposed new location and move the Direwood Assessment Centre into the Youth Assessment Centre. The present Direwood location, in the County of Lacombe would be considered for a treatment program for children under the age of thirteen at a future date.

....2

The Programs offered at that future date would be:  
 (note proposed locations of residential programs)  
 \* indicates the new sight requested

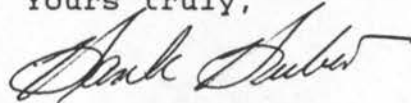
Youth Assessment Centre	(Red Deer, city)
Denovan Group Home	(Red Deer, city)
Open Treatment Program ages 12-17	(Red Deer, city)*
Open Treatment program ages to 13	(Lacombe, county)
Supported Independent Living	
Home-Based Treatment	

Please find enclosed a program description of the proposed program as well as organizational charts for the Agency.

We would be glad to provide greater details and answer any questions that will aid in the acceptance and approval of this proposal.

Thank you for your consideration.

Yours truly,



Hank Hubert,  
 Director,  
 F & H Child Care Services Ltd.

Commissioners' Comments

We would concur with the recommendations of the City Assessor.

"R.J. MCGHEE"  
 Mayor

"M.C. DAY"  
 City Commissioner



# DEER PARK - CITY

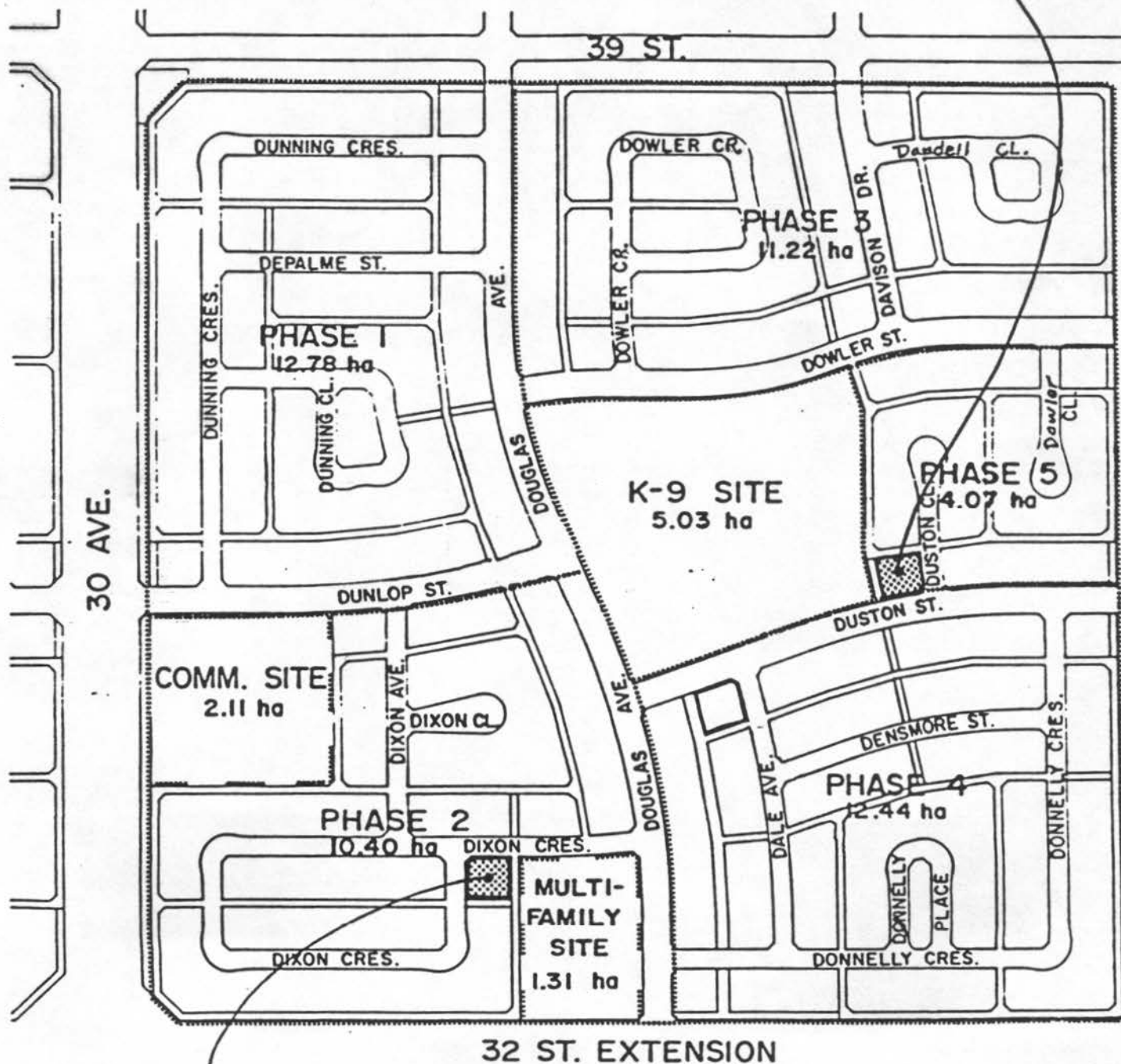
134.

N.W. 1/4 SEC. 11-38-27 W. 4th

GROSS DEVELOPMENT AREA=59.36 ha.

SCHEDULE B

*Proposed Day Care Facility*



*Proposed Group Home Facility*



74 DENOVAN CRES

74 Denovan Cres



74 DENOVAN CRES.

Pertains  
group home  
site  
stein 21-Reports

## SUPPORTED INDEPENDENT LIVING PROGRAM

### INTRODUCTION

In 1986 F & H Child Care Services Ltd. initiated a program in Central Alberta which focused itself to the needs of 15 to 18 year old youths who were in need of developing an independent life style. The Supported Independent Living Program was designed to provide support for youths in being able to acquire an appropriate education or training, locate suitable employment and be responsible for themselves in maintaining housing and facing day to day trials and tribulations. The focus is to have the youths integrate with the community at large and become a contributing member of that community.

### STATEMENT OF NEED

It is recognized that many of the youths who are leaving traditional institutional care lack an adequate exposure to real life independence. They are notoriously unrealistic in their perception of the demands of an independent life style. They require not only food and shelter, but also a support system which is capable of providing them with guidance in order that they might make the transition from dependent adolescent to independent adult. They are in need of basic life skills such as financial budgeting, career counselling, meal planning and preparation and even an exposure to appropriate leisure time activities. These skills are of a nature that they must be experiential in order that the concepts might be realistic. It is this need that the Supported Independent Living Program has attempted to respond to.

### TARGET POPULATION

Although initially conceived as a program which was to address the needs of youths coming out of institutional care, the Supported Independent Living Program is also capable of meeting the needs of other youths who might benefit from the concept. Included in the target population of the S.I.L. Program, therefore, are 15 to 18 year old youths who are:

- Wards of the Province who, for one reason or another, cannot function in traditional foster home settings, who have no family support and yet do not require the relatively structured environment of residential treatment.
- Youths who are leaving group homes but do not have family or foster care available to support them.
- Youths who are in conflict with their families and require assistance in making the transition to an independent life style.
- Youths who despite a nurturing environment in the home have not

been able to acquire the skills necessary for an independent life style.

#### PROGRAM

The primary goal of the Supported Independent Living Program is to provide a setting in which the clients can successfully initiate a normalized and successful independence by the time they reach the age of 18 years. Arising from this primary objective are many secondary goals. These secondary goals consist primarily of applied functions necessary for assisting these youths in their attempts to obtain a successful independence.

The program attempts to establish a supportive and accepting milieu. An environment in which the clients can use real life situations to prepare for independence through experience. A major building block for S.I.L. is a life skills program which is a diverse program concentrating on a variety of things including the responsible handling of money, food planning and preparation, home maintenance, profitable use of leisure time and an active pursuit of employment and education.

S.I.L. resident workers offer the youths school and/or employment supports as well as the supports for coping with day-to-day discouragements or setbacks. While promoting self-reliance and an independent life style, the program also assists its clients in acknowledging how his/her behaviors result in an impact on themselves and the community. The youths are encouraged to recognize that they are responsible for any predicament they might find themselves in and also responsible for resolving those predicaments. Not only does this program offer accommodation for these youths, but just as important, it offers them the opportunity to experience and come to terms with the consequences of their own behaviors. Through the experience of making mistakes and through discussion and guidance relative to those mistakes, clients learn how to resolve both every day and long term problems. By guiding the clients through a problem solving process, the avenues open for resolutions to their problems are explored resulting in the youths learning how to better cope with later expectations.

Recreation is also an important component of the program. It is used as a medium for relationship building between the program staff, adult resident workers, and among the teens themselves. Through modeling, guidance and instruction, the constructive use of recreational activities to fill leisure time is demonstrated.

In summary then, although the primary objective of the program is to assist youths in attaining a successful independent life style, this goal is realized through a variety of secondary goals by providing:

- a positive environment
- living skill instruction



Page 3

- school and/or employment supports
- problem-solving instruction
- group interactions
- self awareness
- real life experiences
- recreational activities
- someone to turn to for guidance in times of need.

Many of the objectives of the program are attained by having the youths form their own "client executive" which determines the nature of the training they receive and the types of recreation they choose to explore. An executive committee of four youths takes an active role in determining the focus of the program at any given point in time. The executive consists of a president, a recreation director, a director of didactic training and a secretary.

The purpose of employing a model which requires the youths, under the guidance of S.I.L. staff, to run much of their own program, includes the provision of leadership training and the development of a sense of "ownership" of the program. The "term of office" for the executive is two to three months. This allows essentially every youth in the program to experience the responsibilities of group leadership.

The program is currently designed to provide for 12 clients. Each of these clients progresses through a four-phase model. A brief description of each phase follows:

#### PHASE I

Referred to as the Pre-S.I.L. Phase - the first phase of S.I.L. - consists of the intake interviews and assessments and the placement of the client in a parent-modelled residence. This residence is an established home which can accommodate up to four clients at any one point in time. While in the Pre-S.I.L. home, the clients have the opportunity to meet with potential resident workers and with potential client roommates. They are encouraged to seek out accommodations of their own and to set those accommodations up with furnishings and utilities. They are given some initial instruction with regards to budgeting and meal planning and preparation. The primary focus of this phase is therefore to allow the clients an opportunity to become established in this community while still under the protection and guidance of relatively close supervision. The secondary focus of this phase is that of an intensive assessment of the clients' capabilities for independent living. If, for example, the client is unable to use self control in meeting house rules, it is unlikely they would be able to handle the even looser structure of the next phase of the program and a recommendation for a more structured program would be made. The first phase of the program is designed to last from one to three months.

Page Four

#### PHASE II.

Assuming the client is successful with Phase I of the program, they would then proceed to Phase II. During this phase, the clients move in with an adult role-model "resident worker" and generally with another S.I.L. client. The location of the residence is agreed upon by the individuals living in the unit. The "resident workers" are not intended to be authority figures, but rather role models. The primary and secondary goals of the program are actively pursued during this phase. If there are any disciplinary actions required during this phase, it is the responsibility of the S.I.L. professional staff to explore an appropriate response. Phase II of the program is designed to last four to nine months.

#### PHASE III.

Once the clients have demonstrated an adequate level of independent living skills during Phase II, they proceed to Phase III which is similar in concept to Phase II, but with some substantial differences. The primary difference is that there is no longer a resident worker in the unit and the clients, generally together with another client, establish and operate their own apartment. Periodic supervision is provided by the S.I.L. staff. In addition to there being no resident worker, another function of Phase III is to focus on the individual needs of each client, rather than focussing on the more generic life skills provided in the earlier phases. This might be any number of specific needs and may include employment seeking, social skills training, educational planning or any number of individual needs. Phase III is of an undetermined length of time and may be limited by either a satisfactory advancement to an independent life style or it may be limited by the youth advancing in age beyond the protection of the Child Welfare System.

#### PHASE IV.

Phase IV of the program is essentially the provision of post care needs of the client. The client is released of all obligations to the program, but has nevertheless, access to the program staff and facilities. F & H Child Care Services Ltd. will continue an "open-door policy". These post clients are encouraged to participate in didactic training and recreational outings and to share both their successes and mistakes in order that other clients might benefit from that experience.

Rules within the first three phases of the program are intentionally minimal and easily understood.

Page Five

#### FACILITIES:

Phase I, the Pre-S.I.L. phase of the program, uses a residence in Red Deer located at 52 Cunningham Crescent. This residence is located in a quiet residential neighborhood and yet provides good access to bus routes. There is a convenience store a short distance away. The house uses a parented model and employs a couple to operate the facility. The house itself provides five bedrooms and three bathrooms. It has a fireplace and a deck.

Beyond that facility, the program uses a variety of houses and apartments throughout the community. These units are located, set up and furnished by the clients under the guidance of S.I.L. staff. The clients are encouraged to consider access to school, work, shopping and recreational facilities. Furnishings for the apartments are purchased by the youths, using a furnishing allowance provided them when they enter the program. Those furnishings are "earned" by the clients once they have successfully completed at least four months in the program. The clients are counselled in their purchases to consider function, cost and movability of the furnishings.

Bedding and miscellaneous household items necessary to set up housekeeping are purchased with the use of vouchers provided by the Child Welfare Department. S.I.L. staff monitor the purchases made to ensure prudent use of the funds.

#### PROGRAM STAFF:

The staffing for the S.I.L. program consists of a Program Supervisor, a Life Skills Co-ordinator, a couple who act as house parents for the Pre-S.I.L. house, as many role model resident workers as required and a program secretary.

The staff are employed and directed by F. & H. Child Care Services Ltd.



DATE: November 16, 1988  
TO: City Assessor  
FROM: City Clerk  
RE: CITY DEER PARK PHASE IIA  
GROUP HOME SITE/DIXON CRESCENT/F & H CHILD CARE SERVICES

---

Your report dated November 8, 1988, concerning the above topic was presented to Council November 14, 1988, and at which meeting Council passed the following motion.

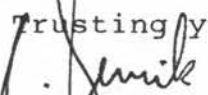
"RESOLVED that Council of The City of Red Deer having considered report from the City Assessor dated November 8, 1988, re: City's Deer Park Phase IIA Group Home Site - Dixon Crescent hereby agree as follows:

1. that Lot 56 and 57, Block 4, Plan unregistered be sold to F & H Child Care Services of Red Deer for the purpose of a Group Home subject to the standard residential land sale agreement excluding the residency condition and based on the pricing and policy report for land sales approved on November 14, 1988;
2. that Lots 54 and 55, Block 4, Plan unregistered originally designated as a group home site, be registered as duplex lots and placed on the open market at the same time as the overall sale of Phase IIA Lots on the condition that if these lots are not sold to the homeowner and contractor categories that a group home could possibly purchase these lots in the future for group home use;

and as recommended to Council November 14, 1988, by the Administration."

The decision of Council in this instance is submitted for your information and I trust that you will convey this decision to F & H Child Care Services Ltd. If the conditions of approval are acceptable to the applicant, please ensure that appropriate legal documentation is prepared and executed by all parties.

Trusting you will find this satisfactory.

  
C. Sevcik  
City Clerk

c.c. Dir. of Community Services  
Dir. of Finance  
Social Planning Manager  
Urban Planner  
Dir. of Engineering Services  
Bylaws & Inspections Manager  
E.L. & P. Manager

NO. 22

DATE: November 8, 1988

TO: A. Wilcock  
Director of Finance

FROM: K. Haslop  
Engineering Services Manager

RE: A.G.T. SITE  
PLAN 616 L.Z. - EDGAR INDUSTRIAL SUBDIVISION

---

In regards to the Land Supervisor's memo of November 3, 1988 (attached) the total estimated costs to bring the above mentioned site to a saleable standard is as follows:

1. A.G.T. Land 5.74 acres at \$1,500/acre	\$ 8,600
2. Pole removal	500
3. Stripping	15,000
4. Move existing dirt stock pile	5,500
	\$ 29,600 say \$ 30,000

Mr. Lee's memo addresses items 1 and 2. We offer two alternatives to fund items 3 and 4. Alternative A is to charge the dirt moving and stripping to the M.C.C. Project subject to Alberta Transportation approval. We feel that dirt disposal, which is what CP Rail is doing, is a legitimate charge to the Project. Failing Alternative A, then we suggest Alternative B, which is to charge the \$30,000 amount to the Edgar Subdivision. Although the Edgar Subdivision has no funds available, an interim billing of land required for the CP Rail Relocation could cover the proposed costs of preparing the A.G.T. site for sale. The \$30,000 charge to the City would provide a future offsetting revenue of 5.0 acres at \$62,500 = \$312,500, and also acquisition of the A.G.T. site (615 L.Z.) in the Westerner Grounds.

We would be pleased to discuss this with you at your earliest convenience as the earth moving is available immediately.

  
Ken G. Haslop, P. Eng.  
Engineering Services Manager

PEG/jt

c.c. Land Supervisor

DATE: November 3, 1988

TO: Technical Services Engineer

FROM: Land Supervisor

RE: AGT SITES  
WESTERNER GROUNDS - PLAN 615 LZ  
NE $\frac{1}{4}$  33-37-27-W4M  
EDGAR SUBDIVISION - PLAN 616 LZ  
NE $\frac{1}{4}$  31-38-27-W4M  
PLEASE SEE ATTACHED MAP

---

Negotiations have been carried out with A.G.T. to acquire their site at the Westerner Grounds. They have submitted the following offer.

A.G.T. is prepared to transfer the site 615 LZ (6.53 ac.) at the Westerner for \$1.00 on the condition the City acquires the site 616 LZ for a value established by a qualified independent appraiser.

We have had an appraisal completed and the estimate of value for 616 LZ containing 5.74 acres is \$8,600.00 (\$1,500.00/acre). This estimate of value considers that to make the site a developable parcel a considerable amount of stripping of unsuitable material and placement of suitable material is required.

In discussion with the Technical Engineer, he has advised that there is a very good possibility that fill can presently be obtained at no cost from the CPR relocation project, as they are looking for sites to place surplus excavation. An alternate source of clean fill could be from future industrial development.

It has also been indicated the the stripping of the site prior to the placing of clean fill could possibly be negotiated presently with the CPR at a nominal cost, as the equipment is onsite (\$15,000.00).

On behalf of The City of Red Deer I verbally offered to purchase the 616 LZ site for the appraised value, subject to Council approval. Mr. Hobbs indicated that he would recommend acceptance of this offer to his board as they did not wish to retain this site in their inventory.

Mr. Hobbs also gave verbal permission to proceed with the stripping and filling of the site. Mr. P. Grainger and Mr. K. Haslop are to review the stripping and filling costs with CPR, and discuss with A. Wilcock prior to any stripping taking place.

The City of Red Deer's Electric Light and Power Department has agreed to remove the 11 power poles from the site at an estimated cost of \$500.00 (possibly no charge if they can make use of these poles). The charging

Technical Services Engineer  
Page 2  
November 3, 1988

of this cost to the subdivision to be disucssed with A. Wilcock.

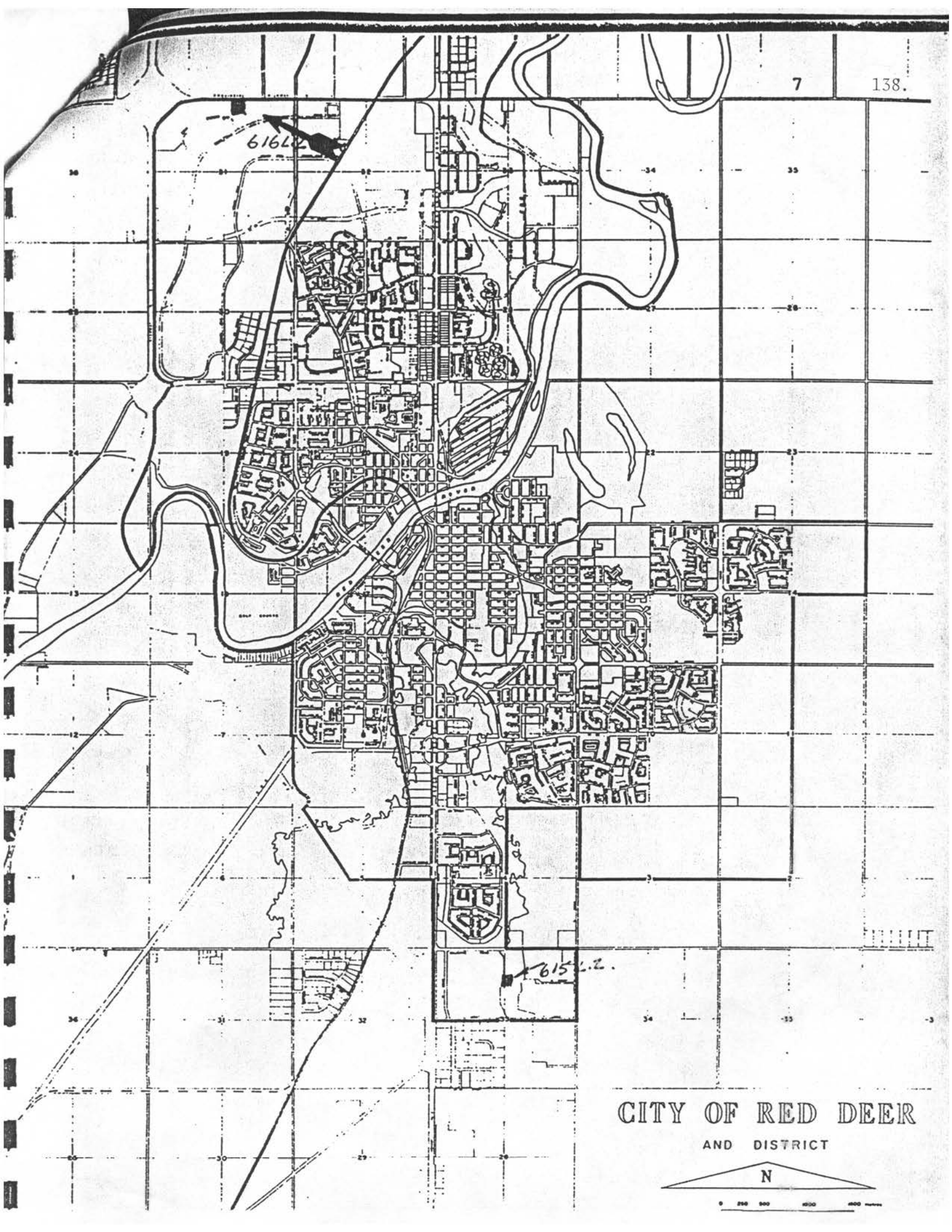
We would appreciate your approval to proceed with an offer to A.G.T. based on the appraised value of \$8,600.00 for site 616 LZ on the condition that the fill is available at a reasonable cost. The resale of this parcel with fill could generate a value of \$250,000.00 to \$300,000.00.



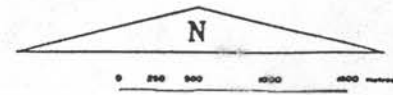
W. F. Lees

WFL/bw

att'd.



CITY OF RED DEER  
AND DISTRICT



DATE: NOVEMBER 8, 1988  
 TO: CITY CLERK  
 FROM: DIRECTOR OF FINANCE  
 RE: AGT SITE - EDGAR INDUSTRIAL SUBDIVISION

---

The proposal being made in the attached correspondence from the Engineering Services Manager and the Land Supervisor is to expend \$30,000 which will:

1. Acquire the AGT site consisting of 5.74 acres in the Edgar Industrial Subdivision for a cost of \$1,500/acre (total \$8,600).
2. Provide fill for the site from the CPR after stripping the site at a total cost of \$20,500.
3. Remove existing poles at a cost of \$500.

If the City agrees to acquire the site in the Edgar Industrial Subdivision for the appraised value of \$1,500/acre; A.G.T. has agreed to transfer 6.53 acres it owns in the Westerner grounds to the City for \$1.00.

#### RECOMMENDATION

It is recommended City Council agree to spend \$30,000 to acquire and prepare the A.G.T. site in the Edgar Industrial Subdivision. If possible, the stripping and moving costs of \$20,500 are to be charged to the Corridor project with any balance to be charged to the 1989 contribution to the Major Capital Projects Reserve.



A. Wilcock, B. Comm., C.A.  
 Director of Finance

AW/mrk

c.c. Land Supervisor  
 Engineering Services Manager

#### Commissioners' Comments

We would concur with the recommendations.

"R.J. MCGHEE", Mayor  
 "M.C. DAY", City Commissioner



DATE: November 16, 1988  
TO: Engineering Services Manager  
FROM: City Clerk  
RE: A.G.T. SITE PLAN 616 L.Z. - EDGAR INDUSTRIAL SUBDIVISION

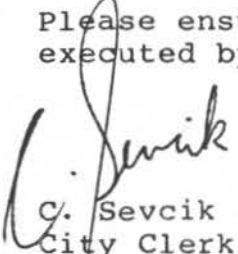
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Your report dated November 8, 1988, concerning the above topic was presented to Council November 14, 1988, and at which meeting Council passed the following motion.

"RESOLVED that Council of The City of Red Deer having considered various reports from the Administration re: A.G.T. site Plan 616 L.Z. - Edgar Industrial Subdivision hereby agree to expend \$30,000.00 to acquire and prepare the A.G.T. site in the Edgar Industrial Subdivision and further that if possible the stripping and moving costs of \$20,500.00 are to be charged to the Major Continuous Corridor Project with any balance to be charged to the 1989 contribution to the major capital projects reserve and as recommended to Council November 14, 1988, by the administration."

The decision of Council in this instance is submitted for your information and appropriate action.

Please ensure that appropriate legal documentation is prepared and executed by all parties. Trusting you will find this satisfactory.

  
C. Sevcik  
City Clerk  
CS/ds

c.c. Dir. of Engineering Services  
Dir. of Finance  
City Assessor  
Urban Planner  
Econ. Dev. Mgr.  
City Solicitor



**CHAPMAN RIEBEEK SIMPSON CHAPMAN WANLESS**

Barristers &amp; Solicitors

THOMAS H. CHAPMAN, Q.C.\*  
NICK P. W. RIEBEEK\*  
DONALD J. SIMPSON  
T. KENT CHAPMAN  
GARY W. WANLESS\*

---

\*Denotes Professional Corporation

208 Professional Building  
4808 Ross Street  
Red Deer, Alberta T4N 1X5

---

TELEPHONE (403) 346-6603

TELECOPIER (403) 340-1280

Your file:

Our file:

November 9, 1988

The City of Red Deer  
P.O. Box 5008  
Red Deer, Alberta  
T4N 3T4

ATTENTION: Mayor and Members of City Council

Dear Sirs:

**Re: Railway Relocation, Joseph Pitt - Expropriation**

This will confirm that all persons having an interest in the lands owned by Mr. Pitt and registered in the name of the Director, the Veteran's Land Act, have been served in accordance with the provisions of the Expropriation Act.

I enclose copy of Statutory Declaration provided by the Director, the Veteran's Land Act verifying that they have no equity or interest in the said lands.

More than 21 days have expired from the date of service of documents upon the owners, and accordingly, the City may now pass a resolution to approve the expropriation of the said land.

A proposed resolution has been provided to the City Clerk for your consideration.

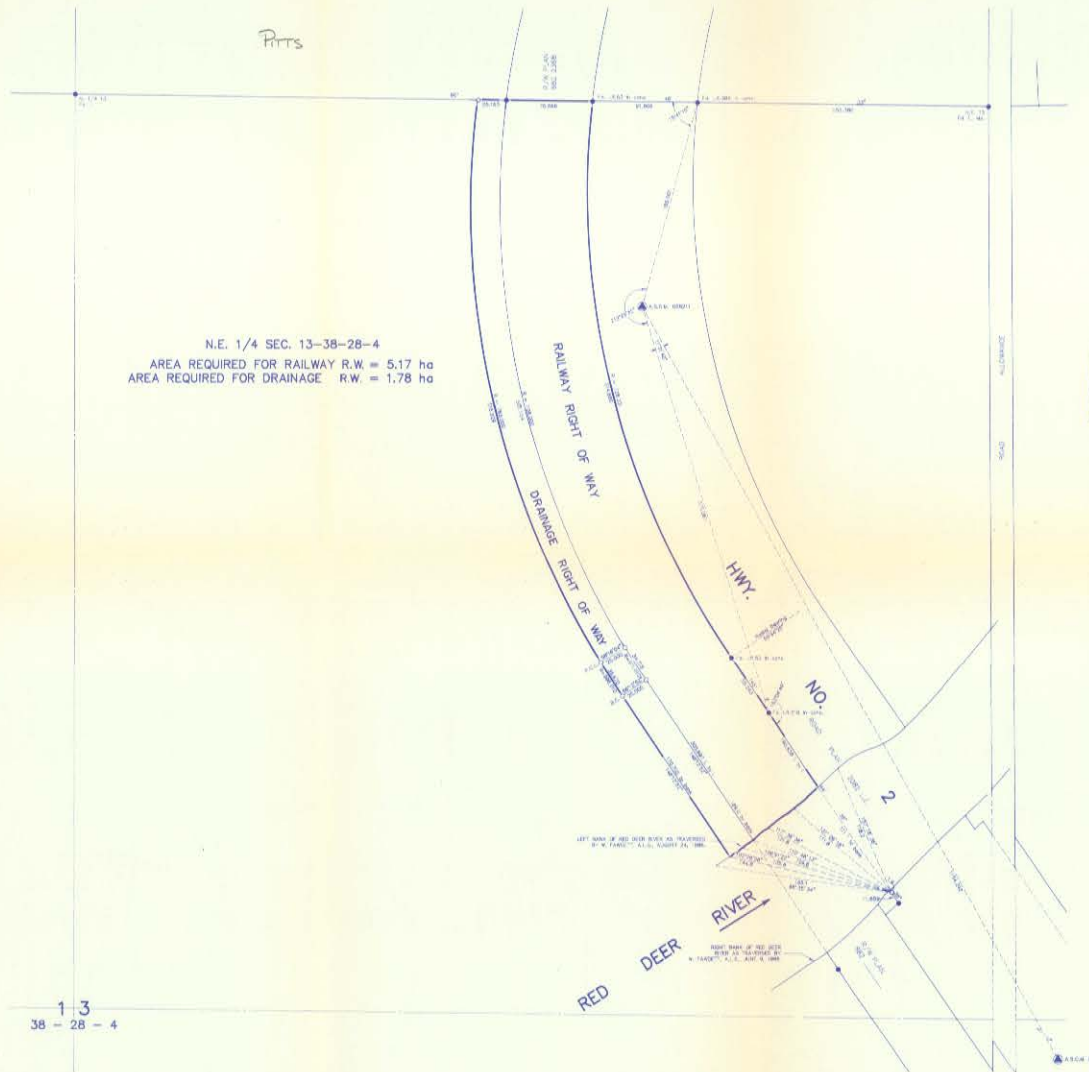
Yours truly,



THOMAS H. CHAPMAN

THC/kah

THE CITY OF RED DEER	NORTH ALBERTA LAND REGISTRATION DISTRICT
MAYOR	
CITY ENGINEER	
CITY CLERK	



PLAN SHOWING SURVEY OF  
 RIGHT OF WAY FOR  
 RAILWAY AND  
 DRAINAGE PURPOSES  
 AFFECTING THE  
 N.E. 1/4 SEC. 13, TWP. 38, RGE. 28, W.4M.  
 A L B E R T A

BY: WAYNE W. FAWCETT, A.L.S., 1988.  
 SCALE: 1 : 2000

NOTES:

Distances are shown in metres.  
 Statutory iron posts shown are shown thus: .  
 Non-statutory iron posts planted are shown thus: .  
 Lines effected by this plan are indicated thus: .  
 A.S.C. monuments are shown thus: .  
 Bearings are given and are referred to A.S.C.M.'s shown.  
 P.C.C. denotes point of common curvature.  
 B.C. denotes beginning of curve.

I, Wayne W. Fawcett, of the City of Red Deer, Alberta Land Surveyor,  
 make oath and say:  
 That the survey represented by this plan was made under my personal  
 supervision, and  
 That the survey was made in accordance with good surveying practices  
 and in accordance with the provisions of 'The Survey Act', and  
 That the survey was performed between the dates of June 8th  
 and August 31st, 1988 and that this plan is true and correct, and is  
 prepared in accordance with the provisions of 'The Land Titles Act'.

Sworn before me at the City of Red Deer  
 in the Province of Alberta, this 7th day  
 of November, 1988.

ALBERTA LAND SURVEYOR

William F. Lees 29/12/80  
 A Commissioner for Oaths in and for  
 the Province of Alberta

BETA SURVEYS LIMITED  
 2008 84th AVENUE, RED DEER, ALBERTA T4E 0G2  
 (403) 248-8222 FAX (403) 248-8223

PROVINCE OF ALBERTA  
TO WIT

IN THE MATTER OF: The Expropriation Act R.S.A. 1980,

IN THE MATTER OF: The proposed expropriation of the most Easterly 104 meters in perpendicular width throughout of all that portion of the N.E.  $\frac{1}{4}$  of Section 13-38-28-W4thM lying to the North of the left bank of the Red Deer River shown on plan of survey of the said Township signed at Ottawa on the 13th day of August, A.D. 1884, and lying West of Road Plan registered as No. 2082 L.Z. at the Land Titles Office for the North Alberta Land Registration District, containing 7.20 hectares more or less, excepting thereout all mines and minerals.

IN THE MATTER OF: The proposed expropriation of all that portion of the N.E.  $\frac{1}{4}$  of Section 13-38-28-W4thM lying to the North of the left bank of the Red Deer River as shown on a plan of survey of the said Township signed at Ottawa on the 13th day of August, A.D. 1884 and lying East of Road Plan registered as No. 2082 L.Z. at the North Alberta Land Registration District, containing 10.97 hectares more or less, excepting thereout all mines and minerals.

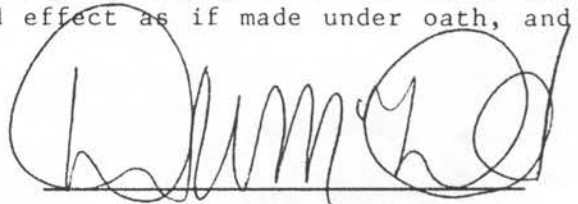
I, David W. MacDonald, of the City of Charlottetown, County of Queens, Province of Prince Edward Island, do solemnly declare that:

1. I am the Director, Property and Estates for the Veterans' Land Administration and as such have knowledge of matters hereinafter deposed to except where otherwise stated.
2. That Joseph Pitt of near Red Deer in the Province of Alberta entered into an unregistered agreement for sale dated the 17th day of June, 1977 to purchase from The Director, The Veterans' Land Act, lands situate in the Province of Alberta including all that portion of the N.E.  $\frac{1}{4}$  of Section 13-38-28-W4thM lying to the North of the left bank of the Red Deer River as shown on a plan of survey of the said Township signed at Ottawa on the 13th day of August, A.D. 1884 containing, 53.2 hectares (132.33 acres) more or less excepting thereout (A) 5.40 hectares (13.34 acres) more or less as shown on road plan 2082 L.Z., (B) 0.462 hectares (1.14 acres) more or less as shown on road plan 12 P.X., excepting thereout all mines and minerals.
3. That payment in full of all monies owing by Joseph Pitt to The Director, The Veterans' Land Act was received by The Director on the 8th day of December 1982, and a transfer of land conveying fee simple title to Joseph Pitt dated December 16, 1982 was issued in favour of Joseph Pitt and forwarded to him by Registered Mail under cover of letter dated December 21st, 1982.
4. That although the Title to the above described lands is still registered in the name of The Director, The Veterans' Land Act, the said Director has no equity or interest of any kind in the lands hereinbefore described.

AND I make this declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the Canada Evidence Act.

DECLARED before me at Charlottetown)  
in the Province of Prince Edward Island)  
this thirteenth day of September, A.D.)  
1988. )

*Heather Lynne Edden*  
Notary Public in and for the Province



IN THE MATTER OF THE EXPROPRIATION  
ACT BEING CHAPTER E-16 OF THE REVISED  
STATUTES OF ALBERTA 1980 AND  
AMENDMENTS THERETO

AND IN THE MATTER OF THE INTENDED  
EXPROPRIATION BY THE CITY OF RED DEER  
OF LANDS OWNED BY JOSEPH PITT, WHICH  
LANDS STAND IN THE NAME OF THE  
DIRECTOR, THE VETERANS' LAND ACT

AFFIDAVIT

I, CHARLES SEVCIK, of the City of Red Deer, in the Province of Alberta, MAKE  
OATH AND SAY:

1. THAT I am the City Clerk of the City of Red Deer, in the Province of Alberta as  
such, and I have knowledge of the matters herein deposed to.

2. THAT on the 8th day of August, 1988, the Municipal Council of the City of Red  
Deer, duly assembled, did pass a resolution pursuant to the provisions of Sections 126 and 132 of the  
Municipal Government Act, R.S.A. 1980, Chapter M-26, to acquire by expropriation all those portions of  
lands owned by Joseph Pitt, which lands stand in the name of The Director, The Veterans' Land Act  
described as follows:

Firstly:

The most easterly 104 metres throughout of all that portion of  
The North East Quarter of Section Thirteen (13)  
Township Thirty-Eight (38)  
Range Twenty-Eight (28)  
West of the Fourth Meridian  
Lying to the North of the Left bank of the Red Deer River as shown on a  
Plan of Survey of the said Township signed at Ottawa on the 13th day of  
August, 1884, and lying West of Road Plan registered as No. 2082 L.Z.  
at the Land Titles Office for the North Alberta Land Registration District  
containing 7.20 hectares, more or less.

Excepting thereout all mines and minerals.

(which lands are crosshatched on the sketch forming part of Exhibit "A"  
attached hereto)

Secondly:

All that portion of the North East Quarter of Section Thirteen (13)  
Township Thirty Eight (38)  
Range Twenty Eight (28)  
West of the Fourth Meridian  
Lying to the North of the Left bank of the Red Deer River as shown on a  
Plan of Survey of the said Township signed at Ottawa on the 13th day of  
August, A.D. 1884, and lying East of Road Plan registered as Plan No.  
2082 L.Z. at the North Alberta Land Registration District, containing  
10.97 hectares, more or less.

Excepting thereout all mines and minerals.

(which lands are crosshatched on the sketch forming part of Exhibit "A"  
attached hereto)

3. THAT I did on the 12th and 22nd days of August, 1988, cause to be published in the Red Deer Advocate, a newspaper in general circulation in the City of Red Deer, a true copy of the Notice of Intention to Expropriate, issued pursuant to the Council Resolution aforesaid and hereunto annexed and marked Exhibit "A" is a copy of the newspaper tear sheet of the Red Deer Advocate evidencing such publication.

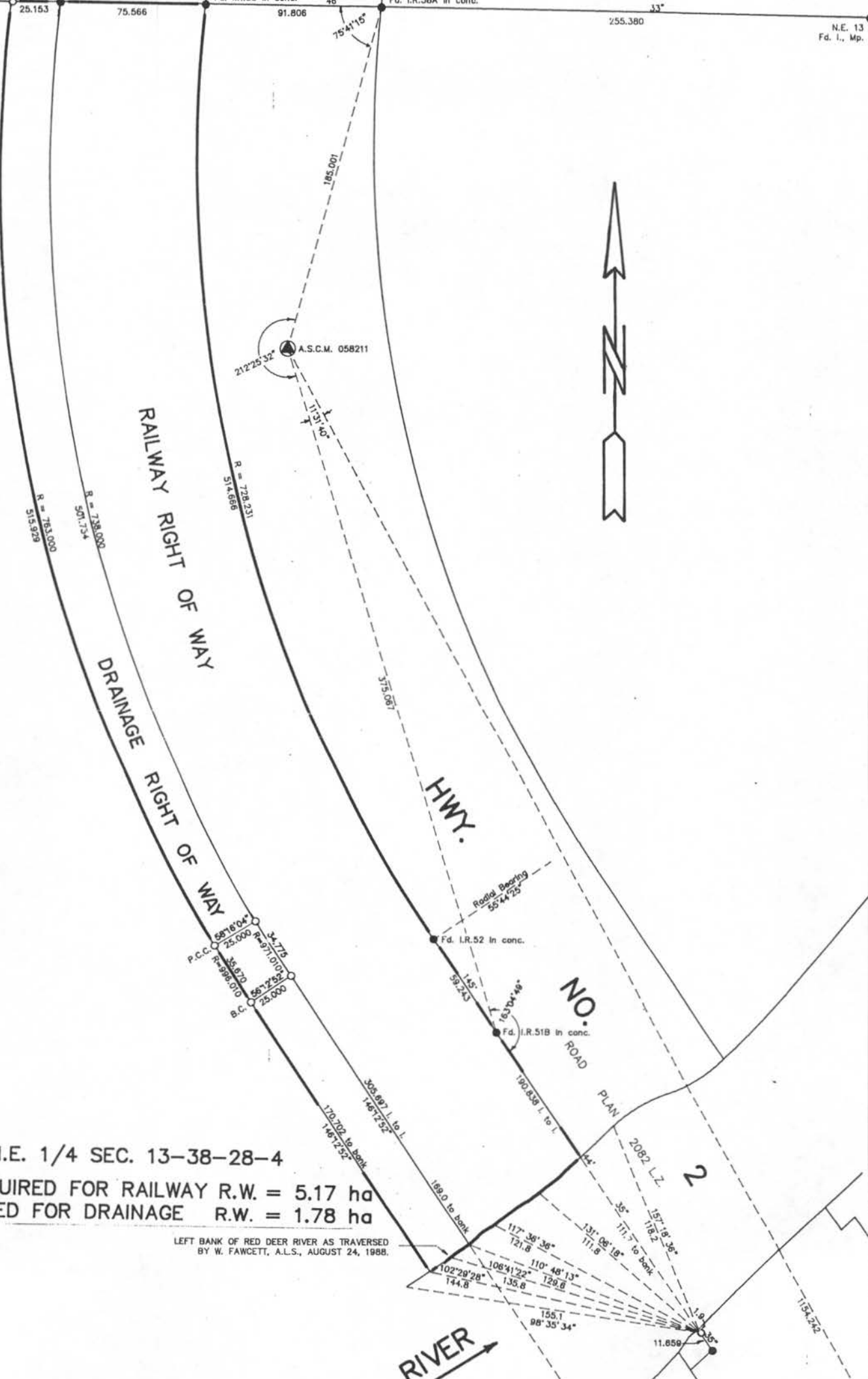
SWORN BEFORE ME at the City of )  
Red Deer in the Province of Alberta, )  
this 9 day of November, A.D. )  
1988. )

  
A COMMISSIONER FOR OATHS in and  
for the Province of Alberta

  
\_\_\_\_\_

THOMAS H. CHAPMAN  
A Commissioner for Oaths in  
and for the Province of Alberta  
My appointment does not expires

25.153 75.566 91.806 255.380 33° N.E. 13  
Fd. 1., Mp.



N.E. 1/4 SEC. 13-38-28-4

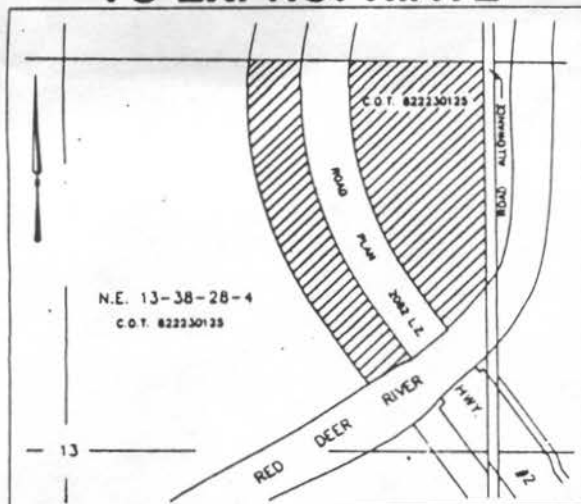
AREA REQUIRED FOR RAILWAY R.W. = 5.17 ha

REA REQUIRED FOR DRAINAGE R.W. = 1.78 ha

LEFT BANK OF RED DEER RIVER AS TRAVERSED  
BY W. FAWCETT, A.L.S., AUGUST 24, 1988.



## NOTICE OF INTENTION TO EXPROPRIATE



1. TAKE NOTICE that the City of Red Deer intends to expropriate the following lands:

**Firstly**

The most easterly 104 metres throughout of all that portion of The North East Quarter of Section Thirteen (13) Township Thirty Eight (38) Range Twenty Eight (28) West of the Fourth Meridian Lying to the North of the Left bank of the Red Deer River as shown on a Plan of Survey of the said Township signed at Ottawa on the 13th day of August, 1884, and lying West of Road Plan registered as No. 2082 L.Z. at the Land Titles Office for the North Alberta Land Registration District containing 7.20 hectares, more or less crosshatched on the sketch attached hereto

Excepting thereout all mines and minerals, and

**Secondly**

All that portion of the North East Quarter of Section Thirteen (13) Township Thirty Eight (38) Range Twenty Eight (28) West of the Fourth Meridian Lying to the North of the Left bank of the Red Deer River as shown on a Plan of Survey of the said Township signed at Ottawa on the 13th day of August, A.D. 1884 and lying East of Road Plan registered as Plan No. 2082 L.Z. at the North Alberta Land Registration District, containing 10.97 hectares more or less as crosshatched on the sketch attached hereto.

Excepting thereout all mines and minerals.

2. The nature of the interest in the lands intended to be expropriated is: fee simple title.

3(1). The work or purpose for which the interest in the firstly described land is required is:

(i) exchanging a portion of the same with Canadian Pacific Limited, or their nominee for railway right-of-way to replace railway right-of-way to be transferred by Canadian Pacific Limited to the City for the construction of a major urban transportation corridor within the City of Red Deer, and

(ii) transfer a portion thereof to Alberta Transportation as an addition to their road right-of-way, and

(iii) for the purpose of transferring to Alberta Transportation a portion thereof for the construction by Alberta Transportation of a drainage ditch required as a result of the proposed construction of the railway.

(2). The work or purpose for which the interest in the secondly described land is required is:

To consolidate such lands which will be severed from the remainder of the said N.E. 13-38-28-W4 by the acquisition of lands required for the railway right-of-way with the Urban Park owned by the City of Red Deer.

4. The nature of the interest in the lands intended to be expropriated is: fee simple title.

5. Section 6 of the Act provides that:

"6.(1) No person may in any proceedings under this Act dispute the right of an expropriating authority to have recourse to expropriation.

(2) In any proceedings under this Act the owner may question whether the taking of the land, or the estate or interest therein, is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority."

6. Section 10 of the Act provides that:

"10.(1) An owner who desires an inquiry shall serve the approving authority with a notice of objection

(a) in the case of an owner served in accordance with section 8(2), within 21 days of service upon him of the notice of intention, and

(b) in any other case, within 21 days after the first publication of the notice of intention.

(2) The notice of objection shall state

(a) the name and address of the person objecting,

(b) the nature of the objection,

(c) the grounds on which the objection is based, and

(d) the nature of the interest of the person objecting."

7. A person affected by the proposed expropriation does not need to

Red Deer Advocate

Aug. 12/88

Aug. 22/88

PITTS

This is Exhibit A referred to in the affidavit of CHARLES SEVCIK

sworn before me

this 9 day of

NOVEMBER A.D. 19 88

*Thomas H. Chapman*

A Commissioner for Oaths in and for the Province of Alberta

THOMAS H. CHAPMAN

A Commissioner for Oaths in and for the Province of Alberta  
My appointment does not expire

TRACEY L. PHELPS  
MY APPOINTMENT EXPIRES  
JUNE 7, 19 91

This is Exhibit A referred to in the  
affidavit of THOMAS R. CHAPMAN

sworn before me  
this 9 day of

THE EXPROPRIATION ACT  
R.S.A. 1980  
(Section 8)

SEPTEMBER 1988  
A.D. 19 88

Tracey Phelps  
A Commissioner for Oaths in and for  
the Province of Alberta

**NOTICE OF INTENTION TO EXPROPRIATE**

TRACEY L. PHELPS  
MY APPOINTMENT EXPIRES  
JUNE 7, 19 91

1. TAKE NOTICE that the City of Red Deer intends to expropriate the following lands:

Firstly

The most easterly 104 metres throughout of all that portion of  
The North East Quarter of Section Thirteen (13)  
Township Thirty Eight (38)  
Range Twenty Eight (28)  
West of the Fourth Meridian  
Lying to the North of the Left bank of the Red Deer River as shown on a  
Plan of Survey of the said Township signed at Ottawa on the 13th day of  
August, 1884, and lying West of Road Plan registered as No. 2082 L.Z. at  
the Land Titles Office for the North Alberta Land Registration District  
containing 7.20 hectares, more or less crosshatched on the sketch  
attached hereto

Excepting thereout all mines and minerals, and

Secondly

All that portion of the North East Quarter of Section Thirteen (13)  
Township Thirty Eight (38)  
Range Twenty Eight (28)  
West of the Fourth Meridian  
Lying to the North of the Left bank of the Red Deer River as shown on a  
Plan of Survey of the said Township signed at Ottawa on the 13th day of  
August, A.D. 1884 and lying East of Road Plan registered as Plan No.  
2082 L.Z. at the North Alberta Land Registration District, containing  
10.97 hectares more or less as crosshatched on the sketch attached  
hereto.

Excepting thereout all mines and minerals.

2. The nature of the interest in the lands intended to be expropriated is: fee simple  
title.
- 3(1). The work or purpose for which the interest in the firstly described land is  
required is:

- (i) exchanging a portion of the same with Canadian Pacific Limited, or their nominee for railway right-of-way to replace railway right-of-way to be transferred by Canadian Pacific Limited to the City for the construction of a major urban transportation corridor within the City of Red Deer, and
- (ii) transfer a portion thereof to Alberta Transportation as an addition to their road right-of-way, and
- (iii) for the purpose of transferring to Alberta Transportation a portion thereof for the construction by Alberta Transportation of a drainage ditch required as a result of the proposed construction of the railway.

(2). The work or purpose for which the interest in the secondly described land is required is:

To consolidate such lands which will be severed from the remainder of the said N.E. 13-38-28-W4 by the acquisition of lands required for the railway right-of-way with the Urban Park owned by the City of Red Deer.

4. The nature of the interest in the lands intended to be expropriated is: fee simple title.

5. Section 6 of the Act provides that:

"6.(1) No person may in any proceedings under this Act dispute the right of an expropriating authority to have recourse to expropriation.

(2) In any proceedings under this Act the owner may question whether the taking of the land, or the estate or interest therein, is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority."

6. Section 10 of the Act provides that:

"10.(1) An owner who desires an inquiry shall serve the approving authority with a notice of objection

(a) in the case of an owner served in accordance with section 8(2), within 21 days of service upon him of the notice of intention, and

- (b) in any other case, within 21 days after the first publication of the notice of intention.

(2) The notice of objection shall state

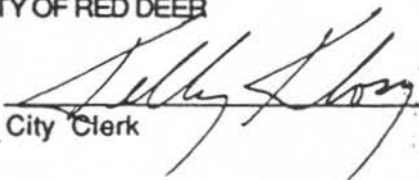
- (a) the name and address of the person objecting,
- (b) the nature of the objection,
- (c) the grounds on which the objection is based, and
- (d) the nature of the interest of the person objecting."

7. A person affected by the proposed expropriation does not need to serve an objection to the expropriation in order to preserve his right to have the amount of compensation payable determined by the Land Compensation Board or the Court, as the case may be.

8. The approving authority with respect to this expropriation is the Council of the City of Red Deer, City Hall, Red Deer, Alberta.

DATED at the City of Red Deer, in the Province of Alberta, this 10 day of August, A.D. 1988.

THE CITY OF RED DEER

Per:   
Assist. City Clerk



N.E. 13-38-28-4  
C.O.T. 822230125

13

RED  
DEER  
RIVER

ROAD  
PLAN  
2082 L.Z.

C.O.T. 822230125

ROAD ALLOWANCE

HWY.

#2



15, 481 THC POSTES CANADA POST  
 REGISTRATION RECEIPT - RÉCÉPISSÉ DE RECOMMANDATION

To MR JOSEPH PITT  
 A R R#4, REDOGER  
 AB TUN 5E4

FEE  
 DROIT

No. CRS-695

P.M. Initials  
 Initiales du m. de p.

Date Stamp  
 6 IX 1988

Timbre à date

This is Exhibit B referred to in the  
 affidavit of THOMAS H. CHAPMAN

sworn before me  
 this 9 day of  
NOVEMBER 1988  
SEPTEMBER A.D. 1988

Tracey Phelps  
 A Commissioner for Oaths in and for  
 the Province of Alberta

TRACEY L. PHELPS  
 MY APPOINTMENT EXPIRES  
 JUNE 7, 1991



WHEREAS the Municipal Council of the City of Red Deer, duly assembled as expropriating authority, did on the 8th day of August, 1988, pass a resolution authorizing the acquisition of a portion of:

Firstly:

The most easterly 104 metres throughout of all that portion of  
The North East Quarter of Section Thirteen (13)  
Township Thirty-Eight (38)  
Range Twenty-Eight (28)  
West of the Fourth Meridian  
Lying to the North of the Left bank of the Red Deer River as shown on a  
Plan of Survey of the said Township signed at Ottawa on the 13th day of  
August, 1884, and lying West of Road Plan registered as No. 2082 L.Z.  
at the Land Titles Office for the North Alberta Land Registration District  
containing 7.20 hectares, more or less crosshatched on the sketch  
attached hereto.

Excepting thereout all mines and minerals.

(which sketch forms part of Schedule "A" attached hereto)

Secondly:

All that portion of the North East Quarter of Section Thirteen (13)  
Township Thirty Eight (38)  
Range Twenty Eight (28)  
West of the Fourth Meridian  
Lying to the North of the Left bank of the Red Deer River as shown on a  
Plan of Survey of the said Township signed at Ottawa on the 13th day of  
August, A.D. 1884, and lying East of Road Plan registered as Plan No.  
2082 L.Z. at the North Alberta Land Registration District, containing  
10.97 hectares more or less as crosshatched on the sketch attached  
hereto.

Excepting thereout all mines and minerals.

(which sketch forms part of Schedule "A" attached hereto)

AND WHEREAS pursuant to Section 8 of the Expropriation Act, the City of Red Deer has filed a notice of Intention to Expropriate in the Land Titles Office for the North Alberta Land Registration District, on the 15th day of August, 1988 as Instrument No. 882187211, served a copy of the Notice of Intention to Expropriate on the registered owners and all persons shown on the records of the said Land Titles Office and known to the expropriating authority as having an interest therein, and caused Notice of Intention to Expropriate to be published in the Red Deer Advocate on the 12th and 22nd days of August, 1988;

AND WHEREAS the period within which a Notice of Objection may be served has expired and no Notice of Objection has been served upon the City of Red Deer;

AND WHEREAS the County of Red Deer No. 23 has approved the acquisition of land by the City of Red Deer for railway right of way;

AND WHEREAS the Director, the Veteran's Land Act, has no equity or interest in the said lands and Joseph Pitt is the beneficial owner thereof;

NOW THEREFORE the Municipal Council of the City of Red Deer, in the Province of Alberta, duly assembled, resolves as follows:

1. That, pursuant to the provisions of the Municipal Government Act, the Municipal Council of the City of Red Deer, as the approving authority, hereby approves the expropriation of the following lands, namely:

Firstly:

All that portion of the North East Quarter of Section Thirteen (13)  
Township Thirty-Eight (38)  
Range Twenty-Eight (28)  
West of the Fourth Meridian  
Lying to the North of the Left bank of the Red Deer River as shown on a Plan of Survey of the said Township signed at Ottawa on the 13th day of August, 1884, and lying West of Road Plan registered as No. 2082 L.Z. at the Land Titles Office for the North Alberta Land Registration District, as more particularly described and designated on the Plan of Survey annexed hereto, containing 6.95 hectares (17.17 acres), more or less.

Excepting thereout all mines and minerals.

Secondly:

All that portion of the North East Quarter of Section Thirteen (13)  
Township Thirty Eight (38)  
Range Twenty Eight (28)  
West of the Fourth Meridian  
Lying to the North of the Left bank of the Red Deer River as shown on a Plan of Survey of the said Township signed at Ottawa on the 13th day of August, A.D. 1884, and lying East of Road Plan registered as Plan No. 2082 L.Z. at the North Alberta Land Registration District, containing 10.97 hectares, more or less.

Excepting thereout all mines and minerals.

as more particularly described and designated in the Plan of Survey annexed hereto as Schedule "B".

2. The interest in the land to be expropriated is in fee simple.

3 (1). The expropriation is approved as the firstly described land is required for the purposedof:

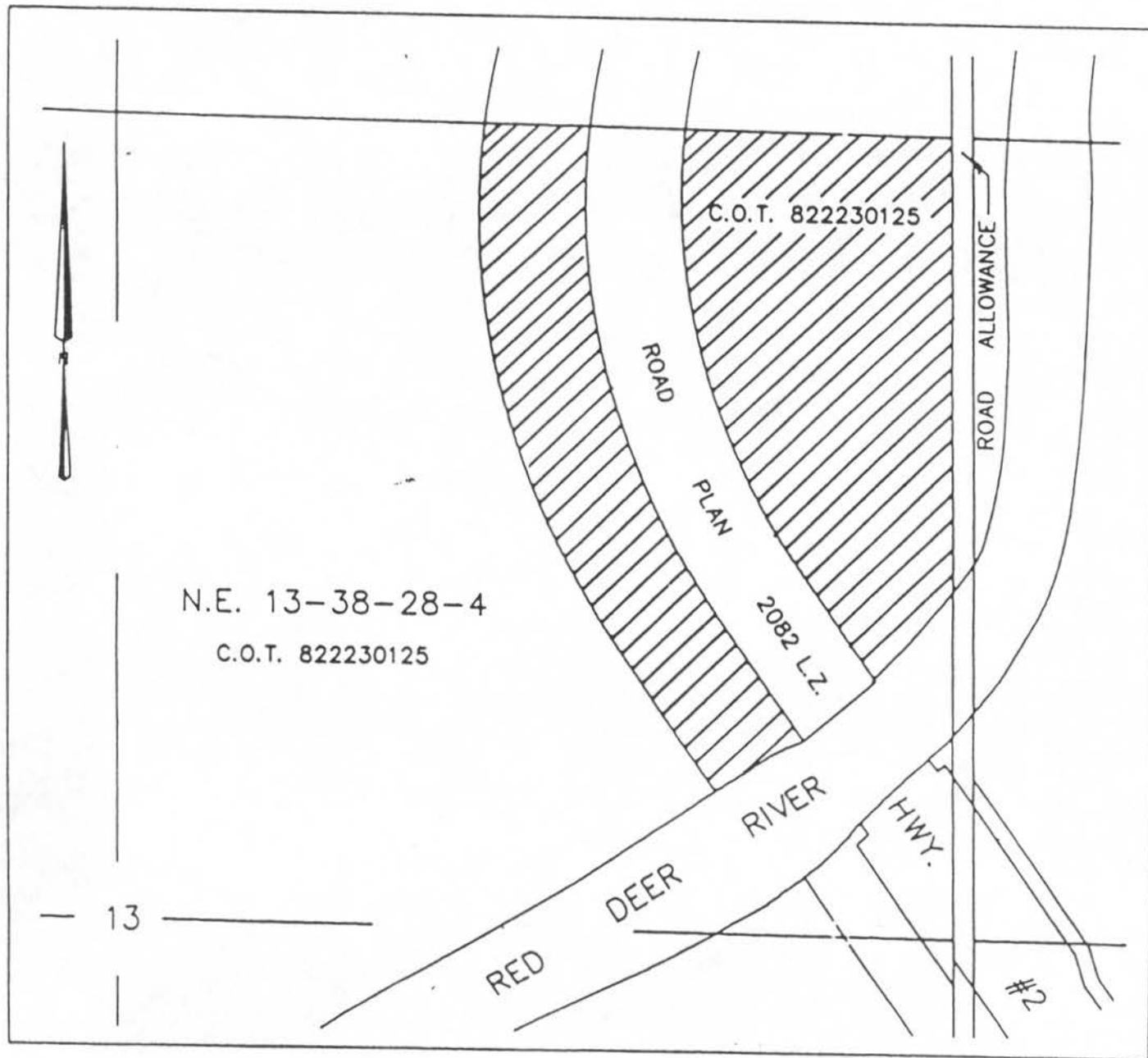
- (a) exchanging such lands with Canadian Pacific Limited, or their nominee, for railway right of way to replace railway right of way to be transferred by Canadian Pacific Limited to the City of Red Deer for the construction of a major urban transportation corridor within the City of Red Deer;

*deleted at request of T. Chapman* (b) transferring to Alberta Transportation that portion severed by the proposed railway right of way and lying adjacent to Road Plan 2082 L.Z., for road right of way;

- (c) the construction of a drainage ditch adjacent to the west boundary of the proposed railway right of way, required as a result of the proposed construction of the railway.

3 (2). The expropriation is approved as to the secondly described land for the purpose of acquiring such lands and consolidating them with the city Urban Park adjacent thereto.

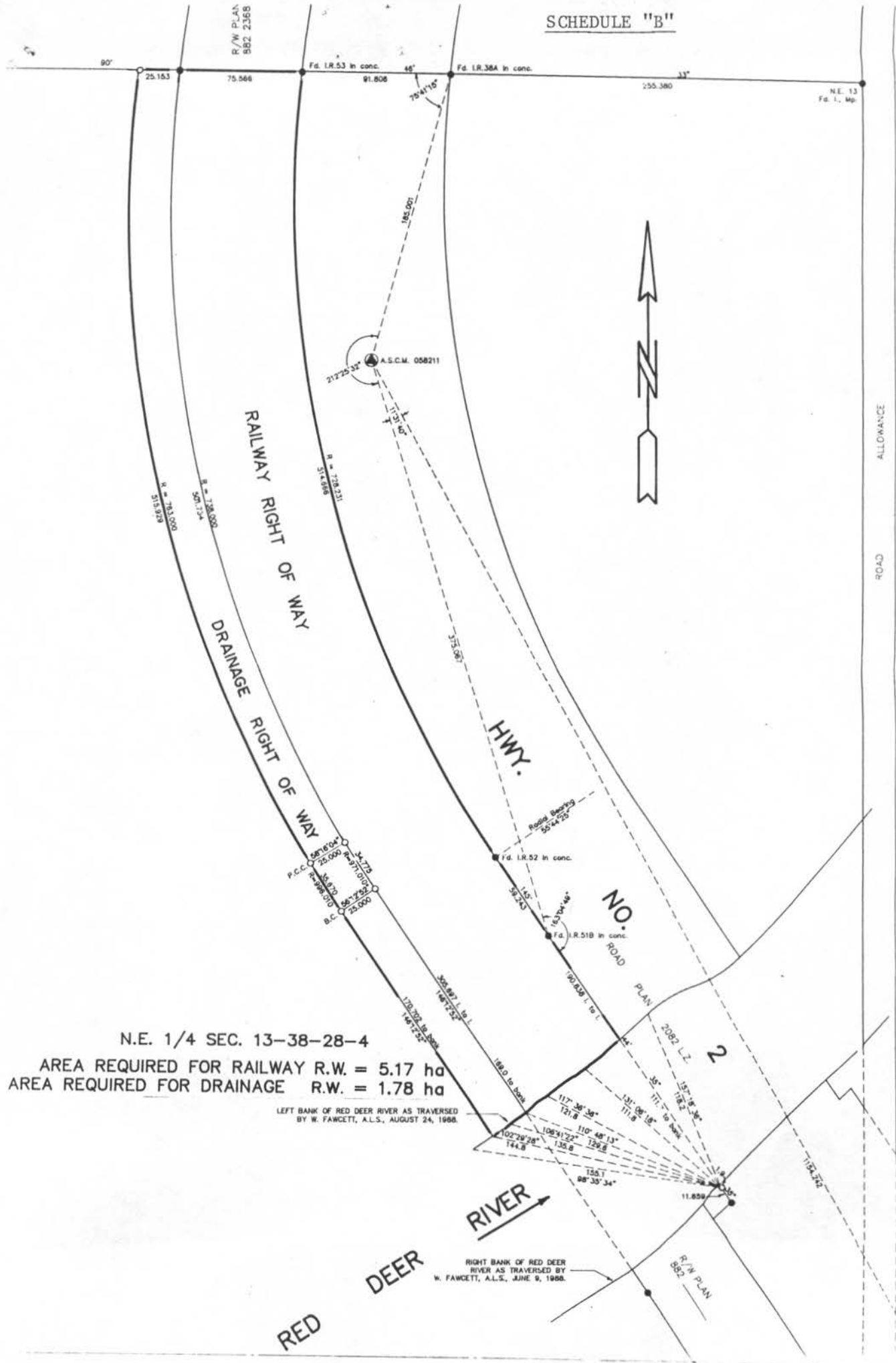
4. The Mayor and City Clerk are hereby authorized to issue the necessary Certificate of Approval of Expropriation for the lands described in Clause 1, and to take all steps necessary under provisions of the Expropriation Act to acquire title to the said lands.



SCHEDULE "A"



SCHEDULE "B"



IN THE MATTER OF THE EXPROPRIATION  
ACT BEING CHAPTER E-16 OF THE REVISED  
STATUTES OF ALBERTA 1980 AND  
AMENDMENTS THERETO

AND IN THE MATTER OF THE INTENDED  
EXPROPRIATION BY THE CITY OF RED DEER  
OF LANDS OWNED BY JOSEPH PITT, WHICH  
LANDS STAND IN THE NAME OF THE  
DIRECTOR, THE VETERANS' LAND ACT

CERTIFICATE OF APPROVAL

1. The City of Red Deer, in the Province of Alberta, hereby approves the expropriation of the following lands:

All that portion of the North East Quarter of Section Thirteen (13)  
Township Thirty Eight (38)  
Range Twenty Eight (28)  
West of the Fourth Meridian  
Lying to the North of the Left bank of the Red Deer River as shown on a  
Plan of Survey of the said Township signed at Ottawa on the 13th day of  
August, A.D. 1884, and lying East of Road Plan registered as Plan No.  
2082 L.Z. at the North Alberta Land Registration District, containing  
10.97 hectares, more or less.

Excepting thereout all mines and minerals.

2. The nature of the interest in the lands expropriated is fee simple.
3. The work or purpose for which the interest in the lands to be expropriated, as described above, is required is to consolidate the said lands with the City Urban Park adjacent thereto.
4. The lands which are owned by Joseph Pitt of Red Deer, in the Province of Alberta, stand in the Register of the North Alberta Land Registration District in the name of The Director, The Veterans' Land Act.

DATED this 18 day of November, 1988.


THE AREA SHOWN HEREIN IS  
CERTIFIED CORRECT THIS 18  
DAY OF NOVEMBER, 1988.

  
WAYNE FAWCETT  
Alberta Land Surveyor

Approving Authority

THE CITY OF RED DEER

Per:   
Mayor

Per:   
City Clerk

IN THE MATTER OF THE EXPROPRIATION  
ACT BEING CHAPTER E-16 OF THE REVISED  
STATUTES OF ALBERTA 1980 AND  
AMENDMENTS THERETO

AND IN THE MATTER OF THE INTENDED  
EXPROPRIATION BY THE CITY OF RED DEER  
OF LANDS OWNED BY JOSEPH PITT, WHICH  
LANDS STAND IN THE NAME OF THE  
DIRECTOR, THE VETERANS' LAND ACT

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Township Thirty-Eight (38)  
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Lying to the North of the Left bank of the Red Deer River as shown on a  
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August, 1884, and lying West of Road Plan registered as No. 2082 L.Z.  
at the Land Titles Office for the North Alberta Land Registration District,  
as more particularly described and designated on the Plan of Survey  
annexed hereto, containing 6.95 hectares (17.17 acres), more or less.

Excepting thereout all mines and minerals.

2. The nature of the interest in the lands expropriated is fee simple.
3. The work or purpose for which the interest in the lands to be expropriated, as described above, is required is:
- (a) to exchange such lands with Canadian Pacific Limited, or their nominee, for railway right of way to replace railway right of way to be transferred by Canadian Pacific Limited to the City of Red Deer for the construction of a major urban transportation corridor within the City of Red Deer; and
  - (b) to construct a drainage ditch adjacent to the west boundary of the proposed railway right of way, required as a result of the proposed construction of the railway.

4. The lands which are owned by Joseph Pitt of Red Deer, in the Province of Alberta, stand in the Register of the North Alberta Land Registration District in the name of The Director, The Veterans' Land Act.

DATED this 18 day of November, 1988.

Approving Authority

THE CITY OF RED DEER

Per: [Signature]  
Mayor

Per: [Signature]  
City Clerk



DATE: November 16, 1988  
TO: City Solicitor  
FROM: City Clerk  
RE: RAILWAY RELOCATION/JOSEPH PITT - EXPROPRIATION

---

Your report to Council dated November 9, 1988, concerning the above was presented to Council November 14, 1988, and at which meeting Council passed the attached motion.

The decision of Council in this instance is submitted for your information and I trust that you will take whatever action is deemed necessary on behalf of the City.

Trusting you will find this satisfactory.



C. Sevcik  
City Clerk  
CS/ds

c.c. City Commissioners  
Dir. of Eng. Services  
City Assessor  
Dir. of Community Services  
Dir. of Finance

WHEREAS the Municipal Council of the City of Red Deer, duly assembled as expropriating authority, did on the 8th day of August, 1988, pass a resolution authorizing the acquisition of a portion of:

Firstly:

The most easterly 104 metres throughout of all that portion of  
The North East Quarter of Section Thirteen (13)  
Township Thirty-Eight (38)  
Range Twenty-Eight (28)  
West of the Fourth Meridian  
Lying to the North of the Left bank of the Red Deer River as shown on a  
Plan of Survey of the said Township signed at Ottawa on the 13th day of  
August, 1884, and lying West of Road Plan registered as No. 2082 L.Z.  
at the Land Titles Office for the North Alberta Land Registration District  
containing 7.20 hectares, more or less crosshatched on the sketch  
attached hereto.

Excepting thereout all mines and minerals.

(which sketch forms part of Schedule "A" attached hereto)

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Township Thirty Eight (38)  
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hereto.

Excepting thereout all mines and minerals.

(which sketch forms part of Schedule "A" attached hereto)

AND WHEREAS pursuant to Section 8 of the Expropriation Act, the City of Red Deer has filed a notice of Intention to Expropriate in the Land Titles Office for the North Alberta Land Registration District, on the 15th day of August, 1988 as Instrument No. 882187211, served a copy of the Notice of Intention to Expropriate on the registered owners and all persons shown on the records of the said Land Titles Office and known to the expropriating authority as having an interest therein, and caused Notice of Intention to Expropriate to be published in the Red Deer Advocate on the 12th and 22nd days of August, 1988;

AND WHEREAS the period within which a Notice of Objection may be served has expired and no Notice of Objection has been served upon the City of Red Deer;



AND WHEREAS the County of Red Deer No. 23 has approved the acquisition of land by the City of Red Deer for railway right of way;

AND WHEREAS the Director, the Veteran's Land Act, has no equity or interest in the said lands and Joseph Pitt is the beneficial owner thereof;

NOW THEREFORE the Municipal Council of the City of Red Deer, in the Province of Alberta, duly assembled, resolves as follows:

1. That, pursuant to the provisions of the Municipal Government Act, the Municipal Council of the City of Red Deer, as the approving authority, hereby approves the expropriation of the following lands, namely:

Firstly:

All that portion of the North East Quarter of Section Thirteen (13)  
Township Thirty-Eight (38)  
Range Twenty-Eight (28)  
West of the Fourth Meridian

Lying to the North of the Left bank of the Red Deer River as shown on a Plan of Survey of the said Township signed at Ottawa on the 13th day of August, 1884, and lying West of Road Plan registered as No. 2082 L.Z. at the Land Titles Office for the North Alberta Land Registration District, as more particularly described and designated on the Plan of Survey annexed hereto, containing 6.95 hectares (17.17 acres), more or less.

Excepting thereout all mines and minerals.

Secondly:

All that portion of the North East Quarter of Section Thirteen (13)  
Township Thirty Eight (38)  
Range Twenty Eight (28)  
West of the Fourth Meridian

Lying to the North of the Left bank of the Red Deer River as shown on a Plan of Survey of the said Township signed at Ottawa on the 13th day of August, A.D. 1884, and lying East of Road Plan registered as Plan No. 2082 L.Z. at the North Alberta Land Registration District, containing 10.97 hectares, more or less.

Excepting thereout all mines and minerals.

as more particularly described and designated in the Plan of Survey annexed hereto as Schedule "B".

2. The interest in the land to be expropriated is in fee simple.

3 (1). The expropriation is approved as the firstly described land is required for the purpose of:

(a) exchanging such lands with Canadian Pacific Limited, or their nominee, for railway right of way to replace railway right of way to be transferred by Canadian Pacific Limited to the City of Red Deer for the construction of a major urban transportation corridor within the City of Red Deer;

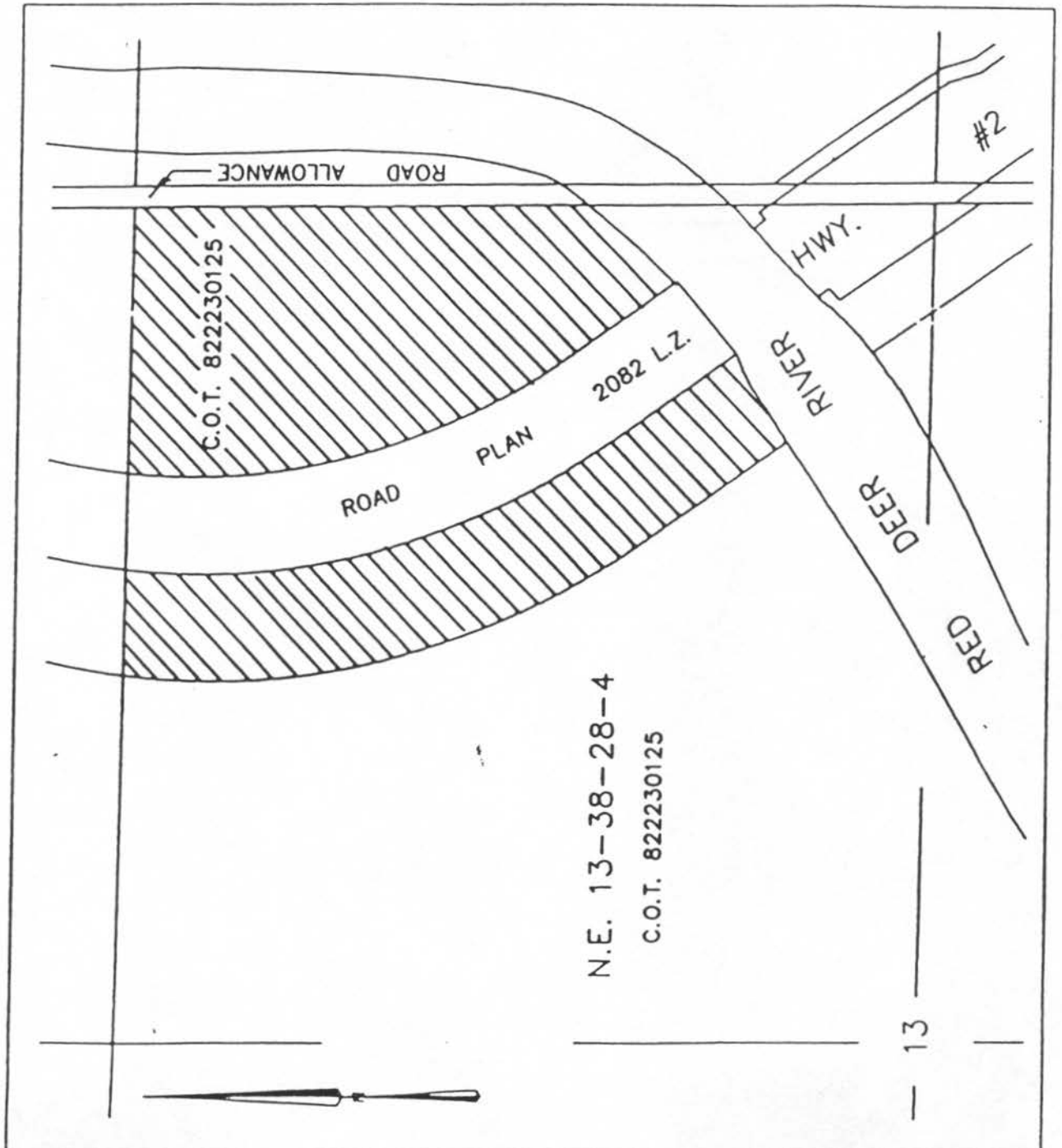
~~(b) transferring to Alberta Transportation that portion covered by the proposed railway right of way and lying adjacent to Road Plan 2082 L.Z., for road right of way,~~

(b) the construction of a drainage ditch adjacent to the west boundary of the proposed railway right of way, required as a result of the proposed construction of the railway.

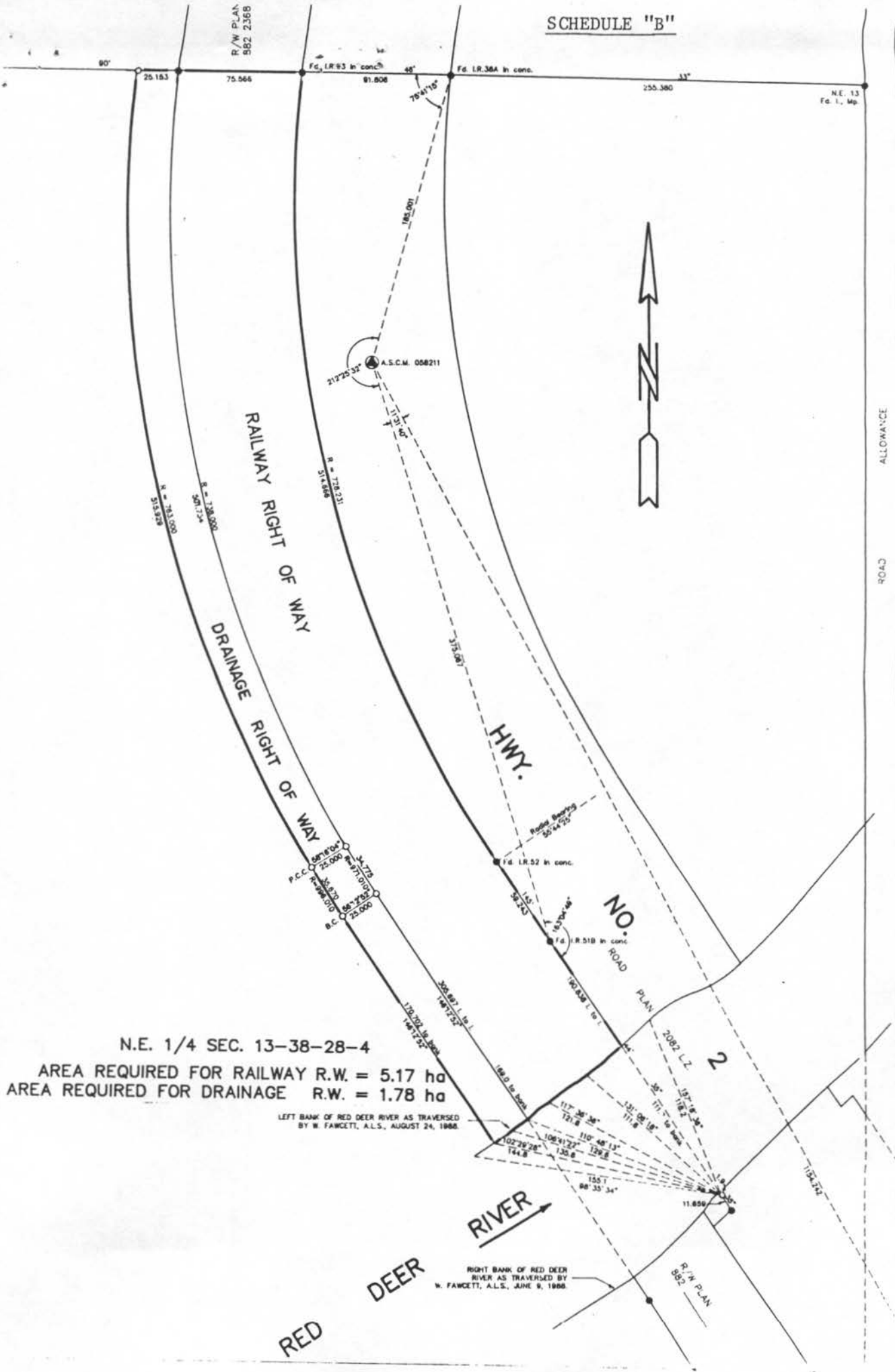
3 (2). The expropriation is approved as to the secondly described land for the purpose of acquiring such lands and consolidating them with the city Urban Park adjacent thereto.

4. The Mayor and City Clerk are hereby authorized to issue the necessary Certificate of Approval of Expropriation for the lands described in Clause 1, and to take all steps necessary under provisions of the Expropriation Act to acquire title to the said lands.

SCHEDULE "A"



# SCHEDULE "B"



N.E. 1/4 SEC. 13-38-28-4  
 AREA REQUIRED FOR RAILWAY R.W. = 5.17 ha  
 AREA REQUIRED FOR DRAINAGE R.W. = 1.78 ha

LEFT BANK OF RED DEER RIVER AS TRAVERSED  
 BY W. FAWCETT, A.L.S., AUGUST 24, 1908.

RIGHT BANK OF RED DEER  
 RIVER AS TRAVERSED BY  
 W. FAWCETT, A.L.S., JUNE 9, 1908.

NO. 1

DATE: November 8, 1988  
TO: City Council  
FROM: City Clerk  
RE: ALDERMAN MCGREGOR/WRITTEN ENQUIRY/TAX PENALTY REFUND REQUESTS

---

At the Council Meeting of October 31, 1988, the following written enquiry was submitted by Alderman McGregor.

"In view of Council's decision to refund tax penalties to Ed Makarenko, it is requested that the Finance Director report to Council previous tax penalty refund requests that were declined, for reconsideration by Council."

Following hereafter is information submitted by the City Assessor as requested in the above noted written enquiry.

  
C. Sevcik  
City Clerk  
CS/ds

DATE: November 4, 1988

TO: City Clerk

FROM: City Assessor

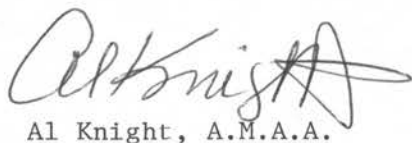
RE: ALDERMAN MCGREGOR - WRITTEN INQUIRY/TAX PENALTY REFUND REQUESTS

---

Further to the written inquiry as submitted by Alderman McGregor we attach previous tax penalty requests that were declined during the year of 1988, summarized as follows:

1. Request made by Lori MacBeth dated July 26, 1988
2. Request made by Guenther Theophile of 211 Davison Drive and represented by Trudy Cullen dated August 10, 1988
3. Request made by David and Mary Mack, 87 Martin Close, dated August 15, 1988
4. Request made by Della Crookshanks, 4218 - 33 Street, dated August 10, 1988

We hereby attach all correspondence as was presented to City Council at their meetings for deliberations on these aforementioned requests.



Al Knight, A.M.A.A.

AK/bw

cc Director of Finance

att'd.



**THE CITY OF RED DEER**

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

August 24, 1988

Ms. Della Crookshanks  
4218 - 33 Street  
Red Deer, Alberta  
T4N 0N2

Dear Madam:

At the Council meeting of August 22, 1988, your letter dated July 28, 1988, regarding a request to waive tax penalty was considered and at which meeting the following motion was passed.

"RESOLVED that Council of The City of Red Deer hereby agree that the request by Della Crookshanks to waive the penalty of \$90.67 for late payment of taxes be not approved."

The decision of Council in this instance is submitted for your information. I would advise that it is Council's policy that payments for taxes are to be received by June 30, however we will accept any payments which are postmarked by Canada Post June 30. As your payment did not meet the above criteria, Council was unable to approve your request.

Trusting you will find this satisfactory. If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

K. Kloss  
Assistant/City Clerk  
KK/ds  
c.c. Dir. of Finance  
City Assessor  
Tax Supervisor

880822  
Council Agenda

145.

DATE: August 10, 1988

TO: City Clerk

FROM: City Assessor

RE: ROLL #09-4-2435  
4218 - 33 STREET, RED DEER

---

With reference to Della Crookshanks' letter of July 28, 1988, we advise that property tax penalties are levied on past due accounts in accordance with Bylaw #2929/87. The 1988 taxes for the above described property were outstanding as of July 1, 1988; therefore, a 9% penalty was levied in accordance with the City's bylaw.

The Tax Department received the Crookshanks' payment on July 4, 1988, with the envelope bearing a postmark of July 3, 1988.

The Tax Department notified the Post Office on June 16, 1988 (see attached letter) of Bylaw #2929, paragraph 6, which states:

"for the purposes of this bylaw any payment of property tax forwarded by mail shall be deemed to be paid on the same date as the postmark on which the said payment is mailed."

The Post Master advised the Tax Department that area mail boxes are cleared of mail at 5:30 p.m. daily and area boxes are not cleared on holidays (July 1).

We submit the above for Council's consideration and decision.

Al Knight, A.M.A.A.

AK/bw

cc Director of Finance

att'd.



Red Deer  
T4N 0N2 146.

July 28, 1988  
Roll # 9-4-24

The City of Red Deer,  
Taxation Department.

Dear Sir:

We have recently received a further tax bill for \$90.67. When I phoned to inquire regarding the reason for this bill, I was informed that our payment bore the post office stamp of July 3, 1988. I was also informed that if I could remember the time and place that the payment was mailed, it might help if I could write and inform you of the same. As happens, I do remember exactly when I mailed our tax payment. I mailed it on my way to work at 6 am. on June 30 in the mail box at the main entrance of the Red Deer Regional Hospital. As the mail is supposed to be picked up at 1230 pm, it should not be up to us to render further payment because of the inefficiency of our local post office.

Please inform us further

Della Crookshanks

346-8054  
346-8054  
346-8054

4218-33 ST  
Red Deer. Alta  
T4.N. 0N2

09-4-2435

Commissioners' Comments

As Council will recall, a request to waive tax penalties was previously considered, but not approved at the August 8, 1988, Council meeting. It is Council's policy that payments for taxes are to be received by June 30 in the given year, however we will accept any payments which are postmarked by Canada Post June 30. Although, the request for the waiver of penalty is sincere it does not meet the guidelines set by Council. For Council to stray from these guidelines at this time could result in a dangerous precedent.

We would therefore recommend that the penalty be not waived.

"R.J. MCGHEE"

Mayor

"M.C. DAY"

City Commissioner

Aug. 22/88

149.

- 8 -

Council gave consideration to the report from the City Assessor dated August 10, 1988 re: **Tax Roll #09-4-2435; 4218 - 33 Street / Della Crookshanks.** The following resolution was introduced and passed in this regard.

Moved by Alderman Pimm, seconded by Alderman Moffat

"RESOLVED that Council of The City of Red Deer hereby agree that the request by Della Crookshanks to waive the penalty of \$90.67 for late payment of taxes **be not approved.**"

Alderman Connelly, Alderman Kokotailo and Alderman Surkan registered dissenting votes.

MOTION CARRIED

CORRESPONDENCE

Correspondence from the Red Deer & District Allied Arts Council dated July 21, 1988 re: **Lease - Old Court House - Community Arts Centre** received the consideration of City Council, with the following resolution being introduced.

Moved by Alderman Surkan, seconded by Alderman Pimm

"RESOLVED that Council of The City of Red Deer, having considered correspondence from the Red Deer & District Allied Arts Council dated July 21, 1988, re: lease/Old Court House Community Arts Centre hereby approve the extension of the lease with the Red Deer & District Allied Arts Council for the Old Court House Community Arts Centre for a further five year term and as recommended to Council August 22, 1988."

MOTION CARRIED

Consideration was given to correspondence from Ted Olson Construction (Red Deer) Ltd. dated July 21, 1988 re: **Request to Purchase Public Reserve/ Lot R-5, Block 4, Plan 772-0065/ Pines Escarpment - Waskasoo Park.**



88082-  
Council Ag 62

150.

NO. 8

DATE: August 15, 1988

TO: City Clerk

FROM: City Assessor

RE: ROLL #10-4-2110  
DAVID D. AND MARY MACK

---

A request from the Bank of Montreal Branch Manager, Mr. G. N. Yeomans, was received requesting that the City consider reversing the penalty as charged for late payment of property taxes on the above noted account for reasons stated within the attached correspondence.

We advise that property tax penalties were levied on past due accounts in accordance with Bylaw #2929/87. The 1988 taxes, as indicated in this correspondence, were outstanding as of July 1, 1988; therefore, a 9% penalty was levied. The property taxes on this property are now paid, with the payment being entered on July 12, 1988. The outstanding balance, \$115.84, is the penalty.

We submit the request for Council's consideration and decision.

*D. Williams / for*  
Al Knight, A.M.A.A.

AK/bw

cc Director of Finance

att'd.

Commissioners' Comments

As Council will recall, a request to waive tax penalties was previously considered, but not approved at the August 8, 1988, Council meeting. It is Council's policy that payments for taxes are to be received by June 30 in the given year, however we will accept any payments which are postmarked by Canada Post June 30. Although, the request for the waiver of penalty is sincere it does not meet the guidelines set by Council. For Council to stray from these guidelines at this time could result in a dangerous precedent.

We would therefore recommend that the penalty be not waived.

"R.J. MCGHEE"  
Mayor

"M.C. DAY"  
City Commissioner

**Bank of Montreal**

4903 Gaetz Avenue  
P.O. Box 578  
Red Deer, Alta.  
T4N 5G1

Telephone No 340-6555

1988 08 04

The City of Red Deer  
Box 5008  
Red Deer, Alta.  
T4N 3T4

ATTENTION: Tax Department

Dear Sirs:

Re: Roll # 10-42110  
David D. & Mary Mack

On June 30, 1988 the above mutual customer paid her city of Red Deer Property Taxes at the Bank of Montreal.

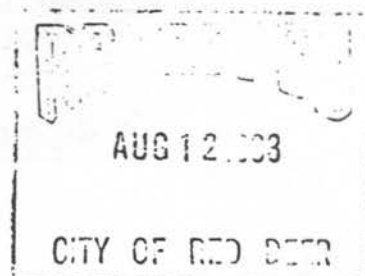
The teller, however, was a new employee, and accepted the payment assuming they were processed with the City of Red Deer utility bills. The teller was also operating under the next business date of July 4, 1988, as per attached copy of payment.

Due to these circumstances, the customers have been charged late interest on their taxes. Although both the tax payer and the Bank were in error it was clearly not an attempt by either party to delay payment to the city and we ask you to reconsider the late payment charge assessed to this resident.

Yours truly,

G.N. Yeomans  
Branch Manager

Enc.  
dmv



# THE CITY OF RED DEER

BOX 5008, RED DEER, ALBERTA T4N 3T4  
TELEPHONE: 342-8126

## TAX NOTICE

152.

LEGAL DESCRIPTION OF PROPERTY
LOT 16 BLK 15 PLAN 792-2027 87 MARTIN CLOSE
DAVID D. & MARY MACK 87 MARTIN CLOSE RED DEER, ALBERTA T4N 3T4
T4R IP

PROPERTY TAX  
1988

ROLL NUMBER

10-4-211

ASSESSMENT ON WHICH TAX IS CALCULATED

PUBLIC SCHOOL ASSESSMENT	SEPARATE SCHOOL ASSESSMENT
57,670	
TOTAL ASSESSMENT	BUSINESS ASSESSMENT
57,670	

FRONTAGE CHARGES AND OTHER CHARGES	AMOUNT	TAX AUTHORITY	MILL RATE	TAX LEVIED
WATER MNT. TAX	5.71	PROV EDUCATION FDTN	4.658	268.0
		PUBLIC SCHOOL	10.144	585.0
		SEPARATE SCHOOL	10.144	
		TOTAL EDUCATION		853.0
		TOTAL HOSPITAL	.017	.
		TOTAL MUNICIPAL	12.059	695.0
		BUSINESS	0%	

TOTAL BASIC TAX 1,550.  
TOTAL FRONTAGE & OTHER CHARGES 5.  
TOTAL CURRENT TAX 1,555.  
ADD PRIOR YEARS ARREARS  
PREPAYMENTS TO MAY 4, 1988  
DEDUCT EDUCATION FDTN. CREDIT 268.

FRONTAGE CHARGES 5.71  
OTHER CHARGES  
BALANCE DUE 1,287.

### TERMS OF PAYMENT

Payment for the City of Red Deer in the month of June. Payment must be made at City Hall during business hours or deposited in the post office by registered mail or by post-dated cheque dated no later than June 30 of the current year. If mailed the envelope must bear a postmark of no later than June 30. Failure to pay the above will constitute a 9% penalty of the unpaid balance of current taxes which will be added to and form part of the unpaid tax as of September 1 and an additional 4% penalty will be levied as of November 1 of the current year.

Any cheque or instrument shall be valid only when the amount of such cheque or instrument has been collected by the City of Red Deer.

Any arrears of taxes will be added to and form part of the unpaid tax on the first days of business of the City of Red Deer.

Any tax payable shall be paid to the City of Red Deer by the date of the payment on which said payment is made.

Any tax payable shall be paid to the City of Red Deer by the date of the payment on which said payment is made.

ALL DATES AS INDICATED ARE STRICTLY ENFORCED.

NO PENALTY IF PAID ON OR BEFORE

JUNE 30, 1988

Any cheque or instrument shall be valid only when the amount of such cheque or instrument has been collected by the City of Red Deer.

Any arrears of taxes will be added to and form part of the unpaid tax on the first days of business of the City of Red Deer.

Any tax payable shall be paid to the City of Red Deer by the date of the payment on which said payment is made.

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LEGAL DESCRIPTION OF PROPERTY  
LOT 16 BLK 15 PLAN 792-2027  
87 MARTIN CLOSE

DAVID D. & MARY MACK  
87 MARTIN CLOSE

## TAX REMINDER

DATE	ROLL NUMBER
JUL 20 1988	10-4-211

PLEASE BE ADVISED THAT AS OF  
THE ABOVE DATE YOUR TAX  
BALANCE IS 115.8



# THE CITY OF RED DEER

CITY HALL, RED DEER, ALBERTA T4N 3T4 TELEPHONE 342-8128

## TAX REMINDER

LEGAL DESCRIPTION OF PROPERTY  
 LOT 16 BLK 15 PLAN 792-2027  
 87 MARTIN CLOSE

DAVID D. & MARY MACK  
 87 MARTIN CLOSE  
 RED DEER ALBERTA  
 T4R 1P6

DATE	ROLL NUMBER
JUL 20 1988	10-4-2

PLEASE BE ADVISED THAT AS OF  
 THE ABOVE DATE YOUR TAX  
 BALANCE IS 115.84

IF THIS ACCOUNT REMAINS UNPAID  
 A TAX PENALTY WILL BE LEVIED  
 THIS BALANCE AS OF SEP 1 1

IF YOUR ACCOUNT HAS BEEN PAID  
 PLEASE DISREGARD THIS NOTICE  
 ALLAN KNIGHT, CITY ASSESSOR

~~342-2300~~ - work #  
 342-2030

After Clerk  
 City goes to  
 City Council

Aug. 22/88

- 7 -

154.

## REPORTS

Council's consideration was given to the report from the Director of Finance dated August 15, 1988 re: **Request to waive tax penalty/ Audrey Neal.** The resolution as noted hereunder was introduced and passed.

Moved by Alderman Kokotailo, seconded by Alderman Moffat

"RESOLVED that Council of The City of Red Deer hereby agree the request by Audrey Neal to waive the penalty of \$145.00 for late payment of taxes **be approved.**"

Mayor McGhee registered a dissenting vote.

MOTION CARRIED

City Council gave consideration to a report from the City Assessor dated August 10, 1988 re: **Tax Roll #14-2-1150; 211 Davison Drive.** Trudy Cullen was present representing Guenther Theophile in this respect.

Moved by Alderman Surkan, seconded by Alderman Guilbault

"RESOLVED that Council of The City of Red Deer hereby agree that the request by Guenther Theophile to waive the penalty of \$158.27 for late payment of taxes **be not approved.**"

Alderman Connelly registered a dissenting vote.

MOTION CARRIED

Council gave consideration to the report from the City Assessor dated August 15, 1988 re: **Tax Roll #10-4-2110; 87 Martin Close. David and Mary Mack.** The following resolution was introduced and passed in this respect.

Moved by Alderman Guilbault, seconded by Alderman Surkan

"RESOLVED that Council of The City of Red Deer hereby agree that the request by The Bank of Montreal Branch Manager, Mr. G. N. Yeomans, on behalf of David and Mary Mack, to waive the penalty of \$115.84 for late payment of taxes **be not approved.**"

MOTION CARRIED

**THE CITY OF RED DEER**

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

August 24, 1988

Mr. Guenther Theophile  
c/o 2, 4980 - 76 Street  
Red Deer, Alberta  
T4P 2J8

Dear Sir:

At the Council Meeting of August 22, 1988, consideration was given to your letter dated August 8, 1988, concerning the request to waive tax penalty, and at which meeting the following resolution was passed.

"RESOLVED that Council of The City of Red Deer hereby agree that the request by Guenther Theophile to waive the penalty of \$158.27 for late payment of taxes be not approved."

The decision of Council in this instance is submitted for your information. Although Council do not approve your request, I would like to take this opportunity to thank Trudy Cullen for attending the meeting on your behalf to present this concern.

If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

K. Kloss  
Assistant City Clerk  
KK/ds  
c.c. Dir. of Finance  
City Assessor  
Tax Supervisor



DATE: August 10, 1988

TO: City Clerk

FROM: City Assessor

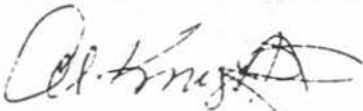
RE: ROLL #14-2-1150  
LOT 5, BLOCK 8, PLAN 862-2312  
211 DAVISON DRIVE

With reference to a letter received by the Tax Department and signed by Trudy Cullen on behalf of Guenther Theophile, dated August 8, 1988, and in research of our file we find that we did not receive a change of address prior to July 6, 1988.

On July 6, 1988, Mr. Theophile's wife called and left a change of address which was entered on the screen on July 18, 1988, in time to direct the reminder notices to the amended address. The amended address that is on the screen at the present time, is to the business address as noted within the correspondence, not 211 Davison Drive. We do not have an indication of receipt of any information prior to this to amend the address for the above noted property.

The Tax Department placed three separate ads on three separate occasions in the Red Deer Advocate indicating that all tax payments must be received by the City by midnight June 30 to avoid penalty. Even though, in some instances, a tax notice has not been received it is our contention the public have been given as much notice as is possible on our behalf that property taxes are due and payable within that indicated June 30 time frame.

We respectfully request City Council's review and decision on the request as outlined.



Al Knight, A.M.A.A.

AK/bw

cc Director of Finance

att'd.



## Request to

- ☒ A Redirect Mail to New Address  
☐ B Redirect Mail to Temporary Address  
☐ C Hold Mail for the period specified above

## Demande pour

- ☐ A Réexpédier le courrier à une nouvelle adresse  
☐ B Réexpédier le courrier à une adresse temporaire  
☐ C Retenir le courrier pour la période mentionnée au-dessus

Initials Initiales

Amount Paid Total payé

## Receipt Date Stamp/Dateur Reçu

For validation of receipt, this card must be presented intact at your Post Office. Otherwise, please remove this stub before mailing.

Pour la validation du reçu, cette carte doit être présentée intacte à votre bureau de poste. Sinon, retirez cet onglet avant de poster.

*Guenther Theophile*  
 Name/Nom  
*Cash*

377005  
 29 JUL 1987  
 RED DEER  
 ALBERTA



## THE CITY OF RED DEER

CITY HALL, RED DEER, ALBERTA T4N 3T4 TELEPHONE 342-8126

## LEGAL DESCRIPTION OF PROPERTY

LOT 5 BLK 8 PLAN 8622312  
 211 DAVISON DR

GUENTHER THEOPHILE  
 C/O 2 4980-76 STREET  
 RED DEER ALTA  
 T4P 2J8

*Charlie Service*  
*City Clerk*  
*all ready done*  
*Box 5008*

DAVID L. PROKE  
 PROFESSIONAL CORPORATION  
 #251, 5201 - 43rd STREET  
 RED DEER, ALBERTA T4N 1C7

## TAX REMINDER

DATE	ROLL NUMBER
JUL 20 1988	14-2-1150

PLEASE BE ADVISED THAT AS OF  
 THE ABOVE DATE YOUR TAX  
 BALANCE IS 158.27

IF THIS ACCOUNT REMAINS UNPAID,  
 A TAX PENALTY WILL BE LEVIED ON  
 THIS BALANCE AS OF SEP 1 1988

IF YOUR ACCOUNT HAS BEEN PAID  
 PLEASE DISREGARD THIS NOTICE.

ALLAN KNIGHT, CITY ASSESSOR  
*Dated July 1988*



*#2-4980*  
*T4P 2J8*  
 44 St. Guenther Theophile  
 42 F Manning Street  
 Red Deer, Alta.  
 T4P 1N6

<b>RECEIVED</b>	
TIME	2:20 pm
DATE	8/8/88
BY	B.

Red Deer, Alta.  
Aug 8, 1988

158.

Dear Sirs,

We moved from 127 Manning St in October. I went to the post office and paid a ten dollar fee to put in a change of address to the above.

Several months passed and the post office called to say our mail was sitting unclaimed. I went to them and found out we were supposed to be picking our mail up as there was no delivery for 211 Dawson Dr. and we would eventually be assigned a box at the end of the street. Had I been informed at the time I put in change of address I would have had our mail sent to our place of business. I then put that change in.

From that day to this it's never been done properly, several utility bills were post due dates. I had to go personally to city hall and explain in detail exactly what I wanted. I also talked to a girl on the main switchboard explain my problem and gave her change of address instructions for city hall. Finally after

getting most of the bills paid & the  
bill late. I phoned ~~immediately~~ <sup>159.</sup>  
and sent out the cheque, also explained  
I felt the penalty was unfair as we  
have never missed a due date on  
any of our utilities, business taxes etc.

Sincerely  
Trudy Cullen  
for Linanthus Theophile

Enclosed is an example of how long our  
mail is taking to reach us. This  
one was mailed in Red Deer on July 2.  
He received it on Aug 9.  
It's also possible the post office will  
admit being aware of the confusion  
we have experienced.

Commissioners' Comments

As Council will recall, a request to waive tax penalties was previously considered, but not approved at the August 8, 1988, Council meeting. It is Council's policy that payments for taxes are to be received by June 30 in the given year, however we will accept any payments which are postmarked by Canada Post June 30. Although, the request for the waiver of penalty is sincere it does not meet the guidelines set by Council. For Council to stray from these guidelines at this time could result in a dangerous precedent.

We would therefore recommend that the penalty be not waived.

"R.J. MCGHEE"  
Mayor

"M.C. DAY"  
City Commissioner

Aug 22/88

REPORTS

880822  
Council  
minutes  
Council's consideration was given to the report from the Director of Finance dated August 15, 1988 re: Request to waive tax penalty/ Audrey Neal. The resolution as noted hereunder was introduced and passed.

Moved by Alderman Kokotailo, seconded by Alderman Moffat

"RESOLVED that Council of The City of Red Deer hereby agree the request by Audrey Neal to waive the penalty of \$145.00 for late payment of taxes be approved."

Mayor McGhee registered a dissenting vote.

MOTION CARRIED

880822  
Council  
minutes  
City Council gave consideration to a report from the City Assessor dated August 10, 1988 re: Tax Roll #14-2-1150; 211 Davison Drive. Trudy Cullen was present representing Guenther Theophile in this respect.

Moved by Alderman Surkan, seconded by Alderman Guilbault

"RESOLVED that Council of The City of Red Deer hereby agree that the request by Guenther Theophile to waive the penalty of \$158.27 for late payment of taxes be not approved."

Alderman Connelly registered a dissenting vote.

MOTION CARRIED

880822  
Council  
minutes  
Council gave consideration to the report from the City Assessor dated August 15, 1988 re: Tax Roll #10-4-2110; 87 Martin Close. David and Mary Mack. The following resolution was introduced and passed in this respect.

Moved by Alderman Guilbault, seconded by Alderman Surkan

"RESOLVED that Council of The City of Red Deer hereby agree that the request by The Bank of Montreal Branch Manager, Mr. G. N. Yeomans, on behalf of David and Mary Mack, to waive the penalty of \$115.84 for late payment of taxes be not approved."

MOTION CARRIED



## THE CITY OF RED DEER

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

August 10, 1988

Mrs. Laurie MacBeth  
154 Piper Drive  
Red Deer, Alberta  
T4P 1L6

Dear Mrs. MacBeth;

At the Council meeting of August 8, 1988, consideration was given to your correspondence dated July 26, 1988, relative to a request for the waiver of your property tax penalties and at which meeting the following resolution was passed:

"RESOLVED that Council of The City of Red Deer hereby agree that the request by Laurie MacBeth to waive the penalty of \$135.86 for late payment of taxes be not approved."

The decision of Council in this instance is submitted for your information. Although Council was unable to approve your request, I would like to thank you for taking the time and speaking to Council regarding this matter. For your record, I have enclosed pages 71-73 of the Council agenda relative to your request.

Trusting you will find this satisfactory. If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

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

K. Kloss  
Asst. City Clerk  
KK/ds  
c.c. Dir. of Finance  
City Assessor  
Encl.



880808  
Council Agenda

163.

NO. 2

July 26/88

Attention: City Council:

On June 30, 1988, between 4 and 5 p.m., I mailed a cheque in the amount of \$1,509.50 (the full amount) to cover our property taxes for 1988.

On July 25, 1988, I received a "Tax Reminder" in the mail, stating we owed \$135.86 on our taxes. I immediately called City Hall and was put in touch with Mr. Norm Ford, and he informed me that the reason for the balance of \$135.86 on my tax account was because the date stamped on my envelope, by the post office was, July 3, 1988.

I informed him, that I had mailed my letter on June 30/88 at approximately 4 p.m. and the mail was not scheduled to be picked up at that particular box until 5:00 p.m. When I dropped my letter in the box, I took a look into the box to make sure the mail had not been picked up yet. It had not so I was confident of my envelope being stamped June 30/88.

Mr. Norm Ford advised me to write to Council and inform them of what happened.

First of all, I strongly feel that we should not be financially penalized because the post office was unable to stamp all the mail that was mailed on June 30, 1988. As I'm sure you are aware there was a 3 day week-end following June 30. Who is to say that the post office was short staffed due to sick or vacationing employees? Because of this, I do not feel I should be forced to pay \$135.86.

I would greatly appreciate Council looking into this matter because as a young family with small children, \$135.86 is a great deal of money to us, and I honestly and very strongly feel this payment is unjustified.

Please contact me at 347-3208 in regards to this matter.

Thank you

"Laurie MacBeth"  
154 Piper Drive  
Red Deer, Alta.  
T4P 1L6

DATE: July 28, 1988

TO: City Clerk

FROM: City Assessor

RE: ROLL #28-2-1610  
154 PIPER DRIVE  
LOT 8, BLOCK 11, PLAN 762-0938

---

With reference to Mrs. L. MacBeth's letter of July 26, 1988, may we advise that property tax penalties are levied on past due accounts in accordance with Bylaw #2929/87. The 1988 taxes for the above described property were in the amount of \$1,509.50 which was outstanding as of July 1, 1988; therefore, a 9% penalty of \$135.86 was levied in accordance with the City's bylaw.

The Tax Department received the MacBeth's payment on July 4, 1988, with the envelope bearing a postmark of July 3, 1988.

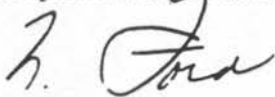
The Tax Department notified the Post Office on June 16, 1988 (see attached letter) of Bylaw #2929 paragraph 6 which states:

"For the purposes of this bylaw any payment of property tax forwarded by mail shall be deemed to be paid on the same date as the postmark on the envelope in which the said payment is mailed."

The Postmaster advised the Tax Department that area mail boxes are cleared of mail at 5:30 p.m. daily and area boxes are not cleared on holidays (July 1).

In view of the above it is recommended that the penalty of \$135.86 be waived subject to the taxpayer signing a statutory declaration stating the payment was mailed prior to midnight on June 30.

Respectfully Submitted



for Al Knight, A.M.A.A.

AK/bw

att'd.

June 16, 1988

Postmaster  
4909 Ross Street  
Red Deer, Alberta  
T4N 1X8

Dear Sir:

RE: TAX PAYMENT DEADLINE

Pursuant to The City of Red Deer's bylaws, property and business tax payments are due and payable at City Hall or by mail postmarked no later than midnight, June 30 of any year.

To provide assurance to ratepayers, Council and other interested parties, we would appreciate if your office and Post Office employees would endeavor to insure that all mail deposited in boxes prior to midnight on June 30 does in fact receive a postmark of that date. We would appreciate this as any mail received postmarked later than June 30 is assessed a penalty of 9%, which in many cases is a considerable amount of money.

Thank you for your anticipated cooperation in this regard.

Sincerely,

Al Knight, A.M.A.A.  
City Assessor

AK/bw

cc Director of Finance  
Taxation Supervisor

Commissioners' Comments

The attached application is for cancellation of the interest charged on property taxes which is levied when the taxes are not received by the due date. As Council will recall each year at this time, a number of appeals are made to Council similar to the above by people who have missed the deadline, and to minimize this problem, the attached letter was written to the Post Office. This year we collected a greater proportion of taxes than last year by the deadline date and there were fewer people who missed the deadline than in previous years. As Council is aware, although we receive many late payments in accordance with the Act, we accept the post office date on the envelope as equivalent to receipt. In this particular instance, the date stamp was July 3 and we cannot recommend that Council relax the interest charged in this instance.

"L. PIMM", Deputy Mayor  
"M.C. DAY", City Commissioner

Aug. 8/88

Moved by Alderman Kokotailo, seconded by Alderman Guilbault

"RESOLVED that Council of The City of Red, having considered application from the Red Deer Columbus Club to use the road right of way between the Columbus property (4950 - 47 Ave.) and back of sidewalk, hereby agree that said application be denied."

Alderman Connelly registered dissenting votes.

MOTION CARRIED

Council's consideration was given to further correspondence from the Red Deer Columbus Club dated July 26, 1988 re: **Parking Lot behind the downtown A.L.C.B. Store**, and in particular, a request for an entrance to the parking facility from 47 Avenue. Ray Malo, General Manager of the Club was present and spoke to Council on his request. Following discussion, a resolution as noted hereunder was introduced and passed.

Moved by Alderman Kokotailo, seconded by Alderman Guilbault

"RESOLVED that Council of The City of Red Deer, having considered correspondence from the Red Deer Columbus Club requesting improvements to the City Parking Lot located behind the A.L.C.B. store on 48 Street west of 47 Avenue, and access to said parking lot off 47 Avenue, hereby agree that said request be denied at this time, and as recommended to Council August 8, 1988 by the City Commissioners."

Alderman Connelly registered a dissenting vote.

MOTION CARRIED

City Council gave consideration to correspondence from **Laurie MacBeth** dated July 26, 1988 re: **Tax Payment**. Mrs. MacBeth was present in Chambers and spoke in her defence. Following lengthy discussion on the above matter, a resolution as noted hereunder was introduced and passed.

Moved by Aldermn McGregor, seconded by Alderman Campbell

"RESOLVED that Council of The City of Red Deer hereby agree that the request by Laurie MacBeth to waive the penalty of \$135.86 for late payment of taxes be not approved."

Alderman Connelly, Alderman Kokotailo and Alderman Surkan registered dissenting votes.

MOTION CARRIED

#135.00 - Laurie MacBeth.

August 8, date of Council  
meet.

Tax Penalty.

- irate

- will call me again

Nov. 10 to see if on

Nov. 14 agenda.

Met for  
agenda

DATE: NOVEMBER 1, 1988  
TO: DIRECTOR OF FINANCE  
FROM: CITY CLERK  
RE: ALDERMAN MCGREGOR - WRITTEN ENQUIRY/TAX PENALTY REFUND REQUESTS.

---

At the Council meeting of October 31, 1988, the following written enquiry was submitted by Alderman McGregor:

"In view of Council's decision to refund tax penalties to Ed Makarenko, it is requested that the Finance Director report to Council previous tax penalty refund requests that were declined, for reconsideration by Council."

Would you please provide said information in a report back to Council at your earliest convenience.

  
C. SEVCIK  
CITY CLERK  
CS/sp

c.c. City Assessor



THE CITY OF RED DEER

Written Inquiry  
from Alderman McGregor

DATE Oct 31/88

NO. \_\_\_\_\_

Moved by Councillor \_\_\_\_\_, Seconded by Councillor \_\_\_\_\_

In view of Council's decision to refund  
tax penalties to Ed Makarenko, it is  
requested that the Finance Director report  
to Council previous tax penalty refunds  
<sup>that were declined</sup>  
requests for reconsideration by Council

	<u>FOR</u>	<u>AGAINST</u>	<u>ABSENT</u>		<u>FOR</u>	<u>AGAINST</u>	<u>ABSENT</u>
Councillor Pimm	_____	_____	_____	Councillor Oldring	_____	_____	_____
Councillor Hood	_____	_____	_____	Councillor Gerdtz	_____	_____	_____
Councillor Kokotailo	_____	_____	_____	Councillor McGregor	_____	_____	_____
Councillor Moffat	_____	_____	_____	Councillor Connelly	_____	_____	_____
				Mayor McGhee	_____	_____	_____

**THE CITY OF RED DEER**

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

November 16, 1988

Ms. Della Crookshanks  
4218 - 33 Street  
Red Deer, Alberta  
T4N 0N2

Dear Ms. Crookshanks:

I would advise that Council of The City of Red Deer at its meeting held on November 14, 1988, re-considered its decision of August 22, 1988, regarding your application to waive the tax penalty for late payment of taxes pertaining to Roll No. 09-4-2435.

Following is the motion which was passed by Council agreeing that the penalty in this instance be cancelled.

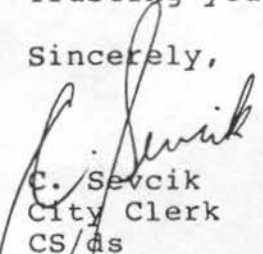
"RESOLVED that Council of The City of Red Deer hereby agree to rescind the August 22, 1988, Council resolution concerning an application by Della Crookshanks for late payment of taxes.

Council further agree that the penalty in the amount of \$90.67 for late payment of taxes be cancelled."

The decision of Council in this instance is submitted for your information. A cheque from the City of Red Deer in the amount of the penalty will be sent to you under separate cover.

Trusting you will find this satisfactory.

Sincerely,

  
C. Sevcik  
City Clerk  
CS/ds

c.c. Dir. of Finance  
City Assessor

**THE CITY OF RED DEER**

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

November 16, 1988

Ms. Laurie MacBeth  
154 Piper Drive  
Red Deer, Alberta  
T4P 1L6

Dear Ms. MacBeth:

I would advise that Council of The City of Red Deer at its meeting held on November 14, 1988, re-considered its decision of August 8, 1988, regarding your application to waive the tax penalty for late payment of taxes pertaining to Roll No. 28-2-1610.

Following is the motion which was passed by Council agreeing that the penalty in this instance be cancelled.

"RESOLVED that Council of The City of Red Deer hereby agree to rescind the Council resolution of August 8, 1988, pertaining to an application by Laurie MacBeth for late payment of taxes.

Council further agree that the penalty in the amount of \$135.86 be cancelled."

The decision of Council in this instance is submitted for your information. A cheque from the City of Red Deer in the amount of the penalty will be sent to you under separate cover.

Trusting you will find this satisfactory.

Sincerely,

C. Sevcik  
City Clerk  
CS/ds

c.c. Dir. of Finance  
City Assessor

**PROPOSAL TO RESTORE THE PARSONS HOUSE  
FOR USE AS A TEA ROOM AND GIFT SHOP**

THE CITY OF RED DEER  
CLERK'S DEPARTMENT

RECEIVED	
TIME	11:15 am
DATE	88/11/04
BY	C. Purick

Purpose of Proposal

The purpose of this proposal is to acquaint Red Deer City Council with the intention to purchase the Parsons House in Red Deer and, following minor renovation treatment, fit it for use as an elegant tea room and gift shop, thereby creating a major new attraction in the downtown core of the city.

Given that the property has great historic significance and emotional appeal, it is proposed to exploit to the fullest this heritage aspect to promote the business and the area.

Introduction

Rodney and Mennie James are the present owners of *The Ginger Tea Room and Gift Shop* in Okotoks, Alberta. For some time they have been searching for a heritage home in the province which could be moved to Okotoks to house their unique tea room and gift shop. Such a home would have to have a history behind it, size and quality of construction. There are very few available homes in Alberta which meet this criteria, compared to those to be found in Eastern Canada.

They had given up hope of finding a suitable property and were thinking of building a replica of a heritage home, when their granddaughter, Jennifer Wilson of Red Deer, brought up the impending destruction of the Parsons House in Red Deer. They decided to investigate it and made a quick trip to Red Deer, at which time they were only able to see the outside of it, before leaving for a lengthy business trip to Ontario in September.

New houses with turn-of-the-century architecture are becoming very popular in Ontario and while there, they investigated in detail the possibility of constructing a new, century-design house for their business in Okotoks.

On their return in mid-October, they again made enquiries regarding the Parsons House and learned that it seemed inevitable that it would be demolished to make way for a parking lot. They decided a last-ditch effort was called for and on viewing the interior, came away convinced it was an ideal property for their type of operation - with one exception. It obviously could not feasibly be moved to Okotoks!

They decided the fact that it was located in Red Deer was not an insurmountable problem. Mohammed could simply go to the mountain! There could be two *Ginger Tea Rooms* in Alberta.

Accordingly, the James' have decided, if possible, to open a second *Ginger Tea Room and Gift Shop* in the Parsons House in Red Deer and in so doing, to

restore it as much as possible to it's original grandeur.

### Heritage Funding Necessary

Whether or not their efforts to purchase the property and to restore it will be successful depends in a large measure, on the availability of a certain amount of heritage resource funding which could be used, in addition to their own resources, to accomplish the preservation of the house.

While the property is in nearly every respect, ideally located and designed for such use, the main concern of the James' is the viability of the project from a business and economic point of view. Given the success of their similar operation in Okotoks, they have no reservations whatever about the ability of such a venture to prosper; they are concerned however, that the initial purchase price is prohibitive for an operation such as theirs.

Therefore, they are seeking assistance in accomplishing the preservation of this lovely old home and to have the business in operation by the spring of 1989.

### Business Background

Rodney James was born in Ponoka and attended the Composite High School in Red Deer. He lived for many years in Lacombe, where he owned and published a number of livestock and farm publications, travelling widely in his various agri-business pursuits. In 1967 he started a Sales Management Company which markets purebred beef cattle across Canada, moving his headquarters to Calgary in 1975 and two years ago, to Okotoks.

Mennie James was born in the Ottawa Valley at Pembroke, Ontario, where her family has been continuously involved in the lumber and pole industry since 1847; making hers the oldest family-owned forestry operation still in business in Canada. Mennie has held various editorial positions including eight years as city editor of a daily newspaper in Ontario, and some 15 years as a real estate broker in Ontario and later as an agent in Alberta.

### The Ginger Room in Okotoks

The James' involvement in the restaurant and retail business began in November 1985 when Mennie learned that a little gift shop and tea room which she frequented in Okotoks was for sale. A week later they owned it and were in operation as The Ginger Tea Room and Gift Shop. Neither knew how to operate the cash register that first day as new owners of the eight-year-old business! They did however, have many years of experience behind them in sales, promotion and the "people" business.

Three years later they have tripled sales; taken over an additional 1250 sq. ft. of retail space upstairs for a total gift shop area of more than



2000 sq. ft.; and have become widely known for their good home-cooked food, extra-ordinary selection of unique gifts and friendly service-oriented atmosphere. Their discrete commercial filmed on location which runs regularly on Calgary TV is credited with constantly bringing new customers to their business. Their staff has doubled to 12 local women including an Assistant Manager, two cooks, two waitresses, dishwasher and sales personnel.

Aggressive marketing, good staff, excellent food, customer service and customer relations, good relationship with suppliers, quality of merchandise and a unique setting in which to display it, all contribute to the success of the Okotoks operation. People do keep coming back.

### Why the Parsons House?

The Parsons House has many advantages for the type of business proposed by the James'. It is a quality old home containing fine wood trim and hardwood floors in very good condition. The existing floor plan is admirably suited to becoming a tea room and gift shop with very few structural changes. It's three fireplaces reflect an aura of by-gone elegance. The caring nature of that long-ago, much-respected doctor who toiled within it's walls can be sensed and it's hallways echo the footsteps of the many patients who passed through it's entrance. It has served generations of Albertans. It has earned the right to be preserved because of the nature of it's message to succeeding generations.

### Benefits to Area

The proposal to establish this elegant tea room and high quality gift shop in the Parsons House could make it a unique major tourist attraction for Red Deer. It is already one of the most interesting sites on the City of Red Deer's walking tour. It is inconcievable to envisage a parking lot in it's place on this tour.

An attraction such as this could have a strong impact on the revitalization of Red Deer's downtown area. It is noted that the city has already addressed this issue. The proposed venture could easily be tied in with existing plans.

Employment would be provided for the area, both during the renovation period and for staff for the business. It is estimated that a minimum of six employees will be required to operate the tea room and shop initially. That figure could very quickly double if the business grows as it has in Okotoks.

### Proposal For Preservation

No conflict is seen between preserving the integrity of the Parsons House and the idea of it's becoming a tea room and gift shop. Every effort would be made to retain it's original ambience. The attached floor plan of the house explains the proposed use of the individual rooms and the few changes deemed necessary to accomodate the public.



It is proposed to remove the relatively new metal front door and to relocate a main entrance to the east of the present one which would be consistent with the original architecture of the building and which would allow for better traffic flow for a commercial operation. The new entrance way would be located through the existing window. This is the only proposed exterior structural changes.

The original verandah could be used for additional tea room area in warmer "tourist" months. In fact, garden space at the back could also accommodate extra tea room area if needed in the summer.

The existing kitchen area is not quite adequate for a commercial operation and it is therefore proposed to make use of the garage to provide space for pantry, refrigeration, deep freezer and stock room area. This would not necessitate any external change.

Inside it would be necessary to erect walls to accommodate washrooms and office area. See attached floor plan with broken lines indicating these few proposed changes.

It is planned that the back rooms on the second floor would become an owners' suite initially and could be used at some later date, to eventually expand the gift shop.

### Parsons Memorabilia

It is planned to designate an area in the original foyer for Parsons memorabilia and to perhaps include mention of the original owners, the Mitchener family. Theme rooms are envisioned throughout the house such as perhaps, "The Doctor's Room", "The Mitchener Room", "Parsons Room", etc. The decor and furnishings of the tea room and shop would be in keeping with the era of the 85 year old house. The very good hardwood floors would be restored and left exposed and the original woodwork carefully maintained.

The heritage aspect of the building would be heavily promoted through brochures distributed at tourism outlets, TV advertising, staff trained in the history of the building, etc. Aggressive marketing and ability to prepare promotional material is seen as an integral part of the operation i.e. see current attached newsletter for The Ginger Room in Okotoks.

It would seem that this proposed venture would be ideal in that this discrete and pleasant business would provide free access to the general public to visit and enjoy the Parsons house as part of their heritage on a year-round basis.

### The Bottom Line

To stay "alive" in business today, the head must not rule the heart. Therefore, however important the preservation of this beautiful old building may be, the bottom line still must be given priority. The hard fact is that while land costs in downtown Red Deer may not be viewed with alarm by

Woodwards on The Bay, any small business, however successful, must be wary of contemplating such an initial expenditure as the Parsons House purchase represents. In short, the tea room and gift shop concept does not appear to be a viable solution to saving this grand old house without considerable start-up assistance with funding.

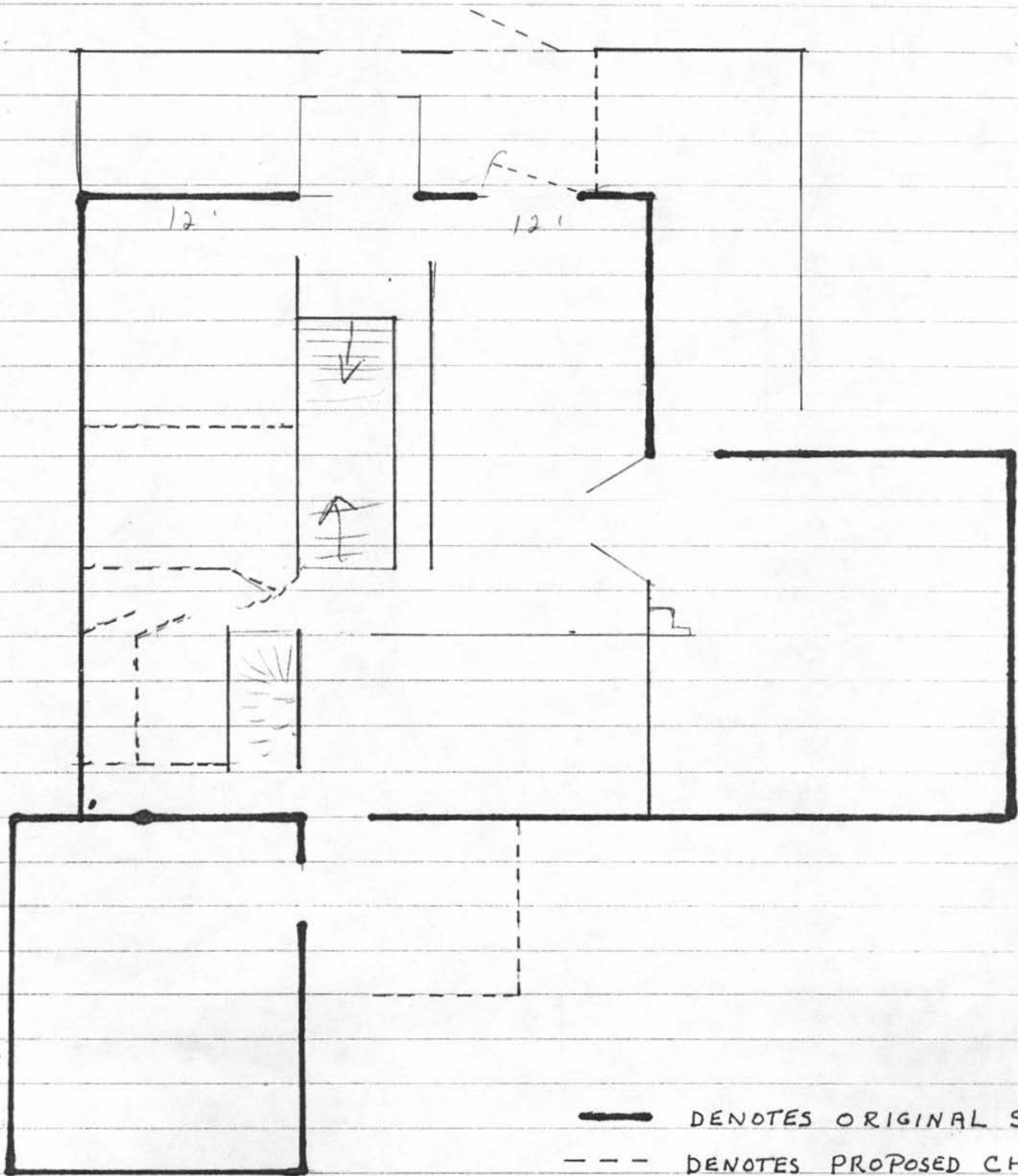
To start with, the present owner must be compensated for his investment. A preliminary engineering report indicates an expenditure of some \$50,000.00 to rewire the house and implement changes necessary to proceed with the tea room and gift shop concept.

It is estimated that decorating, furnishings, displays and kitchen appliances could run around \$75,000.00. Stock purchases for the gift shop are seen as a minimum of \$50,000.00.

The reduction or deferral of the present taxes of \$8,000.00 per year would have to be addressed in some manner.

It is absolutely essential that the financial framework be designed to ensure the ongoing profitability of the venture and thus ensure the future preservation of the building. The bottom line is that the preservation of this historic home will only be undertaken by the James' if it can be made a viable operation.

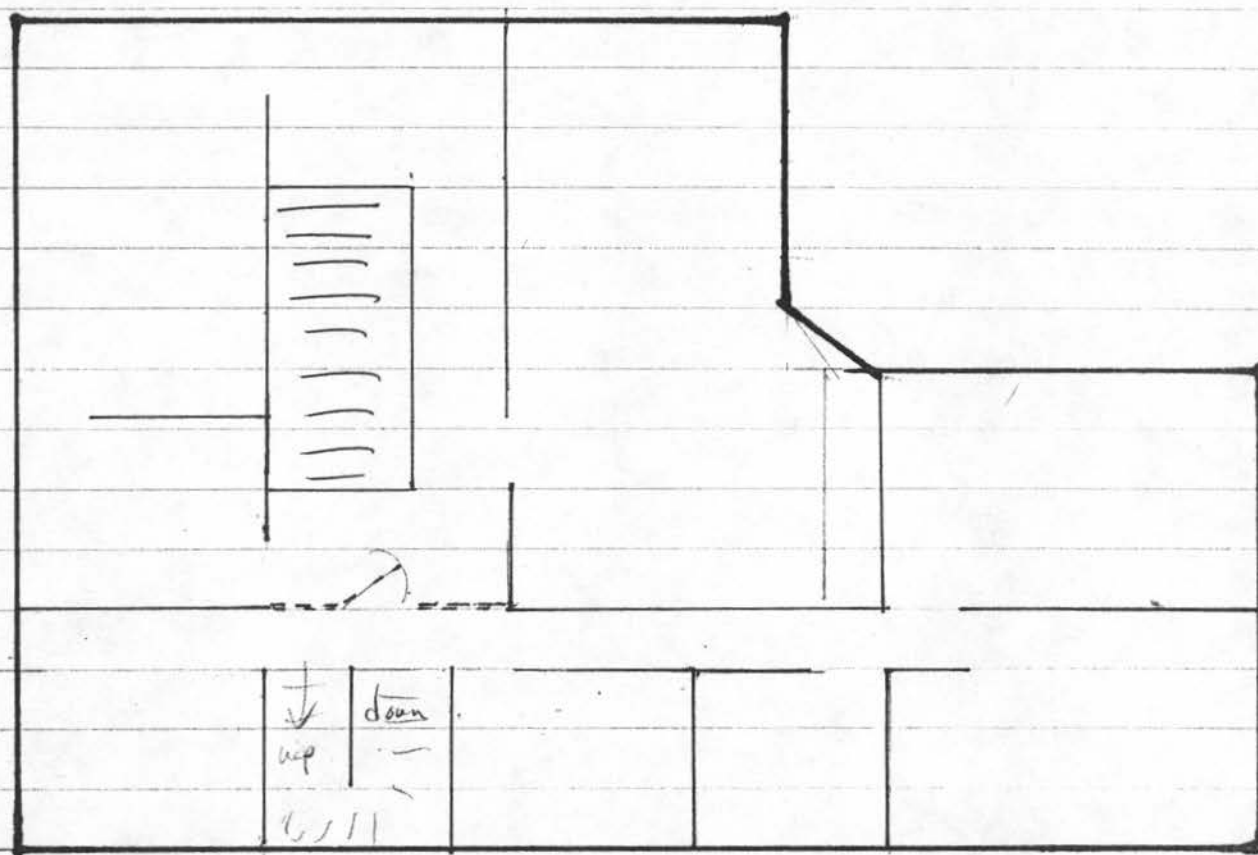
## FIRST FLOOR



— DENOTES ORIGINAL STRUCTURE  
--- DENOTES PROPOSED CHANGES

SCALE 1" = 8'

## UPPER FLOOR





# GINGER TEA ROOM & GIFT SHOP

Dear Friends of The Ginger Room:

There's something about a busy little tea room and gift shop that makes the years positively fly by; we can't believe our fourth Christmas in Okotoks is upon us and that our third Ginger Room Anniversary is November 15th.

Three years ago Rodney and I opened the Ginger Room under our management just six weeks before Christmas. How naive we were! We didn't know much about a retail operation, but we did know a lot about the kind of service we wanted to provide for our customers. I had become very disenchanted with the lack of service provided by the larger chain stores and wanted to prove it didn't have to be that way. I hope we have in some measure succeeded because our customers truly are very important to us.

We are planning a small celebration on Tuesday, November 15th when we will be offering complimentary hot cider and sweets plus "in-store" specials in our shop all day. Bring your Christmas list. We truly believe we have something for everyone on it; at least that's what folks tell us all year 'round. We will continue this celebration into the weekend and have set aside Friday night, November 18th, as a very special night for our MEN customers. So, girls, get the men in your lives out to The Ginger Room that evening from 7:00 p.m. to 10:00 p.m. where our pleasant, helpful staff will assist them to choose something you will really love this year. We will pamper them and help with suggestions or leave them alone to browse and choose, as they prefer, and then we will wrap their selection and send them on their way with one less problem on their minds.

And what a good staff we now have to provide this service. Along with Pam Nattress, whose pleasant way and knowledge of plate collecting make her a favourite with all, we have our diminutive charmer Elaine Marshall, Jean Dunbar, Shirley Evans and Susan Nordlund, all of whom will be more than willing to help. We will even do some modelling to help the gentlemen decide! (It's ok girls, we don't carry lingerie!)

Now, what would you like for Christmas?

We are showing in our Boutique Room a lovely line of basic skirts and tops which we can put together with marvellous Italian leather belts, stunning designer jewellery (mostly Canadian designers) and colourful silk scarves with matching earrings or frog skin belts and bags.



*Alernie and Rodney James*

79 Elizabeth Street, P.O. Box 1036, Okotoks, Alberta T0L 1T0

(403) 938-2907 Res. 938-2437



We'll show you hand-painted silk blouses by Jackie Doyle of Saltspring Island; gorgeous mohair sweaters from England and wool and rayon knits from Canadian designers who have won outstanding acclaim at the trade shows with their creations. Some of these beautiful sweaters have matching tams or snoods; stunning ensembles for the slopes or just to cheer you through the cold days ahead. In fact I doubt if you will find a classier selection of unique boutique clothing anywhere, but it is limited, so don't delay.

We have two new books, one by Judy Reiman who illustrates very simply all the neat tricks of scarf tying to make a statement, and one by Andrea Jeffrey which details lovely ways to braid hair. These girls will be in the shop from time to time demonstrating their techniques.

We also hope to have Georgia Jarvis back to sign her latest release, a new plate series entitled "Life on the Farm", depicting young children and heavy horses - a dynamite duo.

This year we have exquisite hand-blown glass vases and baskets by Rossi in glowing colours; crystal bowls and goblets by Durand; collector quality perfume bottles and paper weights by Skookum and Rueven glass; delicately designed pewter oil lamps and candle holders by the talented Montreal artiste Bernard Chaudron, as well as many new items from our favourite Nova Scotia pewter firm, Seagull of Pugwash; and detailed pewter figurines by Toronto's Slavko Dugar.

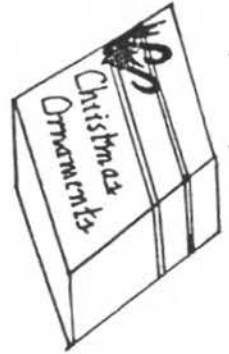
If you prefer porcelain to pewter, we have an outstanding collection of birds, animals and flowers by Andrea and Dave Grossman and Limited Editions by Border Fine Arts and the Bradford Exchange; and the loveliest porcelain dolls for that special little lady on your list.

For the collector of David Winter cottages we have this year's entire selection of new pieces on hand as well as the 1983 Annual Christmas piece "Hogmanay" and even a few left of "Scrooges Counting House" the mold of which was broken last February. I am told the mold for Hogmanay will be destroyed December 31, 1988, making this a very valuable piece some day. Are you a member of the David Winter Guild? Ask us to explain what benefits Guild members enjoy.

If you are buying for the house this year you might want to consider one of the many lovely new pieces of brass or copper (many of which are shown in the enclosed catalogue).

Of course we have all of Georgia Jarvis' popular limited edition lithographs and this year we have added Joan Healy's from Edmonton as well. Do ask to see my personal favourite print by Yvette Moore of Regina. For the animal lovers we have Glen Olsen's incredibly detailed print Lynx Kittens; and, of course, the ever popular work of James Keirstead of Kingston, Ontario.

So come see us at the Ginger Room. We will be happy to assist you with your shopping. All of us wish you the merriest Christmas ever and good health and prosperity in the New Year.



by Quans Sam Mattress  
Liesle M. Bil  
Jean Dumbear  
Vicky Roffert

Mernie  
and  
Rodney

Valerie Klein-Kemp

JILL JENKINS

Elaine Marshall





# Red Deer Native Friendship Society

5217 - GAETZ AVENUE  
RED DEER, ALBERTA  
T4N 4B4

(403) 340-0020

THE CITY OF RED DEER  
CLERK'S DEPARTMENT

RECEIVED	
TIME	11:45
DATE	Nov. 7/88
BY	AP

Red Deer City Council  
C/O City Clerk  
Red Deer City Hall  
Ross Street  
Red Deer


November 7, 1988

Honourable Mayor and distinguished Councillors;

As you may have been told, the Red Deer Native Friendship Society has approached Mr. Goodacre with regards to purchasing Parsons House. As we have not been told as to whether or not he has accepted or rejected our last offer, we thought it appropriate to send City Council a letter to let our intent be known.

A delegation from the Society, and from the Parsons House Preservation Committee would like to be present at the next City Council Meeting to introduce a proposal to Council summarizing our proposed use of Parsons House. This proposal will be submitted to Council for their approval with regards to the proposed \$ 100,000 seed money from the Waskasoo Museum Foundation that is to be used in the venture to preserve Parsons House. We understand that Council would prefer an in-depth proposal, including long range planning, fund raising project ideas, other funding sources, as well as program delivery. We also understand that the approval of monies is pending the approval of our proposal, and that our presentation to you is pending approval of our last Offer to Purchase by Mr. Goodacre.

Yours in friendship,

*for*   
Lyle Keewatin Richards  
President

Red Deer Native Friendship Society

DATE: November 7, 1988

TO: City Clerk

FROM: Director of Engineering Services

RE: PROPOSAL TO RESTORE THE PARSONS' HOUSE  
4801-49 STREET, LOTS 21-25, BLOCK 26, PLAN K

---

The Engineering Department has no objection to the proposal submitted.

We have the following comments, however.

1. Access for on-site parking will be from the lane adjacent to the south property line of the site. This will involve the loss of approximately 5 parking stalls; 3 on-street at the lane entrance to 48 Avenue and 2 City staff parking stalls.

2. The existing water service was killed by the present owner; therefore, the new owners will be required to install a new water service.

As the existing sanitary service is over 20 years old, it is recommended that it also be replaced when the new water service is installed.



Bryon C. Jeffers, P. Eng.  
Director of Engineering Services

SS/emg

c.c. Director of Community Services  
c.c. Director of Finance  
c.c. By-laws and Inspections Manager  
c.c. City Assessor  
c.c. Economic Development Manager  
c.c. E. L. & P. Manager  
c.c. Fire Chief  
c.c. Urban Planning Section Manager

DATE: November 8, 1988 CS-1.946

TO: CHARLIE SEVCIK  
City Clerk

FROM: CRAIG CURTIS  
Director of Community Services

RE: PROPOSAL TO RESTORE THE PARSONS HOUSE  
Your memo dated November 4th, 1988 refers.

---

1. Rodney and Merrie James of Okotoks have submitted a proposal to purchase the Parsons House from the present owner, for use as a tea room and gift shop. It is indicated that the proposal is dependent upon the availability of heritage resource funding and the reduction or deferralment of the present taxes. However, no detailed financial plan has been presented.
2. I strongly support the concept of preserving historical buildings in the city, whenever economically feasible. In this context, the use of the Parsons House as a tea room and gift shop could become an attractive feature in the downtown core.
3. It is my understanding that the owner of the Parsons House is considering two proposals to purchase and restore the property. These include the proposal by Mr. & Mrs. James and a proposal from the Native Friendship Centre. Both proposals are likely to be dependent upon some form of historical resource funding from the Red Deer Heritage Fund, and should, therefore, be evaluated by the Historical Preservation Committee and the Waskasoo Museum Foundation.

In view of the above, it is considered that it would be premature to endorse one of the proposals at this stage.

4. RECOMMENDATION

It is recommended that City Council accept the proposal from Mr. & Mrs. James for information only, and refer the issue to the Historical Preservation Committee for a full report.



CRAIG CURTIS

CC:dmg

- c. Morris Flewwelling, Museums Director  
Lowell Hodgson, Recreation & Culture Manager  
Bob Lampard, Museums Management Board Chairman

DATE: November 8, 1988

TO: City Clerk

FROM: Fire Chief

RE: Proposal to Restore the Parsons House

The proposal to change the use of the Parsons House from a residential to a commercial entity may require considerable upgrading to meet the requirements of the Alberta Fire Code and Alberta Building Code.

It is difficult for us to comment specifically what areas would require upgrading until the applicant submits more detailed drawings.



R. Oscroft  
FIRE CHIEF

c.c. Fire Marshal

R0/cb

DATE: November 7, 1988

TO: City Clerk

FROM: E. L. & P. Manager

RE: Proposal to Restore the Parson's House

---

The James' proposal is certainly an interesting one and deserves consideration. However, as they themselves point out, their proposal does not appear to be a viable operation without considerable start-up assistance with funding.

On November 4, 1988 the Jameses met with E. L. & P. Department staff to discuss the costs associated with providing additional electrical power to the building. Based on their very limited preliminary information regarding electrical requirements they were provided with an estimated service connection fee of either \$10,500 or \$30,000. Two figures were provided as the possible addition of the kitchen extension at the corner formed by the garage and the south wall of the house would constitute area being added to the building. Council Policy 603 "Electrical Upgrading in Downtown Area" provides that if no area is added to a building in an instance such as this, then 35% of the normally calculated customer contribution will be charged. Which of the above two figures is applicable will depend upon whether or not the small addition will be completed.

The above preliminary estimates represent the total E. L. & P. Department charges regarding the proposal.



A. Roth,  
E. L. & P. Manager

AR/jjd

c.c. D. Scheelar

DATE: NOVEMBER 8, 1988

TO: CITY CLERK

FROM: DIRECTOR OF FINANCE

RE: PROPOSAL TO RESTORE THE PARSON'S HOUSE

---

It appears from the request the intention is for Rodney and Mernie Jones to purchase the Parson's House with their own funds to use as a tea room and gift shop. City assistance is requested for:

<u>Description</u>	<u>Estimated Cost</u>
1. Rewiring and other changes	\$50,000
2. Decorations, furnishings, displays, etc.	75,000
3. Stock purchases	50,000
4. Property taxes (per year)	8,000

It is not clear from the proposal what the City is being requested to fund of the above or if a portion of the original purchase price must be returned to the Jones.

Secondly, there does not appear to be any coordination between this proposal and the Committee proposing to save the Parson's House.

Until a proper financial plan is presented and all interested parties are given an opportunity to consider the proposal, it does not appear possible for Council to give the proposal serious consideration.



A. Wilcock, B. Comm., C.A.  
Director of Finance

AW/mrk



November 7, 1988

MEMO

TO: Mr. C. Sevcik, City Clerk  
FROM: Morris Flewwelling, Director of Museums  
RE: The Parsons' House

---

Thank you for providing the copy of the proposal for preservation and use of the Parsons' house. The proposal appears to be sound.

Council is involved with this development only so far as controlling the \$100,000 allotment from the Red Deer Heritage Fund. Therefore, it seems premature to me for Council to review this proposal or any other proposal until the property owner has accepted an offer to purchase from one of the interested parties. Once the property owner has accepted an offer, the developer would then be able to approach the Waskasoo Museum Foundation and Council to determine how much, if any of the Red Deer Heritage Fund should be expended for this project.

The Historical Preservation Committee may be able to facilitate the review process once the property owner has indicated acceptance of an offer.

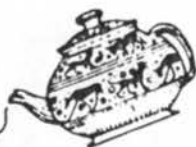
  
Morris Flewwelling

Commissioners' Comments

Both the attached applications with respect to the Parsons House were received too late to circulate for comment. In neither case is there adequate information for us to make recommendations to City Council and we would, therefore, suggest that both applications be referred to the Historical Preservation Committee of the Museums Management Board for their detailed consideration of the proposals, discussions with the property owner and recommendations back to Council.

"R.J. MCGHEE"  
Mayor

"M.C. DAY"  
City Commissioner



## GINGER TEA ROOM & GIFT SHOP

The  
Ginger  
Room  
is  
Santa's  
Choice



Dear Friends of The Ginger Room:

There's something about a busy little tea room and gift shop that makes the years positively **fly** by; we can't believe our fourth Christmas in Okotoks is upon us and that our third Ginger Room Anniversary is November 15th.

Three years ago Rodney and I opened the Ginger Room under our management just six weeks before Christmas. How naive we were! We didn't know much about a retail operation, but we did know a lot about the kind of service we wanted to provide for our customers. I had become very disenchanted with the lack of service provided by the larger chain stores and wanted to prove it didn't have to be that way. I hope we have in some measure succeeded because our customers truly are very important to us.

We are planning a small celebration on **Tuesday, November 15th** when we will be offering complimentary hot cider and sweets plus "in-store" specials in our shop all day. Bring your Christmas list. We truly believe we have something for everyone on it; at least that's what folks tell us all year 'round. We will continue this celebration into the weekend and have set aside **Friday night, November 18th**, as a very special night for our **MEN** customers. So, girls, get the men in your lives out to The Ginger Room that evening from 7:00 p.m. to 10:00 p.m. where our pleasant, helpful staff will assist them to choose something you will really love this year. We will pamper them and help with suggestions or leave them alone to browse and choose, as they prefer, and then we will wrap their selection and send them on their way with one less problem on their minds.

And what a good staff we now have to provide this service. Along with Pam Nattress, whose pleasant way and knowledge of plate collecting make her a favourite with all, we have our diminutive charmer Elaine Marshall, Jean Dunbar, Shirley Evans and Susan Nordlund, all of whom will be more than willing to help. We will even do some modelling to help the gentlemen decide! (It's ok girls, we don't carry lingerie!)

Now, what would you like for Christmas?

We are showing in our Boutique Room a lovely line of basic skirts and tops which we can put together with marvellous Italian leather belts, stunning designer jewellery (mostly Canadian designers) and colourful silk scarves with matching earrings or frog skin belts and bags.



Mernie and Rodney James

79 Elizabeth Street, P.O. Box 1036, Okotoks, Alberta T0L 1T0

(403) 938-2907 Res. 938-2437

We'll show you hand-painted silk blouses by Jackie Doyle of Saltspring Island; gorgeous mohair sweaters from England and wool and rayon knits from Canadian designers who have won outstanding acclaim at the trade shows with their creations. Some of these beautiful sweaters have matching tams or snoods; stunning ensembles for the slopes or just to cheer you through the cold days ahead. In fact I doubt if you will find a classier selection of unique boutique clothing anywhere, but it is limited, so don't delay.

We have two new books, one by Judy Reiman who illustrates very simply all the neat tricks of scarf tying to make a statement, and one by Andrea Jeffrey which details lovely ways to braid hair. These girls will be in the shop from time to time demonstrating their techniques.

We also hope to have Georgia Jarvis back to sign her latest release, a new plate series entitled "Life on the Farm", depicting young children and heavy horses - a dynamite duo.

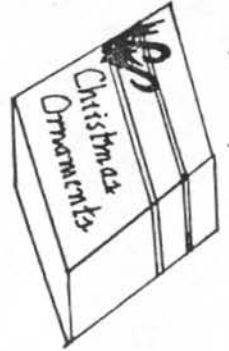
This year we have exquisite hand-blown glass vases and baskets by Rossi in glowing colours; crystal bowls and goblets by Durand; collector quality perfume bottles and paper weights by Skookum and Rueven glass; delicately designed pewter oil lamps and candle holders by the talented Montreal artiste Bernard Chaudron, as well as many new items from our favourite Nova Scotia pewter firm, Seagull of Pugwash; and detailed pewter figurines by Toronto's Slavko Dugar.

If you prefer porcelain to pewter, we have an outstanding collection of birds, animals and flowers by Andrea and Dave Grossman and Limited Editions by Border Fine Arts and the Bradford Exchange; and the loveliest porcelain dolls for that special little lady on your list. For the collector of David Winter cottages we have this year's entire selection of new pieces on hand as well as the 1983 Annual Christmas piece "Hogmanay" and even a few left of "Scrooges Counting House" the mold of which was broken last February. I am told the mold for Hogmanay will be destroyed December 31, 1988, making this a very valuable piece some day. Are you a member of the David Winter Guild? Ask us to explain what benefits Guild members enjoy.

If you are buying for the house this year you might want to consider one of the many lovely new pieces of brass or copper (many of which are shown in the enclosed catalogue).

Of course we have all of Georgia Jarvis' popular limited edition lithographs and this year we have added Joan Healy's from Edmonton as well. Do ask to see my personal favourite print by Yvette Moore of Regina. For the animal lovers we have Glen Olsen's incredibly detailed print Lynx Kittens; and, of course, the ever popular work of James Keirstead of Kingston, Ontario.

So come see us at the Ginger Room. We will be happy to assist you with your shopping. All of us wish you the merriest Christmas ever and good health and prosperity in the New Year.



4 Queens  
Sam Matthews  
Leslie M. Bil  
Jean Dumbear  
Vicky Poffert

Mernie  
and  
Rodney

Valerie Klein-Kemp

Jill Jenkins

Elaine Marshall



## THE CITY OF RED DEER

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

November 4, 1988

Mernie & Rodney James  
GINGER TEA ROOM & GIFT SHOP  
79 Elizabeth Street  
OKOTOKS, Alberta  
T0L 1T0

Dear Sir/Madam:

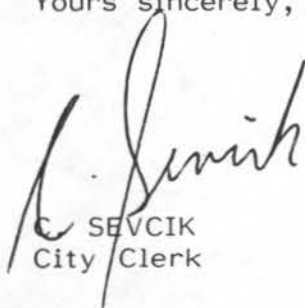
### RE: PROPOSAL TO RESTORE THE PARSONS HOUSE

We acknowledge with thanks your proposal for the restoration and renovations to the Parsons House.

Your submission will be placed on the Council agenda for their meeting of November 14, 1988 for their consideration. You will be contacted prior to the meeting to set a time for this item to be discussed by Council, in the event you wish to be present at the above noted meeting.

Trusting you will find this satisfactory.

Yours sincerely,

  
C. SEVCIK  
City Clerk

340-0348 Dave More  
Parsons. Hq.

---

or leave message with  
Morris Flewelling,

---

Mon 6:30-9:30  
~~teaching~~

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# RED DEER REGIONAL PLANNING COMMISSION

2830 BREMNER AVENUE, RED DEER, ALBERTA, CANADA T4R 1M9

DIRECTOR: Robert R. Cundy M.C.I.P.

Telephone: (403) 343-3394

Fax: (403) 346-1570

November 10, 1988

Mr. C. Sevcik  
City Clerk  
City of Red Deer  
Red Deer, Alberta  
T4N 3T4

Dear Sir:

Re: Proposal to Restore the Parsons House

On October 3, 1988, City Council agreed to table a request from the Waskasoo Museum Foundation for an allotment of up to \$100,000 from the Red Deer Heritage Fund to be made available as seed money for the preservation of the Parsons House pending a full report on how the building is planned to be preserved. It appears that this proposal is in response to the Council resolution and is requesting the contribution from the Red Deer Heritage Fund to make the project viable.

This proposal is to restore the structure of the Parsons House to its original grandeur with some minor modifications necessary to adapt the layout for use as an elegant tea room and gift shop, to be operated by the owners of The Ginger Tea Room and Gift Shop in Okotoks, Alberta. The people involved have examined the Parsons House as to its suitability and have prepared an assessment of the investment required to undertake the project. They estimate \$175,000 in addition to the purchase price would be required, which would be prohibitive unless substantial public funding were also available.

As outlined, the proposal has merit:

- It could become a tourist attraction if the decor and furnishings recreated an earlier era.
- It would preserve and enhance an historical building listed in the Historical Walking Tour.
- It would establish a new downtown business.
- Display of the Parson's Family memorabilia would retain a direct link with Red Deer's history, and
- The proposal may also qualify for provincial funding.

## MUNICIPALITIES WITHIN COMMISSION AREA

CITY OF RED DEER—TOWN OF BLACKFALDS—TOWN OF BOWDEN—TOWN OF CARSTAIRS—TOWN OF CASTOR—TOWN OF CORONATION—TOWN OF DIDSBURY—TOWN OF ECKVILLE—TOWN OF INNISFAIR—TOWN OF LACOMBE—TOWN OF OLDS—TOWN OF PENHOLD—TOWN OF ROCKY MOUNTAIN HOUSE—TOWN OF STETTNER—TOWN OF SUNDRE—TOWN OF SYLVAN LAKE—VILLAGE OF ALIX—VILLAGE OF BENTLEY—VILLAGE OF BIG VALLEY—VILLAGE OF BOTHA—VILLAGE OF CAROLINE—VILLAGE OF CLIVE—VILLAGE OF CREMONA—VILLAGE OF DELBURNE—VILLAGE OF DONALDA—VILLAGE OF ELNORA—VILLAGE OF GADSBY—VILLAGE OF HALKIRK—VILLAGE OF MIRROR—SUMMER VILLAGE OF BIRCHCLIFF—SUMMER VILLAGE OF GULL LAKE—SUMMER VILLAGE OF HALF MOON BAY—SUMMER VILLAGE OF NORGLAND—SUMMER VILLAGE OF ROCHON SANDS—SUMMER VILLAGE OF WHITE SANDS—SUMMER VILLAGE OF JARVIS BAY—COUNTY OF LACOMBE No. 14—COUNTY OF MOUNTAIN VIEW No. 17—COUNTY OF PAINTERTON No. 18—COUNTY OF RED DEER No. 23—COUNTY OF STETTNER No. 6—MUNICIPAL DISTRICT OF CLEARWATER No. 99

Mr. C. Sevcik

November 10, 1988

However, there are also some other considerations:

- The property is located on a downtown block that has better potential for comprehensive redevelopment than most other downtown blocks, with the exception of the railway yards.
- To succeed, the proposal would have to have sufficient appeal to draw a clientele on its own as there is presently low walk-by traffic.
- Whereas the City is the major property owner on the block, if the project were to eventually prove unviable, could the City's investment of seed money contribute toward public acquisition of the property as part of an option agreement.

It is recommended that all aspects of the above considerations be thoroughly evaluated prior to Council making a decision on the request for funding from the Red Deer Heritage Fund.

Yours truly

VERNON PARKER, M.C.I.P.  
ASSOCIATE PLANNER  
City Planning Section

VP/pim

DATE: November 10, 1988

TO: City Clerk

FROM: City Assessor

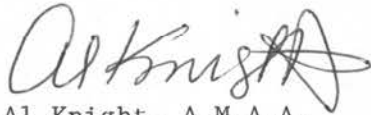
RE: PROPOSAL TO RESTORE THE PARSONS HOUSE

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Privately owned real estate must be assessed and taxed, as provided for in the Municipal Taxation Act, to the owners of the property. However, Councils may, if deemed equitable to do so, refund all or a portion of property taxes under Section 106 of the Municipal Taxation Act.

Other properties within the municipality that operate as commercial ventures with eating facilities, or retail outlets, are assessed and pay taxes.

We could not recommend that City Council consider refunding a portion of, or all of these taxes as it would not be considered "equitable to do so" or fair to competitive enterprises..

A handwritten signature in cursive script, appearing to read 'Al Knight', with a stylized flourish at the end.

Al Knight, A.M.A.A.

AK/bw

cc Director of Community Services  
Director of Engineering Services  
Director of Finance  
Bylaws and Inspections Manager  
Economic Development Manager

DATE November 4, 1988

TO: ☒ DIRECTOR OF COMMUNITY SERVICES  
☒ DIRECTOR OF ENGINEERING SERVICES  
☒ DIRECTOR OF FINANCE  
☒ BYLAWS & INSPECTIONS MANAGER  
☒ CITY ASSESSOR  
☒ ECONOMIC DEVELOPMENT MANAGER  
☒ E. L. & P. MANAGER  
☐ F.C.S.S. MANAGER  
☒ FIRE CHIEF  
☐ PARKS MANAGER  
☐ PERSONNEL MANAGER  
☐ R.C.M.P. INSPECTOR  
☐ RECREATION MANAGER  
☐ TRANSIT MANAGER  
☒ URBAN PLANNING SECTION MANAGER  
☐ \_\_\_\_\_

FROM: CITY CLERK

RE: PROPOSAL TO RESTORE THE PARSONS HOUSE

Please submit comments on the attached to this office by November 8

for the Council Agenda of November 14, 1988.

*No comments*

*[Signature]*

*[Signature]*  
C. SEVCIK  
City Clerk

**PROPOSAL TO RESTORE THE PARSONS HOUSE  
FOR USE AS A TEA ROOM AND GIFT SHOP**

THE CITY OF RED DEER CLERK'S OFFICE	
RECEIVED	
TIME	11:15 am
DATE	88/11/04
BY	C. Purick

Purpose of Proposal

The purpose of this proposal is to acquaint Red Deer City Council with the intention to purchase the Parsons House in Red Deer and, following minor renovation treatment, fit it for use as an elegant tea room and gift shop, thereby creating a major new attraction in the downtown core of the city.

Given that the property has great historic significance and emotional appeal, it is proposed to exploit to the fullest this heritage aspect to promote the business and the area.

Introduction

Rodney and Mennie James are the present owners of *The Ginger Tea Room and Gift Shop* in Okotoks, Alberta. For some time they have been searching for a heritage home in the province which could be moved to Okotoks to house their unique tea room and gift shop. Such a home would have to have a history behind it, size and quality of construction. There are very few available homes in Alberta which meet this criteria, compared to those to be found in Eastern Canada.

They had given up hope of finding a suitable property and were thinking of building a replica of a heritage home, when their granddaughter, Jennifer Wilson of Red Deer, brought up the impending destruction of the Parsons House in Red Deer. They decided to investigate it and made a quick trip to Red Deer, at which time they were only able to see the outside of it, before leaving for a lengthy business trip to Ontario in September.

New houses with turn-of-the-century architecture are becoming very popular in Ontario and while there, they investigated in detail the possibility of constructing a new, century-design house for their business in Okotoks.

On their return in mid-October, they again made enquiries regarding the Parsons House and learned that it seemed inevitable that it would be demolished to make way for a parking lot. They decided a last-ditch effort was called for and on viewing the interior, came away convinced it was an ideal property for their type of operation - with one exception. It obviously could not feasibly be moved to Okotoks!

They decided the fact that it was located in Red Deer was not an insurmountable problem. Mohammed could simply go to the mountain! There could be two *Ginger Tea Rooms* in Alberta.

Accordingly, the James' have decided, if possible, to open a second *Ginger Tea Room and Gift Shop* in the Parsons House in Red Deer and in so doing, to

restone it as much as possible to it's original grandeur.

### Heritage Funding Necessary

Whether or not their efforts to purchase the property and to restone it will be successful depends in a large measure, on the availability of a certain amount of heritage resource funding which could be used, in addition to their own resources, to accomplish the preservation of the house.

While the property is in nearly every respect, ideally located and designed for such use, the main concern of the James' is the viability of the project from a business and economic point of view. Given the success of their similar operation in Okotoks, they have no reservations whatever about the ability of such a venture to prosper; they are concerned however, that the initial purchase price is prohibitive for an operation such as theirs.

Therefore, they are seeking assistance in accomplishing the preservation of this lovely old home and to have the business in operation by the spring of 1989.

### Business Background

Rodney James was born in Ponoka and attended the Composite High School in Red Deer. He lived for many years in Lacombe, where he owned and published a number of livestock and farm publications, travelling widely in his various agri-business pursuits. In 1967 he started a Sales Management Company which markets purebred beef cattle across Canada, moving his headquarters to Calgary in 1975 and two years ago, to Okotoks.

Mennie James was born in the Ottawa Valley at Pembroke, Ontario, where her family has been continuously involved in the lumber and pole industry since 1847; making hers the oldest family-owned forestry operation still in business in Canada. Mennie has held various editorial positions including eight years as city editor of a daily newspaper in Ontario, and some 15 years as a real estate broker in Ontario and later as an agent in Alberta.

### The Ginger Room in Okotoks

The James' involvement in the restaurant and retail business began in November 1985 when Mennie learned that a little gift shop and tea room which she frequented in Okotoks was for sale. A week later they owned it and were in operation as The Ginger Tea Room and Gift Shop. Neither knew how to operate the cash register that first day as new owners of the eight-year-old business! They did however, have many years of experience behind them in sales, promotion and the "people" business.

Three years later they have tripled sales; taken over an additional 1250 sq. ft. of retail space upstairs for a total gift shop area of more than



2000 sq. ft.; and have become widely known for their good home-cooked food, extra-ordinary selection of unique gifts and friendly service-oriented atmosphere. Their discrete commercial filmed on location which runs regularly on Calgary TV is credited with constantly bringing new customers to their business. Their staff has doubled to 12 local women including an Assistant Manager, two cooks, two waitresses, dishwasher and sales personnel.

Aggressive marketing, good staff, excellent food, customer service and customer relations, good relationship with suppliers, quality of merchandise and a unique setting in which to display it, all contribute to the success of the Okotoks operation. People do keep coming back.

### Why the Parsons House?

The Parsons House has many advantages for the type of business proposed by the James'. It is a quality old home containing fine wood trim and hardwood floors in very good condition. The existing floor plan is admirably suited to becoming a tea room and gift shop with very few structural changes. It's three fireplaces reflect an aura of by-gone elegance. The caring nature of that long-ago, much-respected doctor who toiled within it's walls can be sensed and it's hallways echo the footsteps of the many patients who passed through it's entrance. It has served generations of Albertans. It has earned the right to be preserved because of the nature of it's message to succeeding generations.

### Benefits to Area

The proposal to establish this elegant tea room and high quality gift shop in the Parsons House could make it a unique major tourist attraction for Red Deer. It is already one of the most interesting sites on the City of Red Deer's walking tour. It is inconcievable to envisage a parking lot in it's place on this tour.

An attraction such as this could have a strong impact on the revitalization of Red Deer's downtown area. It is noted that the city has already addressed this issue. The proposed venture could easily be tied in with existing plans.

Employment would be provided for the area, both during the renovation period and for staff for the business. It is estimated that a minimum of six employees will be required to operate the tea room and shop initially. That figure could very quickly double if the business grows as it has in Okotoks.

### Proposal For Preservation

No conflict is seen between preserving the integrity of the Parsons House and the idea of it's becoming a tea room and gift shop. Every effort would be made to retain it's original ambiance. The attached floor plan of the house explains the proposed use of the individual rooms and the few changes deemed necessary to accomodate the public.

It is proposed to remove the relatively new metal front door and to relocate a main entrance to the east of the present one which would be consistent with the original architecture of the building and which would allow for better traffic flow for a commercial operation. The new entrance way would be located through the existing window. This is the only proposed exterior structural changes.

The original verandah could be used for additional tea room area in warmer "tourist" months. In fact, garden space at the back could also accommodate extra tea room area if needed in the summer.

The existing kitchen area is not quite adequate for a commercial operation and it is therefore proposed to make use of the garage to provide space for pantry, refrigeration, deep freezer and stock room area. This would not necessitate any external change.

Inside it would be necessary to erect walls to accommodate washrooms and office area. See attached floor plan with broken lines indicating these few proposed changes.

It is planned that the back rooms on the second floor would become an owners' suite initially and could be used at some later date, to eventually expand the gift shop.

### Parsons Memorabilia

It is planned to designate an area in the original foyer for Parsons memorabilia and to perhaps include mention of the original owners, the Mitchener family. Theme rooms are envisioned throughout the house such as perhaps, "The Doctor's Room", "The Mitchener Room", "Parsons Room", etc. The decor and furnishings of the tea room and shop would be in keeping with the era of the 85 year old house. The very good hardwood floors would be restored and left exposed and the original woodwork carefully maintained.

The heritage aspect of the building would be heavily promoted through brochures distributed at tourism outlets, TV advertising, staff trained in the history of the building, etc. Aggressive marketing and ability to prepare promotional material is seen as an integral part of the operation i.e. see current attached newsletter for *The Ginger Room* in Okotoks.

It would seem that this proposed venture would be ideal in that this discrete and pleasant business would provide free access to the general public to visit and enjoy the Parsons house as part of their heritage on a year-round basis.

### The Bottom Line

To stay "alive" in business today, the head must not rule the heart. Therefore, however important the preservation of this beautiful old building may be, the bottom line still must be given priority. The hard fact is that while land costs in downtown Red Deer may not be viewed with alarm by

Woodwards on The Bay, any small business, however successful, must be wary of contemplating such an initial expenditure as the Parsons House purchase represents. In short, the tea room and gift shop concept does not appear to be a viable solution to saving this grand old house without considerable start-up assistance with funding.

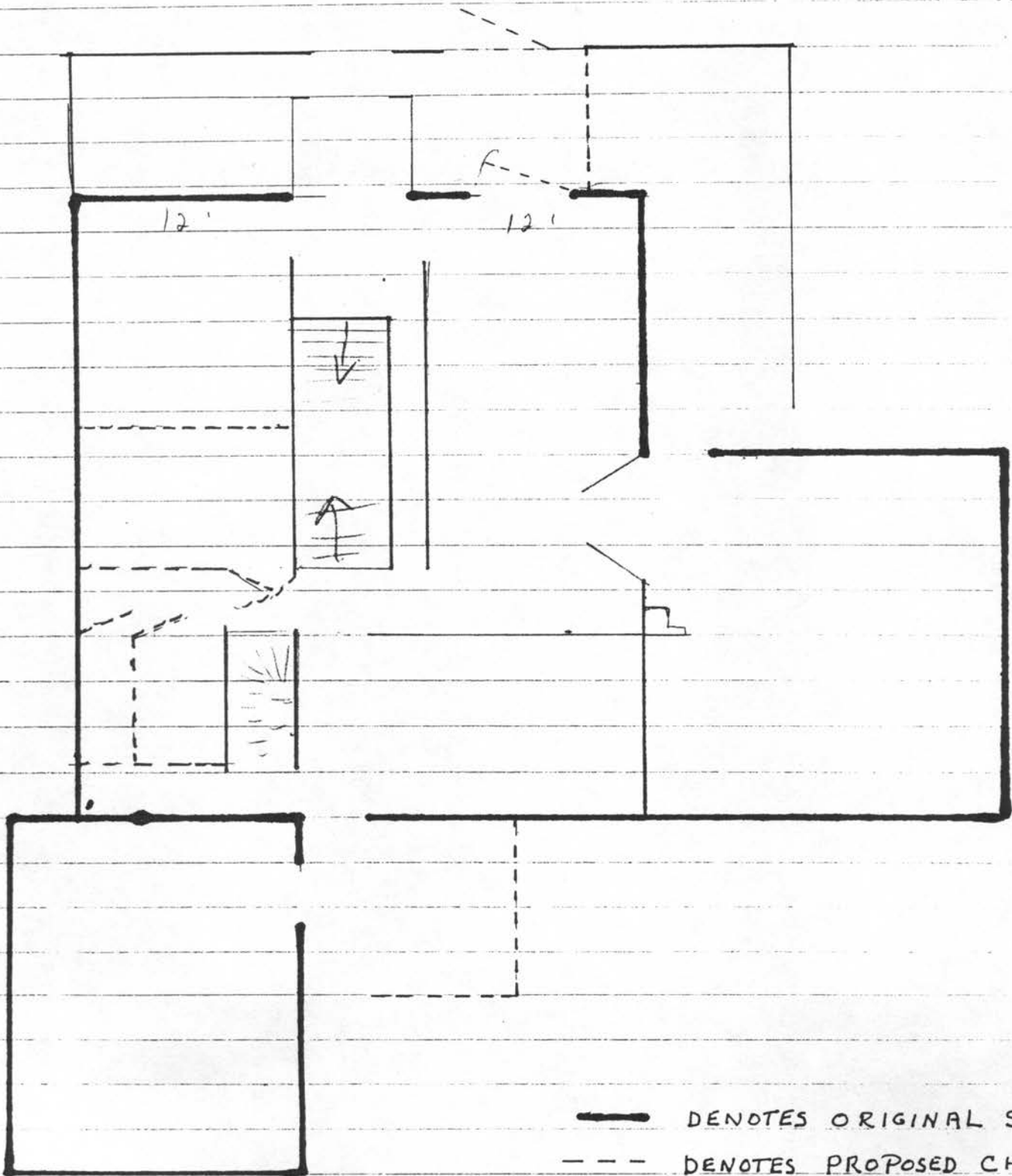
To start with, the present owner must be compensated for his investment. A preliminary engineering report indicates an expenditure of some \$50,000.00 to rewire the house and implement changes necessary to proceed with the tea room and gift shop concept.

It is estimated that decorating, furnishings, displays and kitchen appliances could run around \$75,000.00. Stock purchases for the gift shop are seen as a minimum of \$50,000.00.

The reduction or deferral of the present taxes of \$8,000.00 per year would have to be addressed in some manner.

It is absolutely essential that the financial framework be designed to ensure the ongoing profitability of the venture and thus ensure the future preservation of the building. The bottom line is that the preservation of this historic home will only be undertaken by the James' if it can be made a viable operation.

# FIRST FLOOR

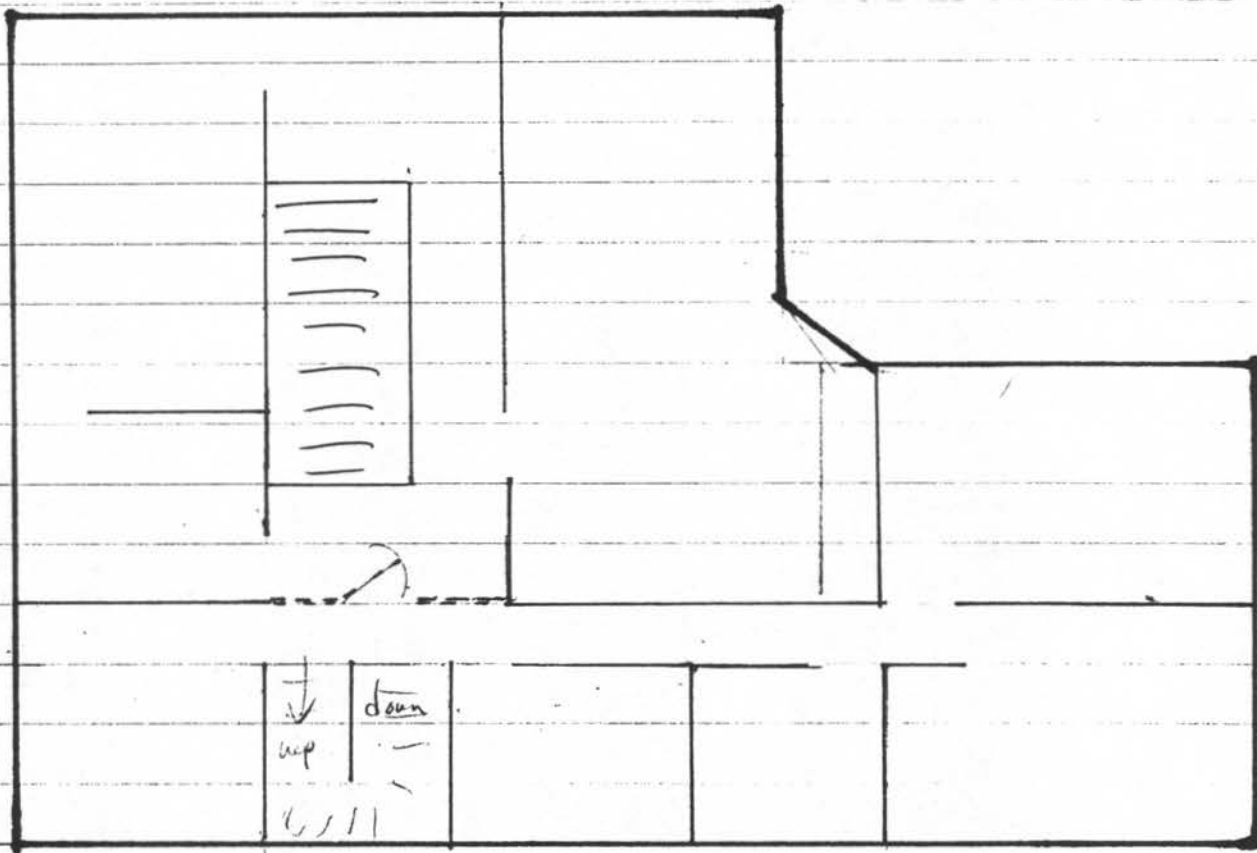


— DENOTES ORIGINAL STRUCTURE

- - - DENOTES PROPOSED CHANGES

SCALE 1" = 8'

# UPPER FLOOR







# GINGER TEA ROOM & GIFT SHOP



Dear Friends of The Ginger Room:

There's something about a busy little tea room and gift shop that makes the years positively **fly** by; we can't believe our fourth Christmas in Okotoks is upon us and that our third Ginger Room Anniversary is November 15th.

Three years ago Rodney and I opened the Ginger Room under our management just six weeks before Christmas. How naive we were! We didn't know much about a retail operation, but we did know a lot about the kind of service we wanted to provide for our customers. I had become very disenchanted with the lack of service provided by the larger chain stores and wanted to prove it didn't have to be that way. I hope we have in some measure succeeded because our customers truly are very important to us.

We are planning a small celebration on **Tuesday, November 15th** when we will be offering complimentary hot cider and sweets plus "in-store" specials in our shop all day. Bring your Christmas list. We truly believe we have something for everyone on it; at least that's what folks tell us all year 'round. We will continue this celebration into the weekend and have set aside **Friday night, November 18th**, as a very special night for our **MEN** customers. So, girls, get the men in your lives out to The Ginger Room that evening from 7:00 p.m. to 10:00 p.m. where our pleasant, helpful staff will assist them to choose something you will really love this year. We will pamper them and help with suggestions or leave them alone to browse and choose, as they prefer, and then we will wrap their selection and send them on their way with one less problem on their minds.

And what a good staff we now have to provide this service. Along with Pam Nattress, whose pleasant way and knowledge of plate collecting make her a favourite with all, we have our diminutive charmer Elaine Marshall, Jean Dunbar, Shirley Evans and Susan Nordlund, all of whom will be more than willing to help. We will even do some modelling to help the gentlemen decide! (It's ok girls, we don't carry lingerie!)

Now, what would you like for Christmas?

We are showing in our Boutique Room a lovely line of basic skirts and tops which we can put together with marvellous Italian leather belts, stunning designer jewellery (mostly Canadian designers) and colourful silk scarves with matching earrings or frog skin belts and bags.



Mernie and Rodney James

79 Elizabeth Street, P.O. Box 1036, Okotoks, Alberta T0L 1T0

(403) 938-2907 Res. 938-2437



We'll show you hand-painted silk blouses by Jackie Doyle of Saltspring Island; gorgeous mohair sweaters from England and wool and rayon knits from Canadian designers who have won outstanding acclaim at the trade shows with their creations. Some of these beautiful sweaters have matching tams or snoods; stunning ensembles for the slopes or just to cheer you through the cold days ahead. In fact I doubt if you will find a classier selection of unique boutique clothing anywhere, but it is limited, so don't delay.

We have two new books, one by Judy Reiman who illustrates very simply all the neat tricks of scarf tying to make a statement, and one by Andrea Jeffrey which details lovely ways to braid hair. These girls will be in the shop from time to time demonstrating their techniques.

We also hope to have Georgia Jarvis back to sign her latest release, a new plate series entitled "Life on the Farm", depicting young children and heavy horses - a dynamite duo.

This year we have exquisite hand-blown glass vases and baskets by Rossi in glowing colours; crystal bowls and goblets by Durand; collector quality perfume bottles and paper weights by Skookum and Rueven glass; delicately designed pewter oil lamps and candle holders by the talented Montreal artiste Bernard Chaudron, as well as many new items from our favourite Nova Scotia pewter firm, Seagull of Pugwash; and detailed pewter figurines by Toronto's Slavko Dugar.

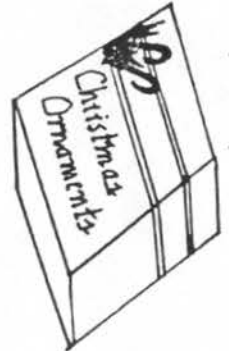
If you prefer porcelain to pewter, we have an outstanding collection of birds, animals and flowers by Andrea and Dave Grossman and Limited Editions by Border Fine Arts and the Bradford Exchange; and the loveliest porcelain dolls for that special little lady on your list.

For the collector of David Winter cottages we have this year's entire selection of new pieces on hand as well as the 1988 Annual Christmas piece "Hogmanay" and even a few left of "Scrooges Counting House" the mold of which was broken last February. I am told the mold for Hogmanay will be destroyed December 31, 1988, making this a very valuable piece some day. Are you a member of the David Winter Guild? Ask us to explain what benefits Guild members enjoy.

If you are buying for the house this year you might want to consider one of the many lovely new pieces of brass or copper (many of which are shown in the enclosed catalogue).

Of course we have all of Georgia Jarvis' popular limited edition lithographs and this year we have added Joan Healy's from Edmonton as well. Do ask to see my personal favourite print by Yvette Moore of Regina. For the animal lovers we have Glen Olsen's incredibly detailed print Lynx Kittens; and, of course, the ever popular work of James Keirstead of Kingston, Ontario.

So come see us at the Ginger Room. We will be happy to assist you with your shopping. All of us wish you the merriest Christmas ever and good health and prosperity in the New Year.



by Evans  
Sam Matteson  
Leslie M. Bil  
Jean Dumbear  
Vicky Roffert

Mermie  
and  
Rodney  
Valerie Klein-Kemp

Jill Jenkins  
Elaine Marshall

DATE November 4, 1988

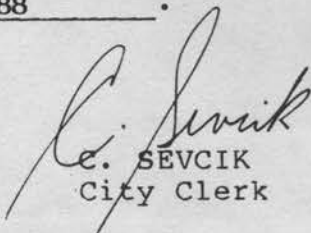
TO: ☒ DIRECTOR OF COMMUNITY SERVICES  
☒ DIRECTOR OF ENGINEERING SERVICES  
☒ DIRECTOR OF FINANCE  
☒ BYLAWS & INSPECTIONS MANAGER  
☒ CITY ASSESSOR  
☒ ECONOMIC DEVELOPMENT MANAGER  
☒ E. L. & P. MANAGER  
☐ F.C.S.S. MANAGER  
☒ FIRE CHIEF  
☐ PARKS MANAGER  
☐ PERSONNEL MANAGER  
☐ R.C.M.P. INSPECTOR  
☐ RECREATION MANAGER  
☐ TRANSIT MANAGER  
☒ URBAN PLANNING SECTION MANAGER  
☒ Museums Director (Museum Mgt. Bd.)

FROM: CITY CLERK

RE: PROPOSAL TO RESTORE THE PARSONS HOUSE

Please submit comments on the attached to this office by November 8

for the Council Agenda of November 14, 1988.

  
C. SEVCIK  
City Clerk

DATE: November 16, 1988  
TO: The Historical Preservation Committee of the Museums  
Management Board  
FROM: City Clerk  
RE: PROPOSALS TO RESTORE THE PARSONS HOUSE

---

At the Council meeting of November 14, 1988, brief consideration was given to the interest shown by two parties in restoring the Parsons House. The interested parties are:

1. Rodney and Mernie James proposing a tea room and gift shop
2. The Red Deer Native Friendship Society

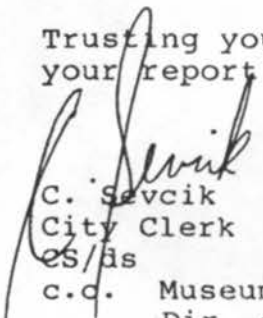
At the above noted Council meeting the following motion was passed agreeing said applications be referred to the Historical Preservation Committee.

"RESOLVED that Council of The City of Red Deer having considered correspondence from Rodney and Mernie James and the Native Friendship Society re: proposals for the Parsons House hereby agree that both applications be referred to the Historical Preservation Committee for their detailed consideration of the proposals, discussions with the property owner and recommendations back to City Council and as presented to Council November 14, 1988."

I am enclosing herewith a copy of all material which appeared on the Council agenda of November 14, 1988, including additional administrative comment received too late for inclusion on the agenda, that is reports from the Associate Planner, V. Parker, and City Assessor.

In accordance with Council's decision, we would request the Historical Preservation Committee to meet with the interested parties and the property owner and submit recommendations back to Council for consideration through the Museums Management Board.

Trusting you will find this satisfactory, and we look forward to your report and recommendations in due course.

  
C. Sevcik  
City Clerk  
CS/s

c.c. Museums Management Board  
Dir. of Community Services  
Dir. of Finance  
Dir. of Engineering Services  
Museums Director

City Assessor  
Urban Planner  
E.L. & P. Manager  
Fire Chief  
City Commissioners



# THE CITY OF RED DEER

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

November 16, 1988

Mr. Lyle Keewatin Richards, President  
Red Deer Native Friendship Society  
5217 Gaetz Avenue  
Red Deer, Alberta  
T4N 4B4

Dear Sir:

RE: PROPOSAL PERTAINING TO THE PARSONS HOUSE

Your proposal referred to above, along with a submission from Mernie & Rodney James was referred to Council November 14, 1988, and at which meeting the following motion was passed:

"RESOLVED that Council of The City of Red Deer having considered correspondence from Rodney and Mernie James and the Native Friendship Society re: proposals for the Parsons House hereby agree that both applications be referred to the Historical Preservation Committee for their detailed consideration of the proposals, discussions with the property owner and recommendations back to City Council and as presented to Council November 14, 1988."

For your further information, I am enclosing herewith all of the material which appeared on the Council agenda of November 14, 1988, along with additional comments from the Associate Planner and City Assessor which were not received in time for inclusion on the Agenda.

By way of a copy of this letter, we would request the Historical Preservation Committee to be in contact with you as to a future meeting to discuss your proposal. In the meantime, we would suggest that you put together as much information as possible in support of your application for submission to the Committee.

Trusting you will find this satisfactory. If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

*C. Sevcik*  
C. Sevcik  
City Clerk

Encl.

c.c. Historical Preservation Committee  
Museums Management Board  
Museums Director

Dir. of Community Serv.  
Sim & Thorne Realty,  
attn. Mr. D. Sim





# THE CITY OF RED DEER

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

November 16, 1988

Mr. & Mrs. R. James  
79 Elizabeth Street, P.O. Box 1036  
Okotoks, Alberta  
TOL 1T0

Dear Mr. & Mrs. James:

RE: PROPOSAL TO RESTORE THE PARSONS HOUSE FOR USE AS A TEA ROOM AND  
GIFT SHOP

---

Your proposal referred to above, along with a submission from the Native Friendship Society was referred to Council November 14, 1988, and at which meeting the following motion was passed:

"RESOLVED that Council of The City of Red Deer having considered correspondence from Rodney and Mernie James and the Native Friendship Society re: proposals for the Parsons House hereby agree that both applications be referred to the Historical Preservation Committee for their detailed consideration of the proposals, discussions with the property owner and recommendations back to City Council and as presented to Council November 14, 1988."

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By way of a copy of this letter, we would request the Historical Preservation Committee to be in contact with you as to a future meeting to discuss your proposal. In the meantime, we would suggest that you put together as much information as possible in support of your application for submission to the Committee.

Trusting you will find this satisfactory. If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

*C. Sevcik*  
C. Sevcik  
City Clerk

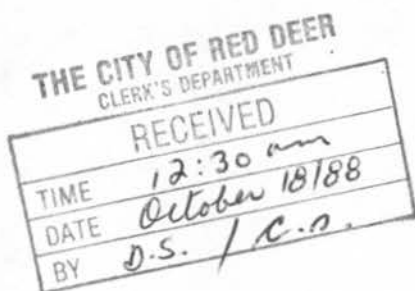
Encl.

c.c. Historical Preservation Committee  
Museums Management Board  
Museums Director

Dir. of Community Serv.  
Sim & Thorne Realty,  
attn. Mr. D. Sim

NO. 2

## THE CITY OF RED DEER



LANDLORD/TENANT ADVISORY BOARD  
2nd Floor, Suite 205  
4921 - 49 St.  
Red Deer, Alberta T4N 1V1  
Telephone: 343-0410  
10:00 a.m. to 3:00 p.m.

OCTOBER 3, 1988

TO THE CITY OF RED DEER

## RECOMMENDATION

RE: COORDINATOR AND EXECUTIVE AGREEMENT/ MS. CLARA DE PLANCKE

This is a recommendation from the Red Deer Landlord and Tenant Advisory board, to negotiate a new contract for Clara DePlancke For the position of Coordinator Executive / Director of the Landlord and Tenant Advisory Board for 1989.

Enclosed proposal for change in new contract.

Chairman



# THE CITY OF RED DEER



LANDLORD/TENANT ADVISORY BOARD  
2nd Floor, Suite 205  
4921 - 49 St.  
Red Deer, Alberta T4N 1V1  
Telephone: 343-0410  
10:00 a.m. to 3:00 p.m.

October 3, 1988

Subject

## PROPOSAL FOR CHANGE

To negotiate new contract with the City of Red Deer ,for the position of Co-ordinator Executive/ Director in the operation and management of the Landlord and Tenant Board.

To extend hours from 8.30A.M. to 4.30 P.M.

Written complaint forms to be processed through the office not the Board Members, as the Executive Director hears the complaints directly from the Tenants and Landlords, and can relate to the problems and resolve them more effectively. If more complaints could be mediated and settled immediately it would be of great value to both Landlord and Tenant, and a savings to the City of Red Deer in telephone cost and postage, also to the court.

To hold seminars on a quarterly year basis to educate both Landlord and Tenant . The Board agrees that the lack of knowledge concerning the Landlord and Tenant Act is where most of the problems stem from and by being able to spend more time with individuals explaining the information we could eliminate a lot of the problems before they occur .

The Board has agreed that this would be most effective in solving the complaints.

PRESENT WAGES FROM 10,00 A.M. to 3.00 P.M.

25 hours per week 5 days per week = \$800.00 per month

EXTENDED ADDITIONAL HOURS

15 hours per week = \$480.00

3% guideline 40 hours per week = \$1318.00

## THE CITY OF RED DEER



LANDLORD/TENANT ADVISORY BOARD  
2nd Floor, Suite 205  
4921 - 49 St.  
Red Deer, Alberta T4N 1V1  
Telephone: 343-0410  
10:00 a.m. to 3:00 p.m.

### SUBJECT

### PROPOSAL FOR EXTENDED HOURS

- 1; To receive complaint forms and seek to mediate disputes between Landlords and Tenants through the office-not on Board Members. Approximately 15 written complaints per month.
2. To hold seminars and organize as such, to educate Landlords and Tenants, on a quarterly year basis.
3. To spend more time with individuals who come into the office for assistance and information.
4. To accommodate the public with longer hours, most Landlords and Tenants find it very difficult to come into the office between 10,00 A.M, AND 3.00 P.M.
5. picking up supplies for office and mailing out office literature
6. Cleaning office On a weekly basis

MONTH	Main Calls	office calls	Tenants	Landlords	Comments
January	666	169	297	200	
February	623	138	297	198	
March	695	153	298	244	
April	6 1 1	1 3 6	2 8 9	1 8 6	
May	6 2 8	1 4 6	3 0 4	1 7 8	
June	7 1 6	1 6 9	3 4 6	2 0 1	
July	C L O S E D F O R H O L I D A Y S				
August	6 9 8	1 7 6	2 8 6	2 3 6	
September	7 0 6	1 6 0	3 2 5	2 2 1	
October	6 2 9	1 5 3	2 8 6	1 9 0	
November	5 9 7	1 2 9	2 9 3	1 7 5	
December	3 7 8	8 1	1 7 0	1 2 7	
TOTAL	6 9 4 7	1 6 1 0	3 1 9 1	2 1 5 6	

STATS ON YEAR

SECURITY DEPOSIT non return	30%
GEN INF & MATERIALS	60%
EVICCTIONS	02%
INTEREST RATE	4%
MOBILE INQUIRES	1%
OBJECTIONS wrong notices	3%

RED DEER.

[illegible]

## THE CITY OF RED DEER

189.



LANDLORD/TENANT ADVISORY BOARD  
 2nd Floor, Suite 205  
 4921 - 49 St.  
 Red Deer, Alberta T4N 1V1  
 Telephone: 343-0410  
 10:00 a.m. to 3:00 p.m.

MINUTES OF THE BOARD MEETING HELD SEPTEMBER 12TH., 1988:

PRESENT: MERV HEMPEL, GAIL GARBUTT, VISHNU KATAREY, CLARA DePLANCHE,  
 Staff.

ABSENT: DICK WILLS, PETER MASSIE, SHIRLEY HOCKEN

MINUTES: Circulated by Merv Hempel for June 28th., 1988, -read silently.

BUSINESS: Received letter May 31st., 1988 - list of prosecutions by  
 Consumer and Corporate Affairs. Copies to be mailed to the  
 Board Members and letters to be discussed at the next Board  
 meeting.

Discussed Dick Wills' appointment as Board Member and that  
 he is replacing Dorothy Campbell.

Office Supplies purchased by Merv Hempel, August 1988.

Budget for 1989 to be discussed at next Board meeting October  
 3rd., 1988.

Proposal for new contract with City of Red Deer for the position  
 of Co-ordinator and Executive Director.

Increased working hours, adjustment in wages in view of the fact  
 that wages have not been increased since 1983 - to be discussed  
 October 3rd., 1988.

New Board to be discussed at next meeting.

ADJOURNMENT: Merv Hempel - 9:00 P.M.

CHAIRMAN:

*M. Hempel*

SECRETARY:

Main Calls  
 811

Landlord Calls  
 216

Tenant Calls  
 435

Office  
 157

Written  
 3

YEAR	WAGES PAID	3% GUIDE LINE	WORK LOAD	AMOUNT
1983	9600.00	0	7250	9600.00
1984	9600.00	288.00	6568	9888.00
1985	9600.00	296.64	7094	10184.64
1986	9600.00	305.53	6631	10490.17
1987	9600.00	314.70	6947	10804.87
1988	9600.00	324.14		11129.00
1989		333.87		11462.87
		1862.88		



	1989	1988	1987	
1. RENT 12 months 350.00 per month	4200.00	4200.00	4200.00	
2. ADVERTISING	300.00	300.00	300.00	
3. Seminars on aquarterly year basis to educate Landlord & Tenant supplies and advertising	1300,00	1311,62	800.00	office supplies
4. MATERIALS& AMSALTAB MEMBERSHIP	!500.00	1500.00	1500.00	
5. EXECUTIVE DIRECTOR extended working hours 40 hours per week	15,600.00	9600.00	9600.00	25 hour work week
6. TELEPHONE	700.00	700.00	700.00	
7. CONFERENCE This represents payment to delegates of \$38,00 per day in addition to reimbursement of expenses;	912.00	600.00	600.00	
8. HOSTING CONFERENCE	0	0	990.00	
	24,512,00	18211.62	19,190.00	

## THE CITY OF RED DEER



LANDLORD/TENANT ADVISORY BOARD  
2nd Floor, Suite 205  
4921 - 49 St.  
Red Deer, Alberta T4N 1V1  
Telephone: 343-0410  
10:00 a.m. to 3:00 p.m.

LETHBRIDGE STATS

WORKING HOURS

8.30 to 4.30

\$ 13.00 per hour

Calls per month approximately 600 including office calls.

population approximately 60,000

written complaints are mediated through the office not board members



CONSUMER AND  
CORPORATE AFFAIRS

193.

Our File No.:

Your File No.:

202 Provincial Building, 4920 - 51 Street, Red Deer, Alberta, Canada T4N 6K8 403/340-5241

October 17, 1988

Mrs. C. Deplancke, Executive Director  
Landlord and Tenant Advisory Board  
205, 4921 - 49 Street  
Red Deer, Alberta  
T4N 1V1

Dear Mrs. Deplancke:

With respect to your recent conversation with Mr. Grindlay of this office, I understand that you are hoping to provide workshops or seminars within the City of Red Deer during the upcoming year.

We have always found such activities to be helpful and while the numbers who turn out are not always what we would like to see, we still believe them to be worthwhile.

Alberta Consumer and Corporate Affairs would be pleased to co-host landlord and tenant seminars with your board.

We look forward to working with you.

Respectfully,

A handwritten signature in dark ink, appearing to read "Dale McLaren".

Dale McLaren  
Regional Director

DJG/sdd

56 Avenue - 32nd Street  
Red Deer, Alberta T4N 5H5  
Telephone (403) 342-3300

# RED DEER COLLEGE



October 11, 1988

Landlord & Tenant Advisory Board  
#205 - 4921 - 49 Street  
Red Deer, Alberta  
T4N 1V1

Dear Sir or Madam:

As a follow-up to your phone call of today, this is to advise that I feel offering workshops on landlord and tenant responsibilities and rights would be beneficial to college students and the community people listing accommodation with us.

Each year there are a number of students away from home for the first time and many of them are unaware of what to expect in a rental situation. Perhaps offering workshops in September and again in April may be a good method of disseminating information to both the landlord and the student.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Karen Fielder', written in dark ink.

Karen Fielder  
Residence Manager

KF/nr

**LINDSAY THURBER COMPREHENSIVE HIGH SCHOOL**

4204 - 58th Street  
**RED DEER, ALBERTA T4N 2L6**  
Phone 347-1171

L.G. LUDERS, Principal  
G.C. GRABOSKI, Vice-Principal  
K.S. CARSCADDEN, Vice-Principal

D.J. MacLEAN, Vice-Principal  
D.G. PERCIVAL, Vice-Principal  
T.W. MITCHELL, Business Manager



October 31, 1988

Red Deer Landlord & Tenant  
Advisory Board  
Ste 205, 4921 49 Street  
Red Deer, Alberta T4N 1V1

Dear Mrs. DePlanke:

In regard to our telephone conversation a few weeks ago, I am inquiring about any services you may have to offer to our high school.

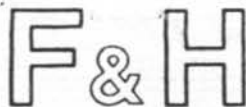
In our Personal Finance 10 class we extensively cover a unit on "Moving Out". The students must determine all the necessary procedures in order to live on their own. As an enrichment activity I would like to bring my class to the Red deer Landlord & Tenant Advisory Board or else have one of your staff come and speak to my class regarding your function in our community.

Our next semester begins at the end of January and perhaps we can plan for a meeting in the new year.

Sincerely,

Maureen A. Kobayashi  
Business Education Teacher

mk



Child Care Services Ltd.  
Directors: R. Foss, H. Hubert

YOUTH ASSESSMENT  
CENTER

26 Gunn Street  
RED DEER, ALBERTA  
T4P 2N2  
Phone (403) 340-5363

DENOVAN PLACE  
74 Denovan Cres.  
RED DEER, ALBERTA  
T4R 1W2  
Phone (403) 342-5124

DIREWOOD  
RECEIVING HOME  
74 Denovan Cres.  
RED DEER, ALBERTA  
T4R 1W2  
Phone (403) 342-7907

HOME BASED  
TREATMENT  
Ste. 211, 4711 - 51 Avenue  
RED DEER, ALBERTA  
T4N 6H8  
Phone (403) 343-3422

SUPPORTED  
INDEPENDENT LIVING  
Ste. 211, 4711 - 51 Avenue  
RED DEER, ALBERTA  
T4N 6H8  
Phone (403) 343-3422

196.



Alberta Association of Services  
for Children and Families  
Accredited Member

Red Deer Landlord & Tenant Advisory Board  
#205 Toronto-Dominion Bank Building  
4921 - 49th Street  
Red Deer, AB T4N 1V1

17 October 1988

Dear Sirs:

- Re: 1. Seminar Presentation  
2. "Important Questions and Answers" Brochure
- 

Further to our conversation October 14, this will confirm we would be very interested in having a presentation to our "Supported Independent Living Program" youths on the Landlord Tenant Act. We normally have one presentation of one type or another each month to this group and, if possible, we would appreciate your being able to present approximately once every 6 months. Our normal meetings are held on Wednesday evenings at 7:00 p.m., but if that is not convenient, we could change to accommodate your schedule. I have included a brochure describing the program so you are aware of what level your participants would be.

In addition to the foregoing I would appreciate your providing me with approximately 50 copies of your brochure "Important Questions and Answers for Landlords and Tenants" which we would use as a portion of our information package provided to each new client of our program.

Thank you for your consideration of my requests.

Yours truly,

P. Sean Noble  
Supervisor  
Supported Independent Living



DATE: OCTOBER 24, 1988  
TO: CITY CLERK  
FROM: DIRECTOR OF FINANCE  
RE: MS. CLARA DePLANCKE - LANDLORD AND TENANT ADVISORY BOARD

---

The Board is apparently requesting approval from City Council for a 1989 contract for the Coordinator.

The new contract will apparently increase the work week from 25 hours to 40 hours per week. This will result in a budget increase for the total Board budget from \$18,212 in 1988 to \$24,512 for 1989.

There appears to be no specific indication included with the request from the Board as to the need for an increase in hours from 25 to 40 hours weekly.



A. Wilcock, B. Comm., C.A.  
Director of Finance

AW/mrk

#### Commissioners' Comments

In the past there has been no significant increase in the budget and accordingly, Council has had no problem in approving the budget in advance of the regular budgeting debate. This year, however, it would appear that an over 30% increase in funding is being requested. We would, therefore, recommend that Council approve an extension of the same level of funding as last year for a 3 month period to enable the Board to operate at the same level as last year until the end of March. This will enable the Landlord & Tenant Advisory Board to prepare a proper budget as all other Boards and Agencies to be considered by Council this year and in future years along with all other budgets during the regular budget debate. Further it will enable the Board to present to Council justification for this very significant increase.

"R.J. MCGHEE"  
Mayor

"M.C. DAY"  
City Commissioner

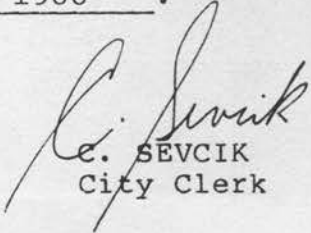
DATE October 20, 1988

TO: ☐ DIRECTOR OF COMMUNITY SERVICES  
☐ DIRECTOR OF ENGINEERING SERVICES  
☒ DIRECTOR OF FINANCE  
☐ BYLAWS & INSPECTIONS MANAGER  
☐ CITY ASSESSOR  
☐ ECONOMIC DEVELOPMENT MANAGER  
☐ E. L. & P. MANAGER  
☐ F.C.S.S. MANAGER  
☐ FIRE CHIEF  
☐ PARKS MANAGER  
☐ PERSONNEL MANAGER  
☐ R.C.M.P. INSPECTOR  
☐ RECREATION MANAGER  
☐ TRANSIT MANAGER  
☐ URBAN PLANNING SECTION MANAGER  
☐ \_\_\_\_\_

FROM: CITY CLERK

MS. CLARA DE PLANCKE - LANDLORD & TENANT ADVISORY  
BOARD, EXECUTIVE & CO-ORDINATOR - DIRECTOR  
RE: NEGOTIATION OF NEW CONTRACT FOR 1989

Please submit comments on the attached to this office by November 7,  
for the Council Agenda of November 14, 1988.

  
C. SEVCIK  
City Clerk

## THE CITY OF RED DEER



LANDLORD/TENANT ADVISORY BOARD  
2nd Floor, Suite 205  
4921 - 49 St.  
Red Deer, Alberta T4N 1V1  
Telephone: 343-0410  
10:00 a.m. to 3:00 p.m.

Pay to Dorothy Campbell the sum of \$25.00 (twenty five dollars)  
for janitorial services.

*June Wilson*

June Wilson exec/dir. chairman

## THE CITY OF RED DEER



LANDLORD/TENANT ADVISORY BOARD  
2nd Floor, Suite 205  
4921 - 49 St.  
Red Deer, Alberta T4N 1V1  
Telephone: 343-0410  
10:00 a.m. to 3:00 p.m.

May 29 1987

### JANITORIAL SERVICES AND OFFICE

Pay to Dorothy Campbell, the sum of 50.00 (fifty dollars)  
for Janitorial services and help in office

June Wilsonn

*June Wilsonn*  
exec/dir. chairman

POPULATION 600,000  
 11 STAFF plus Supervisor  
PER STAFF 6011 calls

Lowest Paid  
 STAFF  
 \$23,000 per year.

TELEPHONE	SEPTEMBER		OCTOBER		NOVEMBER		DECEMBER		GRAND TOTAL	% PERCENTAGE
	(T)	(L)	(T)	(L)	(T)	(L)	(T)	(L)		
SECURITY DEPOSIT	1170	233	1077	283	1023	226	856	173	15,177	22.95
INTEREST	210	255	213	248	195	210	163	193	5,497	8.31
RENT INCREASE	62	19	49	12	41	24	43	21	774	1.17
RENT CONTROLS	25	8	18	4	13	5	11	3	229	0.35
RENTAL ARREARS	102	142	134	151	130	130	97	91	2,828	4.28
DAMAGES TO PREMISES	62	63	37	52	33	64	28	38	1,203	1.82
LACK OF MAINTENANCE	401	13	371	23	275	15	214	24	3,521	5.33
ABANDONMENT	11	70	16	60	14	63	10	51	858	1.30
ENTRY/LOCKS	134	44	168	46	164	33	95	31	2,079	3.14
GUESTS	36	19	25	19	26	19	12	16	522	0.79
LEASE	290	74	293	83	241	66	190	48	3,937	5.95
NOTICE TO VACATE	201	106	239	106	206	92	136	77	3,417	5.17
14 DAY NOTICE	193	182	222	139	174	170	168	139	4,446	6.72
OBJECTION	65	8	59	12	36	9	39	13	769	1.16
IMPROPER NOTICE	176	89	150	62	172	72	112	68	2,594	3.92
SEIZURE	26	29	19	12	18	19	18	15	583	0.88
MOBILE HOME INQUIRIES	16	10	7	8	9	2	4	5	251	0.38
COURT INQUIRIES	103	87	76	86	63	50	59	28	1,843	2.79
PRINTED FORMS	59	102	95	152	81	110	50	92	2,552	3.86
CARETAKER INQUIRIES	19	10	22	19	19	14	24	18	477	0.72
OUTGOING CALLS	255	185	243	190	198	153	186	158	4,878	7.38
GENERAL	326	167	298	141	319	164	307	128	6,240	9.44
SHARED ACCOMMODATION	37	44	51	34	43	38	65	34	1,202	1.82
FORECLOSURE	12	2	12	2	7	-	17	1	244	0.37
TOTALS	3,991	1,961	3,894	1,944	3,500	1,748	2,904	1,465	66,121	100.00
LETTERS MAILED	216	295	195	247	179	261	145	192	4,745	
FORMS MAILED	144	72	119	76	87	61	74	75	2,531	
TOTALS	360	367	314	323	266	322	219	267	7,276	

TELEPHONE	January		February		March		April		May		June		July		August	
	*(T)	*(L)	(T)	(L)	(T)	(L)	(T)	(L)	(T)	(L)	(T)	(L)	(T)	(L)	(T)	(L)
SECURITY DEPOSIT	779	237	765	242	1006	280	1057	242	1016	219	1137	230	1294	225	1192	215
INTEREST	206	221	189	176	253	297	199	253	173	251	220	351	220	282	249	270
RENT INCREASE	48	7	43	9	45	12	50	14	33	20	44	26	57	24	50	21
RENT CONTROLS	22	2	15	2	16	3	18	4	8	-	18	2	11	1	16	4
RENTAL ARREARS	106	128	82	81	95	111	92	131	107	145	121	156	98	130	95	173
DAMAGES TO PREMISES	45	52	30	75	34	59	33	60	28	63	28	69	35	70	81	64
LACK OF MAINTENANCE	246	22	200	10	232	12	185	17	233	15	305	38	281	28	341	20
ABANDONMENT	6	48	6	52	16	50	11	49	10	72	11	62	14	70	10	76
ENTRY/LOCKS	113	33	133	31	135	29	113	40	110	42	130	39	148	62	152	54
GUESTS	17	26	15	19	21	15	24	23	26	28	26	35	27	12	14	22
LEASE	235	63	231	65	232	53	214	77	274	89	293	74	326	70	286	70
NOTICE TO VACATE	155	81	143	78	183	74	217	120	174	99	232	119	202	82	194	101
14 DAY NOTICE	241	171	178	129	211	161	168	140	215	151	200	204	274	211	227	178
OBJECTION	53	5	53	17	69	12	62	6	64	7	56	6	42	14	51	11
IMPROPER NOTICE	65	57	89	77	123	52	145	55	154	76	208	103	156	72	167	94
SEIZURE	16	34	14	45	21	35	16	45	13	31	28	42	15	<del>33</del>	17	22
MOBILE HOME INQUIRIES	21	12	30	11	10	4	15	8	14	15	5	7	10	2	16	10
COURT INQUIRIES	88	44	86	69	90	66	76	73	101	70	106	83	87	91	102	59
PRINTED FORMS	89	118	108	130	120	171	80	134	75	116	94	131	64	146	85	150
CARETAKER INQUIRIES	22	27	26	20	34	29	14	16	24	19	19	17	23	16	17	9
OUTGOING CALLS	223	179	193	161	256	171	216	154	195	169	290	243	215	206	261	178
GENERAL	359	175	325	182	421	168	363	201	365	188	430	205	411	144	306	147
SHARED ACCOMMODATION	71	52	87	55	80	60	50	39	47	30	48	32	63	52	57	33
FORECLOSURES	32	-	26	4	30	2	19	1	19	5	12	2	22	4	13	-
TOTALS	3,258	1,794	3,067	1,740	3,733	1,926	3,437	1,902	3,478	1,920	4,061	2,276	4,095	2,047	3,999	1,981
LETTERS MAILED	144	184	108	178	151	210	106	191	136	243	167	256	186	290	178	287
FORMS MAILED	132	107	132	117	168	129	108	106	91	91	115	113	123	94	107	90
TOTALS	276	291	240	295	319	339	214	297	227	334	282	369	309	384	285	377

\*(T)-Tenant  
\*(L)-Landlord

ANNUAL STATISTICS REPORT  
LANDLORD & TENANT ADVISORY BOARD - 1987



DATE: July 29, 1988

TO: Landlord & Tenant Advisory Board  
c/o Merv Hempel, Chairman

FROM: City Clerk


RE: COORDINATOR AND EXECUTIVE AGREEMENT/MS. CLARA DE PLANCKE

---

Enclosed herewith are two fully executed copies of the agreement between the City of Red Deer and Clara De Plancke pertaining to services of a Coordinator and Executive Director in the operation and management of the Landlord & Tenant Advisory Board Office. One copy is for Clara De Plancke, the other copy is for the Landlord & Tenant Advisory Board files.

As previously indicated in our memo of July 13, 1988, the contract is for a term of office which expires December 31, 1988. A recommendation from the Landlord & Tenant Advisory Board to renew the contract for 1989 should be received by this office no later than the end of October 1988.

Trusting you will find this satisfactory. If you have any questions, please do not hesitate to contact the undersigned.



C. Sevcik  
City Clerk  
CS/ds  
Encl.

c.c. Dir. of Finance  
Accounts Payable

DATE: July 13, 1988

TO: Landlord & Tenant Advisory Board  
c/o Merv Hempel, Chairman

FROM: City Clerk

RE: APPOINTMENT OF CO-ORDINATOR AND EXECUTIVE DIRECTOR

---

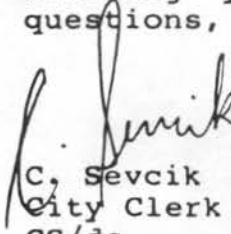
I would advise that the recommendations of the Landlord/Tenant Advisory Board with regard to appointment of a Co-ordinator and Executive Director of the Landlord/Tenant Advisory Board Office was considered at the Council Meeting of July 11, 1988, and at which meeting Council passed the following motion in regard to this matter.

"RESOLVED that Council of The City of Red Deer hereby approve the appointment of Clara De Plancke as Co-ordinator and Executive Director of the Landlord & Tenant Advisory Board Office, and hereby authorize the Mayor and City Clerk to execute an agreement with Clara De Plancke on terms similar to the 1988 agreement with the past Co-ordinator and Executive Director, said agreement to be effective August 2, 1988 to December 31, 1988."

The decision of Council in this instance is submitted for your information. We are enclosing herewith three copies of the agreement with Clara De Plancke which we would ask that you forward onto Ms. De Plancke for review and execution. As noted in the resolution, the contract is for a term of office effective August 2, 1988, to December 31, 1988. Please ensure all copies of the agreement are returned to this office for execution by City Officials. One duly executed copy of the agreement will be returned for your records and also for Ms. De Plancke.

As noted above, the contract will expire on the last day of December 1988. A recommendation to Council to renew the contract for 1989 should be received by this office no later than the end of October 1988.

Trusting you will find this satisfactory. If you have any questions, please do not hesitate to contact the undersigned.

  
C. Sevcik  
City Clerk  
CS/ds  
c.c. Dir. of Finance  
Encl.

DATE: May 18, 1988  
TO: The Landlord & Tenant Advisory Board  
FROM: City Clerk  
RE: CO-ORDINATOR & EXECUTIVE DIRECTOR

---

Your letter of May 3, 1988, was presented on the Committee of the Whole Agenda for May 16, 1988, and after consideration by Council, the following resolution was passed in the Open Meeting.

"RESOLVED that Council of The City of Red Deer hereby approve the appointment of Dorothy Campbell as Coordinator and Executive Director of the Landlord & Tenant Advisory Board office, and hereby authorize the Mayor and City Clerk to execute an agreement with Dorothy Campbell on terms similar to the current agreement with June Wilson."

The above is submitted for your information.

In accordance with this resolution, we shall be forwarding copies of the new agreement to Mrs. Campbell for review and execution, in due course. The contract will expire on the last day of December, 1988. A recommendation to Council to renew the contract for 1989 should be received no later than the end of October 1988.

Trusting you will find this satisfactory.

C. Sevcik  
City Clerk  
/ds  
c.c. Dorothy Campbell  
Dir. of Finance

Note: 3 copies of agreement enclosed herewith. If acceptable, please have Dorothy Campbell execute and return for signature by City Officials.

THIS AGREEMENT ENTERED INTO THE 27 day of July, A.D. 1988.  
BETWEEN:

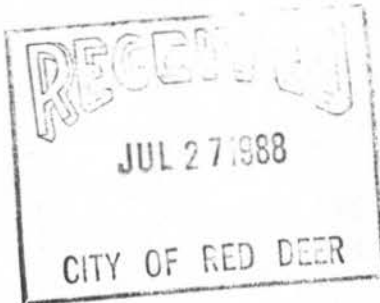
THE CITY OF RED DEER  
(hereinafter called "the City")

OF THE FIRST PART

- and -

CLARA DE PLANCKE  
(hereinafter called "the Contractor")

OF THE SECOND PART



WHEREAS the City requires the specialized services of a co-ordinator and executive director in the operation and management of the Landlord and Tenant Advisory Board of the City,

AND WHEREAS the Contractor has submitted a proposal to provide such services satisfactory to the City,

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and mutual covenants and agreement herein contained, the Parties hereto covenant and agree together as follows:

1. This Agreement shall remain in full force and effect from the 2nd day of August 1988 to the last day of December, 1988.
2. The City shall pay to the Contractor for the provision of the services herein required the total sum of **FOUR THOUSAND (\$4,000.00) DOLLARS** payable in equal monthly installments of **EIGHT HUNDRED (\$800.00) DOLLARS** per month on the last day of each month during the term of this Agreement.
3. The City shall pay to the Contractor funds sufficient to reimburse the Contractor for mileage costs incurred by the Contractor, in accordance with the standard City policy, when such expenses are incurred in the performance of this agreement.

4. The Contractor shall during the currency of this Agreement provide the following services, namely:

- a) to generally manage and supervise the office of the Landlord and Tenant Advisory Board;
- b) to receive and record all telephone calls and inquiries received at such office;
- c) to obtain all particulars with respect to rental disputes, and where possible to effect settlement of such disputes between the parties thereto;
- d) to call meetings of the Board, and when required to attend to any additional hearings of dispute, or to establish the policy of the Board and administer the same;
- e) to generally carry out the instructions of the Landlord and Tenant Advisory Board and perform such services as may be required from time to time by the said Board.

5. The Contractor shall be available not less than Five (5) days a week from 10:00 o'clock a.m. until 3:00 p.m. each day during the term of this Agreement for the purpose of performing her services hereunder.

6. The Parties hereto acknowledge that the Contractor is an independent Contractor, and that she is not the agent, servant or employee of the City.

7. The City shall provide such office space and working area as may be required by the Contractor for the performance of this Agreement.

8. Either party may terminate this Agreement at any time upon thirty (30) days' notice, or in the event that either Party hereto breaches any provision of this Agreement, or defaults in performing any obligation hereunder, the Party not in default may terminate the Agreement upon Seven (7) days' written notice, and in the case of termination by the

City hereunder, the Contractor shall account to the City for payments made in advance for any period following such termination, and refund any overpayment.

9. Time shall be of the essence of this Agreement and this Agreement shall enure to the benefit of and be binding upon the parties hereto, their successors, executors, administrators and assigns.

IN WITNESS WHEREOF the City has hereunto affixed its corporate seal attested to by the signatures of its authorized officers in that behalf, and the Contractor has set her hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED

in the presence of:

Bonneau  
Witness

THE CITY OF RED DEER

Per: McGhee

Per: C. Smith

Clara De Plancke  
CLARA DE PLANCKE



DATE: November 16, 1988  
TO: Landlord & Tenant Advisory Board  
FROM: City Clerk  
RE: 1) PROPOSED 1989 BUDGET  
2) AGREEMENT FOR CO-ORDINATOR AND EXECUTIVE DIRECTOR

---

The above matter was presented on the Council Agenda of November 14, 1988, and at which meeting Council passed the following motion.

"RESOLVED that Council of The City of Red Deer having considered correspondence from the Landlord & Tenant Advisory Board dated October 3, 1988, re: 1989 budget hereby approve an extension of the same level of funding to the Landlord & Tenant Advisory Board as 1988 from January to March 1989 to enable the Landlord & Tenant Advisory Board to prepare a proper budget and justification for same to be considered by Council during the regular budget meetings and as presented to Council November 14, 1988."

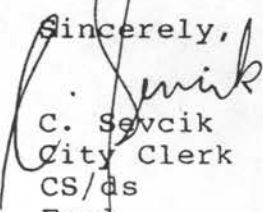
The decision of Council in this instance is submitted for your information and I am also enclosing herewith administrative comment which appeared on the Council agenda.

You will note that in the Commissioners' Comments, the Landlord & Tenant Advisory Board is being requested to prepare a budget as all other Boards and Agencies are required. All departments have been directed to prepare a budget based on a 4% increase. Any requests over and above the 4% increase is to be shown on an add back list and prioritized as to importance, along with justification therefore. To help you out in this regard, I am enclosing herewith 4 pages from the City Clerk's 1989 proposed budget. To assist the Director of Finance and Council, it is suggested that you follow a similar format and in this regard, if you require any assistance, please do not hesitate to contact the Director of Finance.

With regard to the extension of the agreement for the Co-ordinator and Executive Director, I am requesting the City Solicitor to prepare an agreement which would cover the three month period to the end of March 1989. This agreement will be sent to Clara DePlancke for execution as soon as same is available.

Trusting you will find this satisfactory. If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

  
C. Sevcik  
City Clerk  
CS/as  
Encl.

c.c. City Commissioners  
Dir. of Finance

DATE: OCTOBER 24, 1988  
TO: CITY CLERK  
FROM: DIRECTOR OF FINANCE  
RE: MS. CLARA DePLANCHE - LANDLORD AND TENANT ADVISORY BOARD

---

The Board is apparently requesting approval from City Council for a 1989 contract for the Coordinator.

The new contract will apparently increase the work week from 25 hours to 40 hours per week. This will result in a budget increase for the total Board budget from \$18,212 in 1988 to \$24,512 for 1989.

There appears to be no specific indication included with the request from the Board as to the need for an increase in hours from 25 to 40 hours weekly.



A. Wilcock, B. Comm., C.A.  
Director of Finance

AW/mrk

#### Commissioners' Comments

In the past there has been no significant increase in the budget and accordingly, Council has had no problem in approving the budget in advance of the regular budgeting debate. This year, however, it would appear that an over 30% increase in funding is being requested. We would, therefore, recommend that Council approve an extension of the same level of funding as last year for a 3 month period to enable the Board to operate at the same level as last year until the end of March. This will enable the Landlord & Tenant Advisory Board to prepare a proper budget as all other Boards and Agencies to be considered by Council this year and in future years along with all other budgets during the regular budget debate. Further it will enable the Board to present to Council justification for this very significant increase.

"R.J. MCGHEE"  
Mayor

"M.C. DAY"  
City Commissioner

THE CITY OF RED DEER - 1989 BUDGET  
DEPARTMENT PROGRAM BUDGET  
PROGRAM NAME: City Clerk

PAGE NO:

- 1989

PAGE NO	ACTIVITY	1988 BUDGET	PROGRAM REQUEST	COMMISS. RECOMMEND.	COUNCIL APPROVED
	City Clerk	411,570	430,310		
	GROSS EXPENDITURE	411,570	430,310		
	Less: Revenues Grants Reserves	37,000	40,200		
	TAX LEVY	374,570	390,110		
	Percent of 1988 Budget		104		
	Funded Permanant Positions:				
	Existing		9		
	Requested/(Reduction)		-		
	Position Years		9		
	Funded Temporary Positions:				
	Existing				
	Requested/(Reduction)				
	Position Years				

## CITY OF RED DEER - 1989 DETAIL OPERATING BUDGET

PAGE NO:

DEPT: City Clerk's

PROG: City Clerk

FUNC: General Administrative &amp; Others

CODE	PROGRAM NUMBER AND DESCRIPTION	88 BUDGET	89 BUDGET
	<u>2-1208-0100</u>		
110	Salaries	320,070	329,760
118	Overtime	1,000	1,000
211	Business Travel		
	- Basic Car Allowance (2 persons) 1,730		
	- Charlie - Opt. #1-.17 x 300 km = 50		
	- Kelly - Opt. #1-.17 x 400 km = 70		
	- Wilma - Opt. #2-.31 x 600 km = 185		
	- Cheryl - Opt. #2-.31 x 800 km = 250		
	- Out of Town = 200		
	- Alta. Assoc. of City Clerks Conf. 250		
	2,735	2,670	2,740
212	Seminar and Conference Travel		
	- A.U.M.A. = 700		
	- International Institute of Municipal Clerks = 2,940	2,600	3,640
213	Membership Fees		
	- International Institute of Municipal Clerks = 175		
	- City Clerks' Assoc. of Alta. = 50	200	230
214	Conference Fees		
	- A.U.M.A. = 220		
	- International Institute of Municipal Clerks = 560	780	780
223	Subscription & Publications		
	- Hendersons Directory, Municipal World and various Provincial Statutes		
	- Statute Regulations	430	950
241	Training Courses - Fees		
	- In-House Training 30 X 9 = 270		
	- Miscellaneous = 500	570	770
	TOTALS		

## CITY OF RED DEER - 1989 DETAIL OPERATING BUDGET

PAGE NO:

DEPT: City Clerk's  
 PROG: City Clerk  
 FUNC: General Administrative & Others

CODE	PROGRAM NUMBER AND DESCRIPTION	88 BUDGET	89 BUDGET
	<u>2-1208-0100</u>		
263	Equipment & Furnishing Rental		
	- Postage Meter		
	5319 - 585175 - 400/yr		
	2101 - 154410 - 290/7r	690	
	- UTS 20 2 X 12 X 90	=2,610	
	- Sharp A.F. 8200		
	Rental 165 X 12	1,980	
	Copy Charge 1.5¢		
	X 96,000 copies	1,440	=3,420
	- Xerox 1075		
	- Lease	= 3,062	
	- Toner	= 2,200	
	- Copy Charge		
	185,000 X .0086 X 12 =19,092	=24,354	
		28,110	31,080
275	Repair and Maintenance		
	Postage Scale	260	
	Mailing Machine - 6100	950	
	- 4255	375	
	Insertor - 4 Bin	1,920	
	VPS Stacker	100	
	Console Mail Opener	250	
	Folding Machine	250	
	IBM Typewriters (4)	720	
	Canon AP550 II	250	
	Sperrylink Word Processor	1,550	
	Paper Cutter	200	
	Dictaphones	300	
	Computer Terminals 2 X 116	232	
	Shredder	500	
	Bostich Stapler	500	
	Misc. Parts, Purchase & Repair	1,100	
		9,350	9,460
279	Contractual Services		
	Records Management	25,000	25,000
510	General Supplies	6,000	5,000
511	Stationery Supplies - Printroom	13,000	18,000
762	Capital Functions	1,790	1,900
	TOTALS	411,570	430,310

TIE CITY OF RED DEER - 1989 BUDGET  
 POSSIBLE AND BACK OPTIONS SUBMITTED TO THE CITY COMMISSIONERS

DEPARTMENT: Elected Officials and City Clerk

PINK	PROGRAM NAME	DESCRIPTION OF OPTION	NO OF EMPL		EXPEND.	RECOV.	TAX LEVY	% OF	COMMENTS
			PERM	TEMP	(000)	(000)	(000)	1988	
1.	1208 City Clerk	Clerk Steno II Required due to large increase in workload in Printroom - need to complete computerization of Clerk's records, i.e. cemetery, bylaws.	1	-	30	-	30	7.30	
2.	1208 City Clerk	Clerk Steno II - Part-time. Note: If full time above (priority #1) is not approved, then would request at least a part-time position. (Do not need both full time and part time position.)	-	1	15	-	15	3.6	
3.	1208 City Clerk	IBM Model 50 Computer with Laser Printer, software and furniture	-	-	13.5	-	13.5	3.3	
<u>NO PRIORITY SET IN RELATION TO OTHERS</u>									
	1102 Council	Attendance for 6 Aldermen & spouses at A.U.M.A.	-	-	7.5	-	7.5	5.2	
	1102 Council	Attendance for 4 Aldermen & spouses at F.C.M.	-	-	9.7	-	9.7	6.8	
	1102 Council	Upgrading of Council microphones & connection of P.A. Systems at the steps on West side of City Hall.	-	-	6.0	-	6.0	4.0	



DATE: November 16, 1988  
TO: City Solicitor  
FROM: City Clerk  
RE: EXTENSION OF AGREEMENT COORDINATOR AND EXECUTIVE DIRECTOR  
LANDLORD & TENANT ADVISORY BOARD

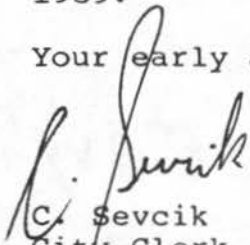
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At the Council Meeting of November 14, 1988, the following resolution was passed in regard to the above.

"RESOLVED that Council of The City of Red Deer having considered correspondence from the Landlord & Tenant Advisory Board dated October 3, 1988, re: 1989 budget hereby approve an extension of the same level of funding to the Landlord & Tenant Advisory Board as 1988 from January to March 1989 to enable the Landlord & Tenant Advisory Board to prepare a proper budget and justification for same to be considered by Council during the regular budget meetings and as presented to Council November 14, 1988."

I am also enclosing herewith a copy of the agreement between the City and Clara DePlancke dated July 27, 1988. Would you please prepare an agreement at your earliest convenience which would extend the agreement for a further three month period to the end of March 1989.

Your early attention to this matter is appreciated.



C. Sevcik  
City Clerk  
CS/ds

c.c. Dir. of Finance  
Landlord & Tenant Advisory Board



NO. 3



October 19, 1988

Dear Sir:

Enclosed, you will find a copy of our Budget for the first annual Red Deer International Invitational to be held at our track at Canyon Ski area here in Red Deer.

We are writing to you asking for \$2,000.00 toward this race. We feel we are promoting the City of Red Deer internationally and therefore we feel in line by asking for this money.

The race will be held December 10, 1988 and December 11, 1988. We chose this time to coincide with Red Deer's '75 Anniversary.

Please consider this request and contact myself as soon as possible. With your help, we will succeed.

Thank you.

Chuck Edwards  
President  
Central City Icemen



RED DEER'S INTERNATIONAL INVITATIONAL

NATURAL TRACK LUGE RACE

DECEMBER 9, 10, 11, 1988

BUDGET

PROJECTED COSTS

1) Results, Timing, Communications

- radios	300.00
- motorhome	100.00
- R.V. for judges	100.00
- speaker system	500.00
- timer rental	<u>200.00</u>

1,200.00

2) Accomodation & Ceremonies

- 80 @ 3 nights 4/room	3,000.00
- flag poles	100.00
- banquet	2,500.00
- entertainment	600.00
- food & drink	<u>2,700.00</u>

8,900.00

3) Medical, Access Control, Security

- ambulance	<u>1,000.00</u>
-------------	-----------------

1,000.00

4) Race Office, Registration, Accreditation

- tables	50.00
- chairs	50.00
- typewriter	300.00
- telephone	300.00
- office supplies	2,000.00
- race kits	200.00
- armbands	50.00
- accreditation	120.00
- V.I.P.'s	200.00
- bibs	500.00
- results	<u>200.00</u>

4,000.00

## -budget page 2-

5)	Venue,& Track Preperation		
	- snow making	3,600.00	
	(3 guns/8 hr./\$150/hr.)		
	- ice	500.00	
	- portapotties	200.00	
	- scaffolding	150.00	
	- signage	400.00	
	- banners	800.00	
	- contingency	500.00	
	- site fee	<u>750.00</u>	
			6,900.00
6)	Transportation & Materials		
	- at track	450.00	
	- to and from Calgary	<u>5,500.00</u>	
			5,950.00
7)	Volunteer Coordination & Hosting		
	- area staff	100.00	
	- I.D. for staff	<u>400.00</u>	
			500.00
8)	Fundraising, Promotion, Media & P.R.		
	- advertizing	3,000.00	
	- publicity	1,000.00	
	- pins or crests	<u>200.00</u>	
			4,200.00
9)	Post production & Follow up		
	- results to competitors	200.00	
	- Thank You notes	100.00	
	- auditor	<u>100.00</u>	
			400.00
10)	Sanction Fees		
	-F.I.L., CABLA., AALA.	<u>1,000.00</u>	
			<u>1,000.00</u>
11)	TOTAL		34,050.00

RED DEER INTERNATIONAL INVITATIONAL  
NATURAL TRACK LUGE RACE

	REVENUES
Hosting Grant	6,000.00
Major Sponsor	8,000.00
CABLA	1,000.00
Racing Fees	1,250.00
City	2,000.00
Van Sponsor	5,500.00
Ethnic Clubs	2,500.00
Province/Tourism	1,000.00
Banquet Tickets	500.00
On Hill Tickets	5,000.00
Gifts in Kind	2,350.00
TOTAL	35,100.00

DATE: OCTOBER 24, 1988  
TO: CITY CLERK  
FROM: DIRECTOR OF FINANCE  
RE: RED DEER INTERNATIONAL  
NATURAL TRACK LUGE RACE DECEMBER 9 - 11, 1988

---

Under the Council grants policy, the request could be considered for a grant to a community service organization.

If Council considers the request worthy of funding, it could be approved for inclusion with the 1989 grants budget.



A. Wilcock, B. Comm., C.A.  
Director of Finance

AW/mrk



FILE: R-30335

DATE: OCTOBER 26, 1988

TO: CHARLIE SEVCIK  
CITY CLERK

FROM: LOWELL R. HODGSON  
RECREATION & CULTURE MANAGER

RE: RED DEER INTERNATIONAL INVITATIONAL NATURAL TRACK LUGE  
RACE, DEC 9-11, 1988

---

I'm responding to your request for comments on the Central City Icemen's application for financial assistance in hosting the above noted race.

This will no doubt be a very high profile event; however, I have some concern with the budget being as high as it is for a two day event. If City Council choose to participate in this financially I would suggest that they identify one item such as the banquet to sponsor in order for the City contribution to be more easily identified and depending upon the numbers that might be participating the \$2,500 budget may be rather high.

Of course there are no funds identified in the Recreation & Culture Department budget to participate in such an event; however, this department will be involved in assisting the Central City Icemen in whatever way we can with the organization and staging of this event.



LOWELL R. HODGSON

/ccs

c. Craig Curtis

DATE: October 31, 1988 CS-1.931

TO: CHARLIE SEVCIK  
City Clerk

FROM: CRAIG CURTIS  
Director of Community Services

RE: RED DEER INTERNATIONAL INVITATIONAL  
NATURAL TRACK LUGE RACE  
Your memo dated October 21, 1988 refers.

---

I support the comments of the Recreation & Culture Manager, and consider that the budget is very high for a two-day event.

There are no available funds in the Recreation & Culture Department budget. However, should the City wish to contribute toward the staging of the event, I recommend a \$1,000.00 contribution toward costs associated with the banquet.



CRAIG CURTIS

CC:dmg

c. Lowell Hodgson, Recreation & Culture Manager

Commissioners' Comments

We could not support a grant to this organization as this event will be held this December and no provision has been made in the 1988 Budget. Although we cannot support funding for this type of event, should Council feel that support is warranted for a future event, we would concur with the comments of the Dir. of Finance that this organization make application when Council considers grants during the budget debate.

"R.J. MCGHEE"

Mayor

"M.C. DAY"

City Commissioner

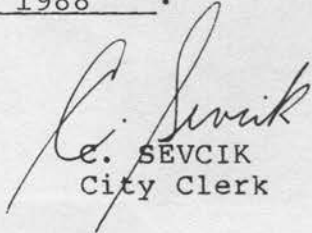
DATE October 21, 1988

TO: ☒ DIRECTOR OF COMMUNITY SERVICES  
☐ DIRECTOR OF ENGINEERING SERVICES  
☒ DIRECTOR OF FINANCE  
☐ BYLAWS & INSPECTIONS MANAGER  
☐ CITY ASSESSOR  
☐ ECONOMIC DEVELOPMENT MANAGER  
☐ E. L. & P. MANAGER  
☐ F.C.S.S. MANAGER  
☐ FIRE CHIEF  
☐ PARKS MANAGER  
☐ PERSONNEL MANAGER  
☐ R.C.M.P. INSPECTOR  
☒ RECREATION MANAGER  
☐ TRANSIT MANAGER  
☐ URBAN PLANNING SECTION MANAGER  
☐ \_\_\_\_\_

FROM: CITY CLERK

RED DEER INTERNATIONAL INVITATIONAL  
NATURAL TRACK LUGE RACE, DEC. 9-11, 1988  
RE: REQUEST FOR \$2,000 FUNDING - BUDGET ENCLOSED.

Please submit comments on the attached to this office by NOVEMBER 7, 1988  
for the Council Agenda of NOVEMBER 14, 1988.

  
C. SEVCIK  
City Clerk



# THE CITY OF RED DEER

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

November 16, 1988

Parkland Nurseries Ltd.  
R.R. 2  
Red Deer, Alberta  
T4N 5E2

Attention: Ms. Gloria Beck McGlone, Owner/Manager

Dear Ms. McGlone:

RE: PARKLAND NURSERIES/DIRECTIONAL SIGNS

I would advise that your application requesting a License to Occupy for two directional signs along 30th Avenue was considered by Council November 14, 1988, and at which meeting Council passed the following motion denying your request.

"RESOLVED that Council of The City of Red Deer having considered correspondence from Parkland Nurseries Ltd. dated October 27, 1988, re: License to Occupy - directional sign, hereby agree that the application for a license to occupy by Parkland Nurseries Ltd. be denied and as recommended to Council November 14, 1988, by the administration."

The above decision of Council is submitted for your information, and I am also enclosing hereby all of the administrative comment which appeared on the Council agenda.

If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

*C. Sevcik*  
C. Sevcik  
City Clerk  
CS/ds  
Encl.

c.c. Dir. of Engineering Services  
Dir. of Community Services  
Bylaws & Inspections Manager  
Inspector Pearson

Parks Manager  
Recreation & Culture Mgr.  
Urban Planner

**THE CITY OF RED DEER**

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

November 16, 1988

Central City Icemen  
c/o Mr. Glen Traquair  
12 McBride Crescent  
Red Deer, Alberta  
T4N 0K5

Dear Sir:

RE: INTERNATIONAL INVITATIONAL NATURAL TRACK LUGE RACE DEC. 10 & 11,  
1988

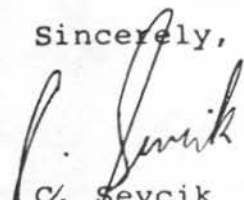
---

Your application for financial assistance with regard to staging the above noted event was presented to Council November 14, 1988. Council at the aforesaid meeting agreed to a \$1,000.00 contribution towards costs associated with the banquet.

You may contact the Director of Finance, Mr. A. Wilcock, or the Assistant City Treasurer, Mr. D. Norris, concerning the aforesaid contribution. Please note that the funds must be used towards the cost of the banquet and you will be required to provide evidence satisfactory to the Director of Finance to this effect.

On behalf of Council, I wish to take this opportunity of wishing you every success in this endeavor. If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,



C. Sevcik  
City Clerk  
CS/ds

c.c. Dir. of Finance  
Assistant City Treasurer  
Dir. of Community Services  
Recreation & Culture Manager  
Chuck Edwards  
c/o Executive Homes Bldg. Supplies

bcc. NOTE: The above noted costs are to be charged to the 1988 budget as an overexpenditure.

C. Sevcik



**Executive Home Building Supplies Ltd.**

7894 - 48 Avenue  
Red Deer, Alberta T4P 2B2

**CHUCK EDWARDS**  
Contract Sales

Res. 346-8787  
Bus. 343-6422

DATE October 21, 1988

**COMMUNITY SERVICES**

- ☐ DIRECTOR OF ENGINEERING SERVICES
- ☒ DIRECTOR OF FINANCE
- ☐ BYLAWS & INSPECTIONS MANAGER
- ☐ CITY ASSESSOR
- ☐ ECONOMIC DEVELOPMENT MANAGER
- ☐ E. L. & P. MANAGER
- ☐ F.C.S.S. MANAGER
- ☐ FIRE CHIEF
- ☐ PARKS MANAGER
- ☐ PERSONNEL MANAGER
- ☐ R.C.M.P. INSPECTOR
- ☒ RECREATION MANAGER
- ☐ TRANSIT MANAGER
- ☐ URBAN PLANNING SECTION MANAGER



# Parkland Nurseries Ltd.

NO. 4

Nursery Stock - Tree Farms - Large Tree Moving - Garden Centre - Greenhouses

RR2, RED DEER, ALBERTA. T4N 5E2.  
PHONE (403) 346-5613City Clerk's Department  
City Hall  
Box 5008  
Red Deer, AB  
T4N 3T4

October 27, 1988

THE CITY OF RED DEER  
CLERK'S DEPARTMENT

RECEIVED	
TIME	1:30 pm.
DATE	Nov. 2/88
BY	C. Adams

ATTENTION: Red Deer Mayor and City Council

Parkland Nurseries, located on Highway 11 East (off 30th Ave.) requires two directional signs for the public.

Up until 1½ years ago Parkland Nurseries, Canyon Ski Hill and the Balmoral Golf Course had directional signs on the city boulevard. The city removed Parkland Nurseries' signs and left Canyon Ski Hill and Balmoral Golf Course signs.

We have had hundreds of calls from out of town as well as Red Deer residents requesting directions. Many have voiced their displeasure upon their arrival, on the absence of signage on 30th Ave.

We feel with the completion of the new bridge and added traffic flow it is of utmost importance, proper signage be installed not only for direction, but also for safety. In the spring we often have over 500 customers per day which could cause quite a traffic problem when they miss the Highway 11 East turnoff and have to turn around. The speed limit being 60 K.P.M. is not conducive to U-turns or backing out of driveways.

Parkland Nurseries is requesting from City Council a "license to occupy" for two directional signs. Each sign would be 2½ m wide by 40 mm deep (in the shape of an arrow) made of reflective sheeting on plywood, from a professional sign company. The wording would be as follows:

PARKLAND NURSERIES 3 MIN.

The signs facing south and north would be between 70 to 210 meters from the corner of 55st. (Highway 11 East) and 30th Ave.

Thank you for your consideration of this matter and I look forward to hearing from you.



Gloria Beck McGlone  
Owner/Manager

GBM/cmm

**"BEAUTIFUL GARDENS GUARANTEED"**

DATE: November 7, 1988 CS-1.943

TO: CHARLIE SEVCIK  
City Clerk

FROM: CRAIG CURTIS  
Director of Community Services

RE: PARKLAND NURSERIES:  
DIRECTIONAL SIGNS  
Your memo dated November 2nd, 1988 refers.

---

Parkland Nurseries Limited are requesting permission to erect two directional signs within the Boulevard along 30th Avenue, to direct traffic to their business.

I support the comments of the Parks Manager, and consider that approval of a "license to occupy" would set a dangerous precedent and lead to further applications by private businesses.

I, therefore, recommend that the "license to occupy" be denied.



CRAIG CURTIS

CC:dmg

- c. Don Batchelor, Parks Manager  
Lowell Hodgson, Recreation & Culture Manager

DATE: November 4, 1988

TO: City Clerk

FROM: City Assessor

RE: PARKLAND NURSERIES/DIRECTIONAL SIGN

---

An inspection of the intersection of 30 Avenue and Highway 11 (extension of 55 Street and 30 Avenue) confirms the following:

1. There presently is a Parkland Nursery sign situated on private property on the NE corner of this intersection
2. There presently are no directional signs indicating that the road right of way east of 30 Avenue is Highway 11.

An approval of the request to locate a commercial sign on a City boulevard area would be contrary to the recent decisions of City Council requesting that these type of signs be restricted to private property.



Al Knight, A.M.A.A.

WFL/bw

cc Bylaws and Inspection Manager  
Director of Engineering Services

DATE: November 3, 1988  
TO: City Clerk  
FROM: Bylaws and Inspections Manager  
RE: **PARKLAND NURSERIES**

---

In response to your memo regarding the above, we have the following comments for Council's consideration:

The use of City boulevards for signage should be restricted to public information signs wherever possible. For this reason, we recommend the application be denied.

Yours truly,

A handwritten signature in dark ink, appearing to read 'R. Strader', is written over the closing 'Yours truly,'.

R. Strader  
Bylaws and Inspections Manager  
BUILDING INSPECTION DEPARTMENT

RS/pr



# RED DEER REGIONAL PLANNING COMMISSION

2830 BREMNER AVENUE; RED DEER, ALBERTA, CANADA T4R 1M9

DIRECTOR: Robert R. Cundy M.C.I.P.

Telephone: (403) 343-3394

November 7, 1988.

Mr. C. Sevcik,  
City Clerk,  
City of Red Deer,  
Red Deer, Alberta T4N 3T4

Dear Sir:

Re: Parkland Nurseries - Request for Directional Signs

Parkland Nurseries are requesting directional signs at 30th Avenue to direct the public to their business location east of the City. They state that 1 1/2 years ago their signs were removed but that the City replaced signs for the Balmoral Golf Course and Canyon Ski Hill.

In regard to the Balmoral Golf Course and Canyon Ski Hill signs, these were installed as part of a City wide directional sign project for recreational and tourist attraction facilities in and around the City. It was a specific project funded by Alberta Transportation in accordance with strict guidelines. An objective was to provide a uniform standard of signage for visitor attractions to replace previously installed signs. Therefore all previous signs were removed when the new ones were installed. At 30th Avenue, three or four signs were removed and replaced by one sign which met the criteria established by Alberta Transportation.

The City Planning section does not support this request from a commercial business that does not involve a recreational or tourist attraction. If the City were to provide signage for this business, then it would be setting a precedent for other commercial businesses to make a similar request which could lead to a proliferation of signs.

Businesses should advertise their street or road location and possibly a general direction or distance from a major intersection.

.... /2

## MUNICIPALITIES WITHIN COMMISSION AREA

CITY OF RED DEER—TOWN OF BLACKFALDS—TOWN OF BOWDEN—TOWN OF CARSTAIRS—TOWN OF CASTOR—TOWN OF CORONATION—TOWN OF DIDSBURY—TOWN OF ECKVILLE—TOWN OF INNISFAIL—TOWN OF LACOMBE—TOWN OF OLDS—TOWN OF PENHOLD—TOWN OF ROCKY MOUNTAIN HOUSE—TOWN OF STETTTLER—TOWN OF SUNDRE—TOWN OF SYLVAN LAKE—VILLAGE OF ALIX—VILLAGE OF BENTLEY—VILLAGE OF BIG VALLEY—VILLAGE OF BOTHA—VILLAGE OF CAROLINE—VILLAGE OF CLIVE—VILLAGE OF CREMONA—VILLAGE OF DELBURNE—VILLAGE OF DONALDA—VILLAGE OF ELNORA—VILLAGE OF GADSBY—VILLAGE OF HALKIRK—VILLAGE OF MIRROR—SUMMER VILLAGE OF BIRCHCLIFF—SUMMER VILLAGE OF GULL LAKE—SUMMER VILLAGE OF HALF MOON BAY—SUMMER VILLAGE OF NORGLENWOLD—SUMMER VILLAGE OF ROCHON SANDS—SUMMER VILLAGE OF WHITE SANDS—SUMMER VILLAGE OF JARVIS BAY—COUNTY OF LACOMBE No. 14—COUNTY OF MOUNTAIN VIEW No. 17—COUNTY OF PAINTERTH No. 18—COUNTY OF RED DEER No. 23—COUNTY OF STETTTLER No. 6—MUNICIPAL DISTRICT OF CLEARWATER No. 99

Mr. C. Sevcik

- 2 -

November 7, 1988.

It is then the responsibility of the City to adequately sign streets and major intersections which should enable the public to find their way to any business location.

It is therefore recommended that this request be denied.

Yours truly,

A handwritten signature in dark ink, appearing to read 'V. Parker', with a long horizontal flourish extending to the right.

Vernon Parker,  
Associate Planner,  
City Planning Section

VP/t



DATE: November 7, 1988

TO: CHARLIE SEVCIK  
City Clerk

FROM: DON BATCHELOR  
Parks Manager

RE: PARKLAND NURSERIES/DIRECTIONAL SIGNS

---

With respect to Parkland Nurseries' request to install directional signs on City property, I am opposed to this application for a "license to occupy".

Although I appreciate that Parkland Nurseries Ltd., is a high-profile private business, I do not feel that the city boulevards should be used, in this instance, for directional signage. This would create a most dangerous precedent that may have to be extended to other nursery, greenhouse, and/or private businesses throughout Red Deer.

The only exception to this would be golf courses, ski hills, and other recreational facilities that have public access.

As an alternative for Parkland Nurseries Ltd., I would suggest that they contact property owners along Highway 11 for placement of signage on their property.



DON BATCHELOR

DB/ad

c.c. Craig Curtis, Director of Community Services



Royal Canadian  
Mounted Police

Gendarmerie royale  
du Canada

212.

Your file    Votre référence

DATE: 88 NOV 07

Our file    Notre référence

TO: City of Red Deer  
ATTN: City Clerk

FM: Red Deer City R.C.M.P.

RE: PARKLAND NURSERIES/DIRECTIONAL SIGNS

In reference to the Parkland Nurseries Ltd., correspondence date 88 OCT 27, this office has no concern with their request for signs.

However, this office is concerned with the possible visual obstruction caused by the signs. If the Engineering Dept. establishes a safe location for these signs, our office has no concerns.

Sincerely,

L.L. (Larry) PEARSON, Insp.  
O. i/c Red Deer City Detachment

Red Deer City Detachment  
Bag 5033  
Red Deer, Alberta  
T4N 6A1

DATE: November 8, 1988  
TO: City Clerk  
FROM: Director of Engineering Services  
RE: PARKLAND NURSERIES DIRECTIONAL SIGN

---

The Engineering Department appreciates the need to help motorists in finding their destinations. This need is best demonstrated by the numerous previous signing requests received from day-care centres, schools, City parks, grocery stores, industrial parks, business parks, social/athletic clubs, golf courses, ski resorts, hotels, retail stores, Provincial institutions, and volunteer organizations.

The advantage of providing more signs, or more information per sign, however, is offset by the difficulty drivers would have sifting through the additional information provided to find the directions pertinent to their own trips, while driving at the same time. While missing a destination finding sign would merely result in motorists' confusion and frustration, missing a warning or regulatory sign could result in serious traffic accidents.

This concern for safety caused by excessive road signs has prompted warnings issued by traffic safety agencies like the U.S.A. Federal Government and Alberta Transportation and Utilities.

The City has adopted a policy that requires guide signs to be installed on the nearest arterial from a facility if that facility meets all the following conditions:

1. The facility meets the City Land Use By-law parking requirements.
2. The facility owner/operator provides acceptable proof of attendance of over 60,000 persons per year.
3. The facility owner/operator pays an initial application fee and a tri-annual renewal fee for the sign installation to cover installation and maintenance costs.
4. The facility is NOT on a major arterial.

City Clerk  
Page 2  
November 8, 1988  
File: 620-014A

5. The facility DOES NOT form part of a larger facility in which directional signs are already provided.

Since Parkland Nurseries is on a major highway, guide signs are not required. (Refer to Council Policy Condition 4 above). Even if guide signs were indicated, they would have been installed on the nearest arterial, which is Highway No. 11 outside the City of Red Deer boundary.

Just as signs are not installed for nurseries located inside the City of Red Deer (e.g. Golden Acre Garden Centre, Majak Gardens, and Treeland Nursery), we would recommend Council to uphold its Guide and Information Sign Policy and decline the installation of guide signs for nurseries located outside the City of Red Deer.



Bryon C. Jeffers, P. Eng.  
Director of Engineering Services

CYL/emg

c.c. Director of Community Services  
c.c. By-laws and Inspections Manager  
c.c. City Assessor  
c.c. Parks Manager  
c.c. RCMP Inspector  
c.c. Urban Planning Section Manager

Commissioners' Comments

We would concur with the comments from the administration and recommend that the application for a license to occupy be denied.

"R.J. MCGHEE"

Mayor

"M.C. DAY"

City Commissioner

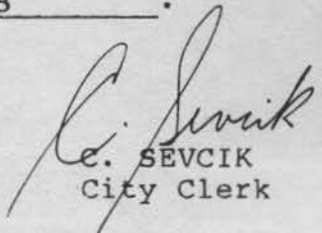
DATE November 2, 1988

TO: ☒ DIRECTOR OF COMMUNITY SERVICES  
☒ DIRECTOR OF ENGINEERING SERVICES  
☐ DIRECTOR OF FINANCE  
☒ BYLAWS & INSPECTIONS MANAGER  
☒ CITY ASSESSOR  
☐ ECONOMIC DEVELOPMENT MANAGER  
☐ E. L. & P. MANAGER  
☐ F.C.S.S. MANAGER  
☐ FIRE CHIEF  
☒ PARKS MANAGER  
☐ PERSONNEL MANAGER  
☒ R.C.M.P. INSPECTOR  
☐ RECREATION MANAGER  
☐ TRANSIT MANAGER  
☒ URBAN PLANNING SECTION MANAGER  
☐ \_\_\_\_\_

FROM: CITY CLERK

RE: PARKLAND NURSERIES/DIRECTIONAL SIGNS

Please submit comments on the attached to this office by November 7  
for the Council Agenda of November 14, 1988.

  
C. SEVCIK  
City Clerk



## THE CITY OF RED DEER

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

November 4, 1988

Gloria Beck McGlone  
Owner/Manager  
PARKLAND NURSERIES LTD.  
R.R.#2  
RED DEER, Alberta  
T4N 5E2

Dear Ms. Beck:

### RE: DIRECTIONAL SIGNS

We acknowledge with thanks your letter of October 27, 1988 regarding directional signs to your business located on Highway 11 East.

We would advise that this matter will be presented to City Council at their meeting of November 14, 1988. You will be contacted by this office prior to the meeting to set a time for this item to be discussed by Council, in the event that you wish to be present at the above noted meeting.

Trusting you will find this satisfactory.

Yours sincerely,

  
C. SEVCIK  
City Clerk





# RED DEER PARKING PATROL LTD.

4801 - 51 Avenue, Red Deer, Alberta T4N 4H2

Phone: 347-5500

NO. 5

October 7, 1988

Mayor and City Council of Red Deer  
City Clerks Office, City Hall  
4914 - 48 Avenue  
Red Deer, Alberta  
T4N-3S5

THE CITY OF RED DEER  
CLERK'S DEPARTMENT

RECEIVED	
TIME	4 pm
DATE	Oct. 7/88
BY	<i>[Signature]</i>

Mayor and Council Members,

RE: APPLICATION TO APPEAR BEFORE COUNCIL ON NOVEMBER 14th, 1988

Mr. Michael K. Power, President of Empire Paarking (Red Deer) Ltd. and Red Deer Parking Patrol Ltd., would like to request permission to appear before council to discuss the operations of the two companies, such as the new R.D.P.P. tag format which was changed on request of the city.

Mr. Power would also like to make himself available to answer any questions that may have arisen since he last appeared before council.

Thanking you in advance for your consideration and looking forward to meeting with you once again.

Yours truly,

Per: Michael K. Power  
President

ph/DD

November 14, 1988

His Worship Mayor R.J. McGee  
and  
Members of City Council  
City of Red Deer  
Red Deer, Alberta

Submitted to City Council

Date: 88/11/14

*by M. Power*

Your Worship, Lady, and Gentlemen:

Thank you for giving us the opportunity to appear before you tonight in response to our recent request to come before you to provide a progress report with respect to the work we perform.

In March of 1987, Red Deer Parking Patrol Ltd. commenced business in your City after having completed a survey dealing with a desire for services we provide. We promised and guaranteed that our objective would be to become good corporate citizens. This we have attempted to do to the best of our ability.

Attached is a cross section of letters we have received from both residents of Red Deer and elsewhere. For any of you wishing to peruse our files, I can assure you that we have dozens more attesting to the fact that we do deal fairly with people. We bend over backwards in every instance to give the benefit of doubt to a troubled complainant.

It is our considered opinion, after a year and a half of work here, that we have been succesful by making parking on private lands more accessable for people, with the result that Red Deer establishments have found persons wishing to do business near where we operate, find it easier to get to them. This is not to suggest that we are faultless. Yes we have made mistakes - but in each case of which we are aware, we have made ammends.

We monitor our work closely and take immediate steps to prevent errors. Being human, we will never be perfect, but we assure you all that we will keep on trying to come as close as possible to that elusive goal of perfection.

Private property owners have been plagued for years by inconsiderate motorists who show little or no respect for the rights of others. Surely you will agree that a landowner who has paid dearly for land, pays heavy taxes, increased liability insurance costs, high maintenance costs etc., has a right to determine how the property is to be utilized - in keeping with City regulations.

Police and By Law Enforcement people have important tasks to perform, thus cannot be expected to give priority to the complaints of landowners about unwanted vehicles being parked on their lands. Many persons who fail to show respect for others drive their vehicles into private parking stalls depriving the rightful user. Many too, empty their ash trays, throw milk shake and fried chicken cartons and other refuse onto private properties, plug into electrical outlets, damage fences, damage vehicles parked next to them and do many things to frustrate property owners and cost them money.

Even if a property is not being used by owners, such as night times and on weekends, refuse is strewn, damage can occur and accidents can happen, often resulting in expensive time consuming law suits.

It is important for everyone to remember that no one, absolutely no one, need ever hear about Red Deer Parking Patrol Ltd., if he or she merely respects the rights of others. It is only inconsiderate persons, persons who believe they have the God given right to park vehicles any place they decide - that must be shown otherwise.

Many of you here tonight have no doubt experienced situations involving vehicles encroaching on your rights.

No traps are set by us. Every property patrolled by us is clearly marked by many signs indicating conditions for parking. There are still some who choose to ignore these signs and they are the ones, that cause trouble.

We promised when we came to Red Deer that we would attempt to solve problems - not create them.

It was brought to our attention that our tags were causing some confusion with City Tickets. We feel some of the same people who failed to read and or respect signs were the ones that failed to read the tags issued by our company.

Be that as is may, at your request, and at considerable expense to us, we changed our tags. A sample of the new tag is enclosed with the package we distributed tonight; note no citing of the City By Law is made. There was some delay in the printing of our tags because we were delving into the legalities of our new system. We wanted to be sure that all things we now do, "hold legal water". We are informed they do.

Our company provides meaningful employment for Red Deer people during these difficult economic times. We pay rent for office space owned by Red Deer people and inject money into the economy of this City.

Our patrollers have discovered and reported illegal activities. Judge Arnold Blakey of the Provincial Court of Alberta praised our work in Edmonton in a recent written judgement. One of our patrollers in Red Deer offered to act as a witness last Wednesday describing willful damage of City property by a motorist. The guilty party paid for the damage.

We are not in business for the fun of it. Parking tags are one of the tools we use to ensure public safety by making it unattractive to park in ways that can interfere with the performance of necessary public services such as fire and police protections.

Officials in communities everywhere state that parking tags lose effectiveness without a collection program. Parking tags don't work unless people know they must pay. The only way to make that point very clear is to have a solid collection program in place.

The most important part of our program is that it provides us with the ability to discourage parking activity that is either dangerous or compromises the ability of property owners to use land as they wish - or both.

Unless the public and private sector work together, a city will never fully utilize one of its scarcest and precious resources - the parking space.

Red Deer Parking Patrol Ltd., does not tow away vehicles indiscriminately. We do tow upon request by property owners and or when someone continues to disregard others rights. Although court action has not yet been instituted by us, in Red Deer, we will be enlisting the assistance of the courts immediately, with every consideration being given to the respect we hold for them. We don't wish to burden our courts with many many small debt actions that can be satisfactorily resolved in other ways. Court action is a last resort, but will definately be taken when necessary.

The public as a whole respects and likes the work we do. Property owners and managers are most satisfied. We are not popular with the inconsiderate minority, but much like - cod liver oil - our system actually works. (See attached letters to Editor, Edmonton Journal, "Parking Tags Drive Customers Away" Item 1)



We invite your questions and criticisms at any time. An invitation is open to you all to attend at our office to view our methods.

We want to do a good job and make you proud of the support you have given us since we started.

Respectfully submitted,

RED DEER PARKING PATROL LTD.

A handwritten signature in dark ink, appearing to read 'Michael Power', is written over the typed name.

Michael Power  
President



**DEMAND FOR  
PAYMENT**

**B 17704**

1. THIS DEMAND FOR PAYMENT ISSUED FOR EACH DAY OF OFFENCE OR PORTION THEREOF FOR UNAUTHORIZED PARKING ON PRIVATE LAND, REQUIRING PAYMENT AS DESCRIBED BELOW.
2. PAYMENT DEMANDED AS INDICATED BELOW, IS DUE IN FULL WITHIN 14 DAYS OF ISSUE OF THIS DEMAND. SERVICE CHARGES WILL BE APPLIED TO LATE PAYMENTS.

<b>\$25.00</b>	<b>\$35.00</b>	<b>\$</b>
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3.	LICENCE NO. <i>VOID</i>	PROVINCE
4.	DATE ISSUED MM DD YY	TIME HRS. VEHICLE DESCRIPTION

5. **OFFENCE:**

- A ☐ FAILURE TO DISPLAY VALID PARKING RECEIPT, PASS OR PERMIT
- B ☐ PARKED WHILE TIME PURCHASED OR TIME LIMIT HAS EXPIRED
- C ☐ PARKED IN RESTRICTED/NO PARKING AREA
- D ☐ UNAUTHORIZED PARKING IN DISABLED/HANDICAPPED STALL
- E ☐ PARKED UNAUTHORIZED IN FIRELANE/EMERGENCY ACCESS ROUTE
- F ☐ PARKED WHILE NOT DOING BUSINESS AT LOCATION NOTED IN ITEM 7
- G ☐ OTHER: SEE PARTICULARS BELOW

6. **PARTICULARS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. **LOCATION:** \_\_\_\_\_

LOT	STALL	ZONE
		CODE

8. **PATROLLER:** \_\_\_\_\_
9. **ISSUER:** RED DEER PARKING PATROL LTD., AGENTS FOR THE PROPERTY OWNER/MANAGER/OCCUPIER.
10. **REDUCTION:** THE ABOVE DEMAND FOR PAYMENT WILL BE REDUCED BY \$10.00, PROVIDING REDUCED AMOUNT IS PAID TO RED DEER PARKING PATROL LTD. WITHIN SEVEN DAYS OF ISSUE OF THIS DEMAND.
11. **PAYMENT:** PAYMENT MAY BE MADE IN PERSON OR BY MAIL TO RED DEER PARKING PATROL LTD., 4801 - 51 AVE., RED DEER, T4N 4H2. OFFICE HRS. 0830 HRS. - 1700 HRS., MONDAY - FRIDAY.
12. **PHONE:** 347-5500 FOR FURTHER INFORMATION.

**THIS DEMAND NOTICE MUST  
ACCOMPANY PAYMENT**

13. **APPEAL:** IF NO FORMAL APPEAL IS RECEIVED BY RED DEER PARKING PATROL LTD. IN PERSON OR IN WRITING WITHIN SEVEN DAYS OF ISSUE OF THIS DEMAND FOR PAYMENT, THE OWNER AND DRIVER OF VEHICLE LICENSED AS DESCRIBED ACKNOWLEDGES LIABILITY FOR THE AMOUNT DEMANDED, PLUS ALL COSTS OF COLLECTION.
14. **AUTHORITY:** THIS DEMAND FOR PAYMENT ISSUED UNDER AUTHORITY GRANTED BY CONTRACT BETWEEN PRIVATE LAND OWNER/MANAGER/OCCUPIER AND THEIR AGENTS, RED DEER PARKING PATROL LTD.
15. **JUS CIVILE:** NO PERSON SHALL PARK A VEHICLE ON PRIVATE LAND TO WHICH THE PUBLIC HAS ACCESS CONTRARY TO THE TERMS, CONDITIONS OR PROHIBITIONS CONTAINED IN A READILY VISABLE SIGN ERECTED WITHIN THE BOUNDARIES OF SUCH PRIVATE LAND BY THE OWNER, MANAGER, OCCUPANT OR PERSON IN CHARGE OF SUCH PRIVATE LAND.
16. **CIVIL REMEDY:** IN THE EVENT PAYMENT AS DESCRIBED IN ITEMS 2 OR 10 ON THE FACE HEREOF IS NOT RECEIVED AS DEMANDED, YOUR VEHICLE LICENCE NUMBER WILL BE REGISTERED ON OUR CITY WIDE TOW-AWAY LIST. RED DEER PARKING PATROL LTD. RESERVES THE RIGHT TO TAKE WHATEVER CIVIL REMEDIES IT DEEMS NECESSARY TO EFFECT PAYMENT.
17. **COURT:** FAILURE TO PAY THIS DEMAND MAY RESULT IN A SUMMONS BEING ISSUED IN THE PROVINCIAL COURT OF ALBERTA.

# ing tags drive omers away

are more im-  
ing on in the  
but, on behalf  
who have been  
our overzealous  
issuers, I would  
following tale.

I went to the  
len Mall to do  
shopping. After  
the parking lot  
in a futile search  
spot, I was de-

lighted to discover a spot close  
to the entrance and near the end  
of a row.

Upon returning to my vehicle  
I discovered that my car, and  
several others, were parked in  
an "emergency access route."  
The sign indicating this was  
covered by snow.

The price of our parking folly  
— a whopping \$60 tag issued by  
a special Kingsway Garden  
Mall contingent of parking-tag  
issuers.

Surely under the circum-  
stances — the busy shopping  
season and inclement weather  
— the mall would be doing a  
much better service for its cus-  
tomers by providing assistance  
with parking rather than harass-  
ing them with parking tickets.

A letter to the mall's manage-  
ment listing these points  
produced a formal reply stating  
that the ticket had been issued  
in accordance with the applica-  
ble bylaw.

I have paid this unfair levy  
because I don't really have time  
to drag it into court, but it will  
be a frosty Friday in July before  
I go back to Kingsway Garden  
Mall.

Michael Spindloe  
Edmonton

## Parking laws no different for shoppers

The bylaw enforcement officers at King-  
sway Garden Mall are not overzealous, but  
are simply carrying out the duties required to  
ensure that traffic moves as easily as possible  
and that people who park illegally in the  
emergency access routes are informed of their  
inconsiderate behavior (Parking tags drive  
customers away, Viewpoint, Jan. 19).

There are a number of occasions when  
emergency vehicles are required at the mall  
and they must have unobstructed access to all  
areas. If we do not inform the public of these  
laws, we become liable.

Michael Spindloe commented in his letter  
that he was given his parking ticket during  
the busy Christmas season and that the  
weather was inclement. He also said the sign  
was covered with snow.

Inconsiderate parkers become even more of  
a problem to the thousands who park at the  
mall during the busy season.

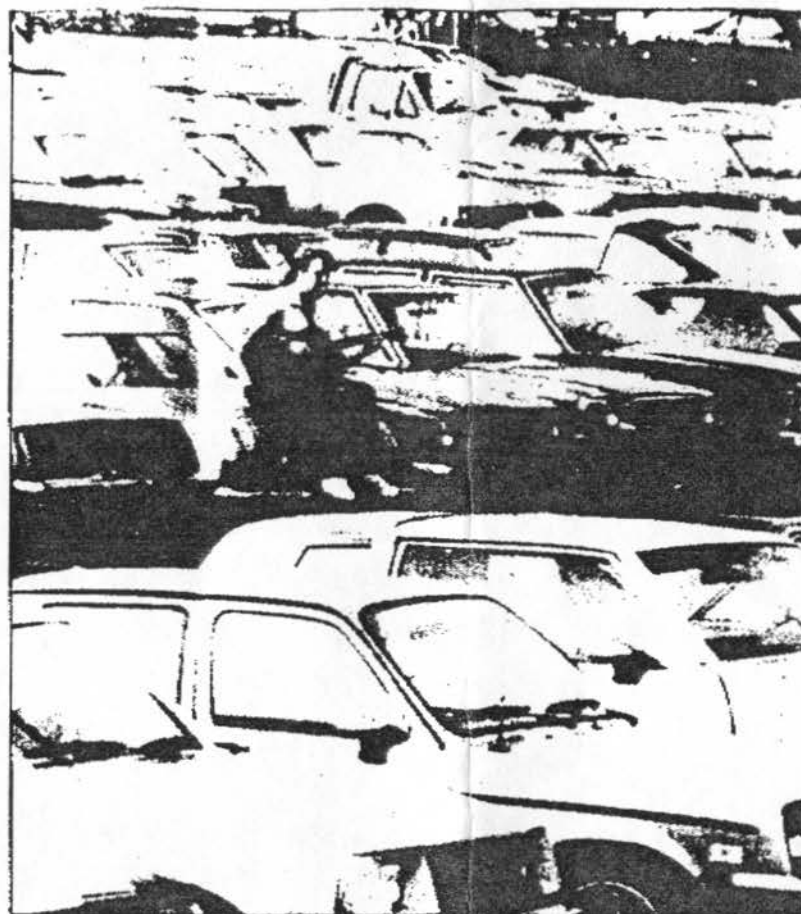
As for the inclement weather and snow  
covering the sign, Spindloe may have been  
dreaming of a white Christmas because Ed-  
montonians sure didn't have any snow, espe-  
cially in November.

Donald Guild  
Chief of Security  
Kingsway Garden Mall  
Edmonton

I am unable to share Michael Spindloe's  
grief over his fine, having been forced to  
thread my way through the many illegally  
parked vehicles in various Edmonton shop-  
ping centres. Some of these vehicles were  
parked directly under the signs that pro-  
hibited parking.

Emergency access lanes are provided to  
allow access to vehicles such as fire trucks —  
not to give lazy people a chance to park near  
entrances.

Spindloe claimed the sign indicating the



A crowded parking lot is no excuse for inconsiderate  
... emergency vehicles must have access to malls at all t

emergency access route was covered in snow.  
To my recollection, there was no snow in Ed-  
monton this year until mid-December, and  
even then it was a light snowfall.

As for his excuse about inclement weather  
and crowded parking conditions, we had one  
of the mildest Novembers in years and I  
found little difficulty parking at Kingsway  
Garden Mall on Dec. 23. But perhaps that  
was because I didn't mind walking a few hun-  
dred feet to the entrance.

It's annoying to have to be continually  
trying to avoid fender-bender accidents be-  
cause of illegally parked cars at the malls, not  
to mention the possibility of a major disaster  
in case of fire. I think the parking fines  
should be increased and strictly enforced.

Jack Lewis  
Edmonton

I was pleasantly surprised  
the predicament Michael Spindloe put  
himself in while Christmas shopping at Kingsway Garden Mall.

It's certainly about time that mall owners  
enforced parking regulations to  
to irresponsibly clog  
parked in spaces allotted for

While I agree somewhat with the  
suggestion that mall owners provide  
wide parking assistance, a full parking lot — or  
one that doesn't excuse anyone's  
lives of those who expect  
maturity to park in a lot.

I encourage all other shoppers to  
the courageous lead set by  
Mall management.

## Parking patrol necessary

Re: letter in The Advocate July 3  
from Mrs. M.E. Raycraft

It was a misfortune that you had a ticket on your car when you were shopping at the IGA. I am happy that your ticket was promptly cancelled. The intention is not to ticket our customers.

I must explain the reason for our lot being patrolled.

When the store opened for business each morning the parking lot was more than half full. Within an hour there was not a parking spot to be found and it continued like this throughout the day. Our customers complained constantly when they had to drive around and around the lot waiting to find a car moving from their free parking spot. People would be surprised to find the store not as full as the parking lot.

I have tried many ways to stop the abuse of IGA parking lot, but nothing worked. Since the lot has been patrolled, customers have voiced their appreciation.

The city cut off the entrance on 48th Street to the public parking lot north of the IGA. This made our lot more

convenient to park in while doing business in the many places that do not provide parking for their customers. I look across the street and see the public parking lot with few cars parked in it and mine is overflowing.

I'd love to provide parking for everyone who comes downtown, but my lot is small and is needed for all our important and valued customers while shopping in the store. I am sorry for any inconvenience and annoyance this has caused and I hope that each time you shop at the IGA, there is room for you to park in the IGA lot.

Dorothy Asmundson  
Downtown IGA  
Red Deer

## Patrol gave ticket

Concerning my letter in the July 3 issue of The Advocate regarding parking hurts businesses: This ticket was issued by the Red Deer parking patrol, not a commissioner.

Mrs. M.E. Raycraft  
Red Deer

July 14/87

second page



## RED DEER PARKING PATROL LTD.

4801 - 51 Avenue, Red Deer, Alberta T4N 4H2  
Phone: 347-5500

February 25, 1988

Mr. John Lehmann  
Box 207  
Trochu, Alberta  
T0M 2C0

Dear Mr. Lehmann:

RE: TAG #A9687

Thank you for your note which we recieved in todays mail regarding the above mentioned tag.

Under the circumstances I will reduce the amount owing to a \$5.00 administration fee. I do understand your situation but there are signs at the entrances and throughout the lot.

Enclosed is your cheque #528 in the amount of \$25.00.

If your have any questions please do not hesitate to call.

Yours truly,

RED DEER PARKING PATROL LTD.

Susan Denton  
Office Manager

Enc.

/SD



Please, let me explain why I parked here on  
My wife broke her wrist at the Three  
Hills School she was taken to Dr. Cotter  
at Three Hills he advised her to go  
to the Emergency entrance of the Red Deer  
hospital and see Dr. J. Wakefield who would  
look after her because Three Hills or Trochu  
could not handle this type of injury. I  
parked in this area because I am not  
acquainted with your parking at the hospital  
and rushed her in. I don't think I  
should be given a \$25 penalty for  
this error.

John Lehmann  
Box 207  
Trochu Alberta  
T0M 2C0

442-3738



## RED DEER PARKING PATROL LTD.

4801 - 51 Avenue, Red Deer, Alberta T4N 4H2

Phone: 347-5500

May 21, 1987

Mr. Gordon King  
Box 629  
Three Hills, Alberta  
TOM-2A0

Dear Mr. King:

RE: TAG #A1174

Thank you for your letter regarding the above mentioned tag.

The lot which you were parked located at 3939-50A Avenue is patrolled 7 days a week, 24 hours a day. It is private property and only for people doing business at the Medical Dental Building.

In the past the owners/managers of the building allowed people going to the hospital to park there on weekends, but in a very short time people were taking advantage of this and parking there during business hours taking up all the available stalls. Thus leaving no stalls for the people doing business at the Medical Dental Building. They in turn contracted us to patrol and put a complete stop to it.

There was also a large amount of garbage and ash trays being dumped in the lot which the Medical Dental staff had to clean up. We are sure you do not fit in this category and are sorry people like you must pay for the irresponsibility of other's.

There are approximately 20 private property signs stating that you run the risk of being tagged and/or towed away. The hospital has ample patient/visitor parking and it is not the responsibility of the Medical Dental Building to supply parking for the hospital.

Enclosed is your receipt for payment or the above mentioned tag. If you have any questions please do not hesitate to call.

Yours truly,

RED DEER PARKING PATROL

Susan Denton  
Office Manager

/SD

Enc.

Bpx 629  
Red Deer Hills, Alta.  
TOM 2A0  
May 17/87

*Mayor of Red Deer*

Dear Parking Authority  
c/o the Mayor  
Red Deer, Alta.

Sirs: Ticket A 1174

Yes, I was technically guilty and for that reason I am enclosing a cheque for \$25.00. Please note that this is being sent by first mail even though it will not reach your office within the 72 hrs. due to a holiday weekend.

Now for my side and feelings about this ticket - the first I have ever been issued even though I am a Senior Citizen. I had often parked near the Medical Centre near the Hospital as both my wife and I have had appointments there. It just seemed natural to use that parking area even though we were going to visit a very sick friend in the Hospital.

Your Patroller # 11 goes nameless - I believe that he would be ashamed to admit that he gave me a ticket on a Saturday afternoon of a holiday weekend when the clinic offices were closed. Total number of vehicles in the area app. 6 and total space estimated at least 50. The only way he would know that I was not in the Clinic was that it seemed to be entirely closed.

We have enjoyed doing business in Red Deer but treatment such as this is so uncalled for that it does turn us against your city. We had parked at a downtown meter prior to lunch and had noted that there was no charge on Saturday and that was another reason for assuming that the same would apply in other areas. Was I just plain stupid or is the law unjustified.?

If my objection is reasonable, please return my cheque. If you really need the money, deposit the cheque, send me a receipt for framing purposes. An answer to this letter will be appreciated.

Sincerely,

*Gordon G. King*  
Gordon G. King

May 11, 1988

Susan Denton  
Office Manager  
Red Deer Parking Patrol Ltd.

C

I wish to thank you for the consideration  
given, regarding tag # 12303

It was our mistake to take the ticket in  
to the Hospital while visiting an injured relative.  
I am in receipt of the uncashed Cheque # 4938  
in the amount of \$25.00 and am  
grateful that there are people to-day who  
still operate reputably.

Again I thank you most sincerely and  
would recommend your parking area  
to others, who visit in the City of Red Deer.

Yours truly,  
Alma Smith & N. Stanbury  
#207 14825 - 51 Avenue  
Edmonton, AB.  
T6H 5G4



## RED DEER PARKING PATROL LTD.

4801 - 51 Avenue, Red Deer, Alberta T4N 4H2  
Phone: 347-5500

May 6, 1988

Alma Smith  
# 207, 14825-51 Avenue  
Edmonton, Alberta  
T6H-5G4

Dear Ms. Smith,

RE: TAG # 12303

Please find enclosed your cheque acct. # 4938, in the amount of \$25.00.

Please note tag # 12303 has been cancelled as of todays date.

If you have any questions please do not hesitate to contact our office.

Yours truly,

RED DEER PARKING PATROL

Susan Denton  
Office Manager

ph/SD

Enc.



TO Red Deer Parking Patrol ATTN: Susan4801-51 AveRed Deer, Alta T4N 9Z9FROM DebhambDEPT. Box 432, Blackfalds Alta T0M 0A0DATE 10 Feb 19 88RE A 9215 Parking Ticket License # FNx843 Alta.

## MESSAGE

Enclosed is \$3.00 administration as per our phone conversation yesterday.

Thank you very much for being so understanding and compassionate - I really appreciate it.

*DC Lamb*

## REPLY

DATE \_\_\_\_\_ 19 \_\_\_\_



Luanendon:

Jan 26/88.

I was really surprised to  
receive a letter from you today. Thank you,  
very much for the reduction on the parking  
ticket it is greatly appreciated

Thanks again  
Debbie Hobson

R.E TAG # A 8954

\$5.00

Rimbey Alta  
9.55 Dec 23/87.

Mr. Patrol #14, Property owners or Mayor.

I hope this unjust administration  
haunts you every step the rest of your  
life.

You have just robbed a starving  
child the right to life.

M. Becker.

A 8034  
LOT 17



## RED DEER PARKING PATROL LTD.

4801 - 51 Avenue, Red Deer, Alberta T4N 4H2

Phone: 347-5500

December 30, 1987

Mr. Marvin Becker  
Box 923  
Rimbey, Alberta  
T0C 2J0

Dear Mr. Becker:

RE: TAG # A8034

Thank you for your letter dated December 23, 1987 in regards to the above mentioned tag.

You say very little in you letter but from what you have said, your situation is very serious.

In the future you must purchase a meter ticket before you leave the parking lot.

The above mentioned tag has been cancelled as of todays date, enclosed is you cheque #154 in the amount of \$25.00

We have a very good appeal system but if we are not informed of the circumstances we cannot act.

We hope this has not caused you any inconvenience and if you have any questions please do not hesitate to contact our office.

Yours truly,

RED DEER PARKING PATROL LTD.

Susan Denton  
Office Manager

/SD

Enc.



## RED DEER PARKING PATROL LTD.

4801 - 51 Avenue, Red Deer, Alberta T4N 4H2  
Phone: 347-5500

October 7, 1987

Mr. Robert MacKay  
Box 37  
Innisfail, Alberta  
T0M 1A0

Dear Mr. MacKay:

RE: PARKING TAG #A5424

Our service is not designed to tag people who's only mistake was to forget to display their meter ticket, it was set up to tag people who refuse to pay and those who park in reserved, No Parking areas. Please find enclosed your cheque #209 for the amount of \$35.00 as we have cancelled tag #A5424 as of today's date.

Sorry for any inconvenience this may have caused you.

Yours truly,

RED DEER PARKING PATROL LTD.

Susan Denton  
Office Manager

/SD

Enc.

Dear Sir

I did purchase  
parking ticket but  
did not leave  
stop in car

J. V. M. J. H. J.



## RED DEER PARKING PATROL LTD.

4801 - 51 Avenue, Red Deer, Alberta T4N 4H2  
Phone: 347-5500

September 29, 1987

Irene Dryden  
Box 1462  
Stettler, Alberta  
T0C 2L0

Dear Irene Dryden:

RE: TAG # A5214

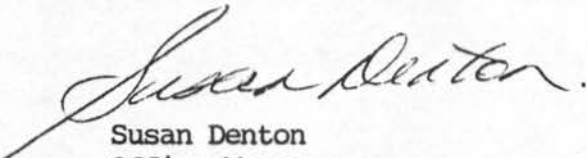
We are returning you cheque in the amount of \$25.00, payment for the above mentioned tag because we do understand you situation.

We would also like to inform you that you may purchase the number of meter tickets required for the number of hours you will be parking on the lot. I hope in the future this information will save you a bit of running back and forth and worry.

The above mentioned tag has been cancelled as of today's date.

Yours truly,

RED DEER PARKING PATROL LTD.



Susan Denton  
Office Manager

/SD

Enc.



Sept 25/89.

Red Deer Parking Patrol Ltd.

4801 - 51 Ave

Red Deer, Alta.

T4N 9Z9

Dear Sir.

Our city's lack of understanding, compassion and parking is appalling. As I am not a resident of Red Deer you may have parking hidden away around the hospitals somewhere, but where. I received a parking ticket at the Red Deer Hospital. The only parking I could see was for staff only. I parked in a lot where the cost was 4 hours for .50 great deal only when someone is dying or a child can't be left - who's going to plug the meter. I could go on but I just ask you to put yourself in such a position and think about it.

The lot was like parking in a farmer's field and at the time I was ticketed every one should have been at home. The cost of someone patrolling this lot 24 hrs. in sum is more than your making off

Parking fees.

I was wrong and I'm paying my ticket.

I knew when I was sitting in the hospital my time had run out but so had someone else and who wants to die alone or be alone.

I doubt this letter will do any good but I hope for your sake you never have to be in a strange city and worry about someone in a hospital you care for and know your breaking the law. I'm sure there is a better way to set up parking facilities.

Yours truly  
D. Hyde



## RED DEER PARKING PATROL LTD.

4801 - 51 Avenue, Red Deer, Alberta T4N 4H2

Phone: 347-5500

September 25, 1987

Gloria Gorday  
R.R. 1  
Lacombe, Alberta  
T0C 1S0

Dear Mrs. Gorday:

Thank you for your letter dated September 19, 1987, which we received today.

We do understand the parking situation down town is limited due to the fact they are repairing all the streets, however there are several signs that state Private Property, Bank of Montreal Customers Only While in Bank, Positively No Parking On Saturdays or Sundays.

Red Deer Parking Patrol Ltd. is solely dedicated to helping property owners and managers control their parking areas. We do not dictate which hours or days or which people should or should not use these parking areas, the property owners decides this and we patrol accordingly.

Therefore Tag # A5130 is valid and if you have any questions please call.

Yours truly,

RED DEER PARKING PATROL LTD.

Susan Denton  
Office Manager

/SD

September 19, 1987

Red Deer Parking Patrol  
4801 - 51 Avenue  
Red Deer, AB  
T4N 9Z9

Dear Sir:

I would like to take this opportunity to explain my circumstance to you.

I had an appointment with Hauck Opticians at 11:30 for my daughter, whom has had an corneal eye transport and was having a contact lense designed for her.

I am sure that you are aware that MANY of the streets were under construction that day and that MANY of the parking areas were not able to be used. I am from GullLake and am not familiar with parking spots. I drove around and around and found the parking lots full. There was a line-up of the same cars going around and around-finding nowhere to park.

Finally it was time for my appointment. I had passed the Bank of Montreal lot several times in my search, so I sent my daughter to see if the bank was open. It was not so I could see no harm in using the lot for the short time I would be gone.

I returned to my car at 12:05 to find I had received a ticket. I still see no harm in using a parking lot that is not being used that day for business--especially when the streets were restricting parking so badly.

I would appreciate it if you would tear up my money order; however, at least you are aware of my predicament.

Sincerely,

*Gloria Gouday*



## RED DEER PARKING PATROL LTD.

4801 - 51 Avenue, Red Deer, Alberta T4N 4H2

Phone: 347-5500

September 9, 1987

Mr. & Mrs. Keith Stewart  
Box 1711  
Stettler, Alberta

Dear Mr. & Mrs. Stewart:

RE: TAG # A2919

In answer to your letter dated August 31, 1987 we are very sorry you feel an injustice has been done to you, however we would like to clear up a few things.

The signs are painted International orange and white because International orange has been tested around the world and is the most widely used color for warning signs. The signs are 2 feet by 2 feet which is the maximum standard size we can use because of the various applications of the signs. We are very sorry the signs blended in with the brick wall but on the same brick wall is a blue and white sign 4 feet by 8 feet which states "Private Property, Bank of Montreal Customer Parking Only While in Bank, Positively No Parking on Saturdays or Sundays". We feel the lot has sufficient signage being it only has 11 stalls and it has a total of 7 Private Property signs, 4 of which are 2 feet by 2 feet, 1 which is 4 feet by 1 foot, and 2 which are 4 feet by 8 feet.

Red Deer Parking Patrol Ltd. is solely dedicated to helping property owners and managers control their parking areas. We do not dictate which hours or days or which people should or should not use these parking areas the property owner decides this, and we patrol accordingly, however due to the fact you are from out of town and did not know you were parking where you shouldn't have been we will reduce the payment to a \$10.00 administration fee.

Your cheque has now cleared our bank so please find enclosed our cheque for the amount of \$25.00. If you have any questions please call.

Yours truly,

RED DEER PARKING PATROL LTD.

Susan Denton  
Office Manager

/SD

Enc.



August 31, 1987

Mr. & Mrs. Keith Stewart  
Box 1711  
Stettler, Alberta  
742-5481

Ticket no. A 2919

TO: Red Deer Parking Patrol

I feel that a terrible injustice has been done to us. We received a ticket under the by-law 2800/b83/A84 on August 8/87 that I understand has just recently been brought into effect.

We are from Stettler, Alta. and conduct quit abut of buisness in Red Deer. But since we are not in residence there, we did not know about this by-law and therefore we did not watch for the signs, which are done in red and white, very small and was against a large red brick wall.

We will now explain to you why we feel unjustified in this situation. We started our holidays Aug. 8/87 (day of ticket). We had stopped in Red Deer for a back treatment from Dr. Lyle Smith at approximately 4:00pm. As a Red Deer resident you must know how hard it is to find a parking spot in downtown Red Deer on a Saturday. We have always driven around until we found a open metered parking space, but this day was different as we were pulling a tent trailer behind our van (which is over ten feet long). WE could not find a parking space that would fit our van and trailer. Since it was a Saturday and our appt. was near the bank, we thought we would park in the parking lot behind it, since it was closed that day and we thought we wouldn't be bothering anybody if we parked there for 3/4 of an hour.

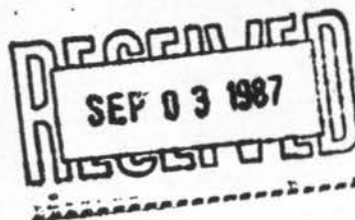
We are a low-income family and can barely make a go of it. Since we were just beginning holidays and had only enough cash to get us to our destination and back (my sister's wedding in Prince George, B.C.) We were not about to cancell our plans that we had worked so hard for, to pay for a ticket that we felt was unjustified.

We have read the back of our ticket and realize that if we do not pay it we are liable for paying all legal action against us for not paying. so since we are low-income family and can not afford legal action we have to humble ourselves and pay the ticket.

I was a Red Deer resident in 1982 and hoping to be again as I always thought Red Deer was a nice City. But this has really deterred us, as we have always been law abiding citizens but feel this is not right and can honestly say we now have second thoughts of conducting our buisness in Red Deer. We would appreciate a reply to this letter informing us if you think this is justified or not. We will be sending a copy of this to the Mayor of Red Deer.

Very Concerned;

*Mr & Mrs K. Stewart*







## RED DEER PARKING PATROL LTD.

4801 - 51 Avenue, Red Deer, Alberta T4N 4H2

Phone: 347-5500

September 15, 1987

Violet Mindle  
5825 - 56 Avenue  
Red Deer, Alberta

Dear Ms. Mindle:

We are returning your cheque #012 for the amount of \$25.00 which was payment for parking tag #A4453. In lieu of the circumstances we will cancel the above mentioned tag.

Yours truly,

RED DEER PARKING PATROL LTD.

Susan Denton  
Office Manager

/SD

Please Note:

I agree I overparked  
at this parking lot but I  
was in the hospital sitting  
with my father who passed  
away on the afternoon this  
ticket was issued. This can  
be checked so if I could  
have this ticket canceled  
I would appreciate it  
very much.

Sincerely  
V. Mindle



## RED DEER PARKING PATROL LTD.

4801 - 51 Avenue, Red Deer, Alberta T4N 4H2

Phone: 347-5500

August 7, 1987

Mrs. Shirley Mellom  
#202 - 6817 - 59 Avenue  
Red Deer, Alberta  
T4P 1B3

Dear Mrs. Mellom:

RE: TAG # A3338

Thank you for your letter dated August 1, 1987 in regards to the above mentioned tag.

Even though you parked in a stall without a licence number on the wall, the stall is reserved 24 hours a day as the signs state. The stalls are rented to individuals on a monthly basis.

You said you were only using the stall for a maximum of 10 minutes twice a week, but so are a lot of other people thus tying up someones stall for sometimes hours. The people that rent the stalls are fed up because every time they leave the lot for a few minutes they return to find someone using it. They cannot take another stall because it is rented so they must wait for the person to return or for a tow truck which may make them late for work or an important appointment. The purpose of renting a stall is to be guaranteed a place to park when you arrive at your destination.

I am sorry your place of banking does not have a more suitable parking facility but it is not the responsibility of the tenants of lot 204 to supply you with parking.

As for the people parking every which way in the alley you are correct, they are illegally parked and should be ticketed but Red Deer Parking Patrol only patrol private property so we cannot tag the vehicles in the alley, that is the duty of the City By-Law enforcement officers who patrol that alley quite frequently.

We are neither ignorant or unable of accepting a given situation and are sorry you feel you were preyed upon but we are just doing our job which is to keep the stalls empty for the people they are intended for.

Yours truly,

RED DEER PARKING PATROL LTD.

*Susan Denton*  
Susan Denton  
Office Manager

/SD

# Dial Printing

10519 - 107 Street, Edmonton, Alberta  
Phone (403) 420-6266

# 3338



## THINGS TO GET DONE

Luck Is Good Planning Carefully Executed

Date

August 1/87

Date

Initial When  
Completed

1	To whom it may concern		
2			
3	I find it ironical that you prey on people		
4	who are unable to park legally because there		
5	are so many parking crosswise & every which		
6	way in the back alley behind the bank		
7	but instead you catch the people who		
8	spend 10 minutes in the bank maximum		
9	2 times a week, who do not park in		
10	a stall with a said license permit no		
11	but instead get out of the road of others		
12	because they can't get a decent & legal		
13	place to park. I don't like to park		
14	illegally however when left no other choice		
15	but to carry a deposit & money to buy		
16	change 2 or more blocks I would		
17	rather risk it for ten minutes than		
18	take a chance walking with the money. I		
19	used no one's stall while they were		
20	waiting & went about my business as		
21	quickly as possible but still because of		
22	your ignorance & inability to <del>the</del> accept		
23	a given situation without letting your		
24	ticket book get into the road I am required		

to pay for making the most logical  
choice in the given circumstances. I know  
this will have little or no bearing  
on your actions but let it be known  
that I shall now join the other  
foolish (though as you see it legal  
parker s. who fill this back alley  
crosswise & every which way but are not  
assessed fines) because they leave someone  
in the car to guard against tickets  
& you do not see fit to prey on  
these people even though they too are  
parked illegally. There is nothing like  
jumping on someone when they are  
not there to defend their action. Let  
the ticket book rule all of these  
cases why not after all they are  
easy prey. I hope you continue to enjoy  
preying on others, helpless others with your  
ticket book. Have a nice day.





# RED DEER PARKING PATROL LTD.

4801 - 51 Avenue, Red Deer, Alberta T4N 4H2

Phone: 347-5500

*Ed July 17/87*

July 8, 1987

Ms. Geri Lang  
Box 867  
Lacombe, Alberta  
T0C 1S0

Dear Ms. Lang:

RE: TAG #A2464

Thank you for your letter regarding the above mentioned tag.

The tag you were issued is valid, however since you are from out of town I will reduce it to an administration fee of \$10.00. But in the future I suggest you pay more attention to the signs to avoid this from happening again.

In regards to the lot not being open to the public after hours, the bank used to allow people to park there but it wasn't long before people were leaving their cars over night and depositing garbage all over the lot. When the bank was open for business in the morning quite often there were alot of stalls full that were for the use of the staff and customers of the bank.

Unfortunately it is the irresponsibility of others that ruin it for other responsible people like yourself.

If you have any questions please do not hesitate to call me at 347-5500.

Yours truly,

RED DEER PARKING PATROL LTD.

Susan Denton  
Office Manager

/SD

Enc.

Ms GIERI LANG  
Box 867  
Lacombe AB, T0C 1S0  
July 4/87.

## RED DEER PARKING PATROL

Dear Sir or Madam,

Enclosed find one parking tag issued @ 17:26 at July 4/87  
for location 4903 GAETZ AVE. Lot 209 Patrolter 12  
I am returning it in the hopes you will reconsider & cancel  
this tag.

After a hard day's work, I got to Red Deer in time to do an errand just before the shops closed at 5:30. When I returned to my vehicle within 15 minutes, I was shocked to find this tag for \$35 on my windshield. I realize the signs say 24 reserved parking. However when one is in a hurry, it's almost 5:30 at night, it's a non parking day & the lot is empty, it's easy to understand that one might park for a few minutes in such a place. Believe me, I certainly won't again - not even for 2 minutes! I intend to inquire from the bank as to why the lot isn't open after hours for public parking as some places are. I realize this isn't your concern, however I am appealing to your compassion and hope you will reconsider and cancel this ticket. Like you my budget doesn't include such hefty penalties. I've learned my lesson.

Thanking you for your consideration.

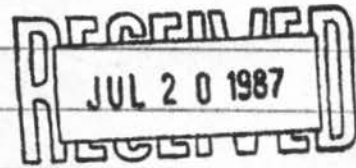
Sincerely,  
Geri Lang



Box 867  
Lacombe TOC 180  
July 10/87

Red Deer Parking Patrol Ltd  
Red Deer

Attn: SUSAN DENTON



Dear Ms Denton,

Thank you for your letter received today. Enclosed find my tag and a money order for \$10 to cover administration fees as per your letter.

I very much appreciate your consideration in reducing this tag. I also wish to thank you for the explanation regarding the bank parking lot. Indeed it is most unfortunate that people abuse privileges, thus ruining it for everyone.

Your advice is well taken. I will be very careful where I park in future.

Again, my thanks for your kindness and your courteous letter.

Sincerely,

Chris Lang

Tag # 2464



## RED DEER PARKING PATROL LTD.

4801 - 51 Avenue, Red Deer, Alberta T4N 4H2

Phone: 347-5500

May 21, 1987

J. Heidebrecht  
3926 - 56 Avenue #5  
Red Deer, Alberta  
T4N 0A8

Dear Sir/Madam:

RE: PARKING TAG # A1115

Thank you for your letter of May 15, 1987 regarding the above mentioned tag.

The location on which you where parked 4719 - 49 Avenue is for I.G.A. Customer parking only. The time you were tagged was 16:54 (4:54 p.m.) the time you purchases your items from I.G.A. was 5:15 p.m. which leaves a 20 minute time period. In the future should you have business to do in I.G.A. park in I.G.A. but if you have other business to do elsewhere you must park elesewhere.

The I.G.A. is having a very serious problem with people parking on their lot but going elsewhere, which leaves no stalls for the customers for the I.G.A. Therefore I.G.A. is losing customers because of the shortage of parking. I am sure you can understand their point as well.

Tag #A1115 will be cancelled as of todays date but in the future the I.G.A. parking lot is for people who are doing business in the I.G.A.

If you have any questions please do not hesitate to call.

Yours truly,

RED DEER PARKING PATROL LTD.

Susan Denton  
Office Manager

/SD

J. HEIDEBRECHT,  
3926-56th. H.S.  
Red Deer -  
T4 N 0 H 8.

May 15/87.

Dear Sir,

Please note shopping  
receipt for period in  
question. (copy only)

DOWNTOWN 1.6.8.8.  
RED DEER ALBERTA  
STORE 1 05/15/87

DRY .98 1L LIND  
DRY 1.55 LGE EGGS

2.45 TOTAL

3.00 CASH

.55 CHANGE

4567 11 2 5.15PM

Yours truly

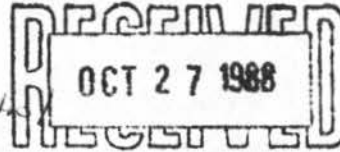


4307 Michener Dr.

Red Deer AB

Oct 24, 1988

Pat Hauck  
Office Manager  
Red Deer Parking Park



Dear Pat:

Thank you very much for your quick response to my letter regarding last week's parking ticket. It was a very gracious response, and I thank you for the information you have included in regards to parking at Fanny's Fabrics.

I will certainly use your parking facilities in the future, & will hopefully always notice the signs! I don't know if you've shopped with small children, but I have found that my level of mental deterioration escalates in direct proportion to the amount of noise being produced by 2 pre-schoolers!!

Thanks again.

Sincerely,

Marian Sawisky



# THE CITY OF RED DEER

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

October 14, 1988

Mr. Michael K. Power, President  
Red Deer Parking Patrol Ltd.  
4801 - 51 Avenue  
Red Deer, Alberta  
T4N 4H2

Dear Sir:

RE: APPLICATION TO APPEAR BEFORE COUNCIL NOVEMBER 14, 1988

Thank you for your letter in regard to the above, and we would advise that this matter will be presented to Red Deer City Council at its meeting on November 14/88.

We shall call you prior to the meeting to determine a suitable time, in the event you wish to be present.

Trust you will find this satisfactory.

Sincerely,

C. Sevcik  
City Clerk  
/ds

DATE: September 7, 1988  
TO: City Solicitor  
FROM: City Clerk  
RE: RED DEER PARKING PATROL

---

Further to our letter to Mrs. Spafford concerning the above topic, I trust that you will pursue this matter with Red Deer Parking Patrol to ensure that same complies with the terms of your letter mailed to them dated August 22, 1988.

I trust you will be reporting back to Council in due course and in addition, it was requested by Alderman Pimm that you give consideration to the possibility of said firm being licensed under the City Licensing Bylaw. The other concern expressed by some members of Council was the amount of the charge for a first time offence which you may wish to discuss with Red Deer Parking Patrol.



C. Sevcik  
City Clerk  
CS/ds  
c.c. City Commissioner  
Bylaws & Inspections Mgr.  
Dir. of Finance  
Associate Planner, V. Parker





# THE CITY OF RED DEER

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

September 7, 1988

Mrs. Joy Spafford  
24 Newlands Ave.  
Red Deer, Alberta  
T4P 1Z9

Dear Mrs. Spafford:

RE: RED DEER PARKING PATROL - PARKING FINE

Your letter of August 12, 1988, concerning the above topic was presented to Council September 6, 1988, and at which meeting Council passed the following motion.

"RESOLVED that Council of The City of Red Deer, having considered correspondence dated August 12, 1988, from Mrs. Joy Spafford re: Red Deer Parking Patrol, hereby concur with the comments of the Commissioners and as presented to Council September 6, 1988."

In this regard, I am also enclosing herewith the comments from the administration which appeared on the Council agenda (pages 66-69).

In accordance with Council's decision, the matter will again be pursued with Red Deer Parking Patrol to have their invoice (tag) amended so that it is abundantly clear that same is not a ticket issued by the City of Red Deer, nor that same was issued pursuant to the City of Red Deer Traffic Bylaw. The decision of Council in this instance is submitted for your information and I trust you will find same satisfactory.

Sincerely,

*C. Sevcik*  
C. Sevcik  
City Clerk  
CS/ds  
Encl.

c.c. City Commissioner  
Dir. of Finance  
Bylaws & Inspections Mgr.  
City Solicitor

# CHAPMAN RIEBEEK SIMPSON CHAPMAN WANLESS

6.

Barristers & Solicitors

THOMAS H. CHAPMAN, Q.C.\*  
NICK P. W. RIEBEEK\*  
DONALD J. SIMPSON  
T. KENT CHAPMAN  
GARY W. WANLESS\*

208 Professional Building  
4808 Ross Street  
Red Deer, Alberta T4N 1X5

TELEPHONE (403) 346-6603  
TELECOPIER (403) 340-1280

\*Denotes Professional Corporation

Your file:

Our file: 14,892 THC

August 22nd, 1988

COPY

EMPIRE PARKING (RED DEER) LTD.  
4801 - 51st Avenue  
RED DEER, Alberta  
T4N 4H2

ATTENTION: Michael K. Power

Dear Sir:

RE: Red Deer Parking Patrol Tags

You will recall that there was extensive correspondence between our office and yours and it was my understanding that the ticket was going to be amended so that it was abundantly clear on the face of the ticket that the ticket was not a City of Red Deer parking ticket, and the description of the relevant section of the Parking By-law on the reverse side of the ticket was going to be varied to again make it abundantly clear that this ticket was not issued pursuant to such By-law.

Again, in your correspondence of February 24th, 1988 you indicated that "within the next few weeks" you planned to embark on a new improved system which would eliminate any reference to applicable Red Deer By-laws. In such correspondence you again agreed to insert the words "this is not a City of Red Deer parking ticket" in the event you were going to continue to use your previous format.

I enclose for your reference a copy of a ticket which was issued recently and which appears to be in the old format. It would appear, therefore, that you have not made the appropriate amendments to the parking ticket which were agreed to by you and I would appreciate from you an explanation respecting same for reference to the City Administration.

Yours truly,

THOMAS H. CHAPMAN  
THC/tlp  
Encl.



## RED DEER PARKING PATROL LTD.

4801 - 51 Avenue, Red Deer, Alberta T4N 4H2  
Phone: 347-5500

7.

August 23, 1988

Thomas H. Chapman, Q.C.  
208, Professional Building  
4804 - Ross Street  
Red Deer, Alberta  
T4N 1X5

AUG 25 1988

Dear Mr. Chapman:

RE: YOUR FILE 14,892THC (RED DEER PARKING PATROL TAGS)

Further to your letter dated August 22nd, please be advised that Mr. Power is on holidays and will be returning on August 29th. We will have him contact you as soon as he returns.

Red Deer Parking Patrol can assure you that we did embark on a new improved system back in February, 1988, as we indicated we would, which is currently being tested in Edmonton.

We apologize for the delay, but as you must understand, with any system change, there are numerous details and bugs that must be worked out.

We hope to initiate the new system into Red Deer sometime in September.

Once again, we apologize for the delay and we are sorry for not keeping you informed of our progress in this matter.

Yours truly,

RED DEER PARKING PATROL LTD.

David Denton  
Manager

sd/DD

**CHAPMAN RIEBEEK SIMPSON CHAPMAN WANLESS**

Barristers &amp; Solicitors

THOMAS H. CHAPMAN, Q.C.\*  
NICK P. W. RIEBEEK\*  
DONALD J. SIMPSON  
T. KENT CHAPMAN  
GARY W. WANLESS\*

---

\*Denotes Professional Corporation

208 Professional Building  
4808 Ross Street  
Red Deer, Alberta T4N 1X5

---

TELEPHONE (403) 346-6603  
TELECOPIER (403) 340-1280

Your file:

Our file: 14,892 THC

August 22nd, 1988

THE CITY OF RED DEER  
City Hall  
Red Deer, Alberta

ATTENTION: Charlie Sevcik

Dear Sir:

RE: Red Deer Parking Patrol

I have reviewed the correspondence received from Mrs. Joy Spafford with respect to the above and would advise that the City would not be in a position to take over the parking fines on private property. It is the right of the individual owner of such private property to levy such charges for parking as he may feel appropriate, and in turn, it is his problem to be able to recover such charges from people who park thereon.

I note that the form of ticket being used is the same that was used by the Parking Patrol at the commencement of the first complaints respecting such operation and I have written the letter, a copy of which is attached hereto, to the Red Deer Parking Patrol concerning this matter.

Yours truly,



THOMAS H. CHAPMAN  
THC/tlp  
Encl.



## THE CITY OF RED DEER

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

November 17, 1988

RED DEER PARKING PATROL LTD.  
4801 - 51 Avenue  
RED DEER, Alberta  
T4N 4H2

Attn: Mr. Michael K. Power, President

Dear Sir:

RE: SUBMISSION TO COUNCIL NOVEMBER 14, 1988

On behalf of Council I wish to take this opportunity of thanking you for being present at the Council meeting of November 14, 1988 and for your enlightening presentation concerning the operations of Red Deer Parking Patrol Ltd. We also thank you for your co-operation in redesigning the tag used by Red Deer Parking Patrol Ltd. which in the past, was the subject of some complaints and confusion.

Again, we thank you for all your efforts in regard this matter and wish you every success in your operations.

Sincerely,

  
C. SEVCIK  
City Clerk

CS/gr

c.c. City Commissioner  
City Solicitor  
Bylaws & Inspections Manager

NOTICES OF MOTION

216.

NO. 1

DATE: NOVEMBER 2, 1988  
TO: CITY COUNCIL  
FROM: CITY CLERK  
RE: ALDERMAN KOKOTAILO - NOTICE OF MOTION/PAYMENT OF TAXES -  
ELECTRONIC TRANSFER OF FUNDS.

---

At the Council meeting of October 31, 1988, the following Notice of Motion was submitted by Alderman Kokotailo:

"RESOLVED that the Council of The City of Red Deer direct administration to investigate the possibility of arranging with various financial institutions an alternate method of payment of taxes by means of electronic transfer of funds."

  
C. SEVCIK  
CITY CLERK  
CS/sp



November 17, 1988

TO: DIRECTOR OF FINANCE  
FROM: CITY CLERK  
RE: PAYMENT OF TAXES/ELECTRONIC TRANSFER OF FUNDS

At the Council meeting of November 14, 1988 the following motion was passed concerning the above topic.

"RESOLVED that the Council of The City of Red Deer direct administration to investigate the possibility of arranging with various financial institutions an alternate method of payment of taxes by means of electronic transfer of funds."

The decision of Council in this instance is submitted for your information and I trust that you will investigate this possibility and report back to Council at your earliest convenience.



C. SEVCIK  
City Clerk

CS/gr

c.c. City Assessor

NO. 2

DATE: NOVEMBER 1, 1988  
TO: CITY COUNCIL  
FROM: CITY CLERK  
RE: ALDERMAN CAMPBELL - NOTICE OF MOTION/TAX PAYMENT DEADLINE


---

The following Notice of Motion was submitted by Alderman Campbell at the Council meeting of October 31, 1988:

"WHEREAS City taxes are due by June 30 of each year;

AND WHEREAS concern has been expressed in our ability to confirm the date of receipt of tax payments;

THEREFORE BE IT RESOLVED that the City policy be changed to state simply that full tax payment must be received at City Hall by June 30 of each year."

  
C. SEVCIK  
CITY CLERK  
CS/sp

by-law remains in force until repealed or amended in the same manner.

(3) The council, by by-law, may give such allowance, discount or rebate for prepayments on account of taxes in such manner and subject to such conditions as may be set out in the by-law.

RSA 1980 cM-31 s119

Receipt of  
payments

**120** Notwithstanding anything in this or any other Act, payments being mailed to the municipal office for taxes, utility accounts or other accounts shall be deemed to have been received in the municipal office on the date of the postmark stamped on the envelope containing the remittance.

RSA 1980 cM-31 s120

Application of  
tax payments

**121(1)** If arrears of taxes are due by any person on any property and the person pays only a portion of the taxes due by him in respect of that property, the taxes received shall be applied first in payment of the arrears on that property.

(2) When all arrears have been paid in respect of any property, the municipal secretary, on the written request of any person paying a portion only of the current taxes due in respect of that property, shall apply the portion to any current taxes that the person selects and shall credit the person in the tax roll as having paid the taxes selected.

(3) If a person pays a portion only of the current taxes due by him in respect of any property, and does not signify the manner in which the portion is to be applied, the municipal secretary shall apply the portion to those taxes levied for the current year that he selects and shall credit the person in the tax roll as having paid the taxes selected by the municipal secretary.

(4) If a payment on account of taxes is made by or on behalf of a person assessed in respect of more than one parcel and the person does not signify the manner in which or the parcel or parcels on which the payment is to be applied, the municipal secretary shall apply the payment pro rata on account of all taxes owing in respect of all parcels in the municipality that are in the tax roll in the name of the person assessed.

RSA 1980 cM-31 s121

Receipt for taxes

**122** When the municipal secretary receives any taxes, he shall issue an official receipt for them on a form approved by the council and shall enter the number of the receipt on the tax roll opposite the property in respect of which the taxes are paid.

RSA 1980 cM-31 s122

Money payable  
under fire  
insurance policy

**123(1)** All taxes due

(a) in respect of land and improvements on it that are assessed to the same person, or

(b) in respect of improvements assessed to some person other than the owner of the land on which they are situated,

are a first charge on any money payable under a fire insurance policy in respect of loss or damage to those improvements.

whereas city taxes are due by  
June 30 of each year

and whereas concern has been expressed  
in our ability to confirm the date  
~~that the tax payments were received~~  
~~at City Hall~~ of receipt of tax  
payments

therefore be it resolved that the  
city policy be changed to state  
simply that full tax payment  
must be received at City Hall  
by June 30 of each year.

Withdrawn  
at NH 14/88  
meeting.



Rec'd @ 12:30 p.m.  
Mon. Oct. 31/88  
Bgd

3813 46 St.  
Red Deer, Alta.  
T4N 1L7  
October 24, 1988

Dear Mayor and City Council:

I attended the October 19th meeting at the Memorial Centre. I was very pleased to see that the meeting was well attended by both sides of the store closure issue. I appreciate all the time and organization that went into it on the part of those who sit on City Council.

I was surprised by the number of people who registered to speak at this meeting. I found many of these people very informed and concerned about the needs of the people of Red Deer. I was shocked to hear some of the disrespect that was shown to the members of City Council by those who wanted City Council to support their opinion on the issue.

The day following this public meeting I learned more about some of the ways that some of the speakers tried to mislead me on behalf of the retail stores. The fellow who spoke on behalf of The Bay was from Calgary as the manager and staff in the Red Deer store supported 24 hour closure. A personal friend who works for a local pharmacy as pharmacist told me he would lose his job if he would not work on Sundays as each pharmacist must take his turn to work weekends. The store manager does not work weekends and never has. Another manager who spoke out in favour of being open seven days a week, would not let his wife attend the public meeting as she felt it would be good for their family to have Dad home for sure on one day of the weekend. Who knows what else is involved in this issue that is being hidden or misrepresented! Yes, I have gotten very ill on a Sunday and gone to Emergency at the Hospital and I was surprised when the physician gave me enough medication to take me to the time when the pharmacy would be open in town.

I don't feel we should abuse our wonderful health care system and I do realize the Hospital is not closed for 24 hours, but it is open for real emergencies. Most people who are concerned about their health do renew their prescription before they run out. I really did not feel much of the evidence for seven day a week shopping was very powerful or deeply rooted. I only earn the same amount of money whether we have six-day or seven-day shopping. That is all I can spend!

Please continue to make Red Deer the terrific place that it is to live by leaving us one day of the week to enjoy life and those we share the city with. All the wisdom to you as you make this difficult decision.

Yours truly,

*Rita Hoehne*

Rita Hoehne

November 17, 1988

TO: CITY ASSESSOR

FROM: CITY CLERK

RE: ALDERMAN CAMPBELL - NOTICE OF MOTION/TAX PAYMENT DEADLINE

The Notice of Motion submitted by Alderman Campbell at the Council meeting of October 31, 1988 that "the City policy be changed to state simply that full tax payment must be received at City Hall by June 30th of each year" was withdrawn by Alderman Campbell at the Council meeting of November 14, 1988.

The above is submitted for your information. No action is required.



C. SEVCIK  
City Clerk

CS/gr

c.c. Director of Finance



NO. 3

DATE: NOVEMBER 1, 1988  
TO: CITY COUNCIL  
FROM: CITY CLERK  
RE: ALDERMAN CAMPBELL - NOTICE OF MOTION  
"CONFLICT OF INTEREST" LEGISLATION

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The following Notice of Motion was submitted by Alderman Campbell at the October 31, 1988 Council meeting:

"WHEREAS concern has been expressed by the Council of The City of Red Deer over the Conflict of Interest Legislation;

AND WHEREAS the Government of Alberta may establish regulation to clarify legislation;

THEREFORE BE IT RESOLVED that the Council of The City of Red Deer request the Government of Alberta to establish regulations to clarify further the Conflict of Interest Legislation with particular interest on degree."

  
C. SEVCIK  
CITY CLERK  
CS/sp

Whereas concern has been expressed  
by the Council of the City of Red Deer  
over the conflict of interest  
~~disturbance~~ legislation

and whereas the Government of Alberta  
may establish legislation to clarify  
legislation

Therefore it is resolved that the  
Council of the City of Red Deer request  
the Government of Alberta to establish  
legislation to clarify further the  
conflict of interest legislation with  
particular interest on degree

Attest  
Campbell

**THE CITY OF RED DEER**

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

October 28, 1988

Parkland Area/Alberta Dressage Association  
c/o Ms. Linda McGeachy  
59 McLevin Crescent  
Red Deer, Alberta  
T4R 1S8

Dear Ms. McGeachy:

RE: RAILWAY RELOCATION/ROBERT AND JOAN COATES' PROPERTY

I wish to acknowledge with thanks your covering letter of October 19 and accompanying letter of October 18, 1988, to Mr. Bill Lewis concerning the above matter.

Please be advised that a copy of the aforesaid correspondence is being sent to all members of Council for their information and consideration.

On behalf of Council, I wish to take this opportunity of thanking you for taking the time to express your views on this important issue. Again, we thank you for your interest in this matter and rest assured that Council will give same due consideration.

Trusting you will find this satisfactory.

Sincerely,

C. Sevcik  
City Clerk  
CS/ds

c.c. Council  
City Commissioner  
Dir. of Engineering Services



## THE CITY OF RED DEER

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

November 17, 1988

MUNICIPAL ADMINISTRATIVE SERVICES DIVISION  
9925 - 107 Street  
EDMONTON, Alberta  
T5K 2H9

Attn: Asst. Deputy Minister, Mr. Tom Forgrave

Dear Sir:

RE: CONFLICT OF INTEREST LEGISLATION

At the Council meeting of November 14, 1988 the following motion was passed requesting the Government to establish regulations clarifying the conflict of interest legislation:

WHEREAS concern has been expressed by the Council of The City of Red Deer over the Conflict of Interest Legislation;

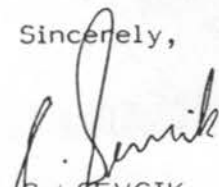
AND WHEREAS the Government of Alberta may establish regulation to clarify legislation;

THEREFORE BE IT RESOLVED that the Council of The City of Red Deer request the Government of Alberta to establish regulations to clarify further the Conflict of Interest Legislation with particular interest on degree."

Concern regarding the legislation appears to have come about as a result of a recent decision unseating a member of Council in the City of Medicine Hat. It is my understanding that Alderman John Campbell has discussed this matter with you over the phone and that it was intimated that if a Municipal Council passed a motion similar to the above, your office would review the matter and conceivably the Government, through regulations, could give greater clarity and direction to members of Council in matters of conflict.

Your consideration and attention to this matter is appreciated and we look forward to a positive response.

Sincerely,

  
C. SEVCIK  
City Clerk

c.c. City Commissioners  
Alderman Campbell

NO. 4

DATE: NOVEMBER 1, 1988  
TO: CITY COUNCIL  
FROM: CITY CLERK  
RE: NOTICE OF MOTION - ALDERMAN CONNELLY/  
CITY PARKING LOT ADJACENT KNOX PRESBYTERIAN CHURCH

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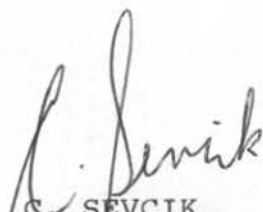
The following Notice of Motion was submitted by Alderman Connelly at the Council meeting of October 31, 1988:

"WHEREAS the City Parking Lot north of Ross Street and east of 48 Avenue (adjacent to Knox Presbyterian Church) is not presently served by electric lights;

AND WHEREAS said Parking Lot is used in the evenings by downtown customers;

AND WHEREAS the said Parking Lot is dark at night thereby making use of said lot dangerous;

THEREFORE BE IT RESOLVED that the administration be instructed to review this matter and to submit recommendations back to Council as to proposed lighting improvements, with estimated costs of said improvements."

  
C. SEVCIK  
CITY CLERK  
CS/sp

## NOTICE OF MOTION

Moved by Alderman Connelly

"WHEREAS the City Parking Lot north of Ross Street and east of 48 Avenue (~~behind Gaetz United Church~~) is not presently served by electric lights, *ADD TO KNOX PRESBYTERIAN CHURCH*

AND WHEREAS said Parking Lot is used in the evenings by downtown customers,

AND WHEREAS the said Parking Lot is dark at night thereby making use of said lot dangerous

THEREFORE BE IT RESOLVED that the administration be instructed to review this matter and to submit recommendations back to Council as to proposed lighting improvements, with estimated costs of said improvements."



November 17, 1988

TO: DIRECTOR OF ENGINEERING SERVICES  
E.L. & P. MANAGER

FROM: CITY CLERK

RE: LIGHTING CITY PARKING LOT/ADJACENT KNOX PRESBYTERIAN CHURCH

At the November 14, 1988 Council meeting, the following motion was passed regarding the above topic.

"WHEREAS the City Parking Lot north of Ross Street and east of 48 Avenue (adjacent to Knox Presbyterian Church) is not presently served by electric lights;

AND WHEREAS said Parking Lot is used in the evenings by downtown customers;

AND WHEREAS the said Parking Lot is dark at night thereby making use of said lot dangerous;

THEREFORE BE IT RESOLVED that the administration be instructed to review this matter and to submit recommendations back to Council as to proposed lighting improvements, with estimated costs of said improvements."

The decision of Council in this instance is submitted for your information and I would request that your Departments submit a coordinated report back to Council with the information as requested at your earliest convenience.

Trusting you will find this satisfactory.



C. SEVCIK  
City Clerk

CS/gr

c.c. City Commissioners  
Director of Finance

BYLAW NO. 2800/C-88

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Being a Bylaw to amend Bylaw No. 2800/82, the Traffic Bylaw of The City of Red Deer.

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

1. Bylaw 2800/82, as amended, is hereby further amended
  - a) by adding new Schedule "Q" as attached.
  - b) as to Section 12 of Part 1 by deleting same and substituting therefor the following:

"12. No person shall drive a vehicle in excess of 70 kilometers per hour on any highway referred to in Schedule "Q" annexed hereto and made part of this bylaw."
2. This Bylaw shall come into force on the date of its passage.

READ A FIRST TIME IN OPEN COUNCIL this       day of       A.D. 1988

READ A SECOND TIME IN OPEN COUNCIL this       day of       A.D. 1988

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED this       day of  
A.D. 1988.

\_\_\_\_\_  
MAYOR

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

SCHEDULE Q

70 km/h

Referred to in Part 1

AVENUES

1. 67 Street between 67 Avenue and Highway No. 2.
2. Riverside Drive between the Lions Campground access and 77 Street.

**BY-LAW #2960/A-88**

Being a by-law to amend By-law #2960/88.

The Municipal Council of the City of Red Deer, in the Province of Alberta, duly assembled enacts as follows:

1. By-law #2960/88 is hereby amended by deleting therefrom Sections 106 to 119, inclusive, and substituting in their place and stead Sections 106 to 118, inclusive, annexed as Schedule "A" to this By-law.

READ A FIRST TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1988.

READ A SECOND TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1988.

READ A THIRD TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 198\_\_.

\_\_\_\_\_  
MAYOR

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

SCHEDULE "A"

**PART 8**

**GARBAGE UTILITY**

106. In this part and in the schedules hereof, related thereto:

- (a) "Ashes" means the residue left after the combustion of any substance, but shall not include ashes which may accumulate as a result of building operations;
- (b) "Commercial Premises" shall mean all lands within the City other than lands used for residential purposes whether single family or multiple family;
- (c) "Container" means a metal container for garbage, ashes and refuse which is designated to be emptied only by mechanical means and is supplied by the garbage contractor retained by the City;
- (d) "Contractor" shall mean the person who is designated by the City as the holder of the exclusive franchise for garbage service in the City pursuant to Clause 108(1) of this Bylaw;
- (e) "Dangerous Goods" shall mean any product, substance or organism specified, or included by its nature in any of the classes listed in the regulations under the Transportation of Dangerous Goods Control Act, R.S.A.;
- (f) "Disposal Grounds" shall mean the land fill site operated under the jurisdiction of the City and legally known as NE 1/4 33-37-27-4;
- (g) "Garbage" means any animal or vegetable matter, except night soil, which has been used or intended for use as food;
- (h) "Garbage Service" shall mean and include the collection, removal and disposal of garbage, ashes and refuse;
- (i) "Hazardous Waste" - shall be as defined in the "Hazardous Chemicals Act";
- (j) "Hazardous Waste Manifest" - shall be the forms as provided by the Alberta Department of Environment;

- (k) "Lane" means a public thoroughfare not exceeding 9.144 metres (30 feet) in width which provides a secondary means of access to lands;
- (l) "Mechanical Compactor" means a container designed or equipped with a mechanism to compress and compact the contents thereof;
- (m) "Multiple Family Building" means a building in which are situated 3 or more residential dwelling units as defined in the City Land Use By-law;
- (n) "Premises" means land, including any buildings erected thereon;
- (o) "Receptacle" means a container not exceeding 45 centimetres (18 inches) in diameter and 71.12 centimetres (28 inches) in height, the capacity or volume of which does not exceed 126 cubic decimetres (4-1/2 cubic feet) and non-returnable plastic bags of 126 cubic decimetres (4-1/2 cubic feet) maximum capacity and of not less than 1-1/2 millimetres (1-1/2 mils) in thickness;
- (p) "Refuse" means any waste, rubbish, trash or discarded material or object whatsoever, including without limiting the generality of the foregoing waste produced in the process of constructing, altering or repairing a building and includes earth, vegetation, clay, silt, sand or rock displaced in the process of building;
- (q) "Special Waste" means waste, other than garbage, ashes, refuse, hazardous waste and dangerous goods, which requires special disposal treatment at the disposal site;
- (r) "Superintendent" shall mean the By-laws and Inspections manager appointed by the City.

#### **ESTABLISHMENT AND CONTRACTING**

107. The City hereby establishes the garbage utility system for the collection, removal and disposal of all garbage, ashes, refuse, special waste, dangerous goods and hazardous waste throughout the City at the expense of the owners or occupants of the lands in respect of which such service is



rendered.

108 (1). The City hereby grants the exclusive franchise for the collection, removal and disposal of garbage, ashes and refuse collected within the boundaries of the City for a term commencing upon the passage of this Bylaw and terminating upon the 31st day of December, 1992 to Laidlaw Waste Systems Ltd. in accordance with the terms and conditions of the agreement entered into between the City and Laidlaw Waste Systems Ltd. dated the 29th day of October, 1987, which said agreement was intended to be an exclusive agreement, and which said agreement is hereby ratified and confirmed by this Bylaw.

(2) Except as provided in this Part 8 of this Bylaw, no person other than Laidlaw Waste Systems Ltd. shall directly or indirectly remove and/or dispose of garbage, refuse or ashes collected within the boundaries of the City.

#### GARBAGE SERVICE CHARGES AND BILLING RATES

##### Rates Payable

109 (1). The City hereby levies and the consumer shall pay for garbage services provided the amounts and charges provided for in this by-law and in Schedule "D" attached hereto and forming part of this by-law, as amended from time to time.

(2). Where a person requires services other than those provided in clause 1 and 2 of Schedule D, such person shall be billed directly by the contractor for the service provided.

(3). Where service is provided for a partial billing period, the rate shown under Schedule "D" for such service shall be pro-rated and charged for the portion of the period the service is provided.

(4). No charges shall be levied or collected on residential lands which are leased to third parties by the owner when such lands are not occupied and the garbage service is not being used.

#### ADMINISTRATION OF GARBAGE COLLECTION, REMOVAL AND DISPOSAL SERVICE

110 (1). The superintendent shall:

- (a) Supervise the collection and removal of garbage, ashes and refuse under this by-law and under any contract entered into by the City.

- (b) Decide what does or does not constitute garbage, ashes and refuse which shall be collected and removed under this bylaw, and
- (c) Determine the quantities or volumes of garbage for the purpose of schedule of rates hereunto annexed and forming part of this bylaw.

(2). The Director

- (a) shall supervise the disposal of garbage, ashes and refuse under this by-law and under any contract entered into by the City, and
- (b) designate waste which constitutes special waste, hazardous waste or dangerous goods.

USE OF THE GARBAGE SERVICE AND DISPOSAL GROUNDS

111 (1). No material shall become or be considered to be "garbage" or "refuse" within the meaning of this bylaw unless and until the owner of the same shall have placed it in a receptacle, container or compactor for collection.

(2). All garbage, ashes and refuse shall be removed to and disposed of in the disposal grounds maintained by the City subject to the regulations established by the City therefor, and the person so removing and disposing of same shall pay the charges specified in clause 4 of schedule "D".

(3). No person shall deposit or dispose of garbage, ashes or refuse to any location in the City except to the disposal site.

112 (1). All owners or occupants of land who do not provide containers which are emptied in a regular and proper manner shall provide upon such lands receptacles in good condition adequate to contain the accumulation between the pickup times of garbage, ashes and refuse originating from such lands and into which shall be placed all garbage, ashes and refuse to be collected, removed and disposed of under this bylaw.

(2). The receptacles referred to in Section 112(1) shall be placed as near as practicable to the lane abutting the lands upon which the same are situated as to be easily accessible to the persons

required by this bylaw or any contract pursuant hereto to handle the same, or in the event that a lane does not abut such lands, or for any other reason the placement required by this section is impractical, such receptacles shall be placed in such manner as the superintendent directs.

113. When a building is constructed or added to so that the exterior wall thereof abuts the lane or the lane setback as required by the Land Use Bylaw of the City and no alternate location is provided on the site accessible to the lane, a space within the building, accessible to the lane, shall be provided of sufficient dimensions to reasonably contain all garbage between periods of collection to the satisfaction of the superintendent.

114 (1). Notwithstanding any other provision of this bylaw, the weight of a receptacle containing garbage, ashes and refuse shall not exceed 34.02 kilograms (75 pounds) in weight, refuse contained therein shall not have a dimension greater than 1.219 metres (4 feet) in length and the volume thereof shall not exceed 126 cubic decimetres (4-1/2 cubic feet). All such garbage, ashes and refuse complying with the foregoing regulations shall be collected, removed and disposed of under or pursuant to this bylaw.

(2). The City or its contractors are not required to handle, collect or remove a receptacle, or the contents of a receptacle which does not comply with Section 114(1) of this bylaw.

(3). All owners or occupants of land shall remove and dispose of all garbage, ashes and refuse originating on their lands or premises which are not collected, removed and disposed of pursuant to this bylaw, and in default of their so doing, the City may remove and dispose of such garbage, ashes and refuse at the expense of such owners or occupants and the owners or occupants shall make payment of such expenses on demand.

115 (1). The owner or occupant of residential lands or premises may remove the garbage, ashes or refuse therefrom at his own expense and employ some other person for such purpose, but such action shall not relieve the owner or occupant of his liability to pay to the City the rate levied pursuant to this bylaw for removing such garbage, ashes or refuse .

(2). The owner or occupant of non-residential lands or premises may remove his own garbage, ashes or refuse at his own cost and expense by employing the services of his own workers or employees, but such owner or occupant shall not contract such work out to any party other than to the contractor.

(3). Any person who breaches the provisions of subsection (2) hereof, in addition to his liability to be prosecuted for an offence under this bylaw, shall be liable for and make payment to the City of the fees and charges for removal and disposal of garbage, ashes and refuse which such person would have had to pay had such person used the services of the contractor for such purpose.

(4). This section 115 does not apply to removal of garbage, ashes or refuse from the site of the Michener Centre Complex situate in the N.W. 15-38-27-W4th.

116. No person shall remove garbage from a hotel, boarding house or restaurant for use for food for swine or other livestock, except under authority of a permit issued by the Medical Health Officer appointed by the government of Alberta and having authority in health matters within the City.

HAZARDOUS WASTE. DANGEROUS GOODS. SPECIAL WASTE

117 (1). The owner or occupants of land which produces or possesses any dangerous goods, hazardous waste or special waste shall remove and dispose of such goods in accordance with this by-law and any regulations of the Governments of Alberta and of Canada.

(2). The owner or occupant of any lands from which any dangerous goods, hazardous waste or special waste is removed shall properly identify such waste or goods and shall be responsible for obtaining approvals for the safe transport and disposal thereof.

(3). No person shall place or mix with any garbage, ashes or refuse for collection in the garbage service or delivery to the disposal grounds any dangerous goods, hazardous waste or special waste .

(4). No person shall place, or cause to be placed, any dangerous goods, hazardous waste or special waste into the garbage service or disposal site without obtaining a hazardous waste manifest from the Director and making payment of the disposal charge specified in Schedule D.

(5). Any person breaching any part of this section 117 shall be responsible for all costs incurred in eliminating any pollution or contamination of the disposal grounds or any other site in the City and shall make payment of the same to the City on demand.

BURNING

118. Except as provided in the Fire Permit Bylaw no person shall burn or attempt to burn any garbage or refuse outside of a building in any area of the City.



**BY-LAW # 2963/88**

Being a by-law to amend certain local improvement by-laws of the City of Red Deer.

WHEREAS, pursuant to Section 106(2) of the Municipal Tax Act Amendment Act, S.A. 1988, a council of a municipality is required to pass a resolution or by-law in any case where the council considers it equitable to provide a refund cancellation or reduction of all or any part of a local improvement if the municipality has received a grant or other assistance from the Government of Alberta or the Government of Canada that is applied to the cost of the local improvement, or if the municipality has refinanced the local improvement at a lower rate.

NOW THEREFORE the Municipal Council of the City of Red Deer duly assembled enacts as follows:

1. This By-law may be cited as the "Local Improvement By-law Amending By-Law".
2. Schedules "A", "B", "C", "D" and "E" of By-law #2723/81 be and are hereby amended by substituting in the place and stead of the existing unit rates set forth therein, the new unit rates specified in Schedule "A" annexed hereto.
3. Schedules "A", "B" and "C" of By-law #2729/81 be and are hereby amended by substituting in the place and stead of the existing unit rates set forth therein, the new unit rates specified in Schedule "A" annexed hereto.
4. Schedule "A" of By-law #2732/81 be and is hereby amended by substituting in the place and stead of the existing unit rates set forth therein, the new unit rates specified in Schedule "A" annexed hereto.
5. Schedules "A", "B", "C", "D", "E" and "F" of By-law #2755/82 be and are hereby amended by substituting in the place and stead of the existing unit rates set forth therein, the new unit rates specified in Schedule "A" annexed hereto.
6. Schedules "A", "B" and "C" of By-law #2783/82 be and are hereby amended by substituting in the place and stead of the existing unit rates set forth therein, the new unit rates specified in Schedule "A" annexed hereto.
7. Schedule "A" of By-law #2848/84 be and is hereby amended by substituting in the place and stead of the existing unit rates set forth therein, the new unit rates specified in Schedule "A" annexed hereto.
8. Schedules "A" and "B" of By-law #2867/85 be and are hereby amended by substituting in the place and stead of the existing unit rates set forth therein, the new unit rates specified in Schedule "A" annexed hereto.
9. This By-law shall come into full force and effect as at January 1, 1989.

READ A FIRST TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1988.

READ A SECOND TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1988.

READ A THIRD TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1988.

\_\_\_\_\_  
MAYOR

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



## SCHEDULE OF UNIT RATE CHANGES

## SCHEDULE "A"

BY-LAW NO.	SCH. NO.	DESCRIPTION	PER ASSESSABLE METRE		PER ASSESSABLE FOOT	
			EXISTING UNIT RATE	NEW UNIT RATE	EXISTING UNIT RATE	NEW UNIT RATE
2723/81	A	Paved Roads (Industrial)	37.45	31.14	11.41	9.49
	B	Paved Roads (Industrial)	21.59	17.95	6.58	5.47
	C	Paved Lanes	6.78	5.64	2.07	1.72
	D	1.5 metre separate sidewalk	8.53	7.09	2.60	2.16
	E	1.5 metre standard sidewalk	13.03	10.83	3.97	3.30
2729/81	A	Paved Road (Residential)	15.17	12.80	4.62	3.90
	B	0.25 metre Curb & Gutter	4.26	3.54	1.30	1.08
	C	1.5 metre standard sidewalk	10.51	8.73	3.20	2.66
2732/81	A	Storm Sewer	20.08	16.96	6.12	5.17
2755/82	A	Paved Roads (Industrial)	3.03	2.14	0.92	0.65
	B	Paved Lanes	13.72	9.68	4.18	2.95
	C	1.5 metre standard sidewalk	16.37	11.52	4.99	3.51
	D	2.35 metre sidewalk	9.60	6.77	2.93	2.06
	E	Curb & Gutter	7.25	5.12	2.21	1.56
	F	Storm Sewer	29.02	20.44	8.84	6.23
2783/82	A	Residential Street Lighting	4.14	3.25	1.26	0.99
	B	Commercial Street Lighting	1.45	1.12	0.44	0.34
	C	Commercial Street Lighting	4.14	3.25	1.26	0.99
2848/84	A	1.5 metre separate sidewalk	8.43	6.78	2.57	2.07
2867/85	A	Industrial Paved Street	4.50	3.66	1.37	1.12
	B	250mm Curb & Gutter	6.60	5.35	2.01	1.63

*File with Nov. 14  
Council Agenda  
FILE No.*



## THE CITY OF RED DEER

P.O. BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department 342-8132

November 23, 1988

Harlan C. Hulleman  
8 Orillia Park Drive  
RED DEER, Alberta  
T4N 5A6

Dear Sir:

RE: 64 Avenue - 67 Street to Oleander Drive

Your letter of November 17, 1988 addressed to Council suggesting the widening of 64th Avenue referred to above is hereby acknowledged with thanks.

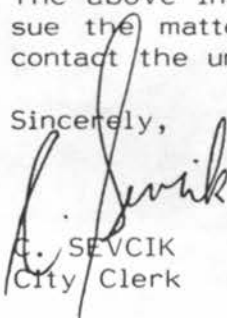
The widening of 64th Avenue between 67th Street and Oleander Drive, as you have indicated, is a relatively small project. The Engineering Department feels however, that expansion of this element of the roadway system in isolation could create problems elsewhere. As you are aware, Taylor Drive from Oleander Drive down to Kerrywood Drive is largely two lanes except for the intersections and also the Taylor Bridge is only a two-lane facility.

The portion of roadway which you are referring to, and the other elements outlined above are considered to be a part of the Major Continuous Corridor and will be eligible for 90% financing when constructed as opposed to the regular 75% funding.

It is however not anticipated that this work will proceed until about 1992-1993 at which time the rail yards downtown will have been removed. It is the intention of the Engineering Department to commission the design of these works considerably earlier so that the Department will be in a position to move as soon as possible.

The above information is submitted for your information. If you wish to pursue the matter further with Council at this time please do not hesitate to contact the undersigned.

Sincerely,

  
C. SEVCIK  
City Clerk

c.c. City Council  
City Commissioner  
Director of Engineering Services

DATE: November 21, 1988  
TO: City Clerk  
FROM: Director of Engineering Services  
RE: CORRESPONDENCE FROM MR. HULLEMAN  
64 AVENUE - 67 STREET AND OLEANDER DRIVE

---

We have reviewed the correspondence from Mr. Hulleman.

Mr. Hulleman states that 64 Avenue is in need of upgrading and should be improved to a four lane facility. He further indicates that the widening between 67 Street and Oleander Drive is a relatively small project, and we should use some of our funds to proceed with this project.

The phase he indicates is a relatively small project. The Engineering Department feels, however, that expansion of this element of the roadway system in isolation could create problems elsewhere. From Oleander Drive down to Kerry Wood Drive is largely two lanes, except for the intersections, and of course the Taylor Bridge is only a two lane facility.

The portion of roadway Mr. Hulleman is referring to, and the other elements we have outlined, are considered to be a part of the Major Continuous Corridor and will be eligible for 90% financing when constructed, as opposed to the regular 75% funding.

It is, however, not anticipated that this work will proceed until about 1992-1993, at which time the rail yards Downtown will have been removed.

It is our intention to commission the design of those works considerably earlier so that we will be in a position to move as soon as possible.

  
Bryon C. Jeffers, P. Eng.  
Director of Engineering Services

BCJ/emg

H A R L A N   C .   H U L L E M A N  
8, Orillia Park Drive  
Red Deer AB, T4N 5A6  
November 17, 1988

Mayor and Council  
City of Red Deer  
Red Deer AB

Your Worship and Aldermen:

A news item in the November 16, 1988 Red Deer Adviser re "spending 1.3million dollars left over from the 67th Street overpass" reminds me of a letter (enclosed) dated December 30, 1981 which I wrote for the Oriole Park Community Association.

It pointed out that 64th Avenue especially between 67th Street and Oleander Drive was a bottle neck even way back then. That its widening, a relatively small project, should not be put off to 1985, but moved back to 1982, its original spot in the 1981 Seven Year Plan.

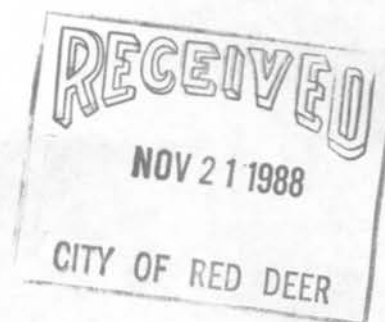
It is now 1988, seven years later. Don't you think it is about time to remove this bottleneck? Why not spend a bit of money left over from the 67th Street overpass on a problem stretch in the same neck of the woods!

Yours truly,

*H. C. Hulleman*

A concerned citizen

cc NRD MLA





# Oriole Park

COMMUNITY ASSOCIATION

11.

31, Oyen Crescent  
Red Deer, Alberta  
December 30, 1981.

NO. 2

Mayor and Council  
City of Red Deer  
Red Deer, Alberta

Your Worship, Ladies and Gentlemen:

In the 1980 Seven Year Plan, the widening to four lanes of 64<sup>th</sup> Avenue between 67<sup>th</sup> Street and Oleander Drive was scheduled for 1982. In the 1981 Seven Year Plan, this was moved ahead to 1985.

64<sup>th</sup> Avenue had last year already more traffic than a four lane artery such as 40<sup>th</sup> Avenue. With the completion of the 54<sup>th</sup> Avenue extension to 32nd Street and with <sup>the</sup> 64<sup>th</sup> Avenue four lane connection between 67<sup>th</sup> Street and Grant Street, more and more drivers are finding that the little longer way around (using the Taylor rather than the Gaetz Bridges) is the shorter way home.

64<sup>th</sup> Avenue serves two purposes: it is a thruway and it moves people in and out of Oriole Park and Highland Green. We hold that 64<sup>th</sup> Avenue cannot perform both functions adequately in its two lane form.

We therefore suggest to you strongly that you move the widening of 64<sup>th</sup> Avenue, a relatively small project, back to 1982.

Yours truly,

Roy Koshelek  
President



January 8, 1982

TO: City Clerk  
FROM: City Engineer  
RE: Widening of 64 Avenue

The Engineering Department is presently preparing the 1982 Seven Year Plan. For the information of Council it is still our recommendation that the widening of 64 Avenue not occur until 1985. It would be our recommendation to Council that they deal with this matter at the time the whole Seven Year Plan is reviewed so that the total picture is available to Council.

B. C. Jeffers, P. Eng.  
City Engineer

BCJ/emg  
cc - City Treasurer  
cc - RDRPC

Commissioners' comments

We concur with the recommendations of the City Engineer that this item be considered with the overall 1982 Seven year Plan. We anticipate the revised Seven Year Plan will be available to Council February 1st or 15th, 1982.

"R.J. McGHEE"  
Mayor

"M.C. DAY"  
City Commissioner