

A G E N D A

For the Regular Meeting of RED DEER CITY COUNCIL
to be held in the Council Chambers, City Hall,
TUESDAY, MAY 24, 1983, commencing at 4:30 p.m.

- (1) Confirmation of the minutes of the May 9, 1983 regular meeting.

PUBLIC HEARINGS

Public Hearings will be held concerning Bylaws 2672/B-83 and 2815/83
commencing at 7:00 p.m. in the Council Chambers, City Hall

- (2) UNFINISHED BUSINESS

- (3) REPORTS

- 1) City Clerk - Re: Public Hearings - Land Use Bylaw Amendment 2672/B-83 -
Waskasoo Park Picnic Area, South Hill, and Bylaw 2815/83 - Closure
of portion of Kentwood Drive .. 1
- 2) City Engineer - Re: Temporary 64 Ave. Connection - Grant St. to
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- 3) Chairman, M.P.C. - Re: Land Use Bylaw Amendment 2672/F-83 -
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- 3) 2672/F-83 - Land Use Bylaw Amendment - Public & Quasi Public Buildings,
Churches, C1 area - 1st reading p.7
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ADDITIONAL AGENDA

For the Regular Meeting of RED DEER CITY COUNCIL
to be held in the Council Chambers, City Hall,
Tuesday, May 24, 1983.

REPORTS

1.

NO. 1

May 17, 1983.

TO: Council
FROM: City Clerk

RE: Public Hearings

Council are hereby advised that public hearings scheduled for Tuesday, May 24, 1983, have been advertised in respect to the following Road Closure and Land Use Bylaw Amendments, described as noted hereunder:

- (1) Bylaw 2672/B-83 - redesignation of the area west of 36 St. and south of 52 Ave. from R.3 to A.2 land use designation and from A2 to R.2, R.3 & P.1 (part of the Waskasoo Park) for the purposes of providing picnic area and washroom/warming facilities adjacent the bicycle/pedestrian trail.
- (2) Bylaw 2815/83 - closure of all that portion of Kentwood Drive as shown on registered plan 812-3096 in the Edgar Subdivision (N.W.1/4 Section 32/38/27/4).

As of this date, no objections have been received concerning the aforementioned Bylaws.

R. Stollings
City Clerk

NO. 2

May 12 , 1983

TO: City Clerk

FROM: City Engineer

RE: Temporary 64 Avenue Connection - Grant Street to 77 Street

At the Council meeting of December 6, 1982, consideration was given to a petition requesting the closure of the existing 59 Avenue access point north of Dentoom's Nursery to the temporary 64 Avenue roadway and re-opening the original paved 64 Avenue south of Grimson Street.

Council passed the following resolution with regard to the petition.

"RESOLVED that Council of the City of Red Deer having considered petition requesting Council to consider closing the existing entrance of 59 Avenue to the new temporary roadway and re-opening the original paved 64 Avenue and having considered correspondence from Jean and Harry Dentoom dated November 23, 1982, and from James and Deborah McCloy in opposition to said petition, hereby agree that there be no further changes at this time in order to allow for a more appropriate trial period of four to six months prior to the moving of any more barricades."

Approximately five (5) months have past, therefore, we are submitting another report for Council's consideration. For reasons of clarity and brevity we are submitting our comments in point form.

1. It would appear from an inspection completed by the Engineering Department April 19, 1983 that the route is generally operating satisfactorily particularly for heavy and bypass traffic.
2. There is some repair required to the oiled surface in the curved areas which will be properly repaired in the early summer by the contractor.
3. The Engineering Department has received no complaints or inquiries regarding the alignment, barriers or access restriction since December 1982. We have received some complaints regarding the potholes in the oiled driving surface which we have attempted to minimize during the winter with limited maintenance until the contractor can properly remix the problem portions of the temporary roadway.

4. The traffic volumes in the area have been measured and recorded on three (3) occasions as follows:

DATE	LOCATION	WESTERLY DIRECTION	EASTERLY DIRECTION
Sept 20/82	Nolan St - east of Northey Ave	2163 vpd	2401 vpd
Nov 22/82	Nolan St - east of Northey Ave	1855 vpd	1873 vpd
April 26/83	Nolan St - east of Northey Ave	2128 vpd	2270 vpd
Sept 20/82	77 St - west of Northey Ave	N/A roadway not opened (opened Oct 21, 1982)	N/A
Nov 22/82	77 St - west of Northey Ave	583 vpd	896 vpd
April 26/83	77 St - west of Northey Ave	1184 vpd	1015 vpd

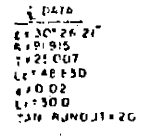
5. Assuming that the present configuration stays as is, there could be some improvement to the general area made possible by removing some of the precast concrete barriers on the paved portion of 64 Avenue south of Grimson Street. The costs would be minimal (\$500.00 ±) and could be charged to the subdivision with City Treasurer approval. There is no guarantee, however, that some barrier replacement will not be necessary during the next winter season to prevent short cutting by motorists.
6. Assuming that the present layout is not adequate for the area residents, we recommend that the petition be granted closing the existing 59 Avenue access point to the temporary 64 Avenue and re-opening the paved portion of 64 Avenue connecting to 59 Avenue. This action will require the passing of a bylaw closing the existing access point to the temporary 64 Avenue. This change could be affected at relatively low cost (\$4,500.00 ±) and again possibly chargeable to the subdivision.

This report is submitted for further consideration of Council. Perhaps those signing the petition should be contacted by your office and advised of the date this matter will be before Council.

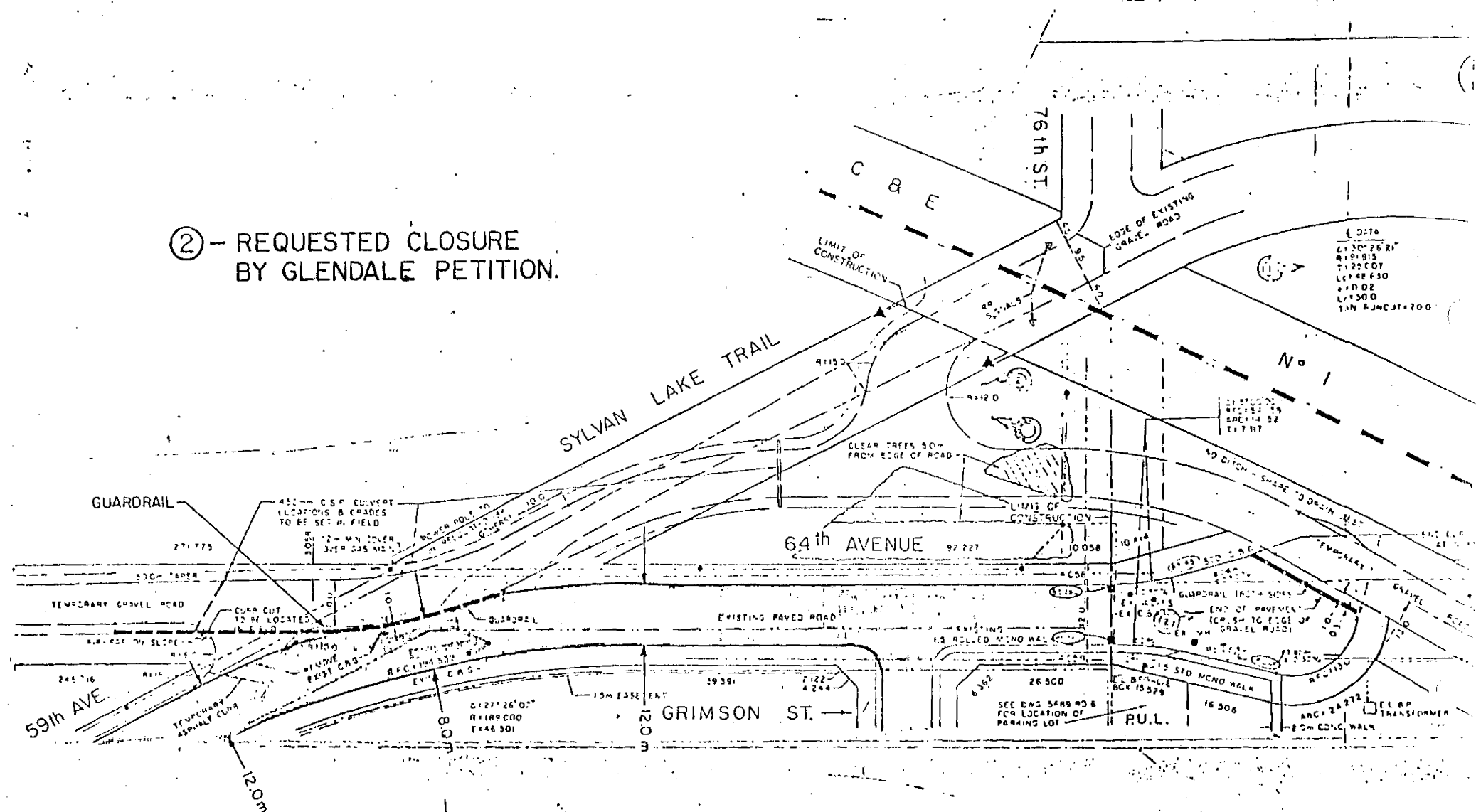
B. C. Jeffers, P. Eng.
City Engineer

RGH/emg
cc - RDRPC
cc - Fire Chief
cc - RCMP City Detachment
attach

①



② - REQUESTED CLOSURE
BY GLENDALE PETITION.



Commissioners' Comments

This is submitted for the information of Council and we would recommend there be no change at this time.

"R.J. MCGHEE"
Mayor

"M.C. DAY"
City Commissioner

NO. 3

16 May 1983

TO: COUNCIL

FROM: CHAIRMAN, MUNICIPAL PLANNING COMMISSION

At the May 16th, 1983 meeting of the Municipal Planning Commission consideration was given to inclusion of "public and quasi-public buildings" in a C.1 District as a permitted use, in order to make provision for buildings such as Government Buildings and Buildings for places of worship.

The following motion was passed by the Commission, and is being submitted for the consideration of Council.

"That the Municipal Planning Commission recommend to Red Deer City Council that Land Use Bylaw 2672/80 be amended to include 'public and quasi-public buildings' in the C.1 district and that same be incorporated into the Land Use Bylaw as a permitted use."

An amending bylaw is attached regarding this matter.

R.J. McGhee, Chairman
Municipal Planning Commission

8.

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

Your File No.

Our File No.

May 17, 1983

Mr. R. Stollings,
City Clerk
City of Red Deer
Box 5008
Red Deer, Alta.

Dear Sir:

Proposed Land Use Amendment 2672/F-83

Recently, as a result of an inquiry made regarding the proposed Remand Centre for the site of the existing liquor store, we have noticed that two specific uses which were in our old land use bylaw do not appear in the new land use bylaw in the C1 District. They were:

- Public & Quasi Public buildings
- Churches

The Municipal Planning Commission at their meeting of May 16, 1983, recommended the inclusion of the above two uses as permitted uses in the C1 District Use table.

The required land use amendment is attached for City Council's consideration.

Yours truly,

D. Rouhi, MCIP
SENIOR PLANNER
CITY PLANNING SECTION

DR/cc

c.c. Mr. Tom Chapman
City Solicitor

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 DODSBURY—TOWN OF ECKVILLE
TOWN OF INNISFAIR—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 ELMORA—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—COUNTY OF LACOMBE No. 14
COUNTY OF MOUNTAIN VIEW No. 17 —COUNTY OF PAINTEARTH No. 18 —COUNTY OF RED DEER No. 23 —COUNTY OF STETTLE No. 6 —IMPROVEMENT DISTRICT No. 10

Commissioner's Comments

Although this particular Municipal Planning Commission meeting was chaired by Alderman Lawrence as Chairman, I support the recommendations from M.P.C. and request Council support the amendment.

"R.J. MCGHEE"
Mayor

May 06, 1983

TO: City Clerks

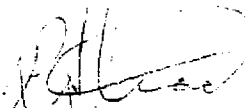
FROM: R. Strader
Development Officer/
Building Inspector

We have one item we would like brought before Council.

1. 4648 - 61 Street, owner Merrill & Charles Richardson of same address. We recommend Council declare the site as unsightly as defined in the Nuisance Bylaw 2060, authorized by Section 160 of the Municipal Government Act, giving the owner 14 days to remove all derelict vehicles and auto parts. Should the owner fail to remedy the condition, City forces will be authorized to do same. Any costs incurred, to be charged against the property as taxes due and owing. Letters were sent to the owner April 07, 1983 and April 20, 1983 advising him of the site condition and requesting that the site be cleaned up.

If Council agrees the site is a nuisance, we recommend the following resolution be approved:

"RESOLVED that Council being of the opinion that the premises hereinafter described are untidy and unsightly and constitute a nuisance by reason of derelict vehicles and discarded auto parts stored thereon Merrill & Charles Richardson, being the owner of 4648 - 61 Street in the City of Red Deer, Province of Alberta (hereinafter called the premises) be and is hereby ordered and directed within 14 days of a copy of this resolution being mailed by registered mail to remove all derelict vehicles and auto parts situated thereon, failing which the Development Officer/ Building Inspector, of the City is hereby authorized and directed to cause such work to be done, in which case the cost thereof shall be directed to Merrill & Charles Richardson, 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."



R. Strader
Development Officer/
Building Inspector

RS:cmd

Commissioners' Comments

We concur with the recommendations of the Development Officer.

"R.J. MCGHEE"
Mayor
"M.C. DAY"
City Commissioner

NO. 5

May 11, 1983.

TO: City Council

FROM: City Clerk

RE: 1982 Operating Budget - Variance Report

The above noted report was presented to Council, May 9, 1983, and at which meeting it was agreed by Council that consideration of this report be tabled for two weeks in order to enable Council members to fully review the report.

Accordingly, we are bringing this matter forward at this time and would remind members of Council to bring copies of this report with them to the meeting.

R. Stollings
City Clerk

RS/ds

TO: City Council
FROM: City Assessor

RE: Lupul
Lot A, Plan 4411 HW

City Council at their meeting of March 28, 1983, passed a resolution authorizing the City Assessor to negotiate with the above property owner and to bring back a report to City Council.

In order to establish a basis for negotiations purposes the City of Red Deer engaged W. J. Haldane Appraisals to appraise the property as to its current market value. By report dated April 13, 1983, they indicated a property value of \$3.18 a square foot. A copy of this appraisal was forwarded to Mr. Clarence Torgerson, the agent for Mr. Lupul, for their consideration. The anticipated cost based on the appraisal would be .69 acres (30,056 sq. ft.) at \$3.18 a sq. ft. = \$95,579.35.

The attached letter from Mr. Torgerson indicates that they are willing to sell the property to the City for \$115,000.00 on a cash basis, possession date to be July 1, 1983. He also offered terms, should Council wish to consider same. It is my understanding that the difference in money, \$115,000.00 compared to \$95,500.00 is that in the long run they will be losing their access to Gaetz Avenue. Their only other request is for two accesses as indicated on the attached plan.

It would be my opinion that the City pay for those lands required for roadway construction, being an estimated .69 acres, and that the settlement be based on a plan of survey to establish an exact square footage, and that the remuneration be based on \$3.18 a square foot. I could not support any additional funds for the eventual closure of the service road and/or access to Gaetz Avenue. The City has in the past closed roadways, made them one way, restricted parking and various other amenities affecting property, and to the best of my knowledge has not made any financial settlements respecting same.

The Engineering Department prepared the attached comments respecting this matter for City Council's consideration. In view of the City Engineer's comments respecting the funds, the matter should be referred to the City Treasurer for his comments.

D. J. Wilson, A.M.A.A.

DJW/bt
att'd:
cc City Engineer
City Treasurer

April 28, 1983

TO: City Assessor

FROM: Assistant City Engineer
Roads

RE: Lupal Property - Lot A, Plan 4411 H.W.

As previously discussed with you, the Engineering Department will need approximately 0.62 acres from the north side and approximately 0.07 acres from the east side of the current site to someday effect the Delburne Road realignment and connection to both Gaetz Avenue and 49 Avenue. The exact timing of construction is unknown and is dependent upon the City and Alberta Transportation agreeing to an acceptable Gaetz Avenue Corridor. Construction is tentatively set for 1987 - 1989.

Funding for land acquisition along the Corridor has been tentatively established in year 1984 of the current 1983 Seven Year Plan. The City has yet to receive confirmation from Alberta Transportation on either the works to be contained in the Corridor or the year in which financial assistance will be available to the City. This matter will hopefully be resolved before year end 1983.

Therefore, we are able to confirm that the land is required but are unable to offer any comments as to the purchase price or the financial arrangements other than those already mentioned.

In regard to the access arrangements, upon subdivision of the remainder of the existing parcel, the developer/owner will be required to dedicate (as per the Planning Act) the cul-de-sac right-of-way amounting to approximately 0.20 acres. Access to the existing Delburne Road when the realignment is complete should present no problems. A right in/right out only access to the realigned 49 Avenue on the east side and the corresponding center median extension again should be acceptable in terms of vehicular operation but of course cannot be considered until construction has occurred. The acceptability of this access point will depend on the particular site development in terms of internal road layout and traffic operation.

B. C. Jeffers, P. Eng.
City Engineer

KGH/emg



14.

Red Deer Branch
4706 - 48 Avenue
Red Deer, Alberta T4N 6J4
Tel. (403) 343-8931

City of Red Deer
City Hall
Red Deer, Alberta

ATTENTION: Mr. D. Wilson

Dear Sir:

RE: Lupul property, Gaetz Avenue & Delburne Road

Thank you for your letter of April 18, 1983 enclosing a copy of the appraisal. As you indicated, the value of the roadway according to the appraisal is \$3.18 per square foot. Using .69 of an acre, that value would appear to be approximately \$95,500.00. We understand that the exact square footage has yet to be determined.

After discussions with Mr. Lupul, he indicated he would be prepared to sell the piece of property you require for \$115,000.00 on a cash basis with possession July 1, 1983. Should you require terms, Mr. Lupul has indicated that he would be prepared to finance the property for one year at 12% interest with 20% down payment. The downpayment would be absolutely forfeitable should the purchase not take place. The balance of the funds would be due and payable on July 1, 1984 including interest. In either event, the cost of surveying would be born by the City of Red Deer.

In addition to the above, we are requesting access to the property according to the plan attached. The access to 49 Avenue would be right turn in and right turn out only. The access to the present Delburne Road would be all directions.

If you have any questions or if I can be of further assistance, please call me.

Thank you for your attention to this matter.

Yours very truly,

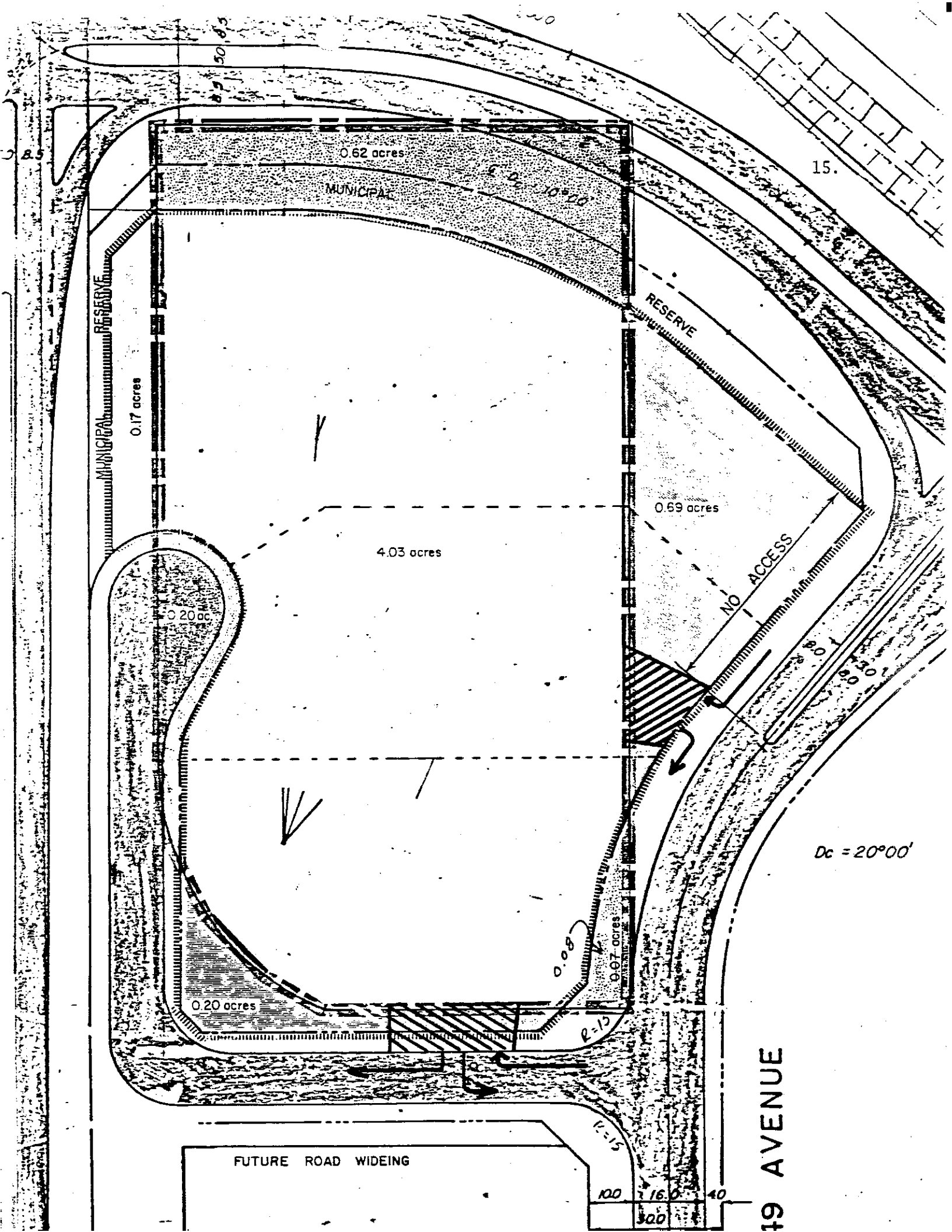
A.E. LePage Real Estate Services Ltd.

Clarence Torgerson

Sales Consultant

CT/11b

Encl.



May 9, 1983

TO: CITY CLERK

FROM: CITY TREASURER

RE: LUPAL PROPERTY
LOT A, PLAN 4411 H.W.

The Seven Year Plan presently provides funds in the 1984 portion of the Seven Year Plan for Major Continuous Corridor Program land acquisition. The Province is expected to contribute 90% of the cost.

If the City were to proceed to purchase the property at the present time, a debenture bylaw for 100% of the cost would be required. Payments of \$13,800 a year would commence in 1984 and would be fundable from property taxes. When provincial grants were received a portion of the debenture would then become surplus.

It would be my recommendation that the property not be purchased until at least Provincial funding is available. The property is not required until 1987 at the earliest.

A. Wilcock, B. Comm., C.A.
City Treasurer

AW/jm

Commissioners' Comments

It has been Council's policy in the past to acquire land for future major road construction when such land becomes available or is offered to the City. We would recommend that this land be purchased at appraised value of \$3.18 per sq. ft. for an estimated total cost of approx. \$95,579.35 to be financed as outlined by the City Treasurer with all costs including financing to be charged to the project when it is undertaken. We cannot support the purchase of this land at a price exceeding the appraised value.

"R.J. MCGHEE"
Mayor

"M.C. DAY"
City Commissioner

File: UP-571

NO. 7

May 17th, 1983

MEMORANDUM

TO: MEMBERS OF CITY COUNCIL

FROM: MAYOR R.J. MCGHEE, CHAIRMAN
WASKASOO PARK POLICY COMMITTEE

At the May 13th Meeting of the Waskasoo Park Policy Committee, the following resolution was passed:

"RESOLVED that having considered the report of the Inquiry Officer and the recommendations of the Waskasoo Park Management Committee with respect to the expropriation of the property owned by Glenmere Farms, the Waskasoo Park Policy Committee agree to recommend to City Council that the expropriation of the entire parcel proceed as planned with an understanding that the necessary steps be taken to ensure that Mrs. R.V. McCullough continues to enjoy the rights she currently enjoys under her lease agreement."

The attached report from the Waskasoo Park Management Committee provides the background on which the decision was based. Also attached is a report from the City Solicitor reviewing the decision from his perspective and outlining the steps which must be followed.

Mr. McCullough has been notified by the City Solicitor of our intention to recommend this course of action to City Council.

It will be necessary to have the property re-appraised when Council has reached a decision and the approval to submit an application to the Province for the land acquisition funds will be required at the next meeting of Council.

R.J. MCGHEE, Chairman
Waskasoo Park Policy Committee

DM:pw

Attachment

c.c. Waskasoo Park Management Committee
Waskasoo Park Policy Committee

File: UP-570

May 17th, 1983

MEMORANDUM

TO: MAYOR R.J. MCGHEE AND MEMBERS OF COUNCIL

FROM: DON MOORE, CHAIRMAN
WASKASOO PARK MANAGEMENT COMMITTEE

RE: GLENMERE FARMS ACQUISITION

The following report reviews the most recent activities with respect to this land acquisition and summarizes the reasons why it is considered important to proceed with the expropriation of the entire Glenmere Farms Property.

In December of 1982 Council initiated proceedings to expropriate the Glenmere Farms and the appropriate notice was given to the landowner,

In accordance with standard procedure, both Mr. Ron McCullough and Mrs. R.V. McCullough filed Notice of Objection on the basis that taking of the land was not fair, sound, or reasonably necessary in achievement of the objectives of the approving authority (City of Red Deer).

An Inquiry Officer was appointed by the Attorney General and a formal Inquiry was convened on Wednesday, April 27th and Thursday, April 28th. The recommendations of the Inquiry Officer dated May 5th are attached hereto. He suggested only a partial taking of the land and an excerpt from the report with respect to this matter reads as follows:

"I would have been prepared to consider and would suggest that the parties now consider a partial taking of the land as suggested by Mr. McKenzie; such partial taking not only to include an area immediately around one end of the west lake, that is on the Glenmere land, but also a portion of the eastern frontage of the Glenmere land, required for trails and possibly the land around the Oxbow Lake projection into Glenmere's land for preservation purposes in the Park. This would then accomplish the balance between the public interest and the private interest in my view."

To assist Council in interpreting the Inquiry Officer's recommendation, three plans of the area are attached hereto. Alternative "C" represents the recommendation of the Inquiry Officer. Alternative "B" is the proposal put forth by the Glenmere Planning Consultant, McKenzie Spencer, and Alternative "A" represents the City proposal as included in the attached report which was utilized as the basis of the presentation made at the Inquiry by Mr. Craig Curtis.

The Waskasoo Park Management Committee examined the findings and recommendations of the Inquiry Officer and subsequently recommended to the Policy Committee that the entire parcel be acquired with due consideration for protecting the rights of Mrs. R.V. McCullough.

The Policy Committee subsequently approved the following resolution.

"RESOLVED that having considered the report of the Inquiry Officer and the recommendations of the Waskasoo Park Management Committee with respect to the expropriation of the property owned by Glenmere Farms, the Waskasoo Park Policy Committee agree to recommend to City Council that the expropriation of the entire parcel proceed as planned with an understanding that the necessary steps be taken to ensure that Mrs. R.V. McCullough continues to enjoy the rights she currently enjoys under her lease agreement."

It should be noted that the City is not bound by the report or recommendations of the Inquiry Officer and having reviewed his findings in detail and having examined the implications of a partial taking of the land, we feel fully justified in recommending the course of action as outlined in the resolution for the following reasons.

1. Land additional to what the Inquiry Officer recommends is required for the Nature Interpretive Centre. It can only be located on the higher ground as indicated on the attached plan to effectively control access to the Sanctuary and to afford the opportunity to interpret the Sanctuary without extensive intrusion and to interpret the unique relationship of the area to the Red Deer River.
2. The significance of wildlife movement within the Sanctuary and the River cannot be understated. The importance of this linkage has been recorded in the P.A.R.D. Report and has been reaffirmed on many occasions by credible members of the Gaetz Lakes Committee and the Red Deer River Naturalists. This importance was down-played by the Planning Consultant for Glenmere Farms and by the Inquiry Officer, however, there was no expert testimony given by the Glenmere Farms Consultant to refute the claims of the expert opinion provided by the City.
3. The additional land is required as a buffer for the Sanctuary but also as a transition zone and although it must be acknowledged that the present use of the land is less damaging than other potential uses, Naturalists and Biologists have indicated to us that the area of the Sanctuary is too small.

File: UP-570

- 3 -

May 17th, 1983

By allowing the meadowland to revegetate in a natural way, the area can be enhanced as wildlife habitat and provide greater protection for the more sensitive areas around the lakes.

4. The need to acquire the McCullough property was one of the major factors leading to the designation of Urban Park funds for Red Deer. The P.A.R.D. report prepared on behalf of Alberta Housing and Public Works and the Gaetz Lakes Sanctuary Committee recommended the acquisition of the entire property in order to protect and enlarge the then Provincially owned Sanctuary. This report was then referred to Alberta Recreation and Parks which included the proposed acquisition in its Urban Parks proposal for Red Deer. Thus, the Government's intention in allocating \$27 million to Red Deer was partly to ensure the Sanctuary's long term protection. Urban Park funds will no longer be available after 1986 and therefore this may be the last opportunity to acquire this property with Provincial funds.

5. The final reason for requiring all of the land is to ensure it's protection for the future. It has been indicated that this may be accomplished by rezoning to A2 Environmental Preservation or by means of a restrictive covenant, but it has been indicated by the owner that he would not accept such controls and further there is no assurance that the zoning, if put in place, could be retained. The present owner had advanced a number of development proposals, the most recent being presented in 1976; this proposal envisaged 687 units, housing approximately 1,800 people in ten apartment blocks and town houses. Although it has now been indicated that such plans have been shelved permanently, there is no assurance that the property will not change hands and a new owner may take such initiatives again.

When the property is acquired by the City, positive and irrevocable steps can be taken to extend the boundaries of the Sanctuary and zone it appropriately while the small areas where development will be necessary to accommodate the Nature Interpretive Centre, will also be rezoned and designated as Park.

It should be noted that the most recent appraisal is based on the assumption that extensive development could be undertaken in the area and the owner is being compensated accordingly.

In summary, we believe that all of the land is required to provide the necessary safeguards and afford the type of development contemplated, and we believe that the owner is being compensated appropriately, however, the

File: UP-570

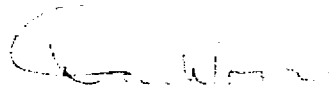
- 4 -

May 17th, 1983

Management and Policy Committees have both reiterated their concern for Mrs. R.V. McCullough. A caveat registered on the title affords her a high measure of security with respect to life long tenancy in the Allen bungalow. As previously confirmed by City Council, we wish to guarantee Mrs. McCullough that she may continue to enjoy her current rights. It would be our intention subject to her approval, to maintain the building and an appropriate yard and to do everything reasonable to be sure that the proposed development of the Nature Interpretive Centre does not influence her lifestyle adversely.

The means by which this can be accomplished can be resolved in discussions between the parties and with the guidance of the City Solicitor.

Members of the Management Committee will be in attendance at the Council Meeting to answer any questions Council Members may have. We understand that there will also be representation from the Red Deer River Naturalists who may wish to speak in support of the concerns outlined with respect to protection of the Sanctuary and preserving wildlife corridors.

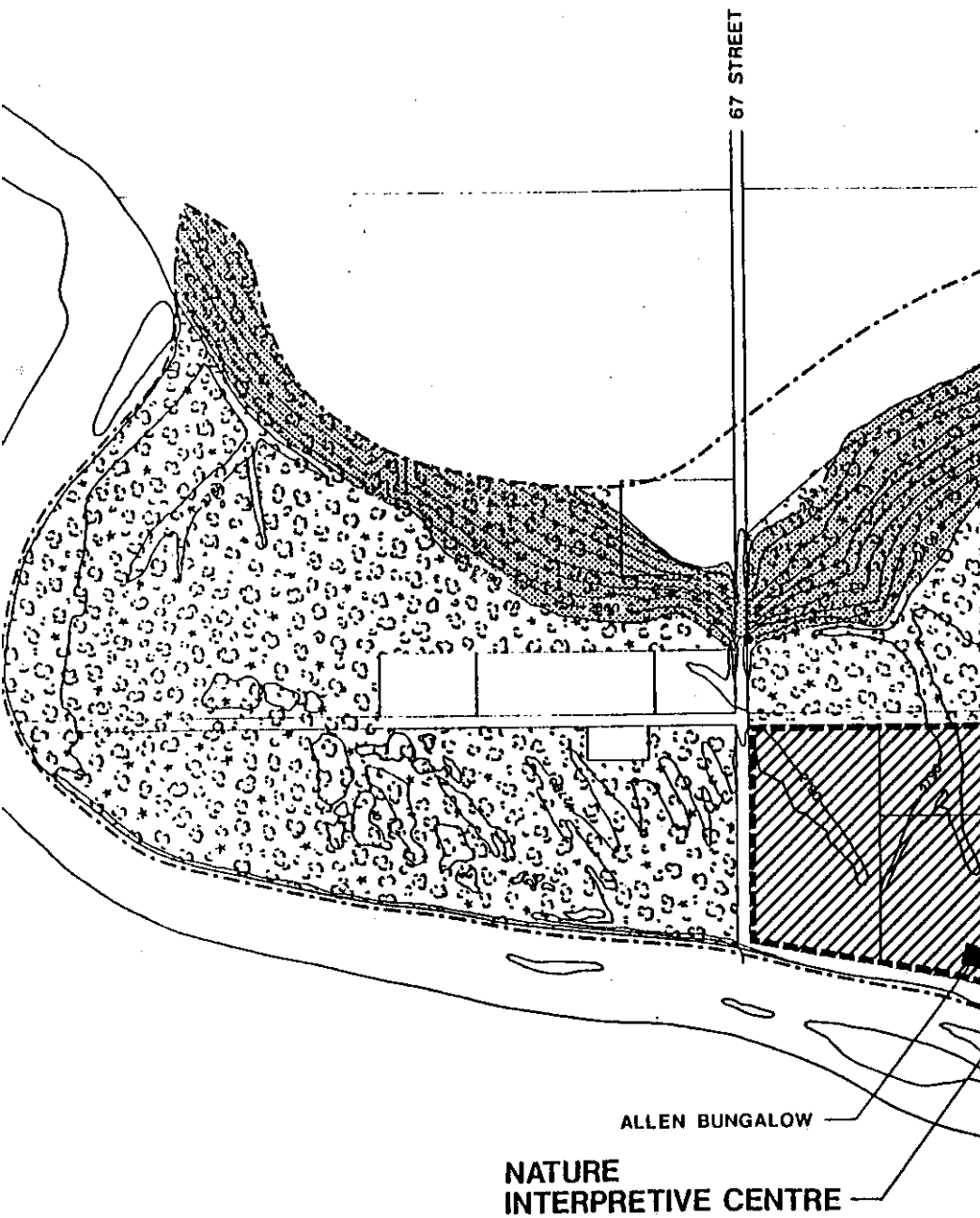


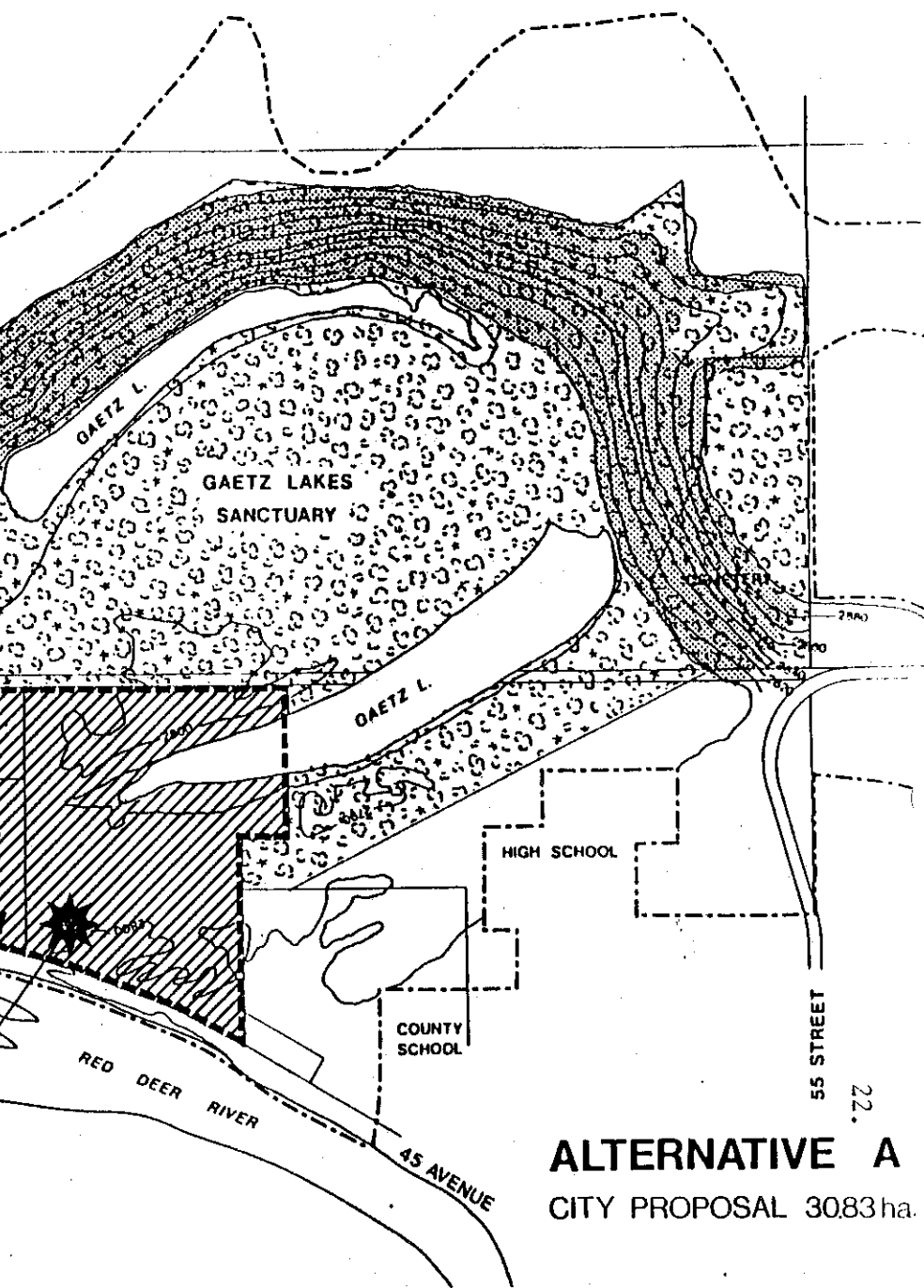
DON MOORE

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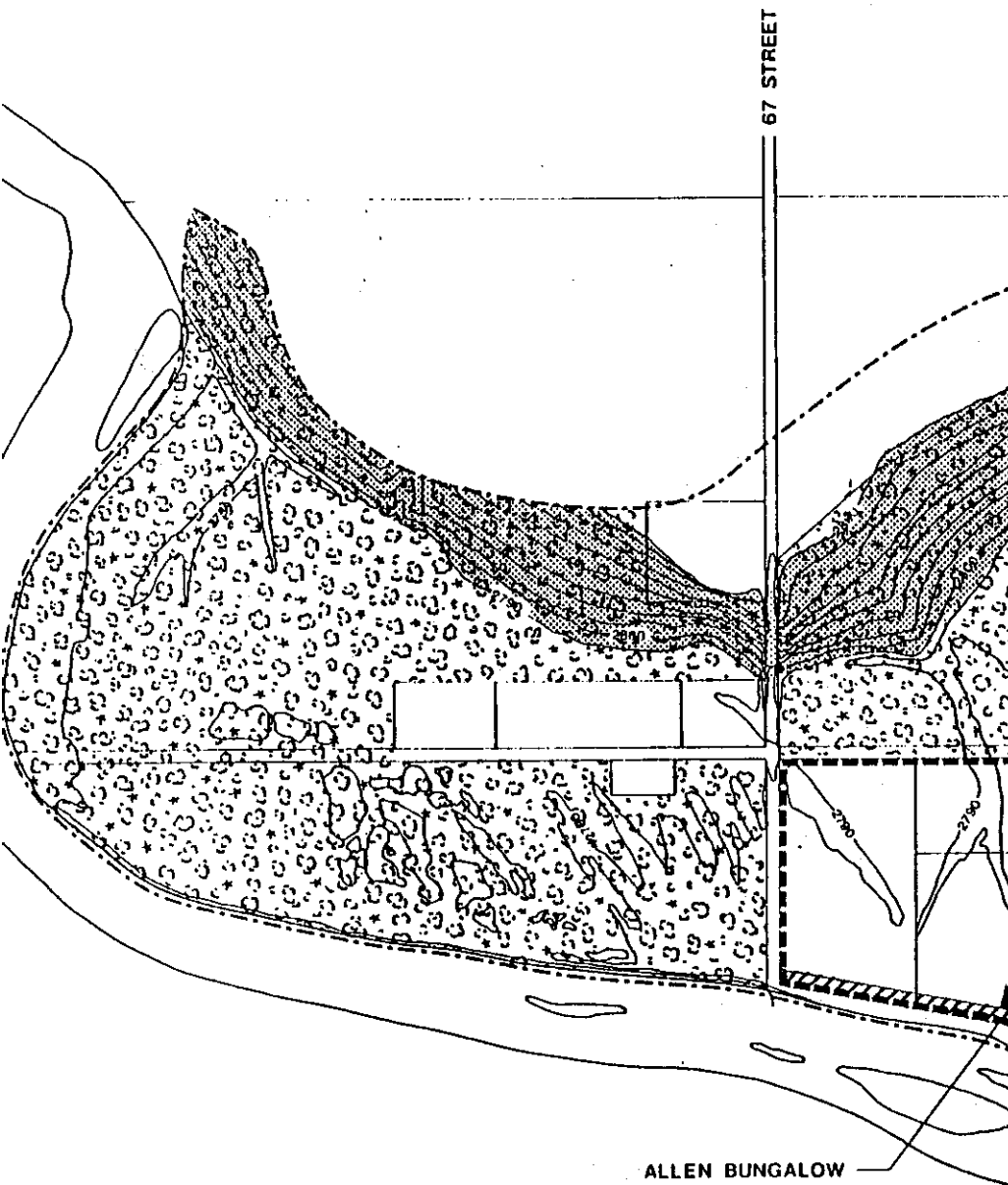
Attachments

c.c. Waskasoo Park Management Committee
Waskasoo Park Policy Committee

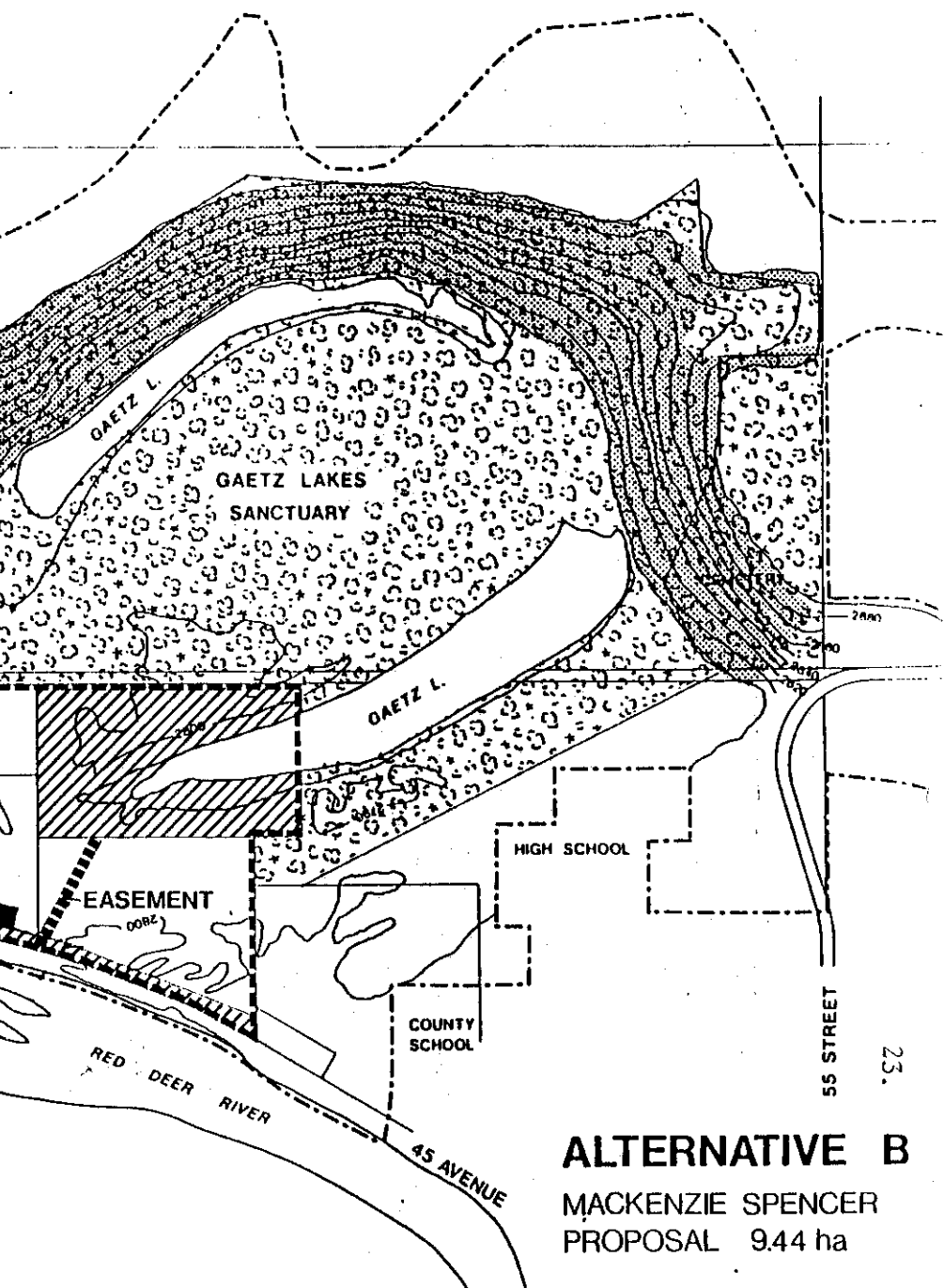




ALTERNATIVE A
CITY PROPOSAL 3083 ha.



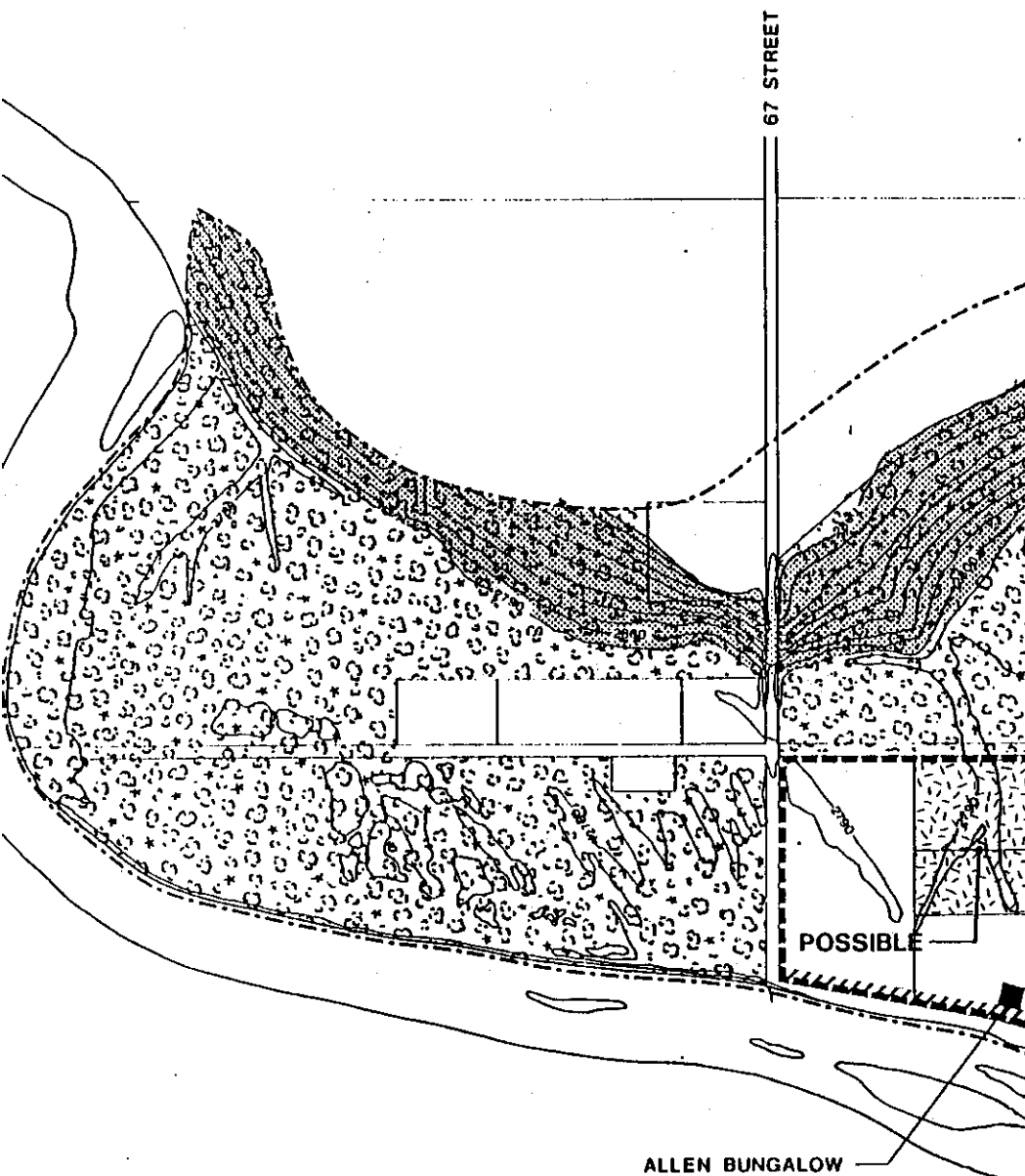
ALLEN BUNGALOW



23.

ALTERNATIVE B

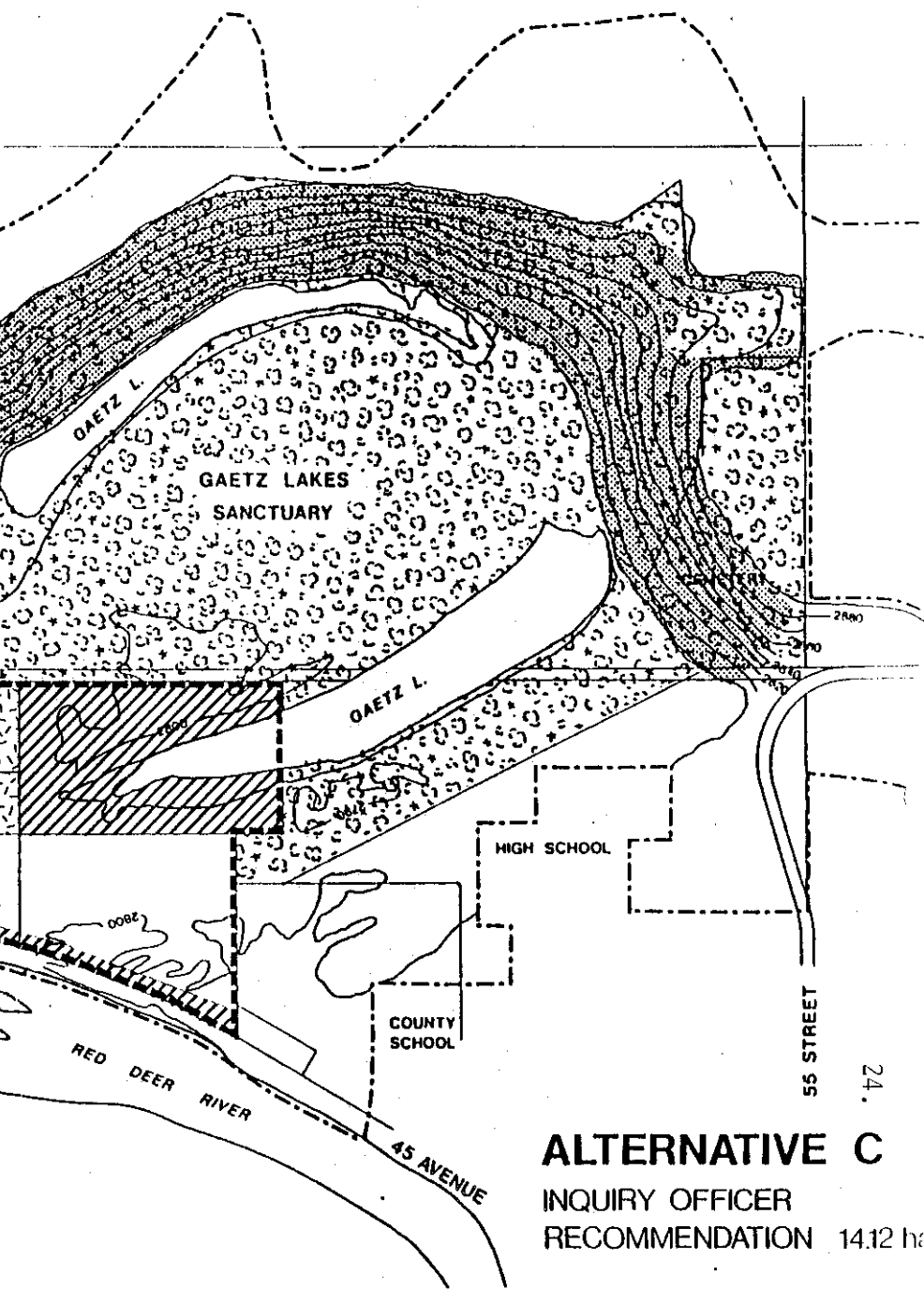
MACKENZIE SPENCER
PROPOSAL 9.44 ha



67 STREET

POSSIBLE

ALLEN BUNGALOW



ALTERNATIVE C

INQUIRY OFFICER
RECOMMENDATION 14.12 ha

- 50 -

IV. INQUIRY OFFICER'S FINDINGS OF FACT

I FIND THAT:

1. The City has satisfied all of the procedural requirements of The Expropriation Act and taken all of the necessary steps to initiate this inquiry as required by this act and the regulations thereunder;
2. The City appears to have the power to expropriate the land for the purpose it has indicated in its Notice of Intention to Expropriate pursuant to Section 99 and Section 126 of the Municipal Government Act of Alberta;
3. The authorization for this expropriation has been properly given by virtue of exhibit 37 filed at this hearing;
4. The P.A.R.D. Associates Ltd.'s report appears to contemplate the acquisition of all of the Glenmere land for a "Rural Life Centre";
5. The subsequent analysis and reports, namely, exhibits 13 and 14, also contemplate the acquisition of all of the Glenmere land for the Waskasoo Park;
6. The land with the exception of an area immediately around the west lake as identified by Mr. Mackenzie as well as possibly an area immediately around the Oxbow Lakes, is the least sensitive land area in the park which encompasses primarily the pasture land being used by Glenmere for its cattle operation;
7. The McCullough's and Glenmere have, on the basis of all of the evidence adduced, been good stewards of the land;

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8. No development on the land is contemplated by Glenmere and in any event, such development can be controlled by the City to whom application for such development has to be made. The suggestion, and it was only a suggestion that there is an east-west wildlife movement corridor is not borne out by the evidence. The evidence of both Mrs. McCullough and Mr. McCullough who have occupied the property since 1946, was very definite that they had not seen the movement of wildlife on an east-west corridor basis. Both Mr. & Mrs. McCullough gave evidence that they have seen wildlife in the pasture area, near the wooded area, but not travelling across their property on an east-west corridor;
9. The McCullough's as well as Glenmere have preserved the Allen Bungalow, with some minor modifications, since 1946 and have indicated they will continue the preservation of this bungalow as long as they are living on the land and the land remains in the ownership of Glenmere. In fact, the evidence of Mr. & Mrs. McCullough was that they do not intend to do anything with respect to the Allen Bungalow nor any development of the land;
10. The City already has a narrow strip of parkland along the river bank that could be used for bike trails and cross-country skiing. This strip is separated from the Glenmere land by a road and if a widening of this strip is required for these trails, Mr. McCullough is prepared to consider a strip from the Glenmere land for this purpose assuming Glenmere retains ownership of the land;
11. The location of the Interpretive Centre is obviously not settled on as it had been originally suggested it be located on the previous Gun Club property leased from the

City as set out in the P.A.R.D. Associates Ltd. report on page 51 and then other locations suggested both by the City and by Mr. Mackenzie;

12. The City would never have attempted to acquire the land if it had to use its own money for such acquisition and only because of the Heritage Trust Fund and the benefactor, the Provincial Government, allocating funds for urban parks in five different cities in the Province, is the City seeking ownership of all of the land;
13. Negotiations were carried on by the City with Glenmere to acquire the land as contemplated by The Municipal Government Act albeit without success.

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. The objective of the City is clearly set out in its Notice of Intention to Expropriate, that is, "for the purpose of providing land for the development of urban parks corridor expansion program within the City of Red Deer, and providing access across such lands to the Gaetz Lake sanctuary area situate within the City of Red Deer." There is no question as to purpose of the intended expropriation by the City. This has been clearly set out, not only in the Notice of Intention to Expropriate, but in the P.A.R.D. Associates Ltd.'s report, exhibits 13 and 14 as well as exhibit 36. The question which has been posed by the evidence and in particular by the objectors, is whether the expropriation of all of the Glenmere land for the City's purpose is fair, sound and reasonably necessary. The City's evidence is that all of the land is necessary but the objectors evidence is that only

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a portion of the land is necessary, namely, a portion around the west lake as well as possibly a portion at the east end of the property for the widening of trails and one might go one step further and say that a portion of the land encompassing the Oxbow Lakes area to preserve this very sensitive area is also necessary to accomplish the objective of the City. If a wildlife movement corridor, east to west, access is necessary, this could be accomplished by way of easement according to the objectors evidence. The objectors evidence does bring into question why all of the land is necessary to fulfill the City's purpose. In my view, the reasons given by the City as to why it requires all of the objectors land is not defensible. A balancing of the public interest with that of the private interest of Glenmere is not accomplished, in my view, by the City taking all of the land. These are two of guidelines that were referred to by the Ontario High Court in Walters et al v. Essex County Board of Education as reported in (1971) 20 D.L.R. (3d) 386. In this case, Mr. Justice Stark at page 389 had this to say regarding the meaning of the words "fair, sound and reasonably necessary" in the achievement of the objectives of the expropriating authority that:

"In applying the words used in the Act, namely, 'fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority' and lacking any judicial pronouncement as to the meaning of these words, the inquiry officer adopted the suggestion made by Mr. John W. Morden in the Special Lectures of the Law Society of Upper Canada, 1970, 'Recent Developments in Real Estate Law', p. 226, where the writer had suggested

'that it would be more realistic to regard the formula as conveying the broad standard - having regard to the objectives of the authority is this expropriation reasonably defensible.'

Similarly, as to the meaning of 'fair' the inquiry officer adopted Mr. Morden's suggestion, 'that it involves a balancing of the public interest allegedly being advanced by the expropriation with that of the private interest of the owner.'

We have here two planners with quite different views as to how the land can best fit into the City's idea for the Waskasoo Park. On the one hand, the planner for the City says that all of land is needed whereas on the other hand, the planner for Glenmere points to where only a portion of the land is necessary to carry out the purposes of the park. This certainly leaves doubt in Glenmere's mind and my own mind as to the necessity for all of the land for the park. In view of that doubt, it is therefore impossible to say that the taking of all of the land is fair, sound and reasonably necessary in the achievements of the objectives of the City. As I said above, the City's position is not defensible, in my opinion, in view of the plan suggested by Glenmere's planner, Mr. Mackenzie, as to the area of Glenmere's land that should be taken for the park.

Therefore, in my view, the City not having satisfied me that it is fair, sound and reasonably necessary to take all of the land in the achievement of its objectives, I must therefore find that the intended expropriation by the City is not fair, sound and reasonably necessary in the City's achievement of its objective.

I would have been prepared to consider and would suggest that the parties now consider a partial taking of the land as suggested by Mr. Mackenzie such partial taking not only to include an area immediately around one end of the west lake that is on the Glenmere land, but also the portion of the eastern frontage of the Glenmere land required for trails and possibly the land around the Oxbow Lake projection into Glenmere's land for preservation purposes in the park. This would then accomplish the balance between the public interest and the private interest in my view.

- 55 -

Although costs were not spoken to at this hearing, it is my opinion that all reasonable costs of the objectors with respect to this inquiry be paid by the Expropriating Authority, the City, pursuant to Section 14 (10) of the Expropriation Act.

This report of the Inquiry Officer is made pursuant to Section 15 (1) of The Expropriation Act to the Expropriating Authority, the City of Red Deer.

DATED at the City of Edmonton, in the Province of Alberta, this 5th day of May, 1983.

J. L. Lewis

JAMES L. LEWIS
Inquiry Officer,
1700 Oxford Tower,
Edmonton, Alberta

The City of Red Deer,
c/o Chapman & Company,
Barristers and Solicitors
208 Professional Building
4808 Ross Street,
Red Deer, Alberta. T4N 1X5

Glenmere Farms Ltd., and Mattie Louise McCullough,
c/o Milner & Steer,
Barristers and Solicitors
9th Floor,
10040 - 104th Street,
Edmonton, Alberta. T5J 0Z7

CHAPMAN & COMPANY
Barristers, Solicitors, Notaries

31.

208 PROFESSIONAL BUILDING
4808 ROSS STREET
RED DEER, ALBERTA T4N 1X5

TELEPHONE (403) 348-8803
TWX 810-841-5684

THOMAS H. CHAPMAN, B.A., LL.B.
DONALD J. SIMPSON, B.A., LL.B.
T. KENT CHAPMAN, B.A., LL.B.

YOUR FILE.....
OUR FILE.....11,623....

May 16, 1983

Mayor and Members of City Council
City of Red Deer
City Hall
Red Deer, Alberta

Dear Sirs:

RE: Glenmere Farms Expropriation

I enclose for review by Council a copy of the report of the Inquiry Officer held with respect to the above expropriation.

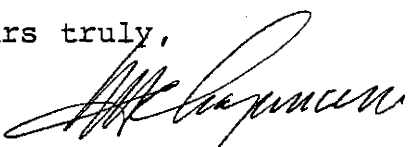
As Council will be aware from a review of the report, the land in question is owned by Glenmere Farms Ltd., and is subject to a lease agreement whereby Mrs. Mattie McCullough is entitled to the use and occupation of the residence situate upon the land during her lifetime.

A Notice of Intention to Expropriate was issued with respect to both the interest of Glenmere Farms Ltd. as well as the interest of Mrs. McCullough.

The report of the Inquiry Officer now having been received, I would advise that under the provisions of Section 18 of the Expropriation Act the City as the approving authority shall consider the report of the Inquiry Officer and shall approve or disapprove the proposed expropriation, or approve the proposed expropriation with such modifications as the approving authority considers proper. I enclose a photostatic copy of Section 18 of the Act for Council's information.

I would further confirm that the report of the Inquiry Officer is not binding upon the approving authority.

Yours truly,



THOMAS H. CHAPMAN

THC/ch

Certificate of
approval

18(1) The approving authority shall consider the report of the inquiry officer and shall approve or disapprove the proposed expropriation or approve the proposed expropriation with such modifications

as the approving authority considers proper, but no approval shall be modified so as to affect land of a person who was not a party to the inquiry.

(2) Subject to subsection (3), the approving authority shall give written reasons for its decision and shall cause a copy of its decision together with the reasons for it to be served on all the parties within 30 days after the date on which the report of the inquiry officer is received by the approving authority.

(3) When the Board is carrying out the functions of an inquiry officer under this Act it shall, in its capacity as the approving authority,

(a) approve or disapprove the proposed expropriation or approve the proposed expropriation with modifications,

(b) give written reasons for its decision, and

(c) cause a copy of its decision together with the reasons for it to be served on all the parties.

within 60 days of its appointment to carry out the functions of the inquiry officer.

(4) If the approving authority approves the expropriation, it shall also provide the expropriating authority with a certificate of approval in the prescribed form.

(5) When the approving authority and expropriating authority are one and the same, the requirements of subsections (2) and (4) respecting service on the expropriating authority are inapplicable.

1974 c27 s17

Effect of
registration

19(1) The expropriating authority may register the certificate of approval in the land titles office for the land registration district in which the relevant land is situated and, subject to the *Public Highways Development Act* and the *Municipal Government Act*, registration vests in the expropriating authority the title to the land therein described as to the interest specified in the certificate.

(2) The certificate of approval shall contain a description of the land being expropriated that is satisfactory to the Registrar of Land Titles or shall be accompanied by a plan of survey of the land.

1974 c27 s18

Failure to register
certificate of
approval

20 Subject to section 23, if the expropriating authority does not cause the certificate of approval to be registered in the land titles office within 120 days from the date when the notice of intention was registered and no extension order has been registered under section 23(4), the expropriation shall be conclusively presumed to be abandoned, the notice of intention to expropriate lapses and the

RED DEER RIVER NATURALISTS
Formerly Alberta Natural History Society
P.O. Box 785, Red Deer, Alberta, T4N 5H2

May 17, 1983

City Clerk
City of Red Deer
Red Deer, Alberta

Dear Sir:

Attached please find a copy of a brief prepared by the Red Deer River Naturalists regarding the property known as Glenmere Farms and a list of species in the Gaetz Lake Study Area. We wish to have these included in the May 24, 1983 City Council agenda.

We understand that opportunity for people to speak to this issue. Our group wishes to have a representative address Council at that time.

Would you please inform us of the time that this item will be discussed? A message can be left for me with the operator at the Red Deer College switchboard - 342-3300.

We thank you for your attention in this matter.

Yours truly,

Carol Neufeld, Secretary



RED DEER RIVER NATURALISTS

FORMERLY ALBERTA NATURAL HISTORY SOCIETY

34.

P.O. BOX 785, RED DEER, ALBERTA, T4N 5H2

A Brief Submitted on Behalf of the Red Deer River Naturalists

To whom it may concern:

For a very long time the area popularly known as Gaetz Lake Sanctuary has been of vital importance to the hearts and minds of the citizens of Red Deer. It is evident that each urban concentration requires a natural setting and the opportunity for its people to communicate with nature--to relax, learn, and enjoy. Without the richness, diversity and contrast of form, shape, and moods that nature provides, man's manufactured environment proves harsh and drab. Many threats to the Sanctuary's environmental integrity have arisen and each time the people replied--preserve the wilderness concept--keep it natural. Now Waskasoo Park has incorporated the area into an urban park and its future as a natural area is assured.

But the assurance of a viable habitat area is not so automatic. To maintain the ecological viability of such an area, certain conditions must be met. There must be diverse food sources, shelter, water and space, a degree of privacy for breeding and critical linkages to wider areas. There must be careful knowledgeable planning so that wildlife can continue to share our world with us, as is their right.

To meet these conditions we firmly believe that the property known as Glenmere Farms must be joined to Gaetz Lake Sanctuary. We believe that the Sanctuary is ecologically related to and dependant upon the adjoining farm.

The sanctuary and meadow lands, with the river and escarpment as natural boundaries, make an integral unit which we believe is the absolute minimum size to allow for the needs of wildlife. The larger "whole" will serve to provide an improved access or corridor to wider areas, a linkage which is critical.

The addition of the approximately sixty acres of meadowland would be invaluable for biological diversity and would add greatly ^{to the habitat types} in the unit. In nature, when a forest and lake area are present, it is vital that there be open areas nearby to complete the food chain. Many species would benefit. The meadowlark, fast vanishing from our land would thrive in the grassland. Bluebirds feed mainly on beetles and meadow insects, and many sparrows nest in the grass. It would be suitable and advisable to maintain and encourage the growth of native grasses as intensive agricultural use and urbanization in our province have made natural grasslands rare. The rodent population that would live in an enhanced meadow area would form interesting communities and be a vital link in the food supply of raptors, coyotes, or foxes. Perhaps a badger would find the area a suitable home to the delight of all.

Although the present use of Glenmere farms has probably not been detrimental to the Sanctuary, neither has it been supportive or particularly beneficial. The proximity of exotics and their wastes into an ecological benchmark area could lead to degradation of the water supply, and to the introduction of nuisance plants such as thistle and fox-tail. Any accidental invasion of the cattle into the inner areas would be most unfortunate. Also, if it should remain in private hands there is always a real possibility of a sale in the future to a completely incompatible and inappropriate user.

If Glenmere Farms were to become part of the Gaetz Lake unit, it would resolve the anomaly of the farm's property line extending into the west lake.

The west lake shore would then be more beneficial as a nesting area for goldeneye,^{36.} bufflehead, grebes, and for red-winged blackbirds, and all the numerous denizens of water habitat.

One June 15, 1981, members of the Red Deer River Naturalists in one day counted eighty-six different species of flowering plants in the Sanctuary area. Species included five types of Habenaria or green orchids which are relatively rare. Thus, these areas are deemed to be sufficiently sensitive as a seed pool that great numbers of people should not walk among them. Therefore, the adjoining meadow land of Glenmere Farms would be crucial as a less sensitive area that would allow observation trails, viewpoints, and opportunities for groups such as school students to observe and study nature.

Similar pleas could be made for privacy and safety of nesting sites for birds. The great pileated woodpeckers and the common loon particularly both observed around Gaetz Lake are birds of the wilderness and their presence in our midst is a rather rare and valued event. By providing a buffer zone to the west they will become permanent residents. Mammals such as deer, fox, coyote, and wild mink have need of a sheltered habitat. Thus, the present farm land would provide an interpretive zone so that the depth of the forest could remain inviolate.

In conclusion, we would like to reiterate our assumption that to make the Sanctuary a viable habitat for the dozens of species observed, and to seek increased in their number and variety, it must be of a sufficient size to maintain a substantial food chain. The Gaetz Lake area has been increasingly surrounded, and its buffer zone reduced with housing subdivisions to the east and the deforesting and manicuring of the hill to the south, so a further loss ^{to} the west would be tragic. To encourage biological diversity, new habitat types, as an interpretive zone and a buffer zone Glenmere Farms would be a marvelous and

necessary adjunct. We are sure that future generations will appreciate and applaud the foresight of those who strove to preserve a priceless slice of nature within the confines of a bustling city.

11.0 APPENDIX C: WILDLIFE SPECIES FOUND IN THE STUDY AREA

38.

The following list of wildlife species and their habitats is adapted from the study of the Gaetz Lakes prepared by P.A.R.D. Associates Ltd.

LEGEND	:	HABITATS
(O)	—	OPEN WATER
(P)	—	POPLAR
(S)	—	WHITE SPRUCE
(M)	—	MIXED WOOD
(F)	—	FLOOD TOLERANT VEGETATION
(C)	—	CROP/PASTURE
(D)	—	DISTURBED

11.1 BIRDS

(After Godfrey, 1966 and Salt and Wilk, 1968)

Common Name	Scientific Name	Habitat Preference
Common loon	<i>Gavia immer</i>	F
Red-necked grebe	<i>Podiceps grisegena</i>	O, F
Horned grebe	<i>Podiceps auritus</i>	O, F
Eared grebe	<i>Podiceps caspicus</i>	O, F
Western grebe	<i>Aechmophorus occidentalis</i>	O, F
Pied-billed grebe	<i>Podilymbus podiceps</i>	O, F
Great blue heron	<i>Ardea herodias</i>	O, F
American bittern	<i>Botaurus lentiginosus</i>	O, F
Canada Goose	<i>Branta canadensis</i>	O, F, C
Mallard	<i>Anas platyrhynchos</i>	O, F
Gadwall	<i>Anas strepera</i>	O, F
Pintail	<i>Anas acuta</i>	O, F
Green-winged teal	<i>Anas carolinensis</i>	O, F
Blue-winged teal	<i>Anas discors</i>	O, F
American wigeon	<i>Mareca americana</i>	O, F
Shoveler	<i>Spatula clypeata</i>	O, F
Redhead	<i>Aythya americana</i>	O, F
Ring-necked duck	<i>Aythya collaris</i>	Marginal
Canvasback	<i>Aythya valisneria</i>	O, F
Lesser scaup	<i>Aythya affinis</i>	O, F
Common goldeneye	<i>Bucephala clangula</i>	O, F, S, M, P
Bufflehead	<i>Bucephala albeola</i>	O, F, S, M, P
White-winged scoter	<i>Melanitta deglandi</i>	O, F
Ruddy duck	<i>Oxyura jamaicensis</i>	O, F
Goshawk	<i>Accipiter gentilis</i>	S, M
Cooper's hawk	<i>Accipiter cooperii</i>	M, P
Sharp-shinned hawk	<i>Accipiter striatus</i>	S, M
Red-tailed hawk	<i>Buteo jamaicensis</i>	Most
Broad-winged hawk	<i>Buteo platypterus</i>	M, P, C
Swainson's hawk	<i>Buteo swainsoni</i>	Most
Marsh hawk	<i>Circus cyaneus</i>	F, C
Pigeon hawk	<i>Falco columbarius</i>	Most
Sparrow hawk	<i>Falco sparverius</i>	Most
Spruce grouse	<i>Canachites canadensis</i>	S, M
Ruffed grouse	<i>Bonasa umbellus</i>	M, P
Sharp-tailed grouse	<i>Pediacetes phasianellus</i>	C
Sora Rail	<i>Porzana carolina</i>	O, F
American Coot	<i>Fulica americana</i>	O, F
Killdeer	<i>Charadrius vociferus</i>	O, F
Common snipe	<i>Capella gallinago</i>	O, F
Upland plover	<i>Bartramia longicauda</i>	C
Spotted sandpiper	<i>Actitis macularia</i>	O, F
Solitary sandpiper	<i>Tringa solitaria</i>	O, F, S
California gull	<i>Larus californicus</i>	O
Ring-billed gull	<i>Larus delawarensis</i>	O
Wilson's phalarope	<i>Steganopus tricolor</i>	O, F

Common Name	Scientific Name	Habitat Preference
Common tern	<i>Sterna hirundo</i>	O
Black tern	<i>Chlidonias niger</i>	O
Rock dove	<i>Columba livia</i>	Most
Mourning dove	<i>Zenaidura macroura</i>	M, P, C
Great horned owl	<i>Bubo virginianus</i>	M, P, C
Long-eared owl	<i>Asio otus</i>	C
Short-eared owl	<i>Asio flammeus</i>	C
Saw-whet owl	<i>Aegolius acadicus</i>	S, M, P
Common nighthawk	<i>Chordeiles minor</i>	Most
Ruby-throated hummingbird	<i>Archilochus colubris</i>	C
Belted kingfisher	<i>Megasceryle alcyon</i>	O
Red-shafted flicker	<i>Colaptes auratus</i>	P, C
Pileated woodpecker	<i>Dryocopus pileatus</i>	M, P
Yellow-bellied sapsucker	<i>Sphyrapicus varius</i>	M, P
Hairy woodpecker	<i>Dendrocopos villosus</i>	M, P
Virginia rail	<i>Rallus limicola</i>	O, F
Piping plover	<i>Charadrius melodus</i>	O, F
American avocet	<i>Recurvirostra americana</i>	O, F
Franklin's gull	<i>Larus pipixcan</i>	O
Say's phoebe	<i>Sayornis saya</i>	F, C
Downy woodpecker	<i>Dendrocopos pubescens</i>	M, P
Black-backed three-toed woodpecker	<i>Picoides arcticus</i>	S, M, P
Northern three-toed woodpecker	<i>Picoides tridactylus</i>	S, M, P
Eastern kingbird	<i>Tyrannus tyrannus</i>	P, C
Eastern phoebe	<i>Sayornis phoebe</i>	O, F, D
Trail's flycatcher	<i>Empidonax trailii</i>	F
Least flycatcher	<i>Empidonax minimus</i>	P, M
Western wood peewee	<i>Contopus sordidulus</i>	S, M, P
Tree swallow	<i>Iridoprocne bicolor</i>	Most
Bank swallow	<i>Riparia riparia</i>	Most
Purple martin	<i>Progne subis</i>	Most
Blue jay	<i>Cyanocitta cristata</i>	Most
Black-billed magpie	<i>Pica pica</i>	Most
Common crow	<i>Corvus brachyrhynchos</i>	Most
Black-capped chickadee	<i>Parus atricapillus</i>	S, M
Red-breasted nuthatch	<i>Sitta canadensis</i>	S, M
House wren	<i>Troglodytes aedon</i>	P, F
Long-billed marsh wren	<i>Telmatoodytes palustris</i>	F
Catbird	<i>Dumetella carolinensis</i>	F
Brown thrasher	<i>Toxostoma rufum</i>	F
Robin	<i>Turdus migratorius</i>	M, P, C
Veery	<i>Hylocichla fuscescens</i>	P, F
Mountain bluebird	<i>Sialia currocoides</i>	C
Sprague's pipit	<i>Anthus spragnei</i>	C
Ruby-crowned kinglet	<i>Regulus calendula</i>	S, M
Cedar Waxwing	<i>Bombycilla cedrorum</i>	Most
Loggerhead shrike	<i>Lanius ludovicianus</i>	F
Starling	<i>Sturnus vulgaris</i>	Most
Solitary Vireo	<i>Vireo solitarius</i>	M, P
Red-eyed vireo	<i>Vireo olivaceus</i>	P, F
Philadelphia vireo	<i>Vireo philadelphicus</i>	M, P
Warbling vireo	<i>Vireo gilvus</i>	P
Black and white warbler	<i>Mniotilta varia</i>	F, M
Tennessee warbler	<i>Vermivora peregrina</i>	F, M
Orange-crowned warbler	<i>Vermivora celata</i>	F, M, P
Yellow warbler	<i>Dendroica petechia</i>	F
Yellowthroat	<i>Geothlypis trichas</i>	F
Western meadow lark	<i>Sturnella neglects</i>	C
Yellow-headed blackbird	<i>Zanthocephalus anthocephalus</i>	O, F
Red-winged blackbird	<i>Agelaius phoeniceus</i>	O, F
Baltimore Oriole	<i>Icterus galbula</i>	P
Rusty blackbird	<i>Euphagus carolinus</i>	F
Brewer's blackbird	<i>Euphagus cyanocephalus</i>	F

Common Name	Scientific Name	Habitat Preference	40.
Common Grackle	<i>Quiscalus quiscula</i>	M, F	
Brown-headed cowbird	<i>Molothrus ater</i>	C	
Rose-breasted grosbeak	<i>Pheucticus ludovicianus</i>	F, M, P	
Purple finch	<i>Carpodacus purpureus</i>	M, P	
Pine Grosbeak	<i>Pinicola enucleator</i>	S, M, P	
Hoary redpoll	<i>Acanthis hornemanni</i>	Migrant	
Pine siskin	<i>Spinus pinus</i>	S, M, C, D	
American goldfinch	<i>Spinus tristis</i>	F, C	
Savannah sparrow	<i>Passerculus sandwichensis</i>	C, F	
Le Conte's sparrow	<i>Passerherbulus caudacutus</i>	F	
Nelson's sparrow	<i>Ammodramus caudacutus</i>	F	
Vesper sparrow	<i>Poocetes gramineus</i>	C	
Dark-eyed junco	<i>Junco hyemalis</i>	M, S	
Chipping sparrow	<i>Spizella passerina</i>	F, M, P	
Clay-colored sparrow	<i>Spizella pallida</i>	F, C	
White-throated sparrow	<i>Zonotrichia albicollis</i>	F, S, M	
Song sparrow	<i>Melospiza melodia</i>	F	
Snow bunting	<i>Plectrophenax nivalis</i>	Migrant	
Baird's sparrow	<i>Ammodramus bairdii</i>	C, F	

11.2 MAMMALS

(After Banfield, 1974 and Soper 1966)

Common Name	Scientific Name	Habitat Preferences
Masked shrew	<i>Sorex cinereus</i>	S, F, C, P
Arctic shrew	<i>Sorex arcticus</i>	F
Northern water shrew	<i>Sorex palustris</i>	Marginal
Pigmy shrew	<i>Microsorex hoyi</i>	M, C
Little brown bat	<i>Myotis lucifugus</i>	S, M, P
Silver-haired bat	<i>Lasionycteris noctivagans</i>	S, M, P, O
Big brown bat	<i>Eptesicus fuscus</i>	Most
Hoary bat	<i>Lasiurus cinereus</i>	S, M
Mountain cottontail	<i>Sylvilagus nuttallii</i>	F, C
Whitetailed jack rabbit	<i>Lepus townsendii</i>	C
Northern pocket gopher	<i>Thomomys talpoides</i>	C, F
Varying hare	<i>Lepus americanus</i>	S, M
Thirteen-lined ground squirrel	<i>Spermophilus tridecemlineatus</i>	P, F
Richardson ground squirrel	<i>Spermophilus richardsonii</i>	C
Franklin ground squirrel	<i>Spermophilus franklinii</i>	P, M
Least chipmunk	<i>Eutamias minimum</i>	S, M
Red Squirrel	<i>Tamiasciurus hydosonicus</i>	S, M
Northern flying squirrel	<i>Glaucomys sabrinus</i>	S
Porcupine	<i>Erethizon dorsatum</i>	F
Beaver	<i>Castor canadensis</i>	O, P, F
Deer mouse	<i>Peromyscus maniculatus</i>	Most
Red-backed vole	<i>Clethrionomys gapperi</i>	S, M
Mountain Phenacomys	<i>Phenacomys intermedius</i>	S
Meadow vole	<i>Microtus pennsylvanicus</i>	F, C
Muskrat	<i>Ondatra zibethicus</i>	O, F
Western jumping mouse	<i>Zapus princeps</i>	F
Coyote	<i>Canis latrans</i>	Most
Red fox	<i>Vulpes vulva</i>	P, F, C
Ermine	<i>Mustela erminea</i>	S, M
Least weasel	<i>Mustela rixosa</i>	Most
Long-tailed weasel	<i>Mustela frenata</i>	C
Mink	<i>Mustela vison</i>	O, F
Badger	<i>Taxidea taxus</i>	C
Striped skunk	<i>Mephitis mephitis</i>	Most
Mule deer	<i>Odocoileus hemionus</i>	F, P, C
White-tailed deer	<i>Odocoileus virginianus</i>	F, P, C

File: UP-572

NO. 8

May 17th, 1983

MEMORANDUM

TO: MEMBERS OF CITY COUNCIL

FROM: MAYOR R.J. MCGHEE, CHAIRMAN
WASKASOO PARK POLICY COMMITTEE

The Waskasoo Park Policy Committee have been informed by the Land Administrator that the Cressman property located south of the Kinex building has been offered to the City by the owner and her agent at the most recent appraised value of \$254,000.00 subject to the following conditions.

- The City pay all legal and transfer fees.
- The possession date would be October 30th.
- Taxes will be adjusted at time of transfer.
- The City will undertake to maintain the grounds and yard effective at the date of acceptance of offer.
- The offer must be made and accepted prior to June 1st if possible.

This purchase would be in accordance with the Waskasoo Park Master Plan and therefore the Policy Committee wish to recommend that the property be purchased and that Council approve application to the Alberta Government for the land acquisition funds under the Urban Park Program.

R.J. MCGHEE, Chairman
Waskasoo Park Policy Committee

DM:pw

c.c. Waskasoo Park Management Committee
Waskasoo Park Policy Committee

May 16, 1983

TO: CITY COUNCIL
FROM: CITY ASSESSOR

RE: Parcel J, Plan 946 H.W.
5.8 Acres
4713 - 39 Street

The following offer to sell is the result of negotiations to acquire the above described property for the Waskasoo Park Scheme.

The property was appraised by M.R. Soderquist Appraisals Ltd. and accepted by both parties as fair and equitable.

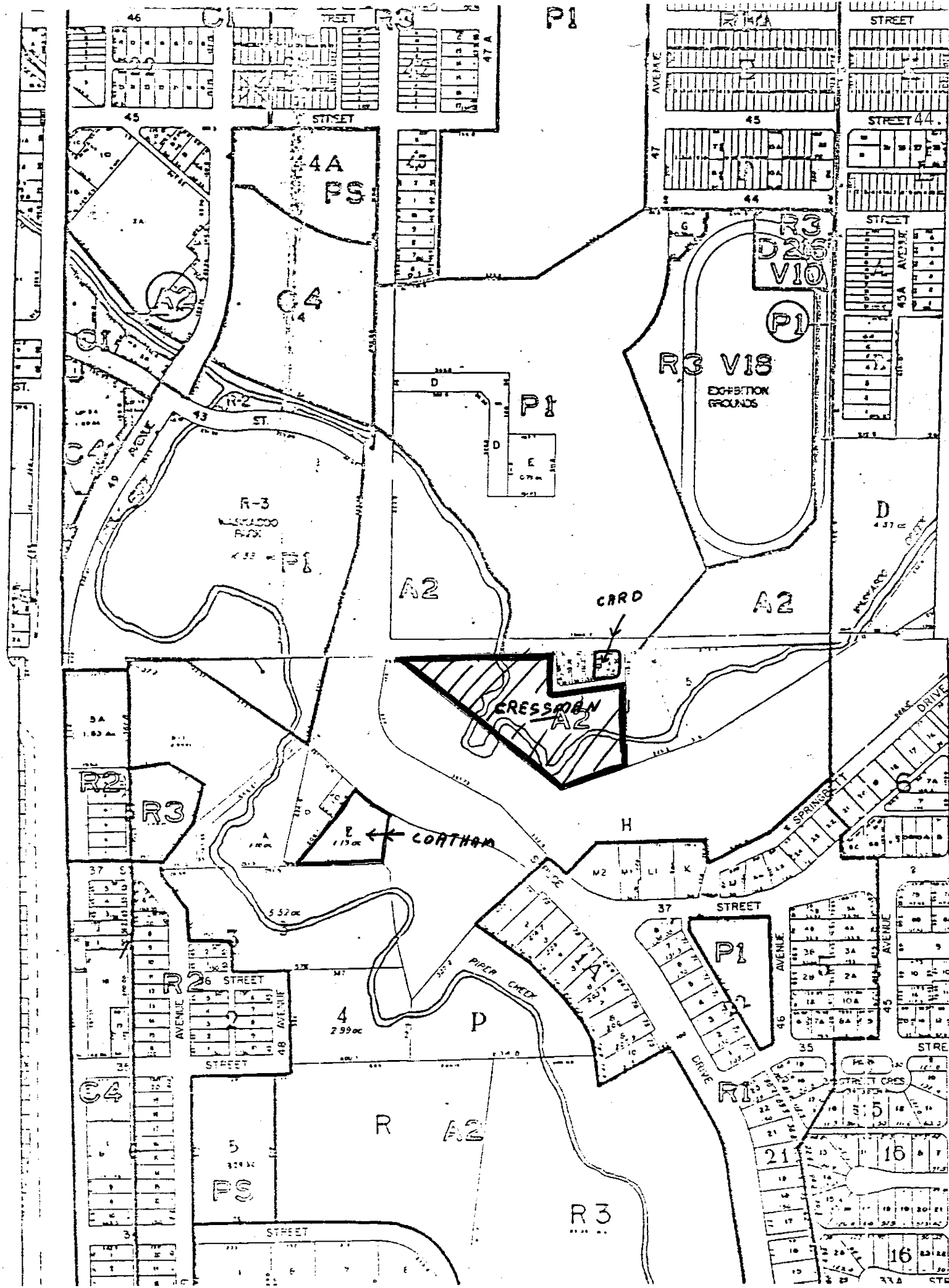
The acquisition of this land will mean that the City has acquired all the proposed lands within the area with the exception of Mrs. Card's home located to the east and the Coatham property located on the west side of Spruce Drive (see attached print).

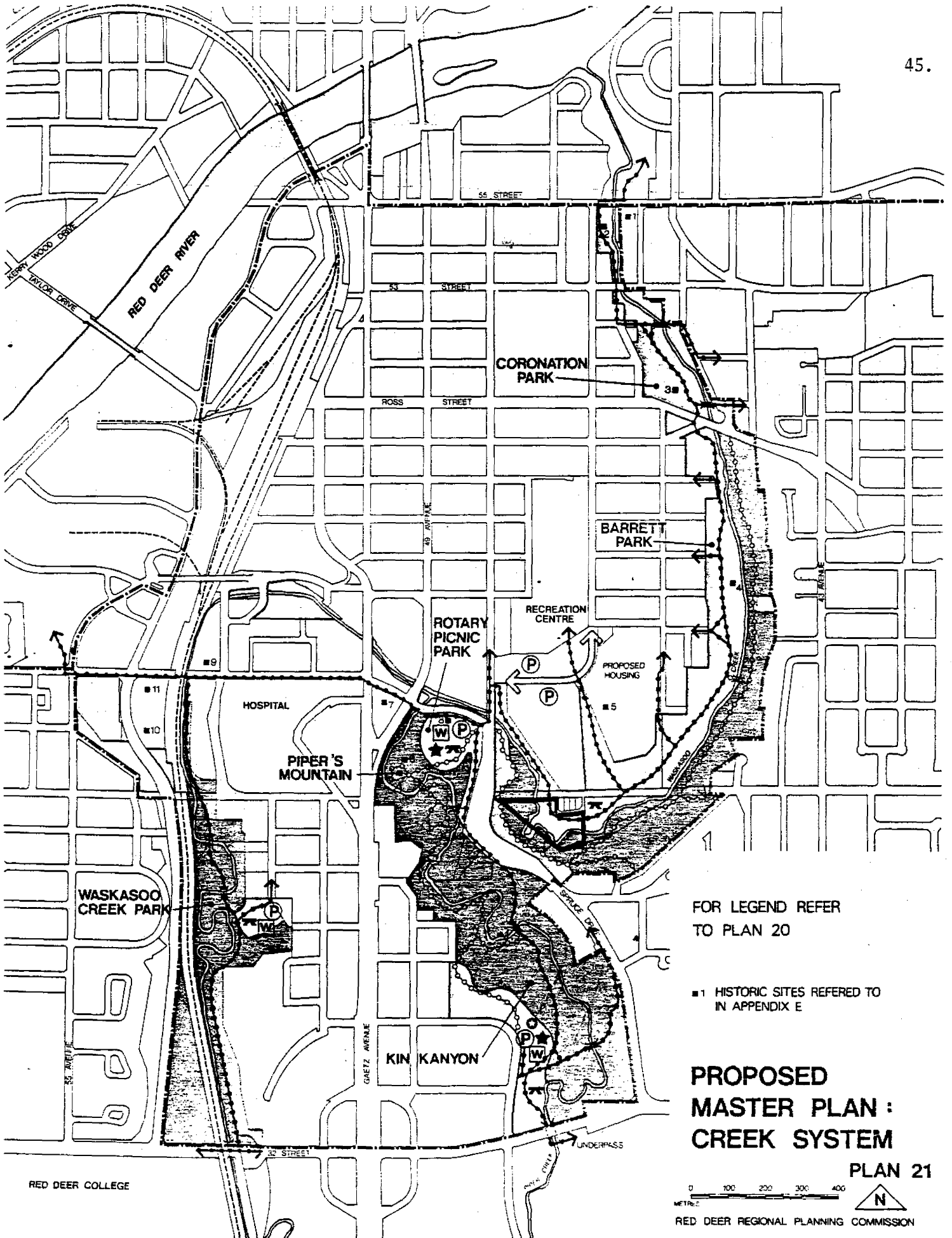
Recommend the City acquire the property on the terms submitted, subject to the City Solicitor preparing the agreement to our satisfaction, and the deposit being \$10.00 with the balance of \$253,990.00 being deposited with the City Solicitor by agreement.

D.J. WILSON,
City Assessor

DJW/gr

Attach:





FOR LEGEND REFER
TO PLAN 20

■ 1 HISTORIC SITES REFERED TO
IN APPENDIX E

PROPOSED MASTER PLAN : CREEK SYSTEM

PLAN 21

0 100 200 300 400
METRES



RED DEER REGIONAL PLANNING COMMISSION

May 13, 1983

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

ATTENTION: Mr. Don Wilson

Dear Sir:

RE: Cressman Property, 4713 - 39 Street
Parcel J, Plan 946 H.W. 5.8 Acres

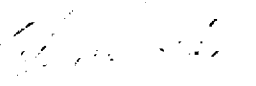
My client, Mrs. Anne Cressman, is prepared to entertain the City's Offer to Purchase the above captioned property at the appraised value of Two-Hundred and Fifty-Four Thousand Dollars (\$254,000.00). Amongst other matters, your Offer should make provision for the following:

- 1) The City is to pay all of my client's legal fees;
- 2) My Client shall have the right to remain in possession until October 30, 1983;
- 3) Taxes to be adjusted as time of transfer;
- 4) The City undertakes to maintain grounds, shrubs and yard from date of Offer to October 30, 1983;
- 5) The Offer is to be presented to me prior to June 1, 1983;
- 6) Such other matters as may be relevant to our respective interests.

I will be pleased to receive your Offer and present same to my client.

Yours truly,

CANADA TRUST REALTOR


Wayne Spicer
Sales Representative

SW/lmh

NO. 9

File: UP-573

47.

May 17th, 1983

MEMORANDUM

TO: MEMBERS OF CITY COUNCIL

FROM: WASKASOO PARK POLICY COMMITTEE

At the May 13th meeting of the Waskasoo Park Policy Committee it was noted that the Waskasoo Park Management Plan called for the acquisition of the old Hoopfer residence for inclusion in the Park and for possible future use as a caretaker's residence. It was further noted that this was not in keeping with the Master Plan as approved and therefore it was agreed to recommend to City Council, the County Council and Provincial Government that the Master Plan be amended to include this property and residence in the Park and that Tables 12 and 13 be amended accordingly.

It is recommended that City Council authorize this amendment to the Master Plan and that the amendment then be submitted to the Red Deer County Council and the Provincial Government for their consideration. A final decision to proceed with acquisition would be brought before Council at a later date.

R.J. MCGHEE, Chairman
Waskasoo Park Policy Committee

DM:pw

c.c. Waskasoo Park Management Committee
Waskasoo Park Policy Committee

NO. 10

May 18, 1983

TO: City Council
FROM: Asst. City Clerk

RE: Sunday and Holiday Closing Bylaw

Further to the presentations made at the Public Hearing concerning the above matter, I would advise that over the past five to six months there have been many letters received concerning this issue, including one large petition, which are summarized hereunder:

1. Petition against Sunday opening signed by approximately 3,500 people
2. Other petitions and letters received against Sunday opening signed by approximately 290 persons.
3. Letters received in favor of Sunday shopping signed by five persons

The above is submitted for Council's information.

C. Sevcik
Asst. City Clerk

M I N U T E S

Of the Public Hearing held at the Memorial Centre, Monday, May 16, 1983, commencing at 7:00 p.m. in regards to Bylaw No. 2816/83, being a Bylaw of the City of Red Deer to provide for the closing on Sundays and Holidays of Shops, Businesses, and Industries within the City of Red Deer.

PRESENT:

Mayor McGhee

Aldermen Webb
 Moffat
 Hood
 Pimm
 Oldring
 Lawrence (arr. at 7:25 p.m.)

STAFF:

Asst. City Clerk, C. Sevcik

Mayor McGhee declared the public hearing opened in respect of proposed Bylaw No. 2816/83, being a Bylaw of the City of Red Deer to provide for the closing on Sundays and Holidays of Shops, Businesses and Industries within the City of Red Deer.

Following are the presentations which were made at this public hearing:

1. Submission by Emerson Hillock, Public Affairs Director on behalf of the Seventh Day Adventist Church (written submission attached).
2. Bill Jackson, expressing his own personal views and opposed to the opening of Shops on Sundays and Public Holidays.
3. Wayne Meyer on behalf of Work Warehouse (submission attached hereto)

Alderman Lawrence arrived at this time, 7:25 p.m.

Mr. Wayne Meyer in addition to the written submission presented advised that Work Warehouse does not open on Sundays.

4. Gloria McGlone, representing some Garden Centres (see written submission attached)
5. Wally Protsack, representing the Canadian Federation of Independent Grocers, advised they support the proposed bylaw (also see letter attached signed by Ed Chanter, representative of the Canadian Federation of Independent Grocers)
6. Bill Welikoklad, representing Executive Home Building Supplies Ltd. (see attached letter).
7. Rev. Stuart Fraser, representing the Red Deer Ministerial Association and spoke in opposition to Sunday and Public Holiday shopping.
8. Ron Dale spoke in support of the Bylaw and enforcement of same.
9. Harriet Waines spoke in opposition to Sunday and Public Holiday shopping
10. Herb Larson suggested Council carefully consider the legislation which they are about to enact so that individual rights are preserved. He suggested that it is not possible to legislate a quality of life and that by preventing people from shopping on Sundays and Holidays does not necessarily guarantee a better quality of life. He suggested that bylaws can become an infringement of freedoms and individual rights.
11. Brian Ward on behalf of the Red Deer and Area Quality of Life Council (see attached submission)
12. Red Deer Police Commission (see attached submission)
13. Inspector Nielsen (see attached submission)
14. Parkland Mall (see attached submission signed by G. Seher)
15. The Bay (see attached submission signed by G.R. Hamilton, Gen. Sales Mgr., Southern Alberta)

There were no other submissions presented at this time and the hearing was declared closed by Mayor McGhee at 8:25 p.m.

May 16, 1983

SUBMISSION BY EMERSON HILLOCK, PUBLIC AFFAIRS DIRECTOR, SEVENTH-DAY ADVENTIST CHURCH IN ALBERTA, TO THE COUNCIL OF THE CITY OF RED DEER, MONDAY, MAY 16, 1983 RE BYLAW NO. 2816/83.

City Council is to be commended for its effort to take a practical approach to difficult situations created by the Lord's Day Act and a growing lack of public support for the impositions created by the enforcement of this Act in what is now basically a secular society, as is evidenced by the minority of our population who now regularly attend church. Additional confusion is created by the current questions as to the legality of this Act under the new Canadian Constitution.

Since the provincial government on May 5/83 introduced Bill 240, the Retail Business Holidays Act, and there are some parallels to Bylaw 2816/83 as well as some conflicts, maybe the city council would want to delay the passing of any municipal by-law until such time as the Act becomes law. One area of conflict would be that the city by-law limits the section 3 Saturday exclusions to a maximum number of employees as seven and the floor space as 5000 sq. feet whereas the provincial law does not have these limitations.

Bill 240 also amends the Municipal Government Act under section 241 by stating "section 241 does not authorize the making of a by-law in respect of a day that is a holiday as defined in the Retail Business Holidays Act."

The caption "Sunday and Holiday Closing By-law" appears inconsistent with the content of the by-law which in section 2 defines holiday and includes Sunday as a holiday. Holiday Closing By-Law would seem more appropriate.

Unless this by-law has religious overtones and this is an attempt to reword the Lord's Day Act, reference to the Lord's Day Act ought to be deleted.

It is assumed that Section 4 means that businesses that are authorized to be open on Sunday may advertise. If this is not the meaning of Section 4 then it is recommended that this be reworded to incorporate this concept.

It is requested that if the city is to proceed with passage of this by-law, and assuming that the intent of this by-law is to maintain a weekly business holiday, that the wording of the legislation be such that the concept of one day in seven be incorporated rather than either a Saturday or a Sunday. Obviously the proposed by-law does make provision for those for whom Saturday or Sunday because of religion or other reasons is a non-commercial day and because of this would elect to remain closed on either of these two days.

However, there may be others in our multi-cultured society whose needs are not being met. City council may want to consider the following wording for Section 8.

"Section 3 does not apply in respect of the carrying on of a retail business in a retail business establishment on a Sunday where the retail business establishment was closed to the public and no goods or services were sold or offered for sale therein during any twenty-four consecutive hours preceding the Sunday."

In the event it is not felt feasible to incorporate this wording it is recommended that City Council adopt the wording of the provincial legislation which states:

"Retail business may be carried on in a retail business establishment on a Sunday if the retail business establishment was closed to the public and no goods or services were sold or offered for sale on the Saturday immediately preceding the Sunday." This places no limitations by virtue of size or number of employees.

If the motivation to introducing the present by-law is an attempt to improve our deteriorating family life this can be understood. However it is difficult to see how legislation with regard to a specific day and the stipulation of certain permissible activities on that day would insure family togetherness. It is imperative that we retain our democratic way of life with its freedom to choose and yet not support a lawless society.

If it should be Council concludes as a result of this meeting that the public supports a more restrictive Sunday than provided in this by-law, it is recommended that a decision be arrived at by a vote of the people to whom City Council is responsible.

Thank you for the opportunity of community input.



May 16, 1983

Submission to the Council of the
City of Red Deer

Proposed Bylaw No. 2816/83
"The Sunday and Holiday Closing Bylaw"

Work Wearhouse has been operating in the City of Red Deer for approximately 5 years and enjoys considerable success. A substantial part of that success is the sales that our store derives on holidays when it, as perhaps some of you will know has characteristically carried on various kinds of sales promotions and events which have been an attraction for the community.

The acceptance of the Work Wearhouse concept and particularly the volume of people and sales that we see on holidays indicates clearly that a substantial number of this community enjoy, appreciate and are satisfied with our holiday openings. We do not wish to lose these sales and, not surprisingly, are most concerned that with the oil patch slowed and with the troubled economy that this City Council could be contemplating taking action which would reduce the number of hours which people can earn a salary in this City.

-2-

Our employees who are asked to work on holidays are, for the most part, our family. I can assure you that we are all most anxious to continue to work on these holidays as doing so provides a substantial portion of our personal income. As well, Work Wearhouse is relatively flexible with all of our employees so that no individual who would otherwise prefer to avoid work on holidays is required to attend at our premises on those days.

We believe that the individual choice as to whether or not to observe holidays should be that; a decision left to individuals.

We have been a strong supporter of the community and are very anxious to avoid the loss of holiday sales.

Thank you for your time and consideration.

Yours truly

Wayne Meyer



In the interest of our own family unit, the family units of our employees, and Canadian society in general, we strongly oppose the concept of Sunday Openings for all businesses except those that provide those commodities essential for health, and even those outlets on a limited basis.

With the opportunity for shoppers to acquire goods during all other days and evening of the week, we believe that the needs of the market are already being met.

Our society is in an extreme time of crisis right now. Family break-down is at all time high. Here we have a movement which, in its pursuit of the material gain, would see further strains on the family by atking away the one day of the week when families could be together.

With Sunday opening, more demands are put on employers and employees which rob them of their precious time to be with their families. Society is, in our opinion, too fast-paced already. We do not want to see more incursions on the leisure time available to society.

Unfortunately if a business is allowed to Open Sunday they could take advantage of this monopoly situation which by creating sales which would leave businesses, wanting to be home with their families, no choice but to open.

We appeal to the council not to allow Sunday Opening for non-essential businesses. There is no need which requires garden centres, nurseries, and other related businesses to be open on Sundays.

John Beckwith
John Beckwith



CFIG • The Canadian Federation of Independent Grocers FCEI • La Fédération Canadienne des Epiciers Indépendants

56.

OFFICERS AND DIRECTORS 1982 - 1983

Chairman of the Board Emeritus
ARNOLD HANDS, Islington, Ont.

Chairman of the Board
WAYNE WAMBOLOT
Maritime Supermarkets Ltd.
St. Stephen, N.B. 506-466-4495

First Vice Chairman
ALEX FODY
Fedy's 'K' Foodmarket
Midway, Ont. 519-367-2601

Second Vice Chairman
BILL WILLIS
McKeen-Wilke IGA
Ottawa, Ont. 613-232-9466

Third Vice Chairman
ROSS WALLIN
Harvey's Supermarket (1962) Limited
Dryden, Ont. 807-222-2246

Immediate Past Chairman
BOB CHERNOT
Katoomba, B.C. 604-769-3491

President
TONY WILSHAW
Peterborough, Ont. 705-748-9770

Secretary-Treasurer
BLAINE HAGEDORN
H.W.M. Super Valu Stores
Gosport, B.C. 604-886-2424

Directors

JOHN DONALDSON
Lori-Jo (Stratford) Ltd.
Stratford, Ont. 519-272-9090

CLAUDE FORTIER
Claude's Food and Wine Foodmart
Thames, Ont. 705-362-8486

JIM GAYNOR
Gaynor's Tom-Boy Foods Ltd.
Saskatoon, Man. 204-482-8147

STEVE JONES
Boswert Super A
Slave Lake, Alta. 403-849-3082

MERLEN KROPP
L & M Foodmarkets (Ont.) Ltd.
Fergus, Ont. 519-843-4470

OMER MONCION
Pembroke Foodliner Limited (IGA)
Pembroke, Ont. 613-735-5833

WALLY PROTSACK
Rocky Mountain IGA
Rocky Mountain House, Alta.
403-845-2110

ROGER RYAN
Ryan's IGA
Toronto, N.S. 702-893-8830

TED SMITH
Smith's Market Square
Lisowet, Ont. 519-251-2010

FRED WADE
Wade Enterprises Limited
Kantville, N.S. 902-678-3811

ASSOCIATE MEMBERS COUNSEL

RAY BALL
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135 Oakdale Road
Downsview, Ont. M3N 1W2
416-742-6931

ERIC HELLSTROM
Pillsbury Canada Limited
2 Sheppard Avenue East
Suite 1400
Willowdale, Ont. M2N 5Y7
416-222-0700

JACK HOLLAND
Mazda Leaf Mills Limited
MLM Court
320 Horner Avenue
Toronto, Ont. M8W 1Z3
416-252-1635

DON JOYCE (Co-Chairman)
Heldan Foods (1980) Limited
8241 Keele Street
Concord, Ont. L4K 1B1
416-669-4343

CLARE KIRKWOOD
Gainers Inc.
30 Maybank Ave.
Toronto, Ont. M6N 3S6
(416) 767-5441

JIM MACDONALD (Co-Chairman)
Mazda Leaf Mills Limited
MLM Court
320 Horner Avenue
Toronto, Ont. M8W 1Z3
416-252-1635

JACK RAFFERTY
J. M. Schneider Inc.
Box 130
Kitchener, Ont. N2G 3X8
519-885-8115

HEAD OFFICE - BOX 338 PETERBOROUGH, ONTARIO K9J 6Z3 (705) 748-9770 WESTERN OFFICE - 10621 - 124 ST. EDMONTON, ALBERTA T5N 1S5 (403) 488-7184

May 16, 1983

Mayor R.J. McGhee,
City of Red Deer,
P.O. Box 5008,
Red Deer, Alberta T4N 3T4

Your Worship and Members of Council:

Re: By-law #2816/83
Sunday and Holiday Closing By-law

We wish to thank you for the opportunity to review the proposed Sunday and Holiday Closing By-law.

The Canadian Federation of Independent Grocers is the only organization which solely represents independent grocers in Canada. We have recently opened a western office in Edmonton and have established an Alberta Provincial Committee to represent the view of independents in our province.

The majority of independent grocers in Red Deer are members of C.F.I.G.

In reviewing the specific clauses of the by-law we are generally pleased with the exemption for grocery stores as provided for under Section No.12. While we would have liked to have seen the exemption limited to independent supermarkets, as opposed to corporate chains such as Safeway, we are satisfied with the fact the by-law recognizes food as a necessity which should be available for purchase by the consumer on any day of the week. This exemption for grocery stores as provided under the proposed by-law also places the choice of holiday and Sunday store hours in the hands of individual supermarket owners, where it rightfully belongs, and allows consumer demand for groceries to dictate the hours of store operation on such days.

I trust you will find our comments useful in your deliberations with respect to By-law #2816/83.

Yours sincerely,

Ed Chanter
Representative

HOME ALL BUILDING CENTRE

57.

Executive Home Building Supplies Ltd.

7894-48 Ave.

Red Deer, Alberta T4P 2B2

MAY 16, 1983

CITY COUNCIL OF RED DEER
CITY HALL
RED DEER, ALBERTA

Dear Sirs/Madams:

Re: Sunday Shopping

On behalf of the Building Supplies merchants of Red Deer we wish to express our unanimous opposition to Sunday shopping. In our survey, we have concluded we feel there is no need for Sunday opening in Red Deer. We feel it would only create poor quality of service, as staff would be spread thinner to cover the extra day. Service would deteriorate as there are only so many dollars to go around. We do not feel we could afford to hire more staff as extra utility expenses and other overhead costs would rise and yet projection of sales would not increase to warrant added expense.

Therefore, in conclusion, we recommend for the benefit of all businesses, Sunday closure.

Sincerely,



W.F. WELIKOKLAD

WFW/kb

'83 MAY 17 PM 12

A Submission
by the
Red Deer and Area Quality of Life Council
to the
Red Deer City Council
at the
Public Meeting - May 16, 1983
to
Support the Passage of By-Law 2816/83

I. INTRODUCTION

Good Evening; Your Worship, Members of Council, Ladies and Gentlemen. I am Brian Ward, President of the Red Deer and area Quality of Life council. Our council represents many areas of Red Deer's community; some of which are the following:

- . large retailers in both the major regional shopping centres
- . some smaller national chain stores, again in both major shopping centres
- . some small independently owned and operated retail stores, again in the major shopping centres as well as in the downtown core and smaller Red Deer shopping areas
- . the Red Deer and area churches and represented by the Red Deer Ministerial Association of Red Deer
- . the Western Lumberman's Association of Alberta
- . the Consumers Association of Alberta
- . and many individual citizens who have expressed their concern

We are here to speak in support of By-Law #2816/83 which restricts Sunday and Holiday shopping in the City of Red Deer. We aggressively support this by-law because in this increasingly fast-paced world, the family unit is coming under tremendous stress; particularly in Alberta where the divorce rate is the highest in Canada. Sunday is for the most, the only day where the majority of family members have the opportunity to do as they wish - together. This by-law would serve to preserve that common day of the family unit being together.

II. THE NEED FOR LEGISLATION

Before I address the by-law specifically, I would like to bring to Council's attention some of the concerns of our council as it relates to the Sunday Shopping issue. We believe this by-law is necessary for the following reasons:

1. There is an ever increasing number of retail stores opening for business on Sundays, in contravention of the Federal Lord's Day Act.
2. The present Federal Lord's Day Act is not proving effective in preventing Sunday openings.
3. There is little likelihood of voluntary restraint "Retailing is perhaps the most competitive business activity in Alberta". In its competitive environment, there is a distinct advantage vested in a retailer who remains open while others are closed. For this reason, voluntary restraints will never work and enforceable legislated closing is the only alternative to chaos.
4. Unlike Edmonton and Calgary where Sunday shopping has run rampant, the Red Deer market, at this point in time, has few businesses opening. There could be no more opportune time for this Council to enact By-Law # 2816 and prevent our city from deteriorating as they have in the two major cities; and make no mistake, if this by-law is not passed - Sunday shopping will be here very soon!!

III. PROBLEMS COMMENSURATE WITH INCREASING RETAIL SUNDAY OPENINGS

1. Stress on Family Life

As I mentioned before, Sunday is for most the only day where the majority of family members have the opportunity

to do as they wish together. Unlimited Sunday retail openings would result, in most cases, the absence of one if not both parents from home on that day. This development is an additional catalyst in the fragmentation of home life and the deterioration of the family unit.

2. Unfair Competition

At this point in time in Alberta, those retailers who contravene the Federal Lord's Day Act by doing business on Sunday achieve an unfair competitive advantage over firms who remain closed on that day.

If retailers, who presently operate on Sunday, continue to do so unchallenged, then other retailers who are presently closed on that day will have to re-evaluate their position and may be forced to open Sundays to protect their existing business and their employees' jobs.

3. Increased Costs to the Consumer

Some retailers who are open Sunday and many who contemplate doing so will pay, through collective agreement or company policy, a premium labour rate for Sunday work. Increased Sunday labour costs would tend to exert an upward pressure on prices.

Not immediately apparent, but nevertheless present is the "ripple effect" that Sunday retail openings would have on the majority of operations that supply retailers open on that day. The addition of an extra day to the retailing week would add an additional day to the suppliers' work week.

IV. CONSUMER CONCERNS AND THE ECONOMIC NON-FEASIBILITY OF SUNDAY OPENING

The Consumers' Association of Canada, (Alberta), has undertaken several surveys of Albertans in 1979, 1981 and again in 1982, wherein they asked a series of questions included in which were, "Do you feel it is necessary for retail stores to open for business seven days a week?" The vast majority answered "NO". And, "Do you feel prices will increase with stores open more hours?". The greatest number of responses were "YES". Also, the question was posed, "Would you yourself, or would you allow a member of your family to work in a store on Sunday?" And the reply to both was again a resounding "NO". In fact, the number against the last question was higher by a bit than the number against stores being open, which leads to an interesting question - who would be working?

It is an economic fact, especially today, that consumers have only a limited number of dollars to spend for food, clothing and furniture. It is also an economic fact that by increasing the number of hours or days a store opens for business, there is not a similar increase in the available dollars. It is a fallacy to think that just because stores are open Sundays and Holidays that hords of new business will be created. It won't!! All that happens is the available business is now spread over seven days instead of six. Granted, a person may be hired to work Sunday, but likely one or two who used to work Monday through Saturday will be laid off.

With open retailing on Sunday, the next step would be the need for electricians, plumbers, and even the post office and banks to be open. Suppliers of goods to the retailers would also have to be on the job. Should even City Hall

and the Provincial Government also be available or should they be treated to work only a traditional five-day week? It has been stated that an extra day would give more jobs and that is important in these tough times; but the fact of the matter is that employees who had previously been gainfully employed during the normal week would either be laid off or have their shifts changed to Sunday, due to the lack of business during the week; and can you imagine the moral and resulting drop in productivity in those poor employees who would then be working Sundays while their families are at home. There never was nor will there ever be such a thing as 'extra business' - especially not in today's economic climate.

Therefore, the added cost of opening an additional day will be passed on to the consumer. The vast majority of retailers are strongly opposed to Sunday shopping and their main reason is straight economics. Even they say that if Sunday shopping is not restricted, the consumer is going to suffer from higher prices as the retail community will be faced with higher overheads.

The consumers in Red Deer, as evidenced by the petition sent to Council last fall with thousands of names, specifically have requested City Council (as opposed to requesting the Provincial Government) to enact a city by-law to prohibit unnecessary Sunday retailing.

V. FREE ENTERPRISE AND THE RIGHTS ISSUE

There have been some concerns expressed regarding the infringement on the free enterprise system. I, myself, am an ardent believer in the free enterprise system. The question now is "Are we restricting this system?" I don't think so!!

A parallel could be the rules in professional sports. If a player breaks the rule and scores a point at the expense of other players who obey the rules, would an ardent free enterpriser say "Well thats okay, he got the point"!! I don't think so!! The fundamental issue is, there are a set of rules and all players must abide by those rules. Sunday retailing is already illegal and those profiting by staying open are breaking the law. We merely want the effectiveness of those laws increased. If a retailer feels he needs to open early in the day or open six nights a week to gain competitive advantage - fine!! - but the one day a week set aside for the family to be together must be preserved.

Another concern expressed has been that of "What about the right to shop on Sunday." To ensure the notion that the right to shop is established, the freedom of choice not to work on Sunday in the retail industry will vanish.

Legal Sunday shopping will compel stores and services of all sizes to protect market share by opening Sunday or stores in large or small shopping malls will be compelled to open due to lease agreements signed with landlords who stipulate that shops will be open all business hours of the mall.

Does the right to choose to shop on Sunday supersede the freedom of employees in the retail and service industries to enjoy a day of rest common to the vast majority of workers in the province? We don't think so!!

While difficult to quantify the economic value of rights, it appears reasonable to assume that Sunday commerce will require additional public services such as police, fire safety, transit service, day-care, and other necessary services to support seven day per week commerce.

These costs will be borne by municipalities who will indirectly share these costs with more senior governments.

The cost to ensure the right to shop in terms of adverse affect on family life is impossible to quantify.

VI. THE RED DEER MUNICIPLE BY-LAW #2816/83

The by-law before you is not new, untested legislation which brings with it all the uncertainties of a new law - rather it is essentially the same law (with virtually the same wording) that has been in effect in Ontario for many years. It has also been suggested that it would be difficult to enforce or that it might be unenforceable - but again I say that virtually the same legislation is in effect in Ontario and there have been no problems - and much more complex and all-encompassing legislation is in place in Lethbridge and they say it works fine, and I doubt if our law enforcement people are that much less efficient than in Ontario or Lethbridge.

The theoretical approach may be; if no one - either individuals or corporations - voluntarily obeyed the by-law, it would be difficult to enforce. However, if no one obeyed the Criminal Code of Canada, it couldn't be enforced either.

We must look at the situation realistically; this legislation or legislation essentially similar to it is in place in most all parts of Canada and is working just fine - and if anything, we have much more responsible corporate citizens here than elsewhere. If this legislation is put into place, I doubt if a by-law officer would have to spend much time at all enforcing it.

VII. PROVINCIAL VS MUNICIPAL RESPONSIBILITY

There have been contentions that this is an issue that should be resolved by the Provincial Legislature and not Municipal Government. We do agree that issue should have been resolved in Edmonton some time ago. In fact, we are the only Province that does not have this legislation in place provincially. This does not alter the fact that this Council (as the Council in Lethbridge) has the authority under the Municipal Government Act to create and enforce this by-law. Just because the Provincial Government has not addressed this issue does not mean that Council should shirk their responsibility - for two wrongs in this case certainly do not make a right.

When bill 228 (a Provincial bill virtually identical to our by-law) died on the order paper in the Provincial Legislature in 1977, the City Council in Lethbridge, the very next year, passed their own by-law #3494 to restrict Sunday and Holiday shopping. They have had that in place since 1978 and have experienced no problems with it.

The citizens of Red Deer are now asking you to enact this by-law which as I mentioned, you certainly have the authority to do under the Municipal Government Act.

VIII SUMMARY

What is the central theme of the Sunday retailing debate?
Is it a question of free enterprise and government interference?

Is it the right of religious freedom?

Is it the right of choice to unlimited shopping opportunity for the consumer?

Our belief has been that while these issues form part of the dilemma, the question that begs answering is, do the employees of the retailing and service industry, who comprise a large part of the work force, have the need to expect a single common day away from the stresses of commerce to spend with their families?

We definitely think so!! Not only will society benefit - for the family unit is the basis of society - but business will benefit because the backbone of any successful business is not their merchandise, or their building, or their advertising; rather the backbone of any successful business is their employees, particularly in the retailing industry.

By passing this by-law, you will have assured the employees of this industry, their right to the quality of life they and their families deserve.

Therefore, Members of Council, we hope you will react to the concerns of the citizens of Red Deer and assure prompt passage of by-law 2816.

Thank you,



B. G. Ward,
President,
Red Deer and Area
Quality of Life Council

13 May 1983

The Mayor and Councillors
City of Red Deer, AB

Lady and Gentlemen:

RE: BYLAW NO. 2816/83
SUNDAY AND HOLIDAY CLOSING BYLAW

The Red Deer Police Commission considered the revised draft of this bylaw on May 11 at the regular meeting. The members of the Commission agreed unanimously that this bylaw, even in this revision, would be almost unenforceable. The attempt to base the exceptions to closing on Sunday on what is sold would be a problem in view of the wide diversity of goods stocked in many retail establishments. The element of discrimination also remains, as presumably retailing goods on Sunday is wide-open to a store that may claim to be a grocery store, but would make it an offence for a clothing store next door to it to be open, unless it also sold groceries, just as some grocery stores sell clothing. A close study of Sections 7, 5, 9, 10, 11 and 12 will show many other loopholes or means of evasion. If there is to be restriction, it probably would be effective only by specific restrictions or exemptions of the classification of the business, as it is licensed, rather than by the goods sold. In any case, the present wording of the bylaw would, in the opinion of the Police Commission, create many problems in enforcement.

As the Commission mentioned in the letter in regard to the first draft of the bylaw, the purpose of the bylaw is not plain. Is it to protect workers to preserve the sanctity of the Sabbath, or to prevent competition that might force smaller establishments with limited staff out of business? Could retail establishments, through an association, agree to regulate themselves? What services are essential on Sundays and holidays, and what ones are only conveniences? It is a big problem, and one that can hardly be settled by a single community through a bylaw when adjacent communities or municipalities may have different restrictions. A private member's bill, to come before the Alberta Legislature, may test the ability of a wider and higher authority to deal with the problem.

The Police Commission regrets that it can see no easy solution. The members, however, are convinced that the draft submitted would be very difficult, if not impossible to enforce equitably.

Yours sincerely,

G.H. DAWE, Chairman
POLICE COMMISSION



Mounted Police du Canada

'83 MAY 11 P4:30

69.

83 MAY 10

Our file Notre référence

R. STOLLINGS
City Clerk
City of Red Deer

Dear Sir:

RE: PROPOSED BYLAW 2816/83
SUNDAY and HOLIDAY CLOSING BYLAW

Your memorandum dated 83 MAY 04 refers.

In our opinion the exclusionary provisions are so broad that they virtually allow most businesses to be open on Sundays and holidays, even moreso than the present Lord's Day Act does, although I grant you that the Lord's Day Act is much more cumbersome to enforce. While the Bylaw appears to clearly prohibit machinery and car dealers, large department, furniture, clothing and jewellery stores from operating on Sundays and holidays, it also appears to preclude real estate agencies from doing so. Is it intended that realtors should be prohibited from holding "open house" showings on Sundays and holidays? It appears at first glance that businesses such as massage parlours and escort and dating services would also be prohibited from operating on Sundays and holidays, however, the intent of City on this point is unclear inasmuch as the specific Bylaws drafted to cover these two businesses have included therein provisions governing hours of operation but not days, hence it could conceivably be argued that a general restriction under the above noted Bylaw would not apply to them.

I note the Bylaw exclusions are stated in different ways, which could lead to some difficulty in interpretation and enforcement because of the resulting overlap and duplicity resulting therefrom. For example, Section 5 refers to a class of "goods and services", whereas Section 6 refers to a mixed class of "business and goods and services", and Section 12 refers to a class of "business". In my opinion it would be preferable to state all exclusions by class of "business" if possible, or more preferable still, list all classes of business which it is intended should be prohibited from

... page 2

RE: PROPOSED BYLAW 2816/83
SUNDAY and HOLIDAY CLOSING BYLAW

operating on Sundays and holidays as the rule rather than by exception. Failing this perhaps consideration might be given to attaching a list of those classes of businesses which the Bylaw is designed to prohibit from opening on Sunday's and holidays, possibly as an adjunct or appendix, in order that the City's intent in this regard is abundantly clear to everyone and is not subject to misinterpretation. I appreciate it is not always possible to state the intent so directly when drafting legislation.

Yours truly,

(D.C. Nielsen) Insp.
O. i/c Red Deer City Detachment

/sib

Red Deer City Detachment
P.O. Bag #5033
Red Deer, Alberta
T4N 6A1



71.
ADMINISTRATION OFFICE
PARKLAND MALL
4747 - 67TH STREET
RED DEER, ALBERTA, CANADA
T4N 6H3
PHONE: (403) 343-8997

May 16th, 1983

Mr. Civic,
Assistant City Clerk,
City of Red Deer,
City Hall,
RED DEER, Alberta.

Dear Mr. Civic,

RE: PROPOSED STORE HOURS - BYLAW RESTRICTIONS.

The Parkland Mall wishes to advise City Council of Red Deer that they are totally opposed to restrictions regarding store opening hours placed on their retailers.

The Parkland Mall, A California Limited Partnership, legally represents all but Sears, Woolco and Safeway store hours and in particular, restrictions placed on holiday openings.

Parkland Mall does now observe the Sunday closing by-law and will continue to do so.

Yours very truly,
PARKLAND MALL ADMINISTRATION.

Gary Seher,
MANAGER, PARKLAND MALL.
GWS/amb
cc: T.R.

P.S. We would appreciate your attention to this matter at May 16th, 1983 City Council Meeting. Thank you for your kind attention to this matter.



200 - 8th AVE. S.W. at 1st ST.
CALGARY, ALBERTA
T2P 1B5

May 12, 1983

The Municipal Council
City of Red Deer
City Hall
4914 48th Avenue
Red Deer, Alberta
T2N 3T3

Gentlemen:

With reference to the proposed Bylaw #2816/83 in the City of Red Deer, The Bay Department Store of Red Deer would like to submit the following appeal, observations and concerns:

- 1) So called Statutory Holidays and Sundays are entirely different questions and should be dealt with separately.
- 2) We do, in fact, support the closing on Sundays of shops, businesses and industries within the City of Red Deer as well as the holidays falling on New Year's Day, Good Friday and Christmas Day.
- 3) We do not agree with the suggested closing on the other holidays, namely Victoria Day, Dominion (Canada) Day, Labour Day, Thanksgiving Day, Remembrance Day and Boxing Day. We would also like to retain the right to remain open on any other day declared by the Lieutenant Governor in Council to be a holiday and any day appointed by proclamation of the Mayor or Council of the City of Red Deer as a Civic Holiday.

Continued . . .

Hudson's Bay Company

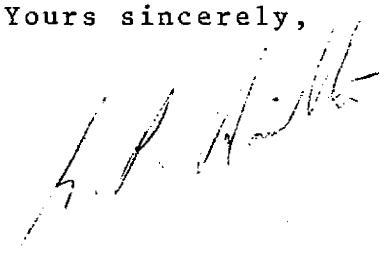
Page Two

- 4) We have remained open on these Holidays (mentioned in point #3 above) in the past and have based our decision on the demand of the public at large (our customers) who have reacted favourably during those shopping hours.
- 5) We find it difficult to comprehend that if the exceptions to this Bylaw so stated in paragraphs #5, #6, #7 and #11 are in fact being allowed, and the retail establishments who carry this merchandise are being allowed to stay open, why we, as a full-line Department Store carrying and selling most of these products, will not be allowed to stay open as well.
- 6) So far as we are concerned, "the less restrictions, the less government, the better business"!
- 7) Red Deer, particularly in the Downtown core, is in one of the worst economic slumps it has ever seen. To fire that slump with restrictive legislation is incomprehensible to us. In addition, you will be driving business to surrounding towns and to the cities of Calgary and Edmonton.

The public has reacted favourably in the past and has shown a desire to shop on the holidays so stated in point #3 above. Surely the final decision should be to allow retail establishments to remain open and let the public at large, through freedom of choice, decide whether or not they wish to spend their holiday as a shopping day. If you were to try a plebiscite, the great majority of the people in Red Deer would vote against the Statutory Holiday closing.

We strongly recommend that this proposed by-law be defeated.

Yours sincerely,



G. R. Hamilton
General Sales Manager
Southern Alberta

GRH/tm

NO. 11

May 18, 1983

TO: CITY CLERK

FROM: CITY TREASURER

RE: POWER RATE BYLAW AMENDMENT

At the May 9, 1983 Council meeting a bylaw amendment was approved by Council to increase Power rates 2% effective May 13, 1983. The increase was required due to the phasing in of additional power costs resulting from the Alberta Electric Energy Marketing Agency effective April 1, 1983.

Subsequent to the May 9, 1983 Council meeting the Province has announced that full shielding will continue until September 1, 1983. A copy of a letter confirming this from the Minister of Utilities and Telecommunications, Mr. Bogle, is attached.

It was assumed that as a result of the announcement Council would not want to implement the rate increase at this time. Accordingly, the increase has not been implemented and a bylaw amendment is attached to rescind the increase.

A. Wilcock, B. Comm., C.A.
City Treasurer

AW/jm

cc: E.L. & P. Supt.

Commissioners' Comments

As the revised Government position with respect to shielding was received subsequent to the last Council meeting and Council's direction could not be obtained prior to implementation of the already approved increase, we undertook to defer such increase pending Council's reconsideration. We would recommend that Council rescind the bylaw and that reconsideration be given in August for a Sept. 1 increase.

"R.J. MCGHEE"
Mayor
"M.C. DAY"
City Commissioner

NO. 12

May 18, 1983

TO: City Council
FROM: Asst. City Clerk

RE: Council Meeting of June 6

The next regularly scheduled meeting of Council is Monday, June 6.

It has been determined that there will not be a quorum of Council members present at the above noted meeting.

Does Council wish to cancel the June 6th meeting and reschedule the meeting to June 13? Council direction is requested.

C. Sevcik
Asst. City Clerk

CS/ds

May 18, 1983

76.

NO. 13

TO: City Clerk

FROM: Bill Hazlett, Chairman
Family & Community Support Services Board

RE: Proposal for Funding
Big Brothers of Red Deer

The attached proposal from Big Brothers was considered at the May 17 regular meeting of the FCSS Board. Our Board, and in particular two Board members and the FCSS Director have been made aware of the plans of Big Brothers through meetings over the past few months. The Board was very enthusiastic about this proposal to develop a "youth service" using the excellent model developed by the Boys and Girls Club of Alberta.

Big Brothers have advised us that they have obtained a federal grant for the project but that it must commence soon so as not to lose the grant. Therefore, there is some urgency for FCSS Board and City Council consideration of the request for the balance of the funding required.

The FCSS board is very supportive of the project for the following reasons:

1. It was a priority item identified in the FCSS Review conducted last year.
2. Big Brothers is a well-organized, well-established, reputable community organization able and willing to deliver the service.
3. Volunteer resources are readily available through the Big Brothers organization to provide the back-up support for a successful youth project.
4. The location of the Big Brothers facility in Parkvale is central and will serve as an excellent location for such a program.
5. The budget for the service is reasonable and cost-shared with the federal government.

The FCSS Board feels that high priority should be given to the proposal to enable it to begin in June, 1983. However, we are well aware it is the middle of a budget year. Accordingly the Board wished to present to Council some options for funding this project. FCSS funding of the 80% share is available through our provincial allocation.

After considering the matter the Board adopted the following resolution:

"That the Red Deer and District Family & Community Support Services Board having considered a request from Big Brothers of Red Deer to develop a boys and girls club hereby agree to recommend to City Council that the proposal be considered for funding in 1983 to a maximum of \$16,000 with the preferred method of funding being a permanent project with the City providing the local \$3,200 share with the option of approving it as a Special Project with Big Brothers having to obtain the local \$3,200 share from some other community source."

Big Brothers have indicated that they would prefer to get the project started without any further delays and, of course, the preferred method of funding this project as recommended by the Board will achieve that.

We would strongly urge Council to support the project and determine the preferred method of its funding.

Sincerely,

Bill Hazlett, Chairman
RED DEER & DISTRICT
FAMILY & COMMUNITY SUPPORT SERVICES BOARD

RA/rl

PURPOSE

The purpose of this report is to provide background information on the Boys' and Girls' Clubs of Canada, to demonstrate the need for such a club in Red Deer, to show how one program co-ordinator can make 133 existing, plus new volunteers, effective and to show the benefits to the Community: create programming for Youth and Teens in Red Deer who are presently not involved in positive group activities.

BACKGROUND

Boys' and Girls' Clubs of Canada received its inspiration to help young people (primarily boys) through the development of boys clubs in Great Britain and United States.

The Clubs in Britain began at the start of the Industrial Revolution. At that time, many young boys who had been working in the mines found themselves with idle time. In an attempt to direct that idle time into constructive endeavours, a number of concerned adults established the working boys clubs.

In the late 1800's, a group of women in the United States were concerned at the number of young boys hanging around the streets. Their concern led to the establishment of the first boys club in the United States.

In Canada, our first club started in 1900 in New Brunswick for similar reasons to those of Great Britain and the United States. By the 1920's, there were approximately twelve clubs in Canada and they were loosely linked together through the Boys Clubs Federation. The Federation was more formally established as the Boys Clubs of Canada in 1947 and renamed the Boys' and Girls' Clubs of Canada in 1976.

The Boys' and Girls' Clubs of Canada maintains a liaison with other National Agencies in Canada and at the international level, it links up with Boys Clubs of Great Britain, Boys Clubs of America and Boys Clubs in New Zealand

Existing Boys' and Girls' Clubs in Alberta:

(* Clubs that are receiving F.C.S.S. funding)

*Airdrie	*Ft. McMurray	Kinsmen (Edmonton)
*Grande Cache	*Hanna	*Dover
*Hinton	*Jasper	*Olds
*Strathmore	*Glenbrook	*Penbrooke Meadows
*Thorncliffe	*Pineridge	*Rundle(Calgary)
*Rundle (Edmon.)	McCauley	St. Francis
Tweddle Place	*Wainwright	

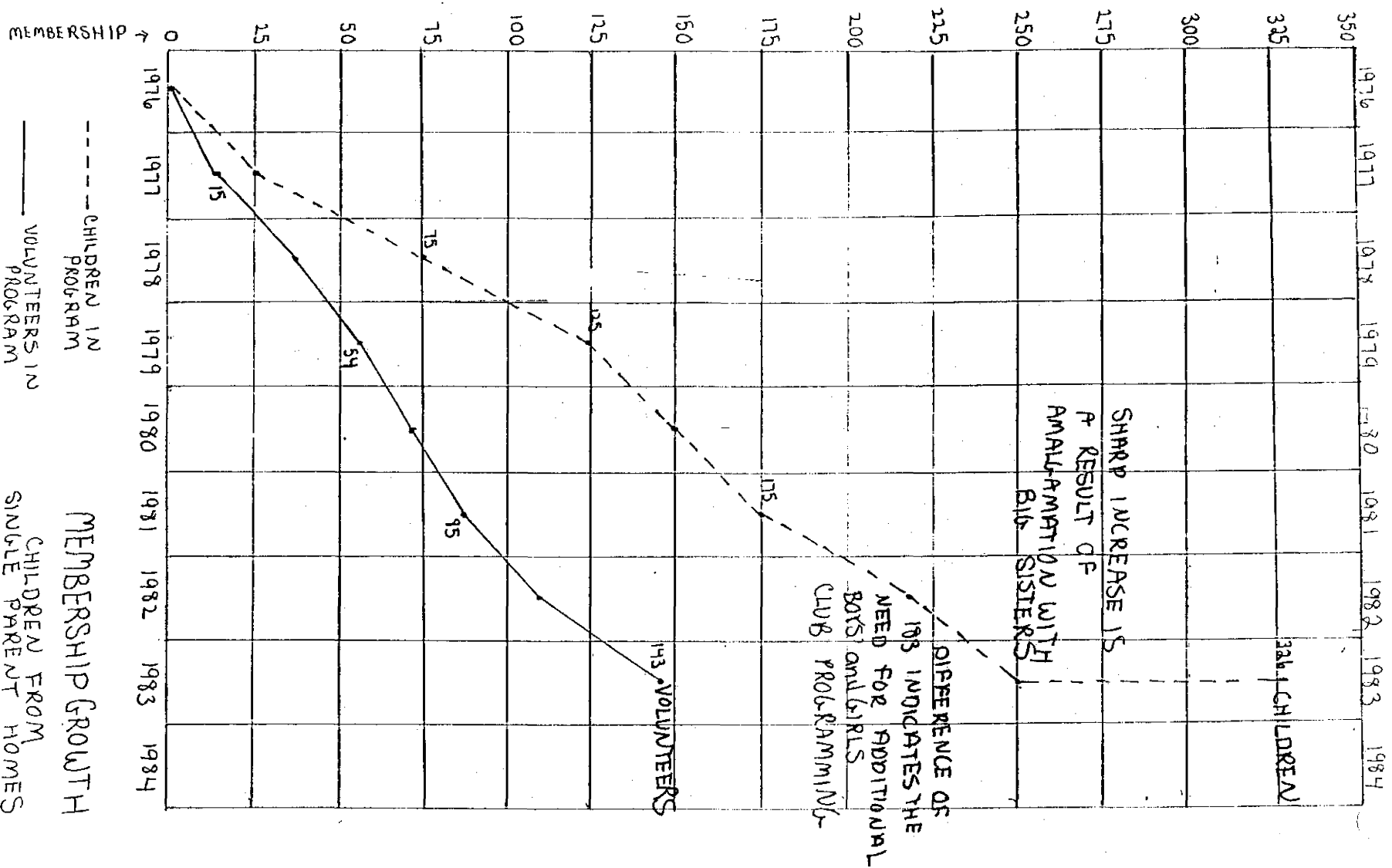
Boys' and Girls' Clubs of Canada focuses its programming on youth from low income families, single parent families and youth who have been in contact with the court. Its purpose is to:

1. direct idle time, especially the crucial teen years, to constructive endeavors by creating programs for their social, vocational, emotional and physical development;
2. provide support, encouragement and direction by relating with adults in a meaningful way through organized small group, large group activities or drop-ins, with an emphasis on an individualistic approach, i.e. ratio of 2-3 youth to 1 adult;
3. develop self-esteem through high involvement in planning activities and through leadership training;
4. develop positive friendships with peers;
5. develop traits such as creativity, problem solving, persistence, curiosity, adaptability and industriousness.

NEED FOR BOYS' AND GIRLS' CLUB IN RED DEER

1. Boys' and Girls' Club of Canada did some research and found that Alberta had the highest rates in Canada, of suicide, drug abuse and alcoholism among teenagers.
2. Red Deer has a very high number of single parent families. With an enrolment of 276 youth, Big Brothers/Big Sisters of Red Deer and District has the largest enrolment per capita in Canada. Of these 276 youths, 142 are not matched to an adult friend. (see Growth Chart)
3. Sixty-four percent of the 276 youths are not presently involved in any organized (community/school) activities because of:
 - lack of funds for membership/registration/equipment/uniforms
 - lack of transportation
 - lack of self-confidence

There is no charge to families wanting to participate in Boys' and Girls' Club activities. Therefore, in many cases, the children with the greatest needs become involved in the program.



4. Of those involved in organized activities, a high drop-out rate of 13 to 18 year olds exists:

- only the most skilled continue participation in competitive programs in their teens; therefore, there is a need for more diversified programs for this age group.

BENEFITS OF BOYS' and GIRLS' CLUB OF RED DEER YOUTH

A Boys' and Girls' Club:

- a pool of Provincial resources to become available to Red Deer Youth: Provincial Camps
Teen training sessions
Workshops
- is a strong Teen program with Teens taking an active part in planning and leadership
- is affordable by any boy or girl
- is guidance orientated
- has varied and diversified programs
- is governed by a volunteer board representative of the Community
- is non-sectarian
- is for all boys and girls
- has committed adult leadership
- a pool of 133 volunteers is already in existence in Red Deer

PROGRAM SAMPLE

82.

- A. Volunteers
- B. Teen Committee
- C. Central School Drop-in
- D. Volunteer Center Activities
- E. Junior Leadership Retreats and Camps.

A. Volunteers

The objective of the Boys' and Girls' Club is to co-ordinate volunteers who would work on a small group basis (2 or 3 to one ratio) with the youth in the program. The objectives of these volunteers would be to cultivate new interests, to help establish feelings of self-worth within the youth through the completion of projects, by providing a positive role model, and in general, teach youths positive ways of using their idle time.

B. Teen Committee

The aim is very early in the program, to establish a committee comprised of several teens from the Red Deer Community who will have an active part in Big Brothers/Big Sisters, Boys' and Girls' Club Volunteer Center, as well as the planning, supervising, and programming of teen activities through the year. These teens will be sent to numerous courses established by Boys' and Girls' Club of Alberta. The skills in leadership training, practical skills and programming will be passed on to the other members and hopefully, the program will become self-perpetuating. These Teens will have representation on the Board of Directors who will be governing the Volunteer Center.

C. Central School Drop-in

The plan is to run well organized programming for teens and pre-teens at Central School, between the hours of 4:00 p.m. and 9:00 p.m. on Mondays and Wednesdays (possibly Fridays as well).

These programs would run through a Boys' and Girls' Club Coordinator who will be assisted by numerous volunteers from the general membership of the Center.

Central School has already approved the use of the school for the times mentioned.

D. Volunteer Center Activities

In contrast to the Central School Drop-in, the Volunteer Center will house smaller group programs and will run Tuesday and Thursday evenings from 4 to 9:p.m., as well as Saturday morning from 9 to 12 noon. Subject to the direction the Teens actually want to take themselves, programming could consist of small workshops and clinics conducted by Volunteers who have related skills. I.e. photography, cooking, management, small motors, carpentry, canoeing, outdoor survival, art crafts, leadership and self-esteem workshops, etc..

In order to achieve the above goals, a strong working relationship will be established between the staff at the Volunteer Center, the volunteers and resource organizations in town such as:

- Probation Office - Fine Options Program
- The School Board
- The Fish and Game Assoc.
- St. John's Ambulance
- Catholic Social Services
- School Guidance Counsellors
- Family and Community Support Services
- A.A.D.A.C.
- Recreation Department
- Employment Opportunity Program
- The Canoe-Kayak Club
- Ski Club

PROPOSED PROGRAM CO-ORDINATOR TIME SCHEDULE

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY.
	9:00 - 12:00		9:00 - 12:00		9:00 - 12:00
O F F	- staff meeting	O F F	- Teen planning - Teen program- ning	O	- Drop-in at Center - small group programming
1:00	1:00 - 3:00	1:00 -	1:00 - 3:00		
- programming - preparation - recording - community visits	- programming - preparation - recruitment - evaluation - advertising - Community visits etc.	- programming - preparation - recruitment - evaluation - advertising - Community visiting etc.	- programming - preparation - recruitment - evaluation	F	↓ O
4:00 - 9:00	4:00 - 9:00	4:00 - 9:00	4:00 - 9:00		F
- Central School Drop-in	- Volunteer Center (Small group)	- Central School	- Volunteer Center (Small group)	↓ F	F
6½ hours	10 hours	6½ Hours	10 hours		3 hours

E. Junior Leadership Retreats and Camps

85.

At the Volunteer Center, with the help of the staff and Teen Committee, leadership retreats, seminars, workshops and summer camps will be planned, organized and carried out. There will be diversity in topics; the content will be determined by the above mentioned group.

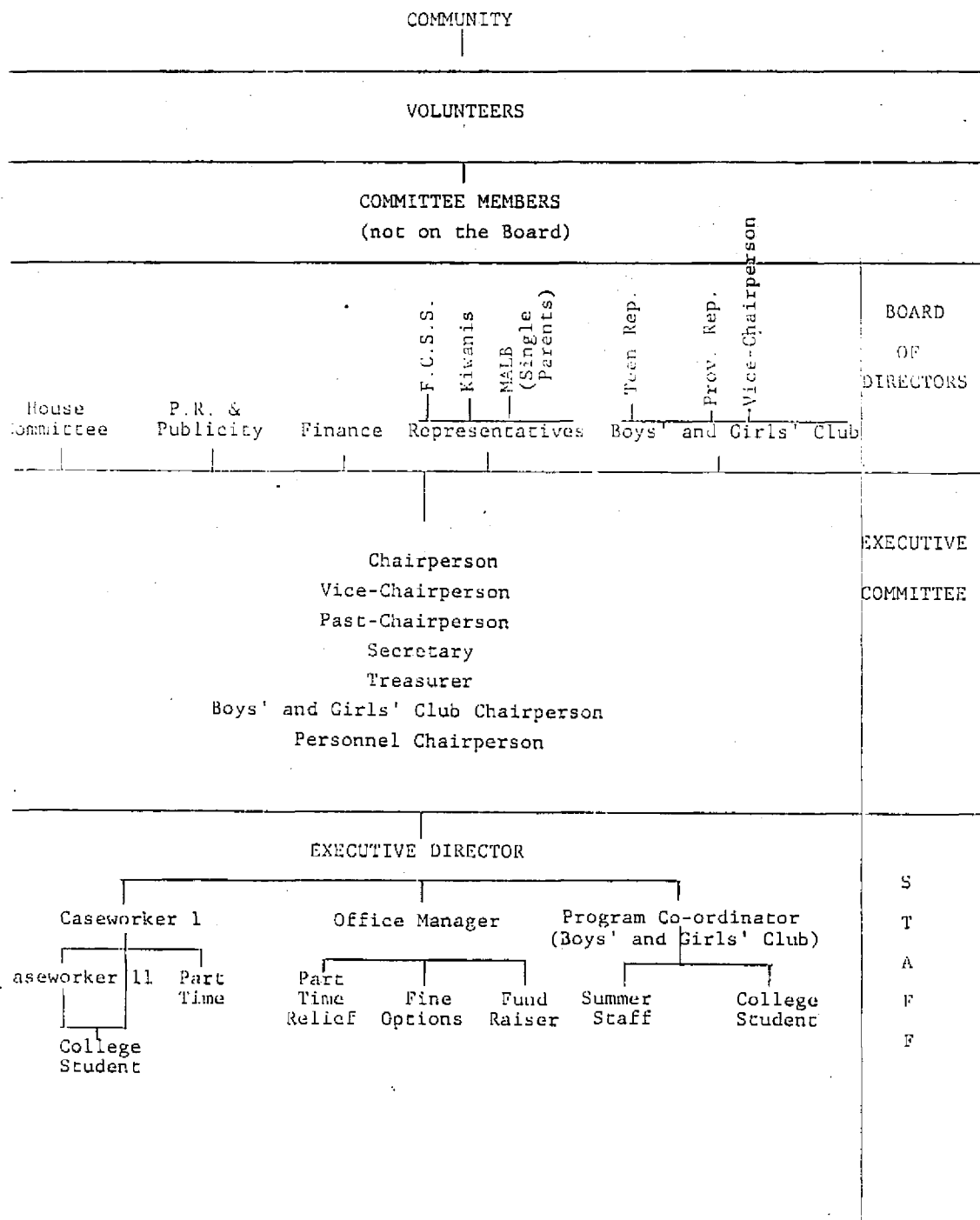
ORGANIZATION

Since there is a need for programs for the 142 boys and girls in Red Deer who are not matched to an approved volunteer, since Big Brothers/Big Sisters have already available, a pool of volunteers who can be made more effective through a program co-ordinator, Vikki Menze, Regional Co-ordinator of Boys' and Girls' Clubs of Alberta, approached Big Brothers/Big Sisters of Red Deer and District to co-ordinate a Boys' and Girls' Club through its Volunteer Center.
(See Chart for proposed Organization)

The Boys' and Girls' Club will operate with its own budget, program Co-ordinator and Board Committee through a shared Executive Director and Executive Board Committee with Big Brothers/Big Sisters.

VOLUNTEER CENTER ORGANIZATION CHART

86.



Salary: PROGRAM CO-ORDINATOR	22,000.00
Benefits:	1,500.00
Office Expense:	1,200.00
- rental of facility 30%	
- desk, filing cabinet	
- photocopying	
- secretarial expense	
Telephone:	300.00
i.e. long distance calls to various other Boys' and Girls' Clubs	
Postage:	350.00
i.e. special event flyers to membership	
Equipment:	3,000.00
- rental of: tents, canoes, etc.	
- purchase i.e. floor hockey and gym equipment, ping pong table material	
Supplies:	
- film for presentation	
- paper, folders,	
- newsletter costs	
- some advertising costs	
- hobby materials	
Advertising	500.00
(2 or 3 for 1 dollar)	
Recreation Program Costs	12,000.00
- food and supplies for camps and workshops	
- teen group workshops	
- transportation to special provincial programs for teens	
- facility rentals, i.e. recreation facilities	
- exchange programs	
- top off grant money for summer staff i.e. 4 students running series of camps for 60 children	
- monthly project costs - i.e. ski trips	
- equipment purchase for clinics i.e. basketball, crafts, cooking classes	
- speaker and workshop costs for Teens	
- speaker and workshop costs for Volunteers	
- development of library for teens and Volunteers	

BOYS AND GIRLS CLUB REVENUE

88.

Boys and Girls Club Grant	3,000.00
Federal Government	12,140.00
Fund Raising Project (planned and completed by volunteers)	3,000.00
TOTAL REVENUE	<u>18,140.00</u>
TOTAL EXPENDITURES	43,500.00
TOTAL REVENUE	<u>18,140.00</u>
DEFICIT	<u><u>25,360.00</u></u>

Commissioners' Comments

For some time the City has been endeavoring to provide a service for youth such as is contemplated by the attached proposal, and as Council will recall it has been proposed on a number of occasions that we hire a Youth Worker. As this program is designed to achieve the same objective by the use of volunteers we believe it is a most worthwhile project and deserves Council's support. We would therefore recommend Council approve an over-expenditure of \$3,200.00 to enable this project to get underway. We cannot support, however, the implication that this project be considered "permanent". We believe rather that this project should be considered each year by the F.C.S.S. Board along with all their other priorities and a decision made on that basis.

"R.J. MCGHEE"
Mayor

"M.C. DAY"
City Commissioner

18 May 1983

TO: COUNCIL
FROM: CHAIRMAN, PARKING COMMISSION
RE: PUBLIC PARKING LOT 6P
R.C.M.P. AND CITY STAFF PARKING LOTS

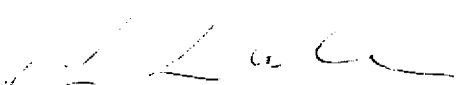
At the Parking Commission meeting of May 18th, 1983, consideration was given to a report from the Construction Coordinator relative Public Parking Lot 6P R.C.M.P. and City Staff Parking Lots, and a resolution was passed by the Commission for Council's consideration.

Moved by L. Baumgarten, seconded by Alderman Hood

"That the Red Deer Parking Commission recommend to Red Deer City Council approval of the cooperative proposal submitted by the Engineering Department and City R.C.M.P. as it relates to Public Parking Lot 6P R.C.M.P. and City Staff Parking Lots at the cost of \$9,600.00."

Attached are the relevant reports regarding this proposal.

Respectfully submitted,


R. DALE, Chairman
Red Deer Parking Commission

May 10, 1983

TO: Secretary, Parking Commission

FROM: Construction Coordinator

RE: Public Parking Lot 6P
R.C.M.P. and City Staff Parking Lots

The attached plan is a cooperative proposal by the Engineering Department and City R.C.M.P., after studying various alternates and having numerous meetings, to revise the above mentioned lot.

In conjunction with their building addition, it was suggested by the R.C.M.P. to fence their parking lot. The fenced lot would provide additional security when loading and unloading prisoners as well as protection to police and private vehicles, which have been vandalized frequently over the past year.

As can be seen from the plan, the fencing, in order to provide the R.C.M.P. with the security required, necessitates the closure of the lane. To that point, the two attached letters were sent to the property owners of the Lock and Key and the estate of Annie Parsons with verbal replies stating no objections to the lane closure. As indicated in the letters, we propose closure of the lane but not cancellation of the lane right-of-way at this time. The City may take steps to formally close the lane after completion of the addition to the Police Building.

The lane intersection with 48 Avenue and two parking lot sidewalk crossings have been deleted to reduce potential traffic conflict areas.

Because of the layout of the parking lot, it becomes necessary to have some City staff park on the west side of the R.C.M.P. fenced lot and presumably this would become the future expansion for City Staff Parking.

The results of the proposal are as follows:

There will be a reduction of 7 off street parking stalls and an addition of 5 on street stalls, resulting in a net loss of 2 parking spaces.

The estimated costs have been applied to the two beneficiaries of this proposal and results in \$10 200 charged to the R.C.M.P. and \$9 600 charged to the Parking Commission. Approval of the \$9 600 budget is required to complete the parking improvements.

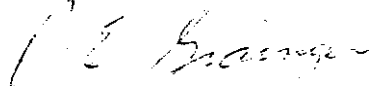
...CONTINUED PAGE 2...

PAGE 2

RE: Public Parking Lot 6P

Please advise me the time and place of the next meeting so I could be in attendance to answer any question.

Thank you,



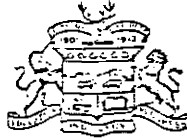
P.E. Grainger
Construction Coordinator

PEG:cmd

cc Mr. H Dawe, Chairman
Police Commissioner
- Inspector D. Nielsen
R.C.M.P. City Detachment
- K. Haslop, Assistant City Engineer
- City Clerk

NOTE: The Plan referred to in the letter will be available at the Parking Commission meeting

THE CITY OF RED DEER



93.

P.O. BOX 5008

RED DEER, ALBERTA

T4N 3T4

TELEPHONE 347-4421

April 28, 1983

Kaylor X-Ray Management Ltd.
105, 4929 - 50 Street
RED DEER, Alberta
T4N 1X9

Dear Mrs. Smith:

RE: Building at 4827 - 49 Street
Formerly Lock & Key

Further to your discussions with Mr. Stollings and myself on April 22, 1983, regarding the lane closure and parking lot revisions associated with the R.C.M.P. building addition, please be advised of the following outstanding items.

1. The City is not in favor of leasing parking stalls to the general public at this time.
2. The City does not recommend parking in the lane right-of-way outside the closed portions since it will still be accessible to the public, whereas the closed areas will be within the fenced parking lots and limited to local traffic.
3. There may be some inconvenience for the vehicle parking in the most easterly stall of your existing lot, however, since you stated the stalls were not specifically allocated, we would recommend this stall for smaller vehicles. Another consideration for recommending no charge to your parking stalls is the fact that there will be no through lane traffic, making access to and from the stalls safer.

By this letter the City is informing you of its intentions and request a letter by return mail outlining any comments you may have. By the way, the sign has been removed from the building today.

Thank you for your co-operation and early attention to this matter.

Yours truly,

P. Grainger
Construction Co-ordinator

PG:cmd

C.C. City Clerk
City Commissioner

KAYLOR X-RAY MANAGEMENT CO. LTD.

105 BALMORAL BUILDING
4929 ROSS ST., RED DEER, ALBERTA

May 18, 1983

Mr. Pat Grainger
Construction Co-ordinator
The City of Red Deer
Red Deer, Alberta

RE: Property at 4827 - 49 Street

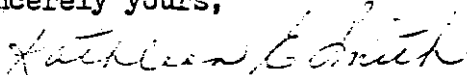
Dear Mr. Grainger:

With reference to your letter of April 28, 1983, please be advised that we are in complete agreement with your recommendation that the parking arrangement at the rear of the building not be changed. The tenants in the building also prefer that the stalls remain as they now exist.

For your records, the window on the east wall of the building has been closed off as per your request.

We trust that all is in order now at our building for you to begin your construction at the adjacent property.

Sincerely yours,



Mrs. Kathleen E. Smith

*Rec'd
Ph. May 18/83*

THE CITY OF RED DEER



95.

P.O. BOX 5008

RED DEER, ALBERTA

T4N 3T4

TELEPHONE 347-4421

April 25, 1983

Montreal Trust
411 - 8th Avenue S.W.
CALGARY, Alberta
T2P 1E3

Dear Mrs. Howell:

RE: Estate of Annie Parsons
Property at 4801 - 49 Street
RED DEER, Alberta

This letter will confirm our telephone conversation of April 21, 1983, regarding lane access to the above mentioned property.

Due to the proposed addition to the City owned R.C.M.P. Building and the revised parking lot layout for R.C.M.P. and City staff and from a safety point of view, the City Engineering Department recommends closure of the lane at its intersection with 48 Avenue. (Please refer to attached plan). The lane right-of-way will not be cancelled at this time, however, vehicular traffic will be restricted to City staffing parking lot traffic only and, of course, access to the existing driveway at the rear of 4801 - 49 Street.

By this letter, the City is informing you of their intention and request a letter by return mail outlining any comments you may have.

Upon sale of the Parsons property we would appreciate a letter informing us of the new owners so we could discuss their plans as they relate to the proposed use and the access in question.

Thank you for your early attention to this matter

Yours truly,

A handwritten signature in dark ink, appearing to read 'P. E. Grainger'.

P. E. Grainger
Construction Coordinator

PEG:cmd

cc - City Clerk
City Council member

Montreal Trust

- 8th AVENUE S.W.
CALGARY, ALTA.
T2P 1E7

TELEPHONE (403) 269-3191
TELEX 03-821594

May 12, 1983

302210

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


Attention: P. E. Grainger
Construction Co-Ordinator

Dear Sirs:

Re: Annie N. Parsons Estate
Property at 4801 - 49th Street
Red Deer, Alberta

As per your telephone conversation with Mrs. Gertrude Howell, Montreal Trust, as Executor of the Estate of Annie Parsons has no objection to the recommended closure of the land behind the subject property at its intersection with 48th Avenue. It is understood that the lane right-of-way will not be cancelled at this time, however, vehicular traffic will be restricted to city staff parking lot traffic only and, of course, access to the existing driveway at the rear of 4801 - 49 Street.

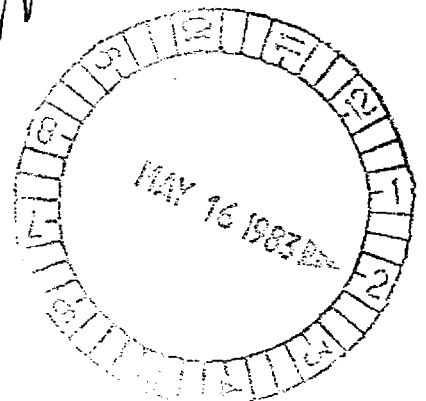
Yours truly,



Patrick Casey
Assistant Trust Officer
Estates and Trust Department

PC:mj

P.B.
May 16/83



CORRESPONDENCE

97.

PHONE
343-2033



**G.H. DAWE
COMMUNITY CENTRE**

May 2, 1983

NO. 1

City Council
c/o Mr. Bob Stollings
City Clerk
City of Red Deer


Dear Mr. Stollings:

Please be advised that the G. H. Dawe Community Centre Management Board, at a meeting held on Thursday, April 28, 1983 unanimously approved a motion endorsing the Dawe Advisory Council's request for the installation of pedestrian activated crosswalk lights at the corner of Holt Street and 59th Avenue.

It is the desire of the Management Board that this matter be placed before Council at the earliest possible time.

Please contact Randy Skimmings or myself if you have any questions.

Sincerely,


Jim Renick, Chairman
Dawe Management Board

JR/bc



G.H. DAWE COMMUNITY CENTRE

98.

PHONE
343-2033

May 2, 1983

City Council
c/o Mr. Bob Stollings
City Clerk
City of Red Deer

Dear Mr. Stollings:

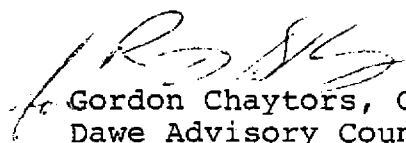
The G. H. Dawe Community Centre Advisory Council has been concerned about traffic in and around the Dawe Centre for the past five years. Our Safety Committee annually examines the traffic safety factor for school students and the many evening and weekend community patrons.

We recently received a letter from the St. Patrick's Kindergarten Parents Committee which is concerned about the lack of crosswalk lights on the corner of 59th Avenue and Holt Street. After reviewing the situation with the City Traffic Engineer and the RCMP, we have decided to ask City Council to approve the installation of pedestrian activated crosswalk lights at this corner.

It should be mentioned that over 1,000 students attend the G. H. Dawe and St. Patrick's Community Schools daily during the school year. In addition, twenty to thirty thousand people use the Centre each month on evenings and weekends.

It is the hope of the entire Dawe Advisory Council that City Council will be supportive of our request. Please contact Randy Skimmings or myself if you require any additional information. Thank you for your assistance.

Sincerely,


Gordon Chaytors, Chairman
Dawe Advisory Council

GC/bc
cc: Chi Lee

M E M O

99.

TO: City Clerk

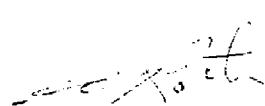
DATE: 10 05 1983

FROM: E. L. & P. Supt.

Re: Traffic Lights - Holt Street & 59 Avenue

The 1983 Budget makes no provision for the installation of traffic lights at this location. If this installation is to proceed in 1983, Council approval for a supplementary expenditure of \$13,500 will be required.

If this installation is to proceed at this time, the work can be completed within four weeks.


A. Roth
E. L. & P. Supt.

AR/jjd

May 12, 1983

TO: CITY CLERK

FROM: CITY TREASURER

RE: TRAFFIC LIGHT - HOLT STREET & 59 AVENUE

You requested my comments on the E.L. & P. Superintendent's letter of 10-05-1983. I assume his letter was in response to a request for a traffic light.

The 1983 budget does not provide for installation of a traffic light. If a traffic light is to be considered, a study should be done to assess the need. Based on the study the installation could then be prioritized with other proposed traffic light installations.

If Council request the project to proceed in 1983 an over-expenditure of \$13,500 in the 1983 budget would occur. This could be funded from the reserve set up by Council for unanticipated expenditures.



A. Wilcock, B. Comm., C.A.
City Treasurer

AW/jm

May 12, 1983

TO: City Clerk

FROM: City Engineer

RE: Holt Street & 59 Avenue - Pedestrian Signal Request

The accident record and traffic/pedestrian volumes recorded for the above intersection do not meet the Traffic Signal Installation Warrant of the Manual on Uniform Traffic Control Devices of Canada.

"The installation of traffic signals at a study intersection is warranted when the total priority points equal or exceed 100 points."

Total priority points for the subject intersection is estimated to be 1.7.

In view of the concern of the Kindergarten parents and the large number of patrons to the Dawe Centre as indicated in the letter from the Dawe Advisory Council; City Council may wish to install a pedestrian activated signal at the above intersection even though it does not meet the Warrant.

The costs, budget and delivery time of the pedestrian activated signal will be commented on by the E. L. & P. Department.

B. C. Jeffers, P. Eng.
City Engineer

CYL/emg
cc - E. L. & P. Supt.
Commissioners' Comments

Based on the information we could not support the request. Further, we do not believe that reliance on pedestrian activated lights is necessarily a safe way to allow Kindergarten children to cross this intersection. While pedestrian activated lights may be appropriate for older children if used correctly, we believe that the only safe way for children of this age to cross this intersection is under parental or crossing guard control.

"R.J. MCGHEE"
Mayor
"M.C. DAY"
City Commissioner

HOME ALL BUILDING CENTRE

102.

NO. 2

Executive Home Building Supplies Ltd.

7894-48 Ave.

Red Deer, Alberta T4P 2B2

City of Red Deer
Department of Economic Development

Attention: Mr. Al Scott
Director of Economic Development

May 10, 1983

Dear Sir:

Upon viewing a parcel of land known as Lot 12B Blk 14
Plan 802-1596.

We are prepared to make an offer to develop this property
in the immediate future. We wish to propose a Home Centre
which would serve the south side of the Red Deer Community.

We feel there is a great need for this service in that
area.

We would construct a very attractive building of approximately
18 - 20,000 square feet with ample parking and landscaping
to complete the balance of Bremner Avenue.

The store would be stocked with high quality merchandise
from Home Hardware.

We are prepared to offer a total price of One Hundred
Seventy Thousand (\$170,000) for approximately 1.9 acres
as described on the plot plan.

We are prepared to place 10% down and balance upon
approval of plans and regulations prior to obtaining
a building permit.

Yours truly,



William F. Welikoklad
President

WW/dr

RED DEER REGIONAL PLANNING COMMISSION

2830 BREMNER AVENUE

RED DEER, ALBERTA, CANADA T4R 1M9

103.

DIRECTOR:

TELEPHONE: (403) 343-3394

Robert R. Cundy M.C.I.P.

Your File No.

Our File No.

May 16, 1983

Mr. Alan Scott,
Director, Economic Development
City of Red Deer
Box 5008
Red Deer, Alta.

Dear Sir:

Re: Application to purchase land in the
Bower Special Use Area

The site in question is located between A.M.A. and Alberta Liquor Store, on the east side of Bremner Avenue. The area is designated as Direct Control Area, or Special Use District. In this district the City Council can approve any use which they regard appropriate for the area.

The site has 76.24 m (250 ft.) of frontage, with an area of 0.767 hectare (1.89 acres) of land. The existing uses in this area are the Legion, Red Deer Regional Planning Commission, C.K.R.D., The Advocate, A.M.A., Alberta Liquor Store and Sim's Furniture. The buildings are set back 18 metres and that area is used for landscaping and driveways. The exception to this plan is the Alberta Liquor Store which has parking in the front of store, and this was through a relaxation from City Council.

All the buildings are well designed and the area has a high quality standard of appearance and landscaping. The site in question was originally proposed for a Raquet Ball Club, but the applicant could not arrange the financing and the site was returned to the city, and has stayed vacant since that time.

The proposed use now is for a Home Centre selling building materials and hardware to the public. It is a similar use to Beaver, Revelstoke, Co-Op Home Centre, Crown Lumber and Imperial Lumber. All these stores have front parking which is not permitted nor is it desirable in this area. Furthermore, because of the large frontage of 250 feet, it is expected the building would not cover the whole frontage and consequently the storage of lumber would be seen from the street, which would certainly detract from the area.

MUNICIPALITIES WITHIN COMMISSION AREA

pg. 2

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 ANNISFAIR—TOWN OF LACOMBE—TOWN OF OLDS—TOWN OF PENHOLD—TOWN OF ROCKY MOUNTAIN HOUSE—TOWN OF SETTLER—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 ELMORA—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—COUNTY OF LACOMBE No. 14
COUNTY OF MOUNTAIN VIEW No. 17 —COUNTY OF PAINTERTON No. 18 —COUNTY OF RED DEER No. 23 —COUNTY OF SETTLER No. 5 —IMPROVEMENT DISTRICT No. 10

Mr. Alan Scott

Re: Bower Special Use Area

pg. 2

A Home Centre is not a special use, this use is allowed in the C1, C2, C4 and I1 Districts. We do not favour the Home Centre on Bremner Avenue because of the appearance, the front parking requirements, outside storage of materials and movements of trucks.

We therefore recommend that the request be denied.

Yours truly,

D. Rouhi, MCIP
SENIOR PLANNER
CITY PLANNING SECTION

DR/cc

c.c. - D. Wilson, City Assessor
- R. Strader, Dev. Officer
- B. Jeffers, City Engineer

30th

Street

105.

Red Deer
Advocate

A.M.A.

garage

future parking

future
parking

C.K.R.D.

Avenue

**Proposed
Property**

A.L.C.B.

R.D.R.P.C.

Bremner

28th A Street

Canadian
Legion

Sims
Furniture

28th

Street

May 12, 1983

TO: Director of Economic Development
FROM: Development Officer/Building Inspector
RE: Bower Special Use Area

The purpose of the above area as stated in the Land Use Bylaw is quoted from Section 7.3.1 Page 81 of the bylaw.

Section 7.3.1: "General Purpose of the District"

"The purpose of this district is to provide for innovative developments which in the opinion of Council, require specific regulations unavailable in other land use districts. This district is not intended to be used in substitution of any other land use district in this Bylaw that could be used to achieve the same result."

A home centre is a use that could be located in a C1, C2, C4, or I1 district which means the specific use should not be considered as an innovative use of this site. Locating a home centre on the south side of the City would be of benefit to the City, however, there appears to be sufficient land in areas zoned for this use available in the general areas.

It would seem appropriate to have some land in reserve for uses that could be more closely identified with the general purpose of this district.

R. Strader
Development Officer/
Building Inspector

RS:cmd

May 16, 1983

TO: DIRECTOR OF ECONOMIC DEVELOPMENT,
A. SCOTT

FROM: CITY ASSESSOR,
D. WILSON

RE: Lot 12B, Block 14, Plan 802-1596

As you are aware, this subdivision was to be a special purpose area and on that basis I could not support the application submitted for a Home Centre.

The offer of \$170,000.00 for 1.9 acres (\$89,473.00 per acre or \$2.05 per square foot) in my opinion is not indicative of current land values and I would recommend that the City engage an appraiser to submit an estimate of today's value.

D.J. WILSON,
City Assessor

DJW/gr

May 17, 1983

TO: MAYOR & MEMBERS OF COUNCIL

FROM: DIRECTOR OF ECONOMIC DEVELOPMENT

RE: HOME ALL BUILDING CENTRE - APPLICATION TO PURCHASE
BOWER SPECIAL USE AREA

Home All Building Centre is proposing to construct a home centre in the Bower Special Use Area, on a 1.9 acre parcel of land located immediately north of the Alberta Liquor Control Board store. This site has been in the inventory of City land since it was turned back by a company proposing to construct a racquet ball facility. The proposal is for a building of approximately 18,000 to 20,000 square feet which would be stocked with merchandise primarily for the home improver. It is intended that any outside storage contemplated would be located at the rear of the building and would be fully screened with a high quality fencing material. In addition, it is proposed that any parking would be located on the sides of the building, and would not protrude into the front yard. It is intended that the front yard would be fully landscaped with the exception of the required driveways. This is consistent with the standard intended for the area.

The developer is prepared to offer \$170,000.00 for the site which works out to \$89,474.00 per acre. When this subdivision was first developed, a selling price of \$84,800.00 per acre was established in April of 1979. In May of 1982, it was determined that a re-appraisal of the land should be done to update our sales price. This appraisal was subsequently completed, and the appraisers recommended a price of \$173,580.00 per acre. The land has remained in inventory since with no proposals being made. Without a further appraisal of the land, it would be difficult to accept the developer's offer.

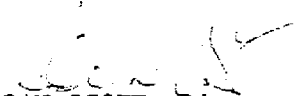
Given our ability to administer the controls contained within our development standards for the area, I would recommend that Council consider the submission from Home All Building Centre. A home improvement centre in this area would not be an unreasonable use for the land and although there are other zones within the city in which it could be located, the same is the case for every use currently housed within the Bower Special Use Area. I therefore don't see that as reason for denying the application.

- cont'd -

I would therefore recommend that Council approve in principal the application by Home All Building Centre and that a qualified appraiser be engaged to re-appraise the land so that we may establish a selling price. The approval to the developer would therefore be conditional upon agreement being reached on a sales price.

Thank you.

Respectfully submitted,


ALAN SCOTT, Director
Economic Development

AVS/gr

May 17, 1983

TO: City Clerk

FROM: City Engineer

RE: Application to Purchase Land, Bower Special Use Area
Lot 12B, Block 14, Plan 802-1596 - Executive Building Supplies

Please be advised that the Engineering Department has no comments regarding the above noted.

B. C. Jeffers, P. Eng.
City Engineer

/emg

Commissioners' Comments

The attached application is for the development of a Home Improvement Centre including some outside storage. As pointed out in the attached reports the purpose of this district was to provide for developments which require specific regulations unavailable in other land use districts. To date all the developments in the area have been of good quality, with no outside storage allowed, the front entirely landscaped and all parking in the rear. This latter requirement was relaxed for one development which makes it inconsistent with the other existing developments. The attached application would require yet another kind of relaxation, that of outside storage which no matter how well screened could detract from the appearance of the area.

This type of operation is allowed in a number of zones within the City and we can see nothing special which would require consideration for this area and therefore recommend the application be denied.

"R.J. MCGHEE"
Mayor

"M.C. DAY"
City Commissioner



WEY'S WESTERN WEAR LTD.

5115 GAETZ AVENUE

RED DEER, ALBERTA

T4N 4B3

NO. 3

May 11, 1983

City of Red Deer
Red Deer, Alta

Mayor, Members of City Council;

We are requesting a change in city zoning that would see the mall at 5721 Gaetz Ave. (Venture Plaza) go from a C4 to a C2 zoning. We feel this would help decrease the vacancy problem that has been plaguing us because of the C4 zoning restrictions. Most of the malls (Parkland, The Village) enjoy full occupancy because of their C2 zoning stature. If the change is successful, we feel this will enhance our chances of renting out the bays and may also increase the longevity of our present tenants. It can also be advantageous to the city in that a retail store can booster the economy by striking up more business and therefore putting more money back into the city. Since most of the adjoining malls are all under C2 zoning, we hope we can also be blessed with this priviledge.

PHONE

347-3149

May 12, 1983

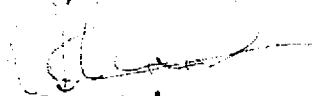
TO: City Clerk

FROM: Development Officer/Building Inspector

RE: Venture Properties - Rezoning

In response to your memo on the above subject, we have the following comments for Councils consideration.

The vacancy rate which is a problem for the owners of the above site, is also apparent in the C1 and C2 districts. It would seem that by adding to the C1 and C2 district, not only land but developed buildings the existing districts would be adversely effected. We do support this request because of its likely effect on the existing C1 and C2 districts.



R. Strader
Development Officer/
Building Inspector


RS:cmd

May 16, 1983

TO: MAYOR & MEMBERS OF COUNCIL
FROM: DIRECTOR OF ECONOMIC DEVELOPMENT
RE: REZONING REQUEST, VENTURE PLAZA

I would oppose a rezoning of this site to C-2 at this time, as I feel it would create a further hardship on the leasing of buildings in the downtown area.

Respectfully submitted,


ALAN SCOTT, Director
Economic Development

AVS/gr

RED DEER REGIONAL PLANNING COMMISSION

2830 BREMNER AVENUE

RED DEER, ALBERTA, CANADA T4R 1M9

114.

DIRECTOR:

Robert R. Cundy M.C.I.P.

TELEPHONE: (403) 343-3394

Your File No.

Our File No.

May 16, 1983

Mr. C. Sevcik,
Assistant City Clerk
City of Red Deer
Box 5008
Red Deer, AB. T4N 3T4

Dear Sir:

Re: Redesignation Request - Venture Plaza

Wei's Western Wear Ltd., is requesting a redesignation of the Venture Plaza located at 6721 Gaetz Avenue, from C4 to C2.

The Red Deer General Municipal Plan distinguishes three commercial categories; the downtown area, strip commercial areas, and pre-determined shopping centre facilities. These categories are reflected in the City's Land Use Bylaw where strip commercial areas are designated C4 and shopping centres are shown as C2.

The request is for a redesignation as a shopping centre. The purpose of a shopping centre is to serve planned neighbourhoods or to function on a regional basis. In either case, such facilities are to be located on a predetermined basis as stated in the General Municipal Plan.

The existing shopping centres, designated C2, are situated at pre-determined locations. Three of them, Parkland Mall, The Village Mall, and Bower Place, serve a regional trade population and are located along Gaetz Avenue, a major arterial. Two other, Highland Green and the Eastview Mall serve neighbourhoods and are situated central to these neighbourhoods. Thus, all the existing shopping centres meet the intent of the C2 District.

The Venture Plaza does not conform to the purpose of the C2 District and was not originally developed to be a shopping centre but rather to accommodate major arterial commercial uses. The facility is not of sufficient size to serve as a regional shopping centre and is not situated to provide a neighbourhood service.

pg. 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 DIOSBURY—TOWN OF ECKVILLE
TOWN OF INNISFAIR—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 DONALD—VILLAGE OF ELMORA—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—COUNTY OF LACOMBE No. 14
COUNTY OF MOUNTAIN VIEW No. 17 —COUNTY OF PAINTEARTH No. 18 —COUNTY OF RED DEER No. 23 —COUNTY OF STETTLE No. 6 —IMPROVEMENT DISTRICT No. 10

C. Sevcik

Re: Redesignation Request - Venture Plaza

pg. 2

An additional problem with the Venture Plaza is access. It is located close to a very busy intersection, with access from a service road. However, the facility does not have direct access from Gaetz Avenue or from 67th Street. Proper access is from Gaetz Avenue via the service road, which requires backtracking if north-bound or turning at Piper Drive if south-bound. Presently, the most common access is from 67 Street across the Ponderosa Steak House property, which is not a proper or a guaranteed continual access. A shopping centre should have convenient, if not direct access from an arterial road. This access is presently inconvenient and will possibly be more inconvenient if and when the Gaetz Avenue and 67th Street intersection is grade separated as planned.

A third point that should be considered, is that there are four other plazas similar to the one in question, located along Gaetz Avenue. They are presently designated C4 and serve a similar function. Redesignating one could very well set a precedent for the others and destroy the specific purpose of having a C2 Shopping Centre District which differs considerably from the purpose of the C4 District.

For the above reasons, the City Planning Section recommends that City Council deny the application for redesignation to C2, and that the property remain as C4.

Yours truly,



Vernon Parker
Associate Planner
City Planning Section
/cc

Commissioners' Comments

We could not support the requested zoning change nor a change to the existing zone to allow this use.

"R.J. MCGHEE"
Mayor

"M.C. DAY"
City Commissioner

Wang and Catherine Craft

100 7th Street

Red Deer, Alberta

TYPE 102

NO. 4

'83 MAY 11 P3:12

May 10, 1983

CIVIL
FEE

City Clerk

Box 5008

Red Deer, Alberta

TYM 374

Dear Sir:

Re: 100 7th Street, Red Deer, Alberta
Lot 46, Block 3, Plan 762-0630

In response to your letter of May 6th, I would like to verify that there is a placement suite at this address. However, this suite was not put on my chance, it was the only way we could afford to keep our house.

When we moved to Red Deer in May of 1981, we also moved our business from Calgary to Red Deer. Shortly after we moved the recession hit and business dropped drastically. At the same time our second mortgage rate went up to 21-3/4% (on \$38,000), and our first mortgage went from 10-1/4 to 16%. Although we hadn't planned on renting any of the house, we could see then that it was the only way we could keep from losing it.

I finished the basement myself, adding a second bedroom, four piece bath, kitchen, and removed about 1,200 lbs of cement to put two big windows in the living room. Then we moved down stairs and started out the main floor.

We have two children - a two year old boy, and a three year old girl who have been sharing a small bedroom. Believe me if I didn't have to do this - I wouldn't.

Business still hasn't picked up and I have been trying to work other jobs as well, whenever I can find them. My wife just found a job three months ago, but is only working temporary.

The basement with was not built and rented in order to get rich, but in order to survive and keep a home for my family.

I hope that in view of my circumstances, the City will be able to show a little flexibility.

I realize that you may not be able to re-gain my property, but we would ask for more time to get back on our feet. Spent little only gives us 30 days, and that doesn't give us much hope.

I would also like to add that we live on Mad Street which is a busy street, not a quiet street. There are about three blocks of duplexes

directly behind me, there are less units on direct
east of me, and behind the one row of houses
across the street there is a trailer park.
Therefore, we don't believe that our actions
will have any effect on the degradation
of our neighborhood.

118.

As far as our neighbors on either side are
concerned, we haven't had any problems or
complaints, and they are aware of our
situation.

The only alternative I can think of, other
than rezoning, is perhaps we could get
a permit for one or two signs until
the economy picks up and we can get
back on track.

We are still optimistic that the future
will hold better times.

Your help in this matter will be
sincerely appreciated.

Sincerely,
Sincerely,
Sincerely,

~~Signature~~

L. Craft

Gary W. Craft

Catherine H. Craft

THE CITY OF RED DEER



119.

P.O. BOX 5008

RED DEER, ALBERTA

T4N 3T4

TELEPHONE 347-4421

DOUBLE REGISTER

May 06, 1983

Gary & Catharine Craft
100 Nash Street
RED DEER, Alberta
T4P 1P2

Dear Sir/Madame:

RE: 100 Nash Street, Red Deer, Alberta
Lot 46, Block 3, Plan 762-0630

Please be advised that it has been brought to the attention of this department that a possible basement suite exists at the above referenced residence. The subject property is presently zoned R1-single family (Residential Low Density District) to which a basement suite is neither a permitted nor discretionary use.

You are therefore notified that the said basement suite shall be vacated within thirty (30) days of this notice, and the dwelling converted back to its original use as a single family dwelling.

Failure to comply with this notice will result in the matter being placed in the hands of the City Solicitor and further legal action being taken.

Your co-operation in this matter is appreciated, and you arrange for an inspection of the property within thirty (30) days, when compliance of the City Land Use Bylaw is assured.

If any further information is required, please contact the undersigned.

Yours truly,

P. Holloway
Assistant Development Officer/
Building Inspector

PH:cmd

May 12, 1983

RECEIVED

'83 MAY 13 P3:44

120.

City of Red Deer
City Hall
Red Deer, Alberta

CITY OF
RED DEER

Dear Sirs:

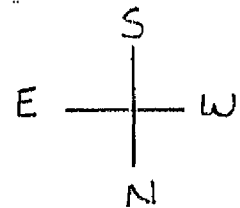
RE: 100 Nash Street, Red Deer, Alberta
Lot 46, Block 3, Plan 762-0630

It is hereby acknowledged that Mr. and Mrs. G. Craft
have a basement suite at 100 Nash Street, and are
renting out part of their house.

We have had no problems with this in the past,
and have no complaints.

We agree that Mr. and Mrs. Craft should be allowed
to continue renting out part of their house, for a
maximum of 2 years.

<u>NAME</u>	<u>ADDRESS</u>
Mr. & Mrs. Stan Ralchall	104 Nash St.
Henry Weber Jr.	96 Nash St.
Myrtle Weber	96 Nash St.
Claude Bonin	92 NASH ST.
J. Palardy	93 Nash St.
J. Palardy	93 Nash St.
Mrs. Colina	97 Nash St.
Hendon Lee	97 Nash St.
Don & Elsie Cunningham	101 Nash Street
James Finkard	105 Nash St.
Margaret Schoenford	3 Northey Ave
John Crawford	3 Northey Ave (108 Nash St.)



TRAILOR COURT

# 93 John & Joan Palardy	# 97 Gordon Rue & Mrs. Chene	# 101 Don & Flora Cunningham	# 105 James Richard	
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NASH STREET

# 92 Mr & Mrs Claude Boni	# 96 Henry & Myrtle Weber	# 100	# 104 Stan & Terry Rabchak	# 108 John & Marlene Crawford
---------------------------------	---------------------------------	-------	----------------------------------	-------------------------------------

ALLEY

DUPLEXES

NORTHEY

May 12, 1983

TO: City Clerk

FROM: Development Officer/
Building Inspector

RE: 100 Nash Street

In response to your memo on the above subject, we have the following information for Councils consideration.

The site in question is designated as R1 in which a basement suite is not a permitted or discretionary use. Therefore our department contacted the owner of 100 Nash Street, after a complaint was received, informing them of this condition. While we are very sympathetic to the owners problem, it should be noted that approving one request of this nature will very likely mean receiving many similiar requests from this and other R1 districts. One additional dwelling unit in a subdivision will not be noticable but if 25% of a subdivision were to add basement suites, existing services such as roads, schools, playgrounds would be affected. Also to be considered is the reaction of those persons whom purchased property on the assumption that it would remain designated R1 single family.

A possible solution to the applicants problem may be to consider that up to a maximum of 3 boarders can be accomodated under R1 zoning. It would mean that the cooking facilities must be shared no separate entrance and the house would again be a single dwelling unit.

R. Strader
Development Officer/
Building Inspector

RS:cmd

May 16, 1983

123.

TO: City Clerk

FROM: FCSS Director

RE: 100 Nash Street, Red Deer
Lot 46, Block 3, Plan 762-0630

With respect to the illegal basement suite at the above address the following comments are offered for the consideration of City Council.

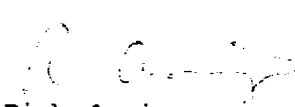
This circumstance, more than any other in the past, should require a close review of City policy with respect to living arrangements in residential neighborhoods. This is because of changing economic conditions which result in people searching for new and innovative ways to survive the recession.

This case is a classic example. Council will, no doubt, applaud this family's attempt to handle their situation on their own without resort to social welfare financial programs. However, our land use policy, developed under different economic conditions, will not allow for such independent initiative. This poses a real dilemma.

Our Department staff are in contact, almost daily, with people who are suffering the effects of the recession. Whether families are coping with unemployment, on welfare, or experiencing reductions in family income, the consequence is the need to find new ways to meet minimum monthly financial commitments. Council is already aware that shelter allowances for families on welfare have been severely reduced. This will cause these families to search for alternative ways to meet their shelter costs. Sharing of accommodation will be more prevalent in the future as a result. No doubt, our land use policies will again be in conflict in many cases.

We would suggest that now is the time to relax our land use policies so that alternative living arrangements can be considered under certain circumstances. Perhaps discretion could be given to the Municipal Planning Commission or a citizens committee to review such cases taking into consideration the circumstances of the family, wishes of other residents, etc.

Respectfully,


Rick Assinger
FCSS DIRECTOR

RA/rl

cc: Development Officer
Senior Planner
City Engineer
City Assessor

124.

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

Your File No.

Our File No.

May 16, 1983

Mr. R. Stollings,
City Clerk
City of Red Deer
Box 5008
Red Deer, Alta.

Dear Sir:

Re: 100 Nash Street
Lot 46, Block 3, Plan 762 0630

Nash Street is zoned R1 or single family area, and under the provision of the Land Use By-law, basement suites are not permitted in that zone.

We sympathise with the situation the applicant finds himself in, but we cannot recommend any change in the R1 District, and recommend that the request be denied.

In the past, City Council have rejected similar requests.

Yours truly,

D. Rouhi, MCIP
SENIOR PLANNER
CITY PLANNING SECTION

DR/cc

c.c. R. Strader, Development Officer
D. Wilson, City Assessor
R. Jeffers, City Engineer

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 STETTLE—TOWN OF SUNDRE—TOWN OF SYLVAN LAKE
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VILLAGE OF DONALDA—VILLAGE OF ELMORA—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—COUNTY OF LACOMBE No. 14
COUNTY OF MOUNTAIN VIEW No. 17 —COUNTY OF PAINTEARTH No. 18 —COUNTY OF RED DEER No. 23 —COUNTY OF STETTLE No. 6 —IMPROVEMENT DISTRICT No. 10

Commissioners' Comments

As can be seen from the attached report the enforcement of the Land Use Bylaw in this particular instance resulted from a complaint. While we sympathize with the applicant in attempting to cope with difficult times, to accommodate the request would require an amendment to the Land Use Bylaw which we cannot support. An alternative has been suggested by the Development Officer which we would recommend that he follow up. To allow consideration for this alternative we would suggest a 90 day grace period be given to effect the change.

"R.J. MCGHEE"
Mayor

"M.C. DAY"
City Commissioner

RED DEER REGIONAL PLANNING COMMISSION

2830 BREMNER AVENUE

RED DEER, ALBERTA, CANADA T4R 1M9

126.

DIRECTOR:

NO. 5

TELEPHONE: (403) 343-3394

Robert R. Cundy M.C.I.P.

Your File No.

April 27th, 1983

Our File No.

Mr. R. Stollings
City Clerk
City of Red Deer
P.O. Box 5008
RED DEER, Alberta
T4N 3T4

Dear Sir,

RE: Proposed Regional Plan April 1983

In a letter dated October 4th, 1983 the Commission informed you that it would be holding public hearings in November and December of 1982 on the Proposed Regional Plan September 1982. At that time the Commission invited each municipal council, school board, hospital board and drainage district board to make suggestions and representations at a public hearing.

The Members of the Red Deer Regional Planning Commission have considered the representations made at these public hearings and in doing so have revised the Proposed Regional Plan September 1982. Two copies of the revised document, entitled Proposed Regional Plan April 1983, are enclosed herewith.

Because of the municipal elections in the fall, the Commission strongly desires to have a regional plan adopted by the middle of August. However, the Commission would still like to give each municipal council an additional opportunity to review the proposed regional plan prior to official notification being sent to all local authorities in the region indicating the Commission's intention to adopt the Proposed Regional Plan as the Regional Plan. As such notification is required by the Planning Act to be at least 30 days prior to the meeting to adopt a regional plan, the Commission proposes to issue this notice on July 6th, 1983.

Therefore, in order to meet this schedule, the Commission requires the comments of your Council on the Proposed Regional Plan April 1983 by no later than June 15th, 1983. This will allow Commission Members time to consider further revisions, if necessary, and to revise the current proposed plan. The revised document, likely entitled the Proposed Regional Plan July 1983, will be attached to the notice of July 6th.

.... / 2

MUNICIPALITIES WITHIN COMMISSION AREA

CITY OF RED DEER—TOWN OF BLACKFALDS—TOWN OF BOWDEN—TOWN OF CAPSTAIRS—TOWN OF CASTOR—TOWN OF CERONATION—TOWN OF DIOSBURY—TOWN OF ECKVILLE
TOWN OF INNISFAIR—TOWN OF LACOMBE—TOWN OF OLDS—TOWN OF PENHOLD—TOWN OF ROCKY MOUNTAIN HOUSE—TOWN OF STETTLER—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 ELMORA—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—COUNTY OF LACOMBE No. 14
COUNTY OF MOUNTAIN VIEW No. 17 —COUNTY OF PAINTERTON No. 18 —COUNTY OF RED DEER No. 23 —COUNTY OF STETTLER No. 5 —IMPROVEMENT DISTRICT No. 10

April 27th, 1983

Page two

Even though additional changes to the proposed plan may still be made following this notification by means of amending motions, these changes do become very time-consuming and costly in light of the fact that the Planning Act does require that formal re-notification be given to all local authorities in the region of any changes to the document. This means that the proposed amendments would have to be circulated to more than 70 local authorities giving a further 30 days' notice of the Commission's intention to adopt the proposed regional plan as the regional plan.

Because this also takes valuable time from the busy schedules and commitments of municipal councils and other local authorities, the Commission is hopeful of circulating a proposed plan, with the July 6th notice, that reflects as best as possible the many diverse interests within the region and fairly treats the concerns expressed in light of these diverse interests. Only through your suggestions by June 15th, 1983 can the Commission consider the necessary changes to allow the proposed regional plan to be in this form.

The Commission certainly appreciates your continued interest in its regional plan program and looks forward to receiving your comments and suggestions.

Yours truly,

W. G. A. Shaw, MCIP
Senior Planner
Regional Planning and
Research Section

WGAS/lt

Enclosures

Commissioner's Comments

I would suggest Council defer consideration of this matter to the next meeting of Council. In the meantime if any member of Council wishes to review the plan a copy of same is available in the City Clerk's Dept.

"R.J. MCGHEE"
Mayor

JIMRAY HOLDINGS (Red Deer Ltd.)

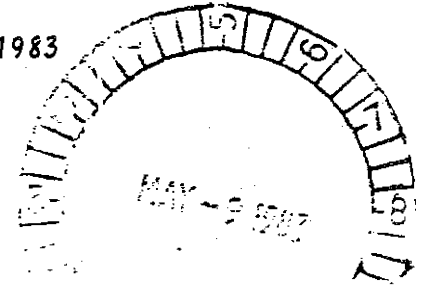
Bay #9, 7957 - 49th Avenue
Red Deer, Alberta
Phone 343-7055

128.

NO. 6

May 5, 1983

The Mayor and City Council,
The City of Red Deer,
City Hall,
Red Deer, Alberta.
T4N 3T4



Dear Sirs:

Re: Lot 23 MR / Lot 22 A

On April 11, 1983 I made representation to City Council on behalf of Jim Ray Holdings (Red Deer) Ltd. to purchase Lot 23 MR consisting of 0.233 hectares (0.551 acres) for a total sum of \$30,000.00. This request was accepted and passed by Council.

On April 25, 1983 Council amended their previous resolution reducing the size to 0.163 hectares (0.403 acres).

Please refer to the attached site layout as prepared by our tenant's architectural firm. As it points out, they require full use of the 0.551 acres in order to properly operate their business.

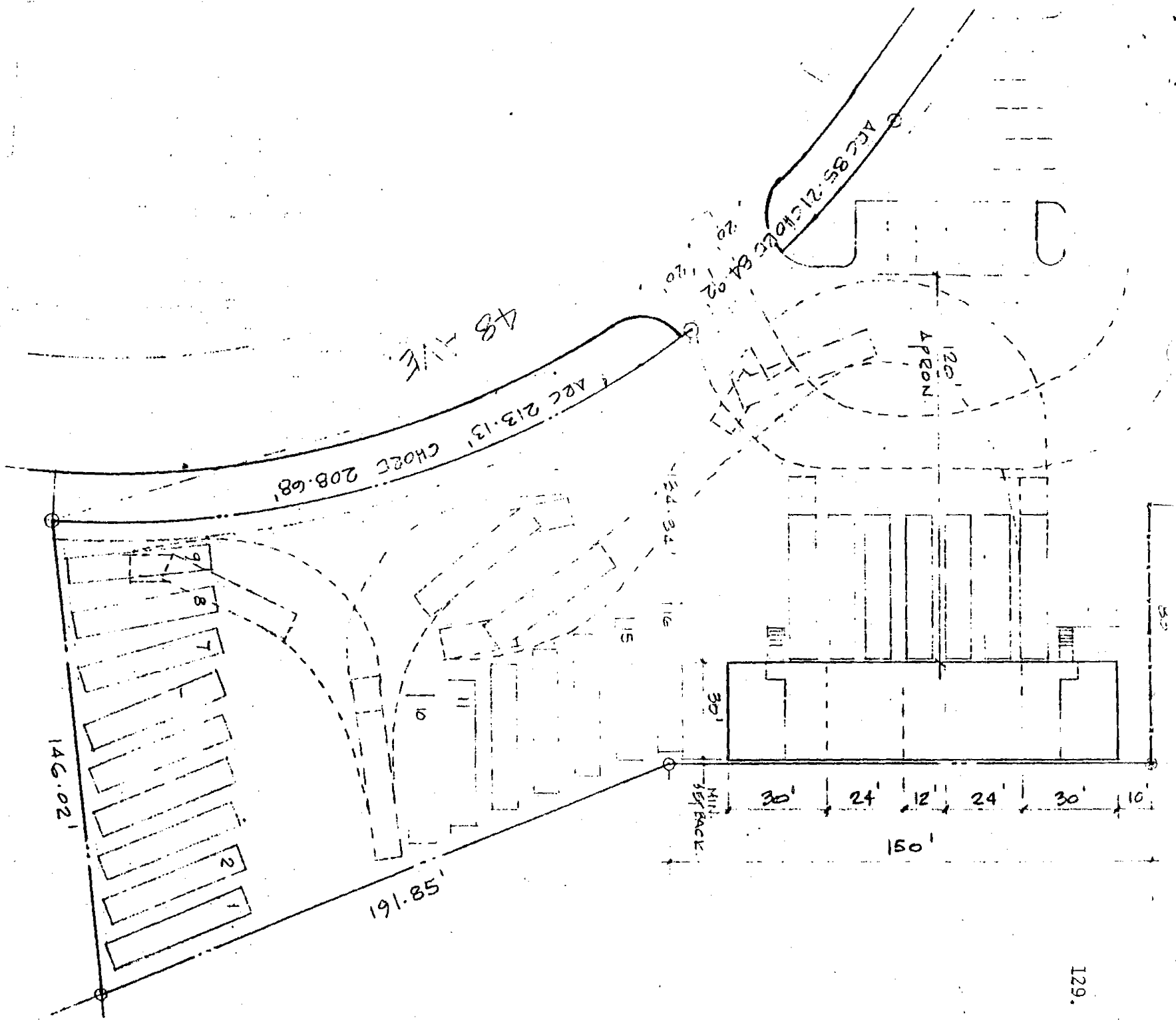
We therefore respectfully request the following to be accepted by Council:

1. That JimRay Holdings Ltd. purchase the Lot 23 MR in its reduced size at the previously agreed to price of \$54,446.50 per acre, being the sum of \$21,942.00.
2. That the remaining 0.148 acres being a city right of way, be leased to JimRay Holdings Ltd. for a nominal fee on the condition that JimRay Holdings Ltd. maintains the property as a parking area only.
3. That JimRay Holdings Ltd. receive approval to place fill material and surface gravel to the rear edge of the property which will result in some burming of the material on the city property adjacent to this Lot. JimRay Holdings Ltd. will undertake to restore the fence and to seed to grass on this fill overflow.

We thank you for your attention and consideration.

Yours truly,

R. Salomons (Ralph)
Secretary



May 17, 1983

TO: City Clerk
FROM: City Engineer
RE: Lot 23 MR, Lot 22A

JimRay is requesting Council to allow them to develop the utility right-of-way and boulevard south of their property line to parking. We are unable to recommend this because the plan is to install a water line in this area in 1983 or 1984 and there could be subsequent settlement. Further, there are manholes and valves which could be either damaged or obstructed by parked vehicles. In the longer term, it is the intention to develop this as a pedestrian linkage to the treed parkland on the hillside below, as part of the development of the Parks System.

The company also requests the right to construct a berm behind their property line, at the immediate top of a beautifully treed hillside and the growth has regenerated right to the fence. Any encroachment will be to the detriment of the public lands. The fence was built by the City in advance of any of these properties being developed for the express purpose of protecting the parkland from just such misuse. I have checked this item with the Parks Superintendent and we agree that we cannot recommend in favor of this request.

For Council's consideration.

B. C. Jeffers, P. Eng.
City Engineer

LAM/emg
cc - City Assessor
cc - Economic Development Director
cc - RDRPC

RED DEER REGIONAL PLANNING COMMISSION

2830 BREMNER AVENUE

RED DEER, ALBERTA, CANADA T4R 1M9

DIRECTOR:

Robert R. Cundy M.C.I.P.

131.

TELEPHONE: (403) 343-3394

Your File No.

Our File No.

May 16, 1983

Mr. R. Stollings,
City Clerk
City of Red Deer,
Box 5008
Red Deer, Alta.

Dear Sir:

Re: Lot 23 MR / Lot 22 A


The site is presently designated as Municipal Reserve and is zoned as 'Park'. There is an easement on the south side with a width of 15.24 metres. The easement is used for storm drainage and sanitary sewer lines.

We strongly object to leasing this 50 feet of easement since it is part of the access to the Pines escarpment and should be kept clear of any other use. This was confirmed by Craig Curtis who is in charge of Urban Parks, and also Mr. Don Moore, Chairman of the Urban Park Committee.

We recommend that this right-of-way not be leased, and be kept for access to Pines escarpment.

The disposition of part of the reserve and rezoning requires public hearing. The subdivision would require Planning Commission approval.

Yours truly,


D. Rouhi, MCIP
SENIOR PLANNER
CITY PLANNING SECTION

DR/cc

c.c. B. Jeffers, City Engineer

D. Wilson, City Assessor

A. Scott, Economic Dev. Officer


Don Moore, Recreation Superintendent
MUNICIPALITIES WITHIN COMMISSION AREA

May 16, 1983

TO: CITY CLERK
FROM: DIRECTOR OF ECONOMIC DEVELOPMENT
RE: LOT 23 MR/LOT 22A
NORTHLAND INDUSTRIAL PARK

Based upon the offer to purchase made by Jimray Holdings Ltd. of \$30,000.00 for the parcel of land in question, the reduction which is requested is appropriate. Originally it was understood that the parcel contained a total of .551 acres, when in fact the area, less utility right-of-way, is .403 acres. Based upon Council's decision to sell the land at the equivalent of \$54,446.50 per acre, the selling price should be \$21,942.00.

Respectfully submitted,


ALAN SCOTT, Director
Economic Development

AVS/gr

May 12, 1983

TO: CITY CLERK
FROM: CITY ASSESSOR

RE: Lot 23MR/Lot 22A

In reply to your letter of May 10, 1983, re: the above, please be advised that we have no comments.

D.J. WILSON,
City Assessor

DJW/gr

Commissioners' Comments

We would concur with the comments of the administration clarifying the acreage and the price which is in agreement with the understanding of the applicant. We cannot concur, however, with the request of the applicant to lease the utility right of way also designated as Municipal Reserve, as this forms a principle access to the trails system on the Pines Escarpment, nor can we recommend in favor of the berming arrangements proposed by the applicant. As is pointed out by the City Engineer, this area was prefenced precisely to avoid the kinds of damage to the P.R. area which occurred in other parts of the Northlands Industrial Park because of a lack of fencing. Any such arrangements should be confined to the property to be sold.

"R.J. MCGHEE"
Mayor

"M.C. DAY"
City Commissioner

NO. 7

TO CITY COUNCIL

I am writing this letter in regards and indirectly as a representation of a concern that must be affecting other businesses outside of ourselves. Our business, Keep Clean Services, is a city licensed outdoor maintenance service, conforming with all provincial, city and federal business requirements.

Each and every year, and more so this year, we are faced with individuals and other concocted maintenance services operating under the auspices of free enterprise without attempting whatsoever to attain proper business licenses, proper facilities, proper Workers Compensation in the case of hiring workers is required, and without registering not having to pay any business taxes.

Our Company was forced to conform with these regulations each and every year thus forcing our overhead to be much higher, in turn forcing our competition abilities to be out of reach with our illegal competitors.

We have contacted Mr. Tom Anderson of Bylaws with information previously realizing that this department can only accomplish so much. By the way, Mr. Anderson and his department have been very courteous and as co-operative as possible.

Each and every year this same problem and several other problems occur and I insist the City investigate and rectify this situation immediately before legitimate businesses trying to stay above water in hard times go under. We, in these economic times, have enough problems without these recurring problems as having been outlined.

I assume the definition of business is when anybody or anything offers goods or services for profitable gain. As such, all individuals offering roto-tilling, lawn mowing, etc. in the want ads should be required to have the same licensing fee no matter how immaterial it may seem. It may seem picky to some members of the establishment but let us put the shoe on the other foot.

If it was somebody offering part time consultation in the travel industry, or running an auction once a month without a license, or somebody teaching a grade student in schools without a certificate, I wonder if that would still be considered immaterial, especially if they were charging for the service.

I would like to be put on the city agenda to finish this presentation and possibly suggest harsh solutions as quickly as possible.

Thank you.

Mr. Rudy de Boer
Keep Clean Services
342-7739
3956 - 52 Ave.
Red Deer, Alberta

May 2, 1983

TO: City Clerk

FROM: Development Officer/
Building Inspector

RE: Letter from Rudy de Boer.

In response to your memo on the above, we have the following comments for council's consideration.

Each year approximately 2500 licenses are issued by the licensing department whom are aware of businesses who operate in Red Deer by checking the yellow pages, the want ads and by checking telephone complaints. When time permits, licensing personnel do on site checks to ensure that all companies working are licensed. However, in any year, no matter how many personnel are available for licensing, some firms are going to operate without the proper license. This year will be no exception and could have a higher than usual number of individual firms operating because of high unemployment. More persons are likely to be operating small business, doing a variety of jobs, than in recent years.

If Mr. de Boers suggestions are practical, we are willing to look at them very seriously. It should be again noted that we will never be able to license every business operating in Red Deer without increasing staff by disproportion number of people.

R. Strader
Development Officer/
Building Inspector.

RS:cmd

Commissioners' Comments

It would appear from the attached letter that the applicant has some concerns with respect to the size of the license fee charged to individual contractors who offer a narrower range of services than the full service offered by his corporation. Not knowing what suggestions the applicant wishes to make we are unable to offer any recommendations until after his presentation.

"R.J. MCGHEE"
Mayor

"M.C. DAY"
City Commissioner



Red Deer and District Archives Committee

Box 762, Red Deer, Alberta T4N 5H2
Phone 343-6844

652 4745

Stories of Long Ago

NO. 8

May 17, 1983

The Mayor and Members of Council
City of Red Deer
Red Deer, Alberta

Your Worship and Members of Council,

The Red Deer and District Archives Committee has received from Mrs. Agnes Richards a letter of resignation for reasons of health. Mrs. Richards had been appointed last fall to a two year term ending in October 1984. The Archives Committee respectfully requests that consideration be given by Council to the appointment of a replacement for Mrs. Richards on the Committee.

Yours truly,

Archivist, on
behalf of the
Archives Committee



Red Deer and District Archives Committee

Box 762, Red Deer, Alberta T4N 5H2
Phone 343-6844

672 474 5

Stories of Long Ago

May 17, 1983

The Mayor and Members of Council
City of Red Deer
Red Deer, Alberta

Your Worship and Members of Council,

The Red Deer and District Archives Committee, at its regular meeting of April 20, 1983, voted to recommend that Mrs. Mary Lerouge be appointed to fill the vacancy on the Committee left by the resignation of Mrs. Agnes Richards. Mrs. Lerouge has been a resident of Red Deer for nearly fifty years and has been an active community worker, particularly with the local Roman Catholic Church. We believe that Mrs. Lerouge would be a very capable and dedicated member of the Committee.

Yours truly,

Archivist, on
behalf of the

Archives Committee



138.

Office of the Minister

LABOUR

404 Legislature Building, Edmonton, Alberta, Canada T5K 2B6 403/427-3664

April 28, 1983

NO. 9

Mr. C. Sevcik
Assistant City Clerk
The City of Red Deer
Red Deer, Alberta
T4N 3T3

Dear Mr. Sevcik:

Re: 1983 A.U.M.A. Resolutions
Automatic Sprinkler System/High Rise Buildings

Thank you for bringing to my attention, by copy of letter of March 29, 1983 to Mr. Tom Buchanan, Executive Director of the Alberta Urban Municipalities Association, the resolution regarding Automatic Sprinkler Systems in High Rise Buildings.

In consideration of your resolution, I would suggest that the matter should be considered in two parts. First, the protection by automatic sprinkler system of high rise buildings as defined in those municipalities such as Red Deer or Grande Prairie, which do not have a large fire department and which for ordinary situations do not require a large number of firefighters. In this way, I believe it is possible to address the concern based on the most economic or efficient safety system looking at the economies of both the builder and the municipality. In the cities of Edmonton and Calgary where there are numerically large fire departments, the manpower challenge and the nature of the economies may be different. I hope that this possibility may receive consideration in 1983.

On the question of whether sprinklering is the most efficient way of providing protection for a building from the point of view of the owner, a study has been undertaken by the Department of Labour through outside consultants. The focus of the study is to determine the relative cost of a variety of protection systems, one of which is sprinklering. The first

.../2

Mr. C. Sevcik

- 2 -

April 28, 1983

phase of that study is complete and an additional phase, relating to the cost of maintenance and upkeep, is now underway. It appears that the results of that study may be a considerable encouragement to builders to give a priority to sprinklering as the most cost efficient way for the builder during both construction and maintenance.

Yours truly,



Leslie G. Young
Minister

LGY/ap

cc: Mr. Tom Buchanan

Mr. C. Skakun, Chairman

Building Standards Council

Mr. R.G. Hurlburt, Chairman

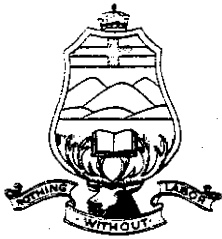
Alberta Fire Prevention Council

Commissioners' Comments

Submitted for the information of Council.

"R.J. MCGHEE"
Mayor

"M.C. DAY"
City Commissioner



RED DEER PUBLIC SCHOOL DISTRICT NO. 104

4747 - 53rd Street

RED DEER, ALBERTA

T4N 2E6

Phone 343-1405

BOARD OF TRUSTEES

R.E. SCHNELL

Chairman

MRS. P.J. ANDERSON

MRS. F.J. CRAIGIE

S.A. DYMIANIW

L.E. GODDARD

C.D. HOLMES

W.J. REED

NO. 10

May 18, 1983.

ADMINISTRATIVE STAFF

K.A. JESSE

Superintendent of Schools

MRS. D.F. SOLTY

Assistant Superintendent

D.A. BLACKER

Assistant Superintendent

R.E. CONGDON

Assistant Superintendent
(Business Services)

His Worship Mayor R. J. McGhee
and Members of Red Deer City Council
City of Red Deer
City Hall
Red Deer, Alberta
T4N 3T4

Dear Sirs:

Re: Glendale Junior High School Site

In accordance with the request from City Council at their meeting of May 9, 1983 we wish to advise that we have taken the following action:

1) The attached letter was sent to 13 property owners living immediately adjacent to 59th Avenue.

2) The attached ad was placed in the May 14 and 16 issues of The Advocate.

As of May 18, 1983 no written responses had been received regarding the proposal.

A summary of all responses will be provided to Council at the meeting.

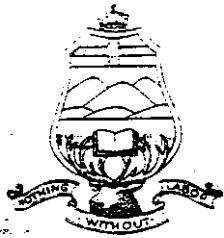
The Board would appreciate final approval by Council of their request for access to the above site by way of 59th Avenue as outlined in our letter of April 28, 1983.

Thank you for your prompt consideration of our request.

Yours sincerely,

R. E. Congdon
Assistant Superintendent
(Business Services)

REC/jg
Encls.



RED DEER PUBLIC SCHOOL DISTRICT NO. 104^{141.}

4747 - 53rd Street

Phone 343-1405

RED DEER, ALBERTA

T4N 2E6

BOARD OF TRUSTEES

R.E. SCHNELL
Chairman
MRS. P.J. ANDERSON
MRS. F.J. CRAIGIE
S.A. DYMIANIW
L.E. GODDARD
C.D. HOLMES
W.J. REED

May 11, 1983

ADMINISTRATIVE STAFF

K.A. LESSE
Superintendent of Schools

MRS. D.F. SOLTY
Assistant Superintendent

D.A. BLACKER
Assistant Superintendent

R.E. CONGDON
Assistant Superintendent
Business Services

CO-ORDINATORS

A. BURLEY
DR. W.B. HANDLEY
E.M. KULMATYCKI
R.R. LANG
DR. NEWTON
R.W. PAWLOFF
L.N. PELTIER
A.J. SCHAUFERT

The Red Deer Public School District No. 104 is proposing that access to the new junior high school be as outlined on the attached sheet and described as follows:

- 1) Access until railway relocation (Red line)
59th Avenue to 64th Avenue and then the temporary road running adjacent to the railway.
- 2) Access following railway relocation and road realignment. (Green line)
Removal of present barriers on 59th Avenue and extension of the road north from the cal-de-sac.

The Council of the City of Red Deer has requested we contact area residents that might be affected and obtain their views on the proposal.

We would appreciate receiving your written comments on the proposal by May 23, 1983.

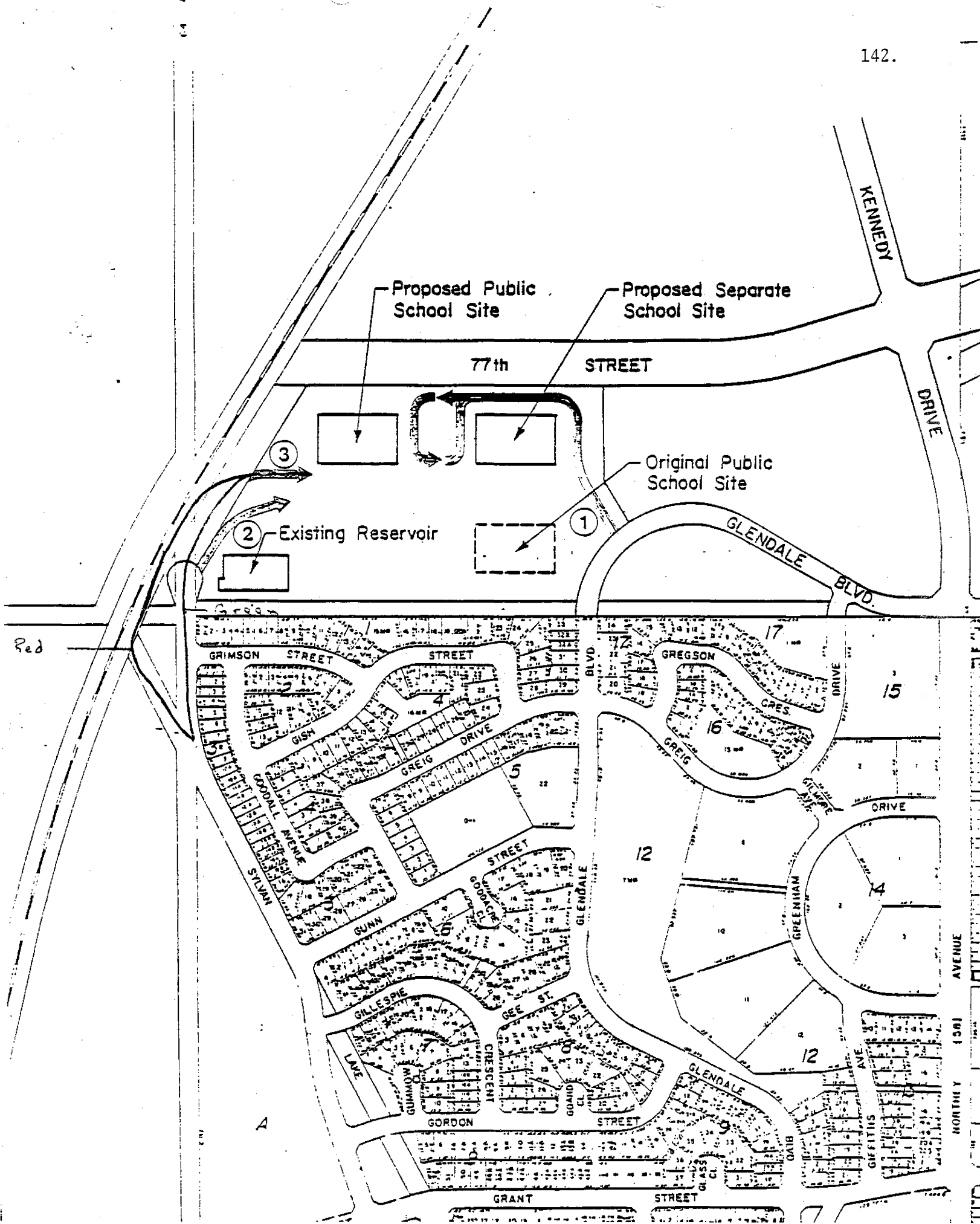
Please contact the writer at 343-1405 should you wish clarification and/or further information.

Thank you.

Yours sincerely,

R. E. Congdon
Assistant Superintendent
Business Services

REC:clw



ATTENTION GLENDALE RESIDENTS

Red Deer Public School District No. 104 is proposing that access to the new junior high school be as follows:

1) Access until railway relocation

59th Avenue to 64th Avenue and then the temporary road running adjacent to railway

2) Access following railway relocation and road realignment.
Removal of present barriers on 59th Avenue and extension of the road north from the cal-de-sac.

You are invited to submit your written comments on the proposal by May 23, 1983.

Contact Mr. R. E. Congdon at 343-1405 should you wish clarification and/or further information.

Board of Trustees
Red Deer Public School Dist. No. 104
4747 - 53 Street
Red Deer, Alberta
T4N 2E6

PETITIONS & DELEGATIONS

144.

May 7, 1983.

NO. 1

Mayor R. McGee,
City Hall,
Red Deer, Alberta.

Dear Mayor McGee,

For two and a half consistent years, we have approached city council with our traffic problem on Nolan Street. Despite the fact that there have been several devices installed, such as a wire fence, pedestrian stop sign etc., there is still a traffic problem. We can not stress enough that the playground and school zone signs do not slow down the traffic. The Normandeau School is situated here and we all have children who have to cross this street daily. This is a dangerous street. After 2½ years of voicing our concern, we are to the point of being outraged and hostile as to this persistent and uncurable traffic problem.

A serious engineering mistake has been made and a residential street has become a freeway. We demand that something be done, not considered. Our problem has been delayed long enough and we want immediate action. We have reached some solutions which are not unreasonable and are workable. We do not need an engineer's study or survey done; we know what it is like - we live here. These are the solutions we want implemented immediately.

1. Two 3-way stop signs at the following street intersections where there are crosswalks. (See attached diagram).
 - a) 3-way stop sign on Nolan Street and Nordegg Cres.
 - b) 3-way stop sign on Nolan Street and Noble Avenue.

We feel by installing a series of 3-way stop signs along Nolan Street that the drivers will be forced to stop within the playground zone. This would serve as a speed trap, since the distance between the two intersections is fairly short. With the street having two 3-way stop signs it would mean frequent stopping. By forcing the motorists to stop several times on the street, we believe that it would deter the motorists from using this street as a short-cut route across the city. Again we stress that it is necessary that both sets of the 3-way stop signs be installed, not just one set. It would not be effective if just one set be installed, we need both.

2. A boulevard along our existing sidewalk be installed along Nolan Street. It would have to be from Northey Avenue to the east end of Nolan Street. The boulevard would be a grass area along our existing sidewalk, then the curb, then the street.

...../ 2 cont'd

- 2 -

This boulevard will act not only as a visible barrier but as a physical one as well. With the boulevard installed, the width of the street would be decreased. As is, the street appears wide and encourages the drivers to pick up speed when they drive down it. If the street became narrower, it would act as a visible barrier. The boulevard will act as a physical barrier because it will be a protection for the pedestrians and young children who walk along this street.

3. The purchase of the land to extend either Gunn or Gillespie Street in Glendale. It is necessary that either of these streets be extended to 64th Avenue immediately (no matter how temporary 64th Ave. may be). With the extension of either of these streets, Glendale residents will have several entrances to 64th Avenue. Then the west end of Grant Street can be made into a cul-de-sac. The street will no longer be used as a cross-city route once this is done.

Again, to reiterate. The Glendale subdivision has been planned haphazardly. It was built with no entrances or exists. The only way out of their subdivision was through using the Normandeau streets (mainly Nolan Street) and the west end of Grant Street. With the extension of the 64th Ave. and 77th Street, this has eased the pressure a little, but there is still limited access to the Glendale subdivision and this street is still the easiest one to take. Why should one subdivision (Normandeau) have to receive their traffic (Glendale) through our residential streets? We are the street that not only receives traffic from the Normandeau subdivision, but the Glendale subdivision and as well as the cross-town traffic. Why should we have to take the brunt of a planning mistake and suffer the consequences, such as the heavy and fast-flowing traffic past our front doors.

This mistake must be corrected, not delayed as it has been continuously throughout the 2½ years. We have waited long enough.

4. Constant police radar.

This problem has not gone away and will not go away. It has to be dealt with, not avoided. Again, we demand subsequent action be taken and we believe these are workable and reasonable solutions. We live on this street and all have children. The street is a nightmare, not only during school hours, but every hour of the day and night.

Yours sincerely,

Doug & Jeanette Vosburgh
 711 Nolan Street
 Red Deer, Alta.
 342-4739

Doug and Jeanette Vosburgh

*1000 10th Street
 Red Deer
 342-5430*

*1000 10th Street
 Red Deer
 342-5430*

- 3 -

Mr. and Mrs. Nick Eluk
MR. and MRS. NICK ELUK
123 NOLAN ST. 342-0341

Mr. & Mrs. R. Morrison
MR & MRS RAY MORRISON
67 NOLAN ST. 343-6916

Mr. & Mrs. Merv. Proby
67 Nolan St. 343-3180

Mr. & Mrs. Joe Wack
99 Nolan St 343-1137

Copies sent to: Mr. Jack Kokotailo
Mr. Dennis Moffat
Mr. Larry Pimm
Mr. John Oldring
Mr. Claybyn Hood
Mrs. Ollie Webb
Mr. Dan Lawrence

City Clerk

Northey Ave

an addition to our existing sidewalk which would consist of grass and then a curb - then the road

Existing Pedestrian

Noble Ave.

b) Required 3-way stop sign

Normandean
School

Nolan St.

Nance Due.

North Hill
Ind

a) Required 3-way
Stop Sign

Nordegg Cras.

(Shaded area on street represents existing playground and school zones)

Gratz
Duc.

W ↑

Existing Railroad Tracks

148.

64th Ave

Denton's Greenhouse

the proposed street extensions

Cul-de-sac

Sylvan Lk. Trail

Glendale Subdivision

Geordan St.

Ceilleespice St.

Gunn Street

Case St.

Grant St.

77th St.

← S

N →

Glendale Blvd.

Northey Ave

Nolan St.

* Our suggestion for the best street to be extended is Gunn St., so that Glendale would begin to have their own collector streets within their own subdivision. At present they

expect to use

Normandean collector

Normandean Subdivision

streets, but refuse to have their streets used for such purposes.

E ↓

May 13, 1983

TO: City Clerk
FROM: City Engineer
RE: Nolan Street Traffic
Petition - Doug & Jeanette Vosbaugh, 71 Nolan Street

The Engineering Department's comments regarding the petition dated May 7, 1983 are as follows:

1. We cannot support the installation of three (3) way stop signs at the requested locations as Nolan Street was designed as a collector road and as such handles the public transit system and distributes/collects traffic from the major arterials to the minor residential roads. STOP signs at these locations will cause unnecessary delay to buses and vehicles and generate a disrespect by motorists in the use of a STOP sign for purposes of speed control. Violations for failing to stop at the stop signs will likely increase and will again require continuous R.C.M.P. surveillance to make the signs work. The better solution is to more closely enforce the speed limit or to alter the road alignment. As Council has placed three (3) way or four (4) way stops in other instances (Nash Street/Nagel Avenue and Selkirk Boulevard/Springfield Avenue), the precedent has been established in using STOP signs for speed control. If Council desires to consider another request we will arrange for the installation but cannot recommend it. The accepted engineering practice as defined in the Uniform Traffic Control Devices Manual for Canada states that:

- (1) STOP signs are to be used for right-of-way control only.
- (2) Over use of a particular sign will result in it interfering and distracting from others, becoming visually ineffective and losing it's authority through obviously incorrect use.

2. We cannot support the reduction of the current 12 m road width to 10 m or similar reduced dimension. As noted before the street was designed as a residential collector not a cul-de-sac or a close, and as such must provide two (2) travel lanes at 3.50 m each and two (2) on street parking lanes at 2.50 m each for a total of 12 m. It must handle

higher traffic volumes including transit buses, to provide reasonable access to the area. Failure of this roadway to provide this function will result in the existing traffic being dispursed to other minor residential roadways. For information, the order of magnitude of cost to provide a boulevard as requested is \$100,000. This cost should be chargeable to the properties fronting the roadway and would be approximately \$3,200 per lot or considerably more if financed over twenty (20)-years as a local improvement.

3. We have measured the traffic volumes at Nolan Street east of Northey Avenue and obtained the following twenty-four (24) hour count:

	<u>24 Hr Count</u>	<u>Westbound</u>	<u>Eastbound</u>	<u>Total</u>
July 1981	aver week day	1975	1594	3569
Sept 1981	aver week day	1782	1642	3424
July 1982	aver week day	2973	3222	6195
Sept 1982	aver week day	2163	2401	4564
Nov 1982	aver week day	1855	1873	3728
Apr 1983	aver week day	2128	2270	4398

The numbers indicate the roadway is functioning within the intended traffic volumes. This volume will probably reduce once 64 Avenue and 77 Street are properly constructed as a four (4) lane divided arterial and the Gunn Street extension and Grant Street closure are implemented.

4. Council passed the following resolutions relative to the Grant Street closure and the extension of Gunn Street to 64 Avenue:

- (a) With regard to the required road right-of-way to extend Gunn Street:

April 26, 1982

"RESOLVED that Council of the City of Red Deer having considered correspondence dated April 5, 1982 from Snell & Oslund Surveys (1979) Ltd. regarding Proposed Land Exchange within the north west quarter of Section 29/38/27/4 between the City of Red Deer and Mr. Arie Dentoorn, hereby agree that said exchange be considered when the City is in a position to construct 64 Avenue on its final alignment and as recommended to Council April 26, 1982 by the administration."

- (b) With regard to the closure of Grant Street:

December 6, 1982

"RESOLVED that Council of the City of Red Deer having considered petition dated November 24, 1982, in favor of restricting traffic access at Grant Street and 64 Avenue via a cul-de-sac or barricade hereby agree that closure of Grant at 64 Avenue not be undertaken until such time as the construction of Gunn Street to 64 Avenue is completed."

As mentioned in previous reports to Council, Gunn Street can be extended once the necessary right-of-way is acquired but is not recommended at this time as the grades on the Gunn Street extension would be in the order of eight percent (8%) and its westward alignment would tie into the 64 Avenue temporary road on a five percent (5%) uphill grade resulting in a very hazardous intersection in winter conditions.

These adverse grades would be eliminated in the future when the ultimate 64 Avenue further west is constructed. At that time Gunn Street could be extended with lesser problems and Grant Street closed.

5. With regard to the second paragraph of item #3 in their letter, the statement that "It was built with no entrances or exits" is incorrect. Access to the Glendale area is provided at Grant Street/64 Avenue, Nolan Street/Northey Avenue and Northey Avenue/77 Street.

6. It would appear that Council in this instance must confirm the definition of the "problem" referred to in the petition. The planning and engineering definition on which basis the roadway was designed, is a roadway capable of normally handling one thousand (1000) to five thousand (5000) vehicles per day including transit buses, emergency vehicles and on street parking. In this regard, the traffic counts indicate the roadway is functioning as designed. If the petitioners are expecting volumes less than existing, they would have to relocate to a cul-de-sac or a close which is designed to handle one hundred (100) to one thousand (1000) vehicles per day. If the petitioners want volumes of one thousand (1000) vehicles per day or less the problem as stated in the petition "will never go away" as far as they are concerned.

7. We suggest that Council consider confirming the previously mentioned resolutions which should provide some improvement in due course as the area develops west of the old Sylvan Lake Trail. If, however, Council feels that some immediate action is necessary we suggest that funds be established (as per City Treasurer's recommendation) to purchase the right-of-way rather than wait for the exchange and to construct the sub-standard Gunn Street extension in a similar temporary fashion to 64 Avenue/77 Street roadway. The costs have not been estimated to this date.

8. The matter of speeding and enforcement will be commented upon by the R.C.M.P..

B. C. Jeffers, P. Eng.
City Engineer

KGH/emg
cc - RDRPC
cc - R.C.M.P.
cc - City Assessor

152.

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

Your File No.

Our File No.

May 16, 1983

Mr. R. Stollings,
City Clerk
City of Red Deer
Box 5008
Red Deer, Alta.

Dear Sir:

Re: Traffic on Nolan Street

The letter signed by seven households located along Nolan Street requests that the City take four actions regarding the traffic on Nolan Street.

Generally complaints regarding the traffic in residential areas originate from three factors.

- a) volume of traffic
- b) type of traffic
- c) speeding

Volume - Nolan Street is a collector street which gives access to a number of streets as well as provide access to other subdivisions. It has a similar function as Mitchell Avenue in Morrisroe, joining Eastview to Anders Park, and Horn Street in Highland Green, joining Oriole Park to Highland Green.

These roads are designed with 12 metre paved roads to provide two lanes of parking and two lanes of traffic. Their design can handle up to 5000 or even more vehicles per day. The latest traffic count by the city indicates that traffic volume is not excessive and stays within the design capacity.

Type of Traffic - One of the complaints often heard is the movement of trucks in the residential area. Nolan Street is not a truck route and trucks should not be using that street. There are a number of construction sites such as Springer Homes' 100 units of Townhouses and other projects which may be the cause of some truck movement on that street. It is expected that traffic related to local construction will be reduced as the area is fully developed.

pg. 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 SCKVILLE
TOWN OF INNISFAIR—TOWN OF LACOMBE—TOWN OF OLDS—TOWN OF PENHOLD—TOWN OF ROCKY MOUNTAIN HOUSE—TOWN OF STETTLER—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 ELMORA—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—COUNTY OF LACOMBE No. 14
COUNTY OF MOUNTAIN VIEW No. 17 —COUNTY OF PAINTEARTH No. 18 —COUNTY OF RED DEER No. 23 —COUNTY OF STETTLER No. 6 —IMPROVEMENT DISTRICT No. 10

Mr. R. Stollings

Re: Traffic on Nolan Street

pg. 2

Speeding - Nolan Street has a School Zone as well as a Playground Zone. These two zones extend to about half the length of Nolan Street and the speed limit along such zones is 30 km (20 miles per hour). Nolan Street has a light-controlled pedestrian crossing at the junction of Noble Avenue and four-way stop signs at Northey Avenue.

If the traffic still speed along the school and playground zone, this becomes a matter for the police to enforce this law. This is one of the requests of the people who signed the letter.

The letter requests that the city take four methods to remedy the situation:

- 1) Three-way stop signs - Erect two three-way stop signs on Nolan Street at the intersection of Nordegg Crescent and Noble Avenue, in order to reduce the speed. This device is normally used to control the Right-Of-Way at intersections with equal number of cars in each direction, but not to create frequent stops where there is practically no other traffic on the side streets.
- 2) Reduction in the width of the street - The second solution suggested is to reduce the street width and make it into a local road by extending the sidewalk and boulevard further north. This is a very costly proposal which would require the complete reconstruction of one side of the street, relocation of storm drainage basins, the extension of all driveways and planting of new boulevard. The final effect of this action would not be significant on traffic volume since the road still gives access to the subdivision.
- 3) Making a cul-de-sac and extension of Gunn Street - The suggestion is to make the west end of Grant Street into a cul-de-sac and create a new connection between 59 and 64 Avenue in the vicinity of Gunn Street. This solution is part of the city's overall plan (see the plan) for the area and has been brought to the attention of City Council many times in the past. The city did not act on this mainly because the city does not own the required right-of-way and 64 Avenue is not on its permanent alignment at this point.
- 4) Constant Police Radar - As it was mentioned before, the speed limit on the most part of Nolan Street is 30 km or 20 miles per hour because of the school and playground zones. It is a matter of enforcing the speed limit which could effectively slow down traffic and eliminate speeding.

Mr. R. Stollings

Re: Traffic on Nolan Street

pg. 3

Recommendation

Although we do not support the proposed two 3-way stop signs as a means of slowing down traffic, if the residents feel this is part of the answer to their problems, then City Council may authorize the signs for a trial period.

We cannot support the reduction of street width of a collector road because of the cost, the minimal effect on the volume of traffic, the difficulty this would cause for the Transit System, and its effect on the local road systems.

The closing of the west end of Grant Street and opening a new link between 59th and 64th Avenue is the most effective way to reduce traffic volume on Nolan Street. If the city acquire the required right-of-way, a temporary road can be put in place until the railway is relocated and then a permanent road with proper grade can be built.

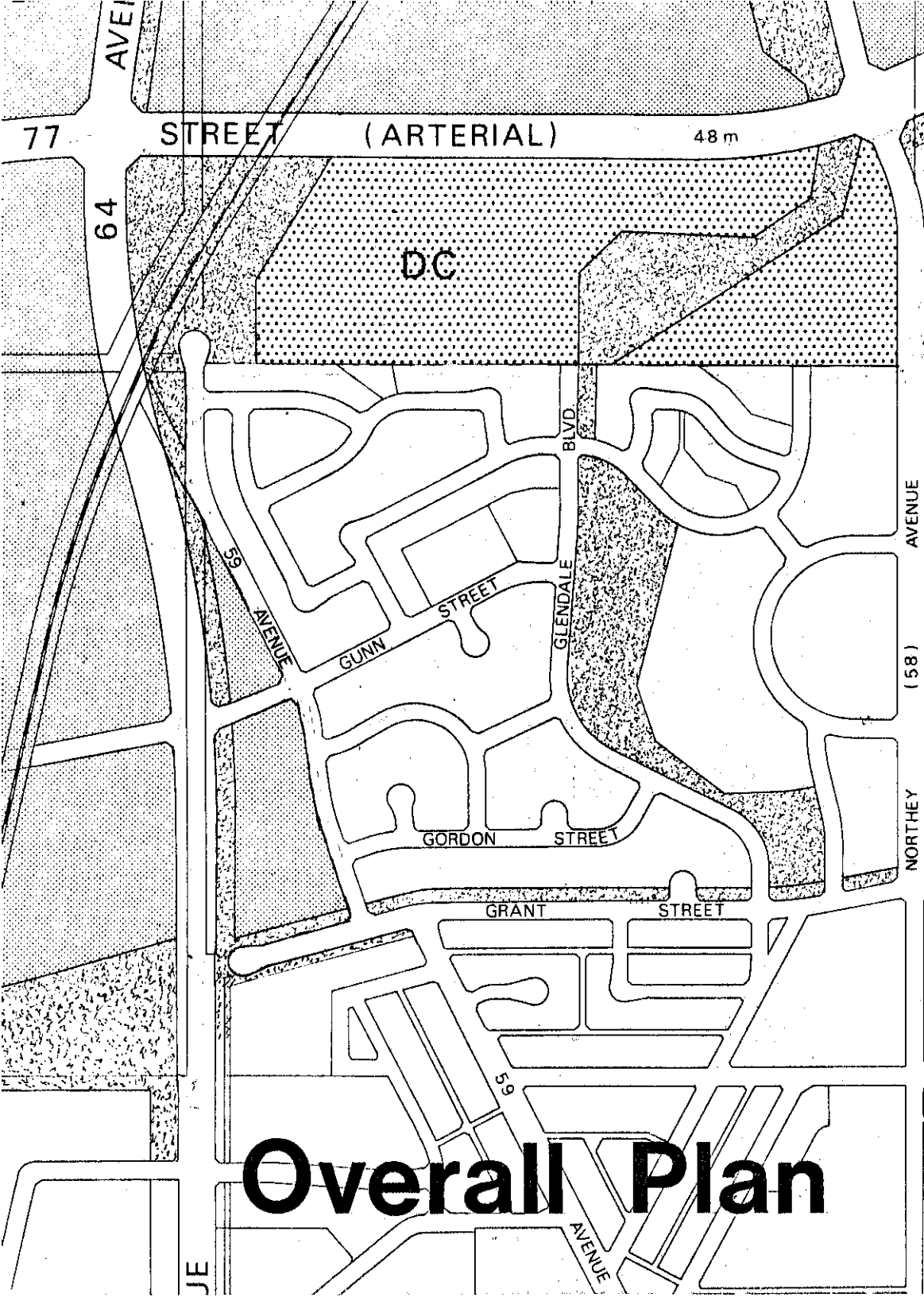
Yours truly,

D. Rouhi, MCIP
SENIOR PLANNER
CITY PLANNING SECTION

DR/cc

c.c. B. Jeffers
City Engineer

D. Wilson
City Assessor



Overall Plan

77

STREET

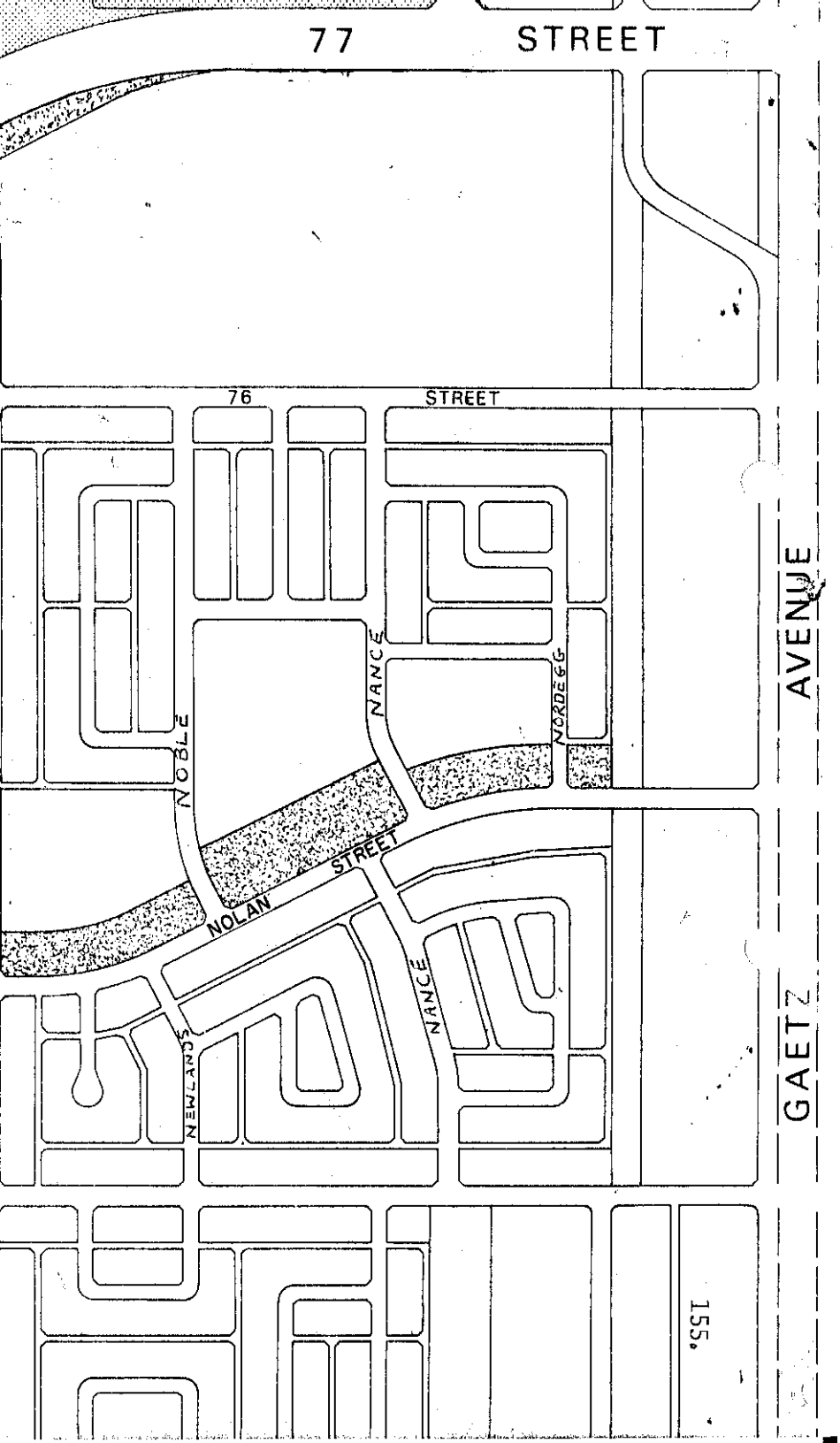
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STREET

AVENUE

GAETZ

155.



May 11, 1983

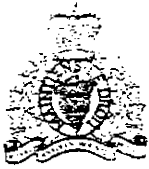
TO: CITY CLERK
FROM: CITY ASSESSOR

RE: TRAFFIC ON NOLAN STREET

In response to your letter of May 6, 1983, may we advise that we have no comments pertaining to this matter other than if the City proposes to purchase any of Mr. Dentoon's property an appraisal should be done as to the value of the lands and any compensation payable for severance.

D.J. WILSON,
City Assessor

DJW/gr



Royal Canadian
Mounted Police

Gendarmerie
du Canada

157.

83 MAY 16

Our file Notre référence

R. STOLLINGS
City Clerk
City of Red Deer

Dear Sir:

RE: TRAFFIC ON NOLAN STREET

This has reference to your correspondence dated 83 MAY 06 with respect to the captionally noted requesting out comments on a letter received from citizens on Nolan Street.

In addressing their opening paragraph indicating that there is a traffic problem and that Nolan Street is a dangerous street, I cannot support this opinion.

Our traffic section recently conducted a three day blitz on this street, on May 11, 12, and 13th. (Wednesday, Thursday, and Friday). The purpose of this blitz was to monitor speeding infractions; flashing red light at Crosswalk offences; passing and careless driving infractions. This operation was conducted at peak traffic times (i.e. 8:00 - 10:00 a.m.; 11:00 a.m. - 1:00 p.m. and 3:00 - 5:00 p.m.) on each day. A total of 13.75 hours was expended over the three day period of time. A total number of 96 speeding infractions were detected, or one speeder every 8½ minutes. Out of the total 96 speeding infractions we found the average violator speed to be 50.9 kph in a 30 kph speed zone. This figure may seem quite high, but it should be pointed out that this average speed only took into consideration those violators travelling in excess of 45 kph.

Other Highway Traffic Act offences observed, included three red flashing light at crosswalk offences, one passing infraction, 1 "truck off truck route" charge and one careless driving offence.

Calculated from very recent traffic counts supplied by City Engineering Department, we were able to obtain the percentage of speeding violators over the total number of motorists travelling both east and west on Nolan Street. These are as follows:

DAY		
Wednesday	3:30 p.m. - 5:00 p.m.	7.8 %
Thursday	08:30 - 09:30	10 %
Thursday	11:30 a.m. - 1:30 p.m.	14 %
Thursday	3:00 p.m. - 4:00 p.m.	8.4 %
Friday	08:00 - 09:00	5.6 %
Friday	11:30 a.m. - 1:00 p.m.	6.7 %
Friday	3:00 p.m. - 5:00 p.m.	4.08%

RE: TRAFFIC ON NOLAN STREET

Also as a matter of interest, we found that approximately 28% of the speeding violators reside in the Normandeau/Glendale district.

Research over the past three years has shown a total of 8 motor vehicle accidents on Nolan Street, between Nordegg and Northey Avenues, between 1980, 1981 and 1982, one half of these occurred at the intersection of Nolan Street and Northey Avenue, prior to the 4-way stop signs being implemented at that intersection. Since that time, I could find no record of an accident occurring at this location.

During the past year and particularly during our three day operation, our traffic section has observed many infractions by pedestrians crossing Nolan Street. Approximately 85% of the students proceeding to or returning from the Normandeau Elementary School, are not activating the flashing red light at Nolan and Noble Avenue. Other observations include school children riding their bicycles in an unsafe manner by cutting in front of oncoming traffic, often times two people doubling up on their bikes; children crossing between intersections and not utilizing crosswalks; other children were observed playing ball directly adjacent to Nolan Street, rather than using the fenced in playground provided.

Addressing paragraph one in this letter to City Hall, it is my opinion that a 3-way stop at Nolan and Nordegg would not necessarily slow traffic down, but because this intersection is such a short distance away from the present 4-way stop at Nolan and Northey, you might find traffic become annoyed and tend to ignore the proposed 3-way stop sign, thus create a potentially dangerous intersection.

Regarding the proposed 3-way stop at Nolan and Noble Avenue, I feel that this is a better suggestion and more likely to slow traffic down and I would support this proposal.

With regard to paragraph two, I feel that by making Nolan Street narrower, this would only increase the chances of a traffic accident based on the amount of both vehicular and pedestrian traffic presently utilizing Nolan Street.

With respect to paragraph three recommending the extension of either Gunn or Gillespie Streets, I feel that if this proposal would in fact decrease the amount of traffic on Nolan Street, then I believe that this idea should be fully explored and implemented. The idea of a cul-de-sac, I feel would only work should Gunn and Gillespie Streets be extended to 64 Avenue. This proposal no doubt would be a great engineering change and I do not feel very well qualified to comment much further at this time.

Regarding paragraph four requesting constant police radar. I believe that not only is this an unfair and unrealistic request but in the past 2½ years, Nolan Street has had it's fair share of radar enforcement realizing of course, that our police officers have many other similar requests from citizens in all sub-divisions in the City of Red Deer. This is not to say, however that we do not intend to maintain the present level of enforcement on Nolan Street, but we are more than willing to help in all areas of traffic safety.

RE: TRAFFIC ON NOLAN STREET

I see a real need in educating our young people in the proper use of pedestrian crosswalks and bicycle safety, not only in the Normandeau area, but in all areas of the City. Our police officers are quite willing and able to speak and demonstrate these ideas at school talks both at the Normandeau Elementary School and other schools within the City of Red Deer. We are in the process of implementing appropriate traffic safety programs in the schools to help improve these situations.

We are also willing to help in whatever other means to help promote safe driving on Nolan Street and throughout the entire City of Red Deer.

Yours truly,

(D.C. Nielsen) Insp.,
O. i/c Red Deer City Detachment

DHSL/ck

NOLAN STREET			
* Accident History			
INTERSECTION	YEAR		
	1980	1981	1982
NORDEGG CRESCENT	2	0	0
NORTON AVENUE	0	0	0
NANCE AVENUE	0	0	0
NOBLE AVENUE	1	0	1
NEULANDS AVENUE	1	0	0
NORWEST CLOSE	0	0	0
NORTHEY AVENUE	4	0	0

* RECORDED ACCIDENTS FROM R.C.M.P. ACCIDENT REPORTS SUBMITTED
TO ENGINEERING DEPARTMENT FOR STATISTICAL ANALYSIS.

SUMMARY SHEET

HOURLY AUTOMATIC TRAFFIC COUNT

161.

RECORDED BY L. ARYS

DATE TIME		WEEK DAYS					AVERAGE WEEKDAY TRAFFIC A.W.T.			AVERAGE DAILY TRAFFIC A.D.T.
		MON	TUE	WED	THUR	FRI		SAT	SUN	
		2/5/83	3/5/83	27/4/83	28/4/83	29/4/83		30/4/83	1/5/83	
A.M.	12-1	16	15	25	19	17	18	41	42	25
	1-2	3	11	11	17	19	12	36	31	18
	2-3	4	7	9	10	12	8	23	30	14
	3-4	1	2	7	4	4	4	14	22	8
	4-5	2	3	4	3	6	4	6	4	4
	5-6	12	8	6	9	10	9	6	5	8
	6-7	49	55	54	56	46	52	13	13	41
	7-8	142	138	148	146	156	152	24	10	113
	8-9	169	161	161	174	160	165	82	20	132
	9-10	107	116	105	100	115	109	104	53	100
	10-11	110	103	113	111	114	110	135	87	110
	11-12	108	91	127	119	110	111	148	100	115
P.M.	12-1	159	139	143	149	188	156	173	113	152
	1-2	138	151	129	132	140	138	179	155	146
	2-3	117	126	115	117	135	122	162	134	129
	3-4	112	121	139	142	172	137	139	124	136
	4-5	179	191	210	189	225	199+	130	124	178
	5-6	180	150	159	155	177	164+	122	114	151
	6-7	154	153	131	131	152	148	87	104	133
	7-8	123	107	126	131	130	133	115	78	123
	8-9	109	95	121	115	142	116	76	92	107
	9-10	100	83	128	100	97	102	78	70	94
	10-11	48	62	56	62	77	61	59	46	59
	11-12	35	31	50	38	43	40	64	35	43
24 HOUR TOTAL		2,177	2,149	2,277	2,280	2,469	2,270	2,016	1,610	2,135
12 HOUR TOTAL 7 AM-7 PM										
PEAK HOUR	TIME									
	VOL.									
COUNTER NUMBER		LOCATION						DIRECTION		NO. OF LANES
		NOLAN STREET EAST OF NORTHER AVENUE						EAST		ONE

SUMMARY SHEET

HOURLY AUTOMATIC TRAFFIC COUNT

162.

RECORDED
BY C. M. RAY

DATE TIME		WEEK DAYS					AVERAGE WEEKDAY TRAFFIC A.W.T.			AVERAGE DAILY TRAFFIC A.D.T.
		MON	TUE	WED	THUR	FRI		SAT	SUN	
		2 / 5 / 83	3 / 5 / 83	27 / 4 / 83	28 / 4 / 83	29 / 4 / 83		30 / 4 / 83	1 / 5 / 83	
A.M.	12-1	12	30	23	33	38	27	50	56	35
	1-2	2	5	41	19	34	20	49	63	30
	2-3	4	14	6	11	10	9	3	25	14
	3-4	4	2	6	5	7	5	14	28	9
	4-5	3	3	0	6	4	3	6	11	5
	5-6	9	5	5	10	7	7	7	14	8
	6-7	25	24	27	23	17	23	10	4	19
	7-8	67	77	72	71	71	72	18	7	55
	8-9	95	91	87	88	90	90	49	12	73
	9-10	83	86	84	69	70	78	60	42	71
	10-11	99	71	90	72	95	85	91	68	84
	11-12	103	110	96	106	116	106	110	82	103
P.M.	12-1	158	154	140	121	171	149	151	122	145
	1-2	128	111	125	112	125	120	148	110	123
	2-3	107	100	107	105	154	115	137	129	120
	3-4	155	121	152	153	162	149	128	134	144
	4-5	192	196	229	211	230	212	164	125	192
	5-6	241	227	222	209	211	222	146	116	196
	6-7	154	165	171	151	169	162	126	105	149
	7-8	139	99	126	135	131	126	101	89	117
	8-9	155	106	135	129	139	133	97	81	120
	9-10	110	93	100	128	113	109	82	78	101
	10-11	54	62	55	64	66	60	69	54	61
	11-12	36	38	56	39	60	46	37	37	46
24 HOUR TOTAL		2,135	1,990	2,155	2,070	2,290	2,128	1,901	1,594	2,020
12 HOUR TOTAL 7 AM - 7 PM										
PEAK HOUR	TIME									
	VOL.									
COUNTER NUMBER		LOCATION						DIRECTION		NO. of LANES
		NOLAN STREET EAST OF NORTHEY AVENUE						WEST		01.5

Commissioners' Comments

The attached petition outlines four requests. Each of the requests have been commented on in detail in the attached reports.

1. The first point raised is a request for two 3-way stop signs. As has been indicated by the administration, such stop signs are not recommended as they will not necessarily solve the problem and can cause irritation to the motoring public with the potential for ignoring such signs and for losing their authority for obviously incorrect use. Further one of the requests is for a 3-way stop sign at Noble and Nolan. It is at this intersection that Council approved the installation of pedestrian activated traffic control lights. When used correctly these effectively act as a stop sign. As indicated in the attached report 85% of the people are not utilizing the pedestrian activated intersection as was the intent.

2. The 2nd request was for the narrowing of Nolan Street from Northey to Gaetz Ave. by the construction of a grass blvd. along the south side. We would concur with the comments in the attached reports that narrowing the street would not only not solve the problem but could in fact increase the chances of accidents involving both pedestrians and vehicles.

3. The third request was the extension of either Gunn or Gillespie St. to 64 Ave. Council will recall that they have approved extension of Gunn St. to 64 Ave. when we are in a position to construct 64 Ave. on its final alignment.

The construction of this street prior to the construction of 64th on its final alignment could result in a hazardous situation. It is not possible to close Grant St. until such time as this work is undertaken.

4. The 4th request is for constant police radar. As has been pointed out by the R.C.M.P. over the past 2½ years, law enforcement on Nolan St. has been consistent with other parts of the City.

In summary, it would appear from the attached reports that the volume of traffic is typical for a collector street of this nature and that on the three days when the latest intensive police enforcement was undertaken, approx. 8% of the traffic were found to be in violation of the speed limits. What is significant, however, are the comments from the R.C.M.P. regarding the conduct of pedestrians in the area of Nolan St. We would concur with the R.C.M.P. and strongly recommend that an educational program be undertaken in conjunction with the Normandeau School.

"R.J. MCGHEE"

Mayor

"M.C. DAY"

City Commissioner

BYLAW NO. 2085/E - 83

Being a Bylaw to amend Bylaw No. 2085 as amended, being
the Electric Utility Bylaw.

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF RED DEER DO
ENACT AS FOLLOWS:

Bylaw No. 2085/D - 83 that was to be effective for billings mailed
after May 13th, 1983 is repealed in its entirety. The repeal of Bylaw
No. 2085/D - 83 is effective for all billings mailed after May 13th, 1983.

READ A FIRST TIME IN OPEN COUNCIL this _____ day of May, 1983, A.D.

READ A SECOND TIME IN OPEN COUNCIL this _____ day of May, 1983, A.D.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED this _____ day
of May, 1983, A.D.

MAYOR

CITY CLERK

BYLAW NO. 2672/F-83

Being a Bylaw to amend Bylaw No. 2672/80, being the
Land Use Bylaw of the City of Red Deer.

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

1. Section 6.2.1.2 is amended by adding the following use:
 - (11) Public or Quasi public buildings which, without limiting the generalities of the foregoing shall include:
 - (a) government buildings
 - (b) religious organizations
2. This Bylaw shall come into force upon the final passing hereof.

READ A FIRST TIME IN OPEN COUNCIL, this day of A.D. 1983

READ A SECOND TIME IN OPEN COUNCIL, this day of A.D. 1983

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED, this day of
A.D. 1983.

MAYOR

CITY CLERK

BYLAW NO. 2816/83

Being a Bylaw of the City of Red Deer to provide for the closing on Sundays and holidays of shops, businesses, and industries within the City of Red Deer.

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

1. This Bylaw may be cited as the "SUNDAY AND HOLIDAY CLOSING BYLAW".
2. In this Bylaw,
 - (a) "Holiday" means New Year's Day, Good Friday, Victoria Day, Dominion (Canada) Day, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day, Sunday, any other day declared by Order of the Lieutenant Governor in Council to be a holiday for the purposes of this Act, and any day appointed by proclamation of the Mayor or Council of the City of Red Deer as a Civic Holiday.
 - (b) "Person" includes a natural person, a partnership, and a corporation and any of their officers, agents or employees.
 - (c) "Retail Business" means the selling of goods or services by retail for consumption or use and not for resale and includes the selling of goods or services by hawkers, pedlars and transient traders.
 - (d) "Retail Business Establishment", "establishment" or "premises", in the appropriate case, means the premises where a retail business is carried on and includes any booth, stall or place where goods are exposed or offered for sale by retail or public auction.
 - (e) "Sell" or "selling", "sale", "sold", "sales", in the appropriate case includes advertising for sale, or exposing or keeping for sale or directly or indirectly on any pretence or by any device selling or offering for sale or attempting or offering to sell or barter.
3. On a holiday, no person shall:
 - (a) conduct retail business; or
 - (b) admit members of the public to a retail business establishment.

4. No person shall cause, permit or allow any form of advertising, either prior to or on a holiday, which indicates or tends to indicate that a retail business establishment will be or is open on a holiday or that goods or services are available or may be purchased on a holiday where such operation would contravene Section 3.

5. Section 3 does not apply where the total area used for serving the public or for selling or displaying goods to the public in the establishment is less than 2400 square feet and where, on a holiday,

- (a) the only goods offered or available for sale by retail in the retail business establishment are any one or more of the following:
 - (i) food stuffs, including meats and meat products, fresh fruit and vegetables, confectionery and baked goods;
 - (ii) paper products, soaps and other washing and household cleaning products;
 - (iii) health, hygienic, sanitary, cosmetic, hair care and other grooming products;
 - (iv) bar-b-que and other picnic supplies;
 - (v) newspapers, magazines and periodicals;
 - (vi) cigarettes, tobacco or articles required for the use of tobacco and other requisites of smokers; and
- (b) the principal business is the sale of goods referred to in clause (a) or any of them, by retail, and
- (c) the number of persons engaged in the service of the public in the business establishment on a holiday does not at any time exceed 3.

6. Section 3 does not apply to a pharmacy within the meaning of the Pharmaceutical Association Act on a day where:

- (a) the dispensing of drugs upon prescription is available to the public during business hours, and
- (b) the principal business of the pharmacy is the sale of goods of a pharmaceutical or therapeutic nature or for hygienic or cosmetic purposes and no other goods are offered or available for sale on a holiday except the following:
 - (i) the goods referred to in subclauses (ii) to (vi) inclusive in clause (a) of Section 5,
 - (ii) baby supplies, including baby food, milk and bottles,
 - (iii) photographic films, flashbulbs and batteries,

(iv) greeting cards, gift wrapping, stationery and school supplies,

(v) confectionery; and

(c) the number of persons engaged in the service of the public does not at any time exceed 3.

7. Section 3 does not apply where the only goods offered or available for sale are:

(a) fuels (gasoline, diesel, propane, etc.), motor oil and lubricants, or related goods or services for consumption, maintenance or use in the operation of motor vehicles, motorized equipment, boats or aircraft;

(b) potted plants and accessory supplies, flowers and floral arrangements, horticultural supplies, bedding plants, nursery stock, and in conjunction therewith, accessory gardening and lawn care supplies but not including garden and lawn equipment;

(c) those goods that are available for sale at a greenhouse, Market Gardener, Farmer's Market, Flea Market, or Householders garage sale;

(d) Antiques and handicrafts

8. Section 3 does not apply to the carrying on of business on a Sunday in premises which were closed to the public and in which no goods or services were sold during a period of 24 consecutive hours in the period of 32 hours immediately preceeding the Sunday, and where:

(a) the number of persons engaged in the service of the public in the establishment on the Sunday does not at any time exceed 7; and

(b) the total area used for serving the public or for selling or displaying goods to the public in the establishment on the Sunday is less than 5000 square feet.

9. Section 3 does not apply in respect of the sale or offering for sale by retail:

(a) of liquor under the authority of a license or permit issued under The Liquor Licensing Act; and

(b) of goods or services permitted under the Lord's Day Act of Canada.

10. Section 3 does not apply in respect of charging the public admission to premises for live and cinematic productions, exhibits and facilities for educational, recreational, cultural or amusement purposes or in respect of the sale or offering for sale of goods or services incidental to those purposes.

11. Section 3 does not apply in respect of services sold in connection with the sale of any goods permitted by this Bylaw to be sold, and does not apply in respect of goods or services sold or offered for sale by retail in the form of or in connection with:

(a) prepared meals;

(b) living accommodation;

- (c) laundromats and other coin-operated services;
- (d) rentals or motor vehicles, boats or aircraft;
- (e) servicing and repair of motor vehicles, boats or aircraft;
- (f) rental of goods and equipment for sports or recreational purposes and use about the home or garden;
- (g) a fair or exhibition lawfully held; or
- (g) a bazaar for charitable or Church purposes.

12. Section 3 does not apply to grocery stores

13. This Bylaw does not apply to the activities of any public facility operated under the authority of the City of Red Deer or of a School Board or Community Center in the City of Red Deer, or to any activity otherwise authorized by law.

14. Any person who contravenes any provision of this bylaw is liable, on summary conviction, to a fine in the sum of \$500.00 exclusive of costs, and in default of payment thereof to imprisonment for a period not exceeding 60 days.

15. Every person who authorizes or directs anything to be done in contravention of this Bylaw is liable on summary conviction to a fine in the sum of \$500.00, and in default of payment thereof to imprisonment for a period not exceeding 60 days.

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

READ A FIRST TIME IN OPEN COUNCIL this 25 day of April A.D. 1983

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1983

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED this day of
A.D. 1983.

MAYOR

CITY CLERK

ADDITIONAL AGENDA

For the Regular Meeting of RED DEER CITY COUNCIL
to be held in the Council Chambers, City Hall,
Tuesday, May 24, 1983.

1.


May 18, 1983

TO: CITY CLERK

FROM: CITY TREASURER

RE: LOCAL IMPROVEMENT BYLAW

Attached for Councils consideration is a local improvement
bylaw.



A. Wilcock, B. Comm., C.A.
City Treasurer

AW/jm

NOTE: Bylaw No. 2819/83 is hereby attached for First Reading of Red Deer
City Council.

of the
CITY OF RED DEER

A Bylaw to authorize the Municipal Council of The City of Red Deer to incur an indebtedness on behalf of the said City by the issuance of debentures for the purpose of constructing certain local improvements within The City of Red Deer.

WHEREAS it is deemed expedient and proper pursuant to the provisions of Section 329 of The Municipal Government Act that the Council shall issue a Bylaw to authorize the undertaking and completing the construction of 3.35m. monolithic sidewalk (replacement), 1.50m separate sidewalk (replacement), 1.50m separate sidewalk (new), 1.50m monolithic sidewalk (replacement) and a 250 mm curb and gutter (replacement) as detailed on Schedules "A", "B", "C", "D", and "E" attached.

AND WHEREAS plans, specifications and estimates for such work have been made by the City of Red Deer Engineering Department whereby the total cost of the said construction is estimated to be Two Hundred and Fifty-One Thousand, Six Hundred Dollars (\$251,600.00).

AND WHEREAS in order to construct and complete the said project, it will be necessary to borrow the sum of Two Hundred and Fifty-One Thousand Six Hundred Dollars (\$251,600.00) on the credit of The City of Red Deer by issuing debentures of The City of Red Deer as herein provided.

AND WHEREAS the said indebtedness is to be repaid over a period of Twenty (20) years in annual instalments, with interest not exceeding Twenty-Five per centum (25%) per annum, payable annually.

AND WHEREAS the amount of the equalized assessment in the municipality as last determined and fixed by the Assessment Equalization Board is \$364,236,170.00.

AND WHEREAS the amount of the existing debenture debt of The City of Red Deer is \$75,304,787.00.

AND WHEREAS the estimated life of the project is Twenty years.

AND WHEREAS the proposed construction will serve about 1435.165 lineal metres of frontage.

AND WHEREAS the total value of the land to be charged with the said special assessment, according to the last revised assessment roll is \$1,234,750.00.

AND WHEREAS pursuant to the provisions of Section 157 of The Municipal Taxation Act, the Council has given proper notice of intention dated April 20, 1983 to undertake and complete the construction of 3.35m monolithic sidewalk (replacement), 1.50m separate sidewalk (replacement), 1.50m separate sidewalk (new), 1.50m monolithic sidewalk (replacement) and a 250mm curb and gutter (replacement) as detailed on Schedules "A", "B", "C", "D", and "E" and no sufficiently signed and valid petition against the said proposals has been received by the Council.

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

1. THE MUNICIPAL COUNCIL OF THE City of Red Deer is hereby empowered and authorized to enter into contracts for the purpose of constructing 3.35m monolithic sidewalk (replacement), 1.50m separate sidewalk (replacement), 1.50m separate sidewalk (new), 1.50m monolithic sidewalk (replacement) and a 250mm curb and gutter (replacement) as detailed on Schedules "A", "B", "C", "D", and "E" attached, referred to in Schedules "A", "B", "C", "D" and "E" as may be necessary.
2. That for the purpose aforesaid, the sum of Two Hundred & Fifty-One Thousand Six Hundred Dollars (\$251,600.00) be borrowed by way of debenture on the credit and security of The City of Red Deer at large, of which amount the sum of \$115,691.61 is to be paid by the City at large and \$135,908.39 is to be collected by way of special assessment as herein provided in the attached Schedules "A", "B", "C", "D", and "E".
3. The debentures to be issued under this Bylaw shall not exceed the sum of Two Hundred and Fifty-One Thousand, Six Hundred Dollars (\$251,600.00), and may be in any denomination not exceeding the amount authorized by this Bylaw and shall be dated having regard to the date of the borrowing.
4. The debentures shall bear interest during the currency of the debentures, at a rate not exceeding twenty-five per centum (25%) per annum, payable annually.
5. The debentures shall be issued in such manner that the principal and interest will be combined and be made payable in, as nearly as possible, equal annual instalments over a period of Twenty (20) years, in accordance with the schedules attached and forming a part of each debenture.
6. The debentures shall be payable in lawful money of Canada at the Canadian Imperial Bank of Commerce in The City of Red Deer or at such other bank of financial institution as the Council may authorize as its banking agent during the currency of the debentures.
7. The Mayor and Treasurer of The City of Red Deer shall authorize such bank or financial institution to make payments to the holder of the debentures, on such dates and in such amounts as specified in the repayment schedule forming part of each debenture.
8. The said debentures shall be signed by the Treasurer of The City of Red Deer, and the Municipal Secretary shall affix thereto the corporate seal of the said City.

4.

9. There shall be levied and raised in each year of the currency of the debentures hereby authorized the amount necessary to pay the principal and interest falling due in such year on such debentures and in addition thereto the amount required to pay any of such debentures which fall due in each year after applying the special assessment hereinafter provided for, by a rate sufficient therefor on all the rateable property in the said City and collectible at the same time and in the same manner as other rates.

10. During the currency of the said debentures there shall be raised annually for payment of the owners' portion of the cost and interest thereon by special assessment under The Municipal Taxation Act, the respective sums shown as yearly payments on Schedules "A", "B", "C", "D", and "E" hereto attached, and there is hereby imposed on all lands fronting or abutting on that portion of the streets or places whereon the said improvements are to be laid, a special assessment sufficient to cover the owners' portion of the cost of the said work and the interest thereon payable at the unit rate or rates set forth in said Schedules "A", "B", "C", "D" and "E". The said special assessment shall be in addition to all other rates and taxes.

11. The said indebtedness is contracted on the credit and security of The City of Red Deer at large.

12. The net amount realized by the issue and sale of debentures issued under this bylaw shall be applied only for the purposes for which the indebtedness was created unless otherwise authorized by an Order of the Local Authorities Board.

13. This Bylaw shall take effect on the date of the final passing thereof.

READ A FIRST TIME IN OPEN COUNCIL this _____ day of _____, A.D., 1983.

READ A SECOND TIME IN OPEN COUNCIL this _____ day of _____, A.D., 1983.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED this _____ day of _____, A.D., 1983.

MAYOR

CITY CLERK

Special Frontage Assessment

5.

CITY OF RED DEER

Schedule "A" to Bylaw No. 2819/83

LOCAL IMPROVEMENT - SPECIAL FRONTAGE ASSESSMENT

1. Properties to be assessed: Local Improvement Assessment for 3.35 monolithic sidewalk (replacement)

<u>ON</u>	<u>FROM</u>	<u>TO</u>	<u>SIDE</u>	<u>ASSESSABLE FRONTAGE</u>
(a) Ross Street	47 Avenue	West 207.294 m	North	207.294 m

- | | |
|--|--------------------------|
| 2. Total estimated cost of above projects | \$ <u>63,300.00</u> |
| 3. Will serve <u>207,294</u> lineal metres | |
| 4. Total Special Assessment against all properties. | \$ <u>38,971.27</u> |
| 5. Total Special Assessment per front metre | \$ <u>188/assess m</u> |
| 6. Annual Unit Rate per front metre of Frontage to be payable for a period of <u>20</u> years. | \$ <u>30.45/assess m</u> |
| 7. Total Yearly Assessment against all above properties | \$ <u>6,312.10</u> |

Based on Unit Rate Bylaw No. 2806/83

Special Frontage Assessment

6.

CITY OF RED DEER

Schedule "B" to Bylaw No. 2819/83

LOCAL IMPROVEMENT - SPECIAL FRONTAGE ASSESSMENT

1. Properties to be assessed: Local Improvement Assessment for 1.50 metre separate sidewalk (replacement)

<u>ON</u>	<u>FROM</u>	<u>TO</u>	<u>SIDE</u>	<u>FRONTAGE</u>
(a) Ross Street	40 Avenue	West property line of Lot 28/ Block 3, Plan 4516 A.C.	North	91.440 m
(B) 42 Avenue	South property line of Lot 21/ Block 9/Plan 1514 H.W.	38 Street	East	110.094 m
(c) 43 Avenue 37 Street	37 Street 43 Avenue	39 Street East to Lane	East North	231.968 m

- | | |
|--|--|
| 2. Total estimated cost of above projects | \$ <u>66,550.00</u> |
| 3. Will serve <u>433,502</u> lineal metres | |
| 4. Total Special Assessment against all properties. | \$ <u>35,048.64</u> |
| 5. Total Special Assessment per front metre | \$ <u>53.90/m²/assess m</u> |
| 6. Annual Unit Rate per front metre of Frontage to be payable for a period of <u>20</u> years. | \$ <u>8.73/m²/assess m</u> |
| 7. Total Yearly Assessment against all above properties | \$ <u>5,676.71</u> |

Based on Unit Rate Bylaw No. 2806/83

Special Frontage Assessment

7.

CITY OF RED DEER

Schedule "C" to Bylaw No. 2819/83

LOCAL IMPROVEMENT - SPECIAL FRONTAGE ASSESSMENT

1. Properties to be assessed: Local Improvement Assessment for 1.50 metre separate sidewalk (new)

<u>ON</u>	<u>FROM</u>	<u>TO</u>	<u>SIDE</u>	<u>FRONTAGE</u>
47 Avenue	Ross Street	North property line of Lot 3A/ Block 36, Plan 5487 N.Y.	West	238.719 m

- | | |
|---|--|
| 2. Total estimated cost of above projects | \$ <u>30,300.00</u> |
| 3. Will serve <u>238.719</u> lineal metres | |
| 4. Total Special Assessment against all properties. | \$ <u>15,397.38</u> |
| 5. Total Special Assessment per front metre | \$ <u>43.00/m²/assess m</u> |
| 6. Annual Unit Rate per front metre of Frontage
to be payable for a period of <u>20</u> years. | \$ <u>6.96/m²/assess m</u> |
| 7. Total Yearly Assessment against all above properties | \$ <u>2,492.23</u> |

Based on Unit Rate Bylaw No2806/83

Special Frontage Assessment

8.

CITY OF RED DEER

Schedule "D" to Bylaw No. 2819/83

LOCAL IMPROVEMENT - SPECIAL FRONTAGE ASSESSMENT

1. Properties to be assessed: Local Improvement Assessment for 1.50 metre monolithic sidewalk (replcaement)

<u>ON</u>	<u>FROM</u>	<u>TO</u>	<u>SIDE</u>	<u>FRONTAGE</u>
49 Avenue	33 Street	35 Street	West	311.810 m

2. Total estimated cost of above projects \$ 58,700.00
3. Will serve 311.810 lineal metres
4. Total Special Assessment against all properties. \$ 34,299.10
5. Total Special Assessment per front metre \$ 110/asses m
6. Annual Unit Rate per front metre of Frontage to be payable for a period of 20 years. \$ 17.82/assess m
7. Total Yearly Assessment against all above properties \$ 5,556.45

Based on Unit Rate Bylaw No. 2806/83

Special Frontage Assessment

9.

CITY OF RED DEER

Schedule "E" to Bylaw No. 2819/83

LOCAL IMPROVEMENT - SPECIAL FRONTAGE ASSESSMENT

1. Properties to be assessed: Local Improvement Assessment for 250 millimetre Curb and Gutter (replacement)

<u>ON</u>	<u>FROM</u>	<u>TO</u>	<u>SIDE</u>	<u>FRONTAGE</u>
(a) Ross Street	40 Avenue	West property line of lot 28/ Block 3/ Plan 4516 A.C.	North	91.440m
(b) Ross Street	39 Avenue	40 Avenue	North	152.400m

- | | |
|--|--------------------------|
| 2. Total estimated cost of above projects | \$ <u>32,750.00</u> |
| 3. Will serve <u>243,840</u> lineal metres | |
| 4. Total Special Assessment against all properties. | \$ <u>12,192.00</u> |
| 5. Total Special Assessment per front metre | \$ <u>50.00/assess m</u> |
| 6. Annual Unit Rate per front metre of Frontage to be payable for a period of <u>20</u> years. | \$ <u>8.10/assess m</u> |
| 7. Total Yearly Assessment against all above properties | \$ <u>1,975.10</u> |

Based on Unit Rate Bylaw No. 2806/83

Report of
Herman Jones
p. 17.

CHAPMAN & COMPANY

Barristers, Solicitors, Notaries

208 PROFESSIONAL BUILDING
4808 ROSS STREET
RED DEER, ALBERTA T4N 1X5

TELEPHONE (403) 348-6803
TWX 610-841-5684

THOMAS H. CHAPMAN, B.A., L.L.B.
DONALD J. SIMPSON, B.A., L.L.B.
T. KENT CHAPMAN, B.A., L.L.B.

YOUR FILE.....

OUR FILE... 11,623

May 19, 1983

City of Red Deer
City Hall
Red Deer, Alberta

ATTENTION: Mayor & Members of Council - CONFIDENTIAL

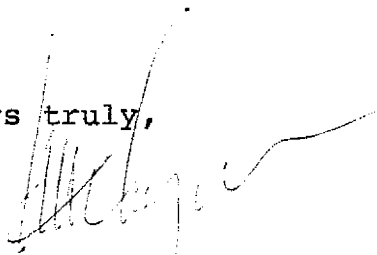
Dear Sirs:

RE: Glenmere Farms Ltd. and Mrs. Mattie McCullough

I enclose for the information of Council the initial settlement outline proposal submitted by the solicitor for each of the above parties, together with a copy of my correspondence to Mr. Day with respect to the same. I would request that the contents thereof be kept in confidence pending completion of negotiations and settlement with each of the parties which would ultimately be approved by Council.

As indicated in my letter to Mr. Day the solicitors for Glenmere Farms Ltd. and Mrs. McCullough have no objection to both of the expropriations of their respective interests being proceeded with by Council at this forthcoming meeting.

Yours truly,



THOMAS H. CHAPMAN

THC/ch
encl

CHAPMAN & COMPANY

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YOUR FILE.....

OUR FILE..... 11,623.....

May 19, 1983

COPY
FOR YOUR INFORMATION ONLY

City of Red Deer
City Hall
Red Deer, Alberta

Attention: Mike Day

Dear Sir:

RE: Glenmere Farms Ltd. - Expropriation

The writer met with Mr. Dennis Thomas on the morning of Thursday, May 19th, 1983 to review a proposal by Mr. Thomas for expediting the expropriation process.

Basically Mr. McCullough has recognized as a result of the material presented at the hearings that there is not much future for him to reside and retire upon the lands as he had intended.

Attached hereto is the proposal submitted by Mr. Thomas for consideration by the City. The dates for payment of course may be varied depending on when the funds would be available from the Provincial Government. With respect to payment of costs to be incurred, in view of the fact that the City is liable for such costs and indeed may be responsible to pay some interest on such costs at the determination of a hearing, I see no problem with advancing funds for costs as they are incurred.

Mr. Curtis has assured me that possession on or before September 30th, 1983 is no problem subject to the City having a right to enter on and effect soil tests and other studies of the property. Mr. Curtis has indicated that he does not have any objection to the removal of all buildings and fences from the property other than the Allan bungalow, and perimeter fencing.

RE: Mrs. Mattie L. McCullough

The compensation for Mrs. McCullough's interest in the property is more complex. Attached hereto is a form of lease agreement which Mrs. McCullough held with her husband which gave her a right to reside upon the property in a suite selected by her during her lifetime. This agreement of course has been expanded over the years so that Mrs. McCullough basically has the run of the house and rents out two suites on the east side of the residence.

As I indicated to Mr. Moore some time ago, in the event of the expropriation of Mrs. McCullough's interest in the property, it would be necessary to capitalize and determine the value of her leasehold interest in the land enjoyed by her. This would result in a lump sum of funds which presumably then would be used by Mrs. McCullough to obtain alternate accomodation either by purchase or by lease. It may well be that as a result of such determination, it would not be unreasonable to purchase alternate accomodation in the name of the City and provide it to Mrs. McCullough during her lifetime. It is estimated that Mrs. McCullough's life expectancy would be anywhere from fifteen to twenty (15-20) years.

As was indicated at the hearing, Mrs. McCullough does have serious concerns about her ability to enjoy the residence in the Allan bungalow considering the proximity of the interpretive centre and parking area which are proposed in the master plan and I believe that her concerns in this area are legitimate. She does not really have any objection to the concept of what the City is planning to do with the property in conjunction with the Gaetz Lake Sanctuary.

In the event that a resolution is made with Mrs. McCullough provision would have to be made to ensure that the City would be able to complete the renovations to the Allan bungalow within its requisite time frame in order to ensure receipt of the budgeted Provincial money.

The solicitor for the McCullough's would appreciate an early indication of the City's position with respect to Glenmere Farms Ltd., but appreciates the fact that the negotiations with respect to Mrs. McCullough may take a longer period of time and accordingly no immediate response is expected.

Mr. Thomas has indicated also that he has no objection to the expropriation of Glenmere Farms Ltd. interest and Mrs. McCullough's interest being proceeded with at the next meeting of Council, and really what we are talking about is the compensation to each of those parties for their respective interests in the land and in the lease of the residence.

Yours truly,

THOMAS H. CHAPMAN

THC/ch

c/c Don Moore
c/c Craig Curtis

SETTLEMENT OUTLINE: GLENMERE FARMS LTD. and M.L. McCULLOUGH

Glenmere Farms Ltd. ("Glenmere")

- Parcel of 62.29 acres per Certificate of Title 58-F-281 ("the land").

(a) Pursuant to Section 28.1 of the Expropriation Act Glenmere, as owner, consents to the acquisition of the land by the City of Red Deer, the expropriating authority. The acquisition is subject to the condition that the balance of compensation shall be determined by the Land Compensation Board ("Board").

(b) The City shall pay to Glenmere on or before June 15, 1983 compensation in the amount of \$1.3 million cash without conditions. In no event shall Glenmere be entitled to receive less than \$1.3 million.

(c) In addition the City of Red Deer shall pay:

(i) All legal, expert and other costs totalling \$14,131.56 which have been incurred by Glenmere to date to be paid by June 15, 1983.

(ii) The further legal costs of Glenmere to finalize a formal agreement not to exceed \$5,000.00 to be paid by June 30, 1983.

(iii) An advance on appraisal, legal and other expert expenses incurred with respect to the determination of the balance of compensation for the taking of the land. This advance shall not exceed \$25,000.00 and shall be paid through the City Solicitor against accounts for services rendered. This is an allowance for preparation for such determination and the City shall, in addition, reimburse Glenmere for all reasonable costs of experts and legal counsel incurred in hearings before the Board.

(e) The effective date of the taking shall be deemed to be February 1, 1983 and compensation shall be determined at that date with the exception of any extra costs which may be incurred by Glenmere to relocate its Summer of 1983 cattle operations.

(f) Glenmere shall give the City possession of the land on or before September 30, 1983 ("possession date").

(g) Glenmere shall have the right to remove all buidings, improvements, fences and equipment whether affixed or not (except the Allen Bungalow) prior to the possession date.

(h) Once formal appraisals have been prepared they shall be exchanged and reviewed. The parties shall then attempt to negotiate a settlement of compensation before proceeding to the Board. If settlement discussions fail the parties shall co-operate in moving the issue of compensation to the Board as expeditiously as possible.

(i) Glenmere shall have prepared a formal agreement reflecting these and all other necessary terms and upon execution Glenmere shall provide a registrable transfer of the lands to the City.

Mattie L. McCullough

(a) M.L. McCullough is entitled to a leasehold interest in a house ("house") on a portion of NE 1/4 Sec. 21-35-27-W4M (Certificate of Title 58-F-281) by virtue of a lease agreement in writing dated September 22, 1962 ("the lease") and protected by caveat 5745 N.C.

(b) The City shall confirm that M.L. McCullough has a right to exclusive possession of the house referred to in the lease and the existing grounds related to the house ("the grounds") to be more further defined by a survey plan to be prepared at the expense of the City. This right to exclusive possession is for her lifetime whether she resides in the house or not. *

(c) The City shall confirm that M.L. McCullough shall hold her interest free of municipal taxes or other charges during her lifetime and the City shall provide all gas and water free of charge.

(d) The City shall confirm that M.L. McCullough may sublet any portion of the house including her own suite and all revenue shall accrue to M.L. McCullough during her lifetime.

(e) In the event M.L. McCullough decides in her sole discretion that she no longer wishes to reside in the house or is not for health reasons able to continue residing therein then the City shall provide accomodation in an apartment or condominium of at least 1500 square feet in a project as _____. In such event the City shall provide such equivalent accomodation to M.L. McCullough free of all rents, fees, charges or rates for gas or water.

(f) The City shall ensure that the house and immediate grounds are fenced and kept secure and will assist in maintaining the grounds as requested by M.L. McCullough. The City shall not interfere with the quiet and pleasant enjoyment of the house and grounds during the lifetime of M.L. McCullough.

(g) The City may prepare plans for restoring the house but shall only undertake such work in consultation and with the consent of M.L. McCullough during her lifetime.

(h) Any dispute under the formal agreement shall be submitted to arbitration and all arbitration costs shall be borne by the City.

(i) The City shall pay all legal, expert and other costs of M.L. McCullough totalling \$2,292.07 to be paid by June 15, 1983.

(j) The City shall reimburse M.L. McCullough all reasonable legal fees to finalize this arrangement in a formal agreement not to exceed \$5,000.00.

(k) The execution of a formal agreement shall constitute a final settlement of all claims to compensation by M.L. McCullough arising out of the expropriation who may protect her interest under such agreement by registration of a caveat.

(1) Upon execution of a formal agreement M.L. McCullough shall quitclaim her interest in the lease and discharge caveat 5745 N.C.

Prepared by Milner & Steer
Dennis R. Thomas
May 19, 1983.

THIS LEASE MADE IN QUADRUPLICATE THIS DAY OF SEPTEMBER, A.D. 1962.

BETWEEN:

RONALD V. McCULLOUGH

Lessor

- and -

MATTIE LOUISE McCULLOUGH

Lessee

WHEREAS Ronald Verne McCullough wishes to sell and transfer the property described as:

Firstly,-- All that portion of the North East Quarter of Section 21, Township 38, Range 27 West of the Fourth Meridian in the Province of Alberta, which lies to the East of the Easterly limit of the Roadway as shown on Road Plan 1264 E.T. or record in the Land Titles Office for this Land Registration District . . . Excepting thereout,-- All that portion thereof shown as Parcel (B) on filed Plan 6786 E.T. of record in the said Land Titles Office. The land hereby described containing 63.04 acres more or less.

Reserving thereout all mines and minerals out of 6.94 acres as described in Certificate of Title 211-P-121.

Secondly,-- All that portion of the South East Quarter of said Section 21 which lies East of the Easterly boundaries of the said parcel (B) excepting thereout,-- for Roadway as shown on Road Plan 1411 T of record in the said Land Titles Office. The land hereby described containing 20.46 acres more or less.

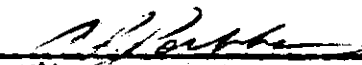




AND WHEREAS Mattie Louise McCullough has a dower interest in the property but is willing to consent to the disposition of the property provided a place of residence is assured to her of the said property

NOW THEREFORE WITNESSETH that the Lessor does hereby grant to the Lessee a lease of her choice of any one suite located in the main house on the said property to have and to hold the said suite of her choice for her lifetime, rent free, with heat and water supplied free of charge of rents or assessments of any kind.

This Lease shall be deemed to be a covenant running with the land

during the lifetime of the Lessee, the owners of the lands, from time to time being liable to perform the same.

IN WITNESS WHEREOF the Lessor and Lessee have this 22nd day of September, A.D. 1962 affixed their hands and seals.

 _____ Witness	}	 _____ Lessor	
 _____ Witness	}	 _____ Lessee	