

A G E N D A

For the Regular Meeting of the Council of the City of Red Deer, to be held in Council Chambers, City Hall, Red Deer, Monday, August 31st, 1970, to commence at 5:00 P.M.

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1. Confirmation of the Minutes of the Regular Meeting of August 17th, 1970.

2. UNFINISHED BUSINESS:

1. Beames, Chapman & Foster - RE: Johansson
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Block D, Plan k-11) 1
2. Beames, Chapman & Foster - RE: Singer Tower
Property (Lot 13, Block 39, Plan 6189 M.C.) 2
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1. By-law No. 2011/3-C - Being a By-law to amend By-law No. 2011
being the Zoning By-law of the City of Red Deer (First Reading)
2. By-law No. 2011/3-D - Being a By-law to amend By-law No. 2011
being the Zoning By-law of the City of Red Deer (First Reading)

8. NOTICES OF MOTION:

UNFINISHED BUSINESSNO. 1

RE: Johansson Property - 5630 - 42 Street
Lots 8 & 9, Block D, Plan K-11

At the meeting of Council August 4th, a resolution was passed directing that the City of Red Deer proceed under Section 158 of the Municipal Government Act with regard to the Johansson Property at 5630 - 42 Street.

In accordance with the above decision the following letter was forwarded by the City Solicitor.

BEAMES, CHAPMAN & FOSTER
208 Professional Building
4808 Ross Street
RED DEER, Alberta

August 13, 1970

Mr. B.A. Johansson,
5630 - 42 Street,
RED DEER, Alberta.

Dear Sir:

RE: Lots 8 & 9, Blk D, Plan K-11

We are the Solicitors for the City of Red Deer and we have been authorized to advise you that Council of the City of Red Deer considers the above described lands and premises detrimental to the surrounding area because of its unsightly condition. Please be advised that Council of the City of Red Deer intends to make an Order respecting these lands and premises pursuant to the provisions of Section 158 of the Municipal Government Act, a copy of which is enclosed herewith for your information. You are entitled to appear and be heard before Council of the City at City Hall, Red Deer, Alberta, at 7:00 P.M. on Monday, the 31st August, 1970, at which time Council will consider the granting of this Order. We would suggest that you carefully review the provisions of the enclosed section in order that you are fully familiar with the powers of the City in this matter.

Would you further please note that Council may require you within not less than thirty days from the date of the making of the Order to remedy the condition in the manner and to the extent directed in the Order, or to demolish or remove any building, structure or erection, or fill any excavation or hole and level the site of these lands. If you fail to comply with the Order granted the City may proceed to remedy the condition pursuant to the condition pursuant to the provisions of the Order and thereafter to sell the lands and premises to pay for the costs thereof.

We would encourage you to give this matter your very serious consideration and if it is your intention to appear upon the 31 August, 1970 perhaps you would be kind enough to telephone the writer or the City Clerk. Thank you.

Yours truly,

"JAMES L. FOSTER"

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City Solicitor, J. Foster, has advised that he will have draft Orders available for Council's consideration August 31st.

"R. STOLLINGS"

City Clerk

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NO. 2

RE: Singer Towers Site

At the meeting of Council July 23rd, the following resolution was passed concerning the Singer Towers site and Warner Holdings Ltd.

"Council of the City of Red Deer do hereby resolve and agree to give Warner Holdings Ltd. a further extension of 90 days but that in the meantime the City will proceed under Section 158 of The Municipal Government Act so that if development does not proceed within the aforesaid 90 day period the City will be in a position to immediately proceed with such order as may be made under Section 158."

Letters have been forwarded to Warner Holdings Ltd. and Alsten Holdings Ltd. as follows.

BEAMES, CHAPMAN & FOSTER
208 Professional Building
4808 - Ross Street
RED DEER, Alberta

August 13, 1970

Warner Holdings Ltd.,
18 Franklin House,
1209 - 6th Street S.W.,
CALGARY, Alberta.

ATTENTION: Jack Singer

Dear Sir:

RE: Singer Tower Property -
Lot 13, Block 39, Plan 6189 M.C.

As you know we are the Solicitors for the City of Red Deer and as such we confirm our advice to you of the 17th of February, 1970 that the

City of Red Deer considers the above described lands and premises dangerous to the public safety and health and because of its unsightly condition detrimental to the surrounding area.

As you are aware the City of Red Deer has been considering granting an Order respecting these lands and premises pursuant to the provisions of Section 158 of the Municipal Government Act, a copy of which was forwarded to you sometime ago. At a special meeting of City Council held on Thursday, the 23rd of July, 1970 a Resolution was passed that the City proceed with notification to you under Section 158 of the Municipal Government Act in order that the City may be in a position to proceed with such Order upon the expiration of 90 days from the 23 July, 1970.

We therefore hereby give you notice that Council of the City of Red Deer intends to make an Order respecting these lands and premises on Monday the 31 August, A.D. 1970. You are entitled to appear and be heard before Council at the City Hall, Red Deer, at 7:00 P.M. on Monday, August 31, 1970 and make such representations as you may deem appropriate. We expect it is Council's intention to delay the final execution of the Order until the expiration of the above described 90 day period.

It will be our recommendation to Council that they consider granting an Order to the effect that the owners of these lands and premises shall:

- a) Demolish and remove that portion of the building higher than 2 feet above the slab foundation of the building;
- b) Construct suitable protective coverings for the open areas or exposed structural portions of the building at or above level of the slab foundation;
- c) Remove all lumber, steel and other building materials and supplies from the lands;
- d) Cut and remove all weeds and grass and maintain the site in a clean and neat condition;
- e) Remove all fencing from the lands;

If it is your intention to appear and be heard at this Hearing perhaps you would contact the City Clerk's Department and advise that you will be in attendance. Should you have any question upon the granting of this Order we would invite you to telephone the writer at your convenience.

Yours truly,

"JAMES L. FOSTER"

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A similar letter to that above, was sent to:

Alsten Holdings Ltd.
200 332 - 7th Ave. S.W.
CALGARY, Alberta.

"R. STOLLINGS"
City Clerk

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The following letter was received in reply to the letter to Warner Holdings Ltd.

JACK SINGER
301 Empire Bldg.
239 - 8th Ave. S.W.
CALGARY 2, Alberta

August 19, 1970

Beames, Chapman & Foster,
Barristers & Solicitors,
208 Professional Bldg.,
4808 Ross Street,
RED DEER, Alberta.

Attention: James L. Foster

Dear Sir:

RE: Singer Tower Property -
Lot 13, Blk 39, Plan 6189 MC

Thank you for your letter of August 13th. There is no point of my attending your council meeting August 31, 1970 if you feel that Council will give me the suggested ninety days from July 23rd as requested by myself when last in Red Deer.

The only condition I might make as to the Order would be that I have permission to discuss same with the Building Inspector or any other person in authority on above property as to the minimal that we should and must do to make the site as attractive as possible.

I might mention that I am working with developers both in Calgary and Edmonton and if the financing is made available to any of these parties I am sure that one of them will proceed with the completion of the above project.

In closing please let me thank yourself and the Mayor, City Council and City Commissioner for giving me a very fair hearing as well as kind treatment on this matter.

Yours very truly,

"JACK SINGER"

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City Solicitor, J. Foster, will have a draft Order available for Council's consideration August 31st.

"R. STOLLINGS"
City Clerk

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NO. 3RE: Janko Holdings Ltd.

The following letter was received from Janko Holdings August 26th and requesting rezoning of a commercial site to permit them to establish thereon a small commercial outlet, coin laundry and related services.

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JANKO HOLDINGS LTD.
5804 - 50th Avenue
RED DEER, Alberta

August 26th, 1970

City of Red Deer,
City Hall,
RED DEER, Alberta

ATTENTION: City Clerk

Dear Sir:

RE: Mustang Acres

As required by the resolution by the Council of the City of Red Deer, at their meeting of August 17th regarding Item 7., we request that you place on Council agenda our request for re-zoning of a parcel of land described as follows:

A parcel of land measuring approximately 200 x 150 feet, situated at the South-East corner of our property to be re-zoned for commercial use to accommodate a store, coin laundry, and related services.

This building is required to provide the necessary services in conjunction with our relocatable home sub-division. Horn Surveys Ltd., land surveyor of Red Deer, is delivering to your office a plot plan of this area as requested by Mr. Deck, City Engineer.

We are also enclosing detailed building plans for the proposed structure.

- A. We request re-zoning for this parcel of land to accommodate use stated herein.
- B. We request your approval of the building plans and layout so that we may obtain a building permit.

Your early attention would be appreciated.

Yours very truly,

JANKO HOLDINGS LTD.,
LOUIS JANKO, President

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RED DEER REGIONAL PLANNING COMMISSION
4910 - 59th Street
RED DEER, Alberta

August 27th, 1970

Mr. R. Stollings,
City Clerk,
City of Red Deer,
RED DEER, Alberta

Dear Sir:

RE: Rezoning Application - Mustang Acres for
Commercial Development off 59th Avenue

Your letter of August 27th, 1970 and accompanying letter and drawing from Janko Holdings Ltd. on the above matter has been received.

Time does not permit this office to study the application in detail as will be required but in principle the establishment of a corner store commercial outlet for the residential areas North of 67th Street and in the location proposed is accepted subject to the site in question being registered as a separate parcel in the Land Titles Office and being rezoned from R2B zone to C4 (Commercial Local) Zone.

I could not recommend the establishment of a commercial outlet designed in connection with mobile home parks only. The development proposed will serve all existing and future residential development North of 67th Street and will assume same role as all corner stores now located throughout the City.

It is noted that the application in question does not outline the type of commercial outlet and therefore it should be made clear that we are prepared to recommend the rezoning subject to types of outlets etc. complying with provision of Table 7 of the Zoning By-law, a copy of which is attached for Council's information.

It is recommended that first reading be given to the rezoning request subject to the administration reporting back to Council at its next meeting following a detailed study of the site and development plans etc. by all City departments in order to meet all City Bylaws.

It should also be noted that both the Mobile Home Park and the corner store development should be set back 14 feet from 59th Avenue to accommodate its future development as a major artery.

Yours truly,

ROBERT R. CUNDY, MTPIC
Director

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A draft By-law will be available for Council's consideration.

R. STOLLINGS,
City Clerk

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RE: Mustang Acres Mobile Home Park
and Service Charges

Members of Council will recall that at their meeting of June 22nd, 1970 they agreed off-site services for acreages to be serviced privately for mobile home parks would be on the basis of \$2160.00 per acre and that such payment could be made in six instalments, 50% on signing an agreement acceptable to the City and 50% in five equal instalments payable annually thereafter together with interest at the rate of 9% per annum on the outstanding balance.

Mr. Janko, in his letter of August 19th, a copy of which is reproduced hereunder, has asked that Council revise this payment schedule as indicated in his letter.

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JANKO HOLDINGS LTD.
5804 - 50th Avenue
RED DEER, Alberta

August 19th, 1970

City of Red Deer,
City Hall,
RED DEER, Alberta

ATTENTION: Mr. Stollings,
City Clerk

Dear Sir:

RE: Mustang Acres

Your letter of June 26th, 1970, has set out the off-site service charges at the rate of \$2,160.00 per acre. You also stated that 50% should be paid on execution of an agreement, and the balance in five equal instalments paid annually with interest at 9% per annum.

Our letter of July 16th requested approval for payment of off-site services on the basis of: 25% upon execution of agreement,
and 25% - 12 months thereafter,
and the balance in 5 equal instalments with interest.

The reason for this request is that because of the lateness of the season, it will be impossible for us to complete the project this year, and therefore will not be receiving full mortgage advances. May we have your decision on this request at the earliest date as we anticipate application for building permit on or about August 31st, 1970.

The plot plan now approved and presented to the City, measures approximately 9½ acres, excluding the area that will be used for the store building. May we have your confirmation of the area together with the exact amount of off-site charges.

Your early attention would be appreciated.

Yours very truly,
JANKO HOLDINGS LTD.
LOUIS JANKO, President

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In addition to the above Janko Holdings submitted a further letter dated August 26th requesting that Council also grant them permission to pay the frontage charges in equal annual instalments over five years plus interest.

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JANKO HOLDINGS LTD.

5804 - 50th Avenue,
RED DEER, Alberta

August 26th, 1970

City of Red Deer,
City Hall,
RED DEER, Alberta

ATTENTION: City Clerk

Dear Sir:

RE: Mustang Acres

Further to our letter of August 19th, wherein we requested a certain schedule to be approved for payment of off-site services, we request that you place the contents of the letter of that date on the agenda of City Council, and in addition we request that the frontage charge for the property be amortized equally over 5 years plus interest, paid in annual instalments commencing with the first payment 1970.

To assist you in establishing the proper off-site service charges, we have engaged Horn Surveys Ltd. to survey the area used for our development and to define the area in acres.

Under separate cover we are delivering to your attention a survey plan as prepared by Horn Surveys Ltd.

We wish to bring to your attention that because of the lateness of the season it will be impossible for us to complete our project in 1970; and with the additional obstacle created by pumping water from the 59th Avenue sewer construction project onto our property causing the water table to rise greatly in certain areas will cause a delay until the spring of 1971 the completion of those areas. Therefore we request that the off-site service charge be paid in two payments rather than one payment, as requested in our letter of August 19th.

Your sincere consideration to this request would be appreciated.

Yours very truly,

JANKO HOLDINGS LTD.,
LOUIS JANKO, President

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The City Assessor has calculated the charges applicable to this development as follows:

OFF-SITE SERVICE CHARGES:

10.30 acres @ \$2160.00 per acre = \$22,248.00

FRONTAGE CHARGES: (Water and Sewer Mains)

529.45' @ \$12.59 per front foot = \$ 6,665.77

The above does not include normal sewer and water connections of the site which charges would be in addition.

R. STOLLINGS,
City Clerk

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REPORTSNO. 1

TO: City Council

FROM: Mayor R. E. Barrett

RE: Amending Zoning By-law 2011/3-B

Members of Council will recall that first reading was given to the above noted By-law on August 17th. This By-law provides for the rezoning of Mr. J. Phelan's property on 48th Avenue from T/C zoning to R-3-A zoning.

It would appear that a further amendment to the By-law should be introduced which will list the following under 'Conditional Uses' in an R-3-A area.

"Single family dwelling presently existing in subzone A."

This further amendment will enable M.P.C. or Council to consider similar applications from persons in R-3-A zones who wish to undertake major repairs to their homes, without the necessity of changing the zoning.

A draft amending by-law is attached to this Agenda, should Council wish to proceed with same.

R. E. BARRETT, Mayor

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NO. 2

August 14th, 1970

TO: City Council

FROM: City Assessor

RE: Business Tax - Better Housekeeping Red Deer Ltd.

Better Housekeeping went into bankruptcy for which we have received final settlement. The total amount paid was \$169.88 whereas the accumulated total including penalties amounted to \$171.58, leaving an arrears balance of \$1.70.

As arrears of taxes can only be cancelled by Council, we respectfully request that a resolution be passed authorizing cancelling \$1.70.

D. J. WILSON,
City Assessor

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Recommend Council pass a resolution authorizing cancellation of arrears balance in the amount of \$1.70.

R. E. BARRETT,
Mayor

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NO. 3

August 19th, 1970

TO: City Council
 FROM: City Assessor

RE: 1970 Tax Sale

Council are respectfully requested to pass a resolution adding the property listed below to our 1970 Tax sale list and setting the reserve bid.

LEGAL DESCRIPTION

<u>Roll No.</u>	<u>Lot</u>	<u>Block</u>	<u>Plan</u>	<u>Address</u>
07-13985	12	C	5031 H.W.	5831 - 70th Street Drive

Assessment		Total	Outstanding Tax	Suggested Reserve Bid
Land	Improvements			
480	675	1,155	424.20	\$2,600.00

D. J. WILSON,
 City Assessor and
 Tax Collector

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NO. 4

August 28, 1970

TO: Mayor and Council
 FROM: R.N. McGregor - Chairman Airport Commission

On June 26, 1970 the Alberta Aviation Council, of which the Airport Commission is a member, held their quarterly Directors' meeting in Red Deer for the first time. The Mayor, myself and two members of the Commission together with representatives of the Chamber Aviation Committee met socially with their executive on the evening of Friday, June 25th.

It was a very informative meeting and their thoughts in connection with the ultimate use of the surplus fly-field and buildings at C.F.B. Penhold was discussed at great lengths. As a result of this discussion, the Directors of the A.A.C. at the Directors' meeting the next day unanimously passed the following resolution for furtherance to City Council.

"THEREFORE BE IT RESOLVED:

That the Executive and Directors of the Alberta Aviation Council in their regular monthly meeting held in the City of Red Deer, Alberta, on June 27, 1970, do strongly recommend that the City Council of Red Deer, in co-operation with the Federal and Provincial Governments,

the Red Deer Chamber of Commerce, service clubs and other volunteer bodies, take all necessary action to assure, for the benefit of the City, that the flying field and runways and a sufficient number of buildings, and in particular at least two hangars, at the airport near Penhold be reserved in perpetuity for aviation use and be administered by the City or such organizations as the City may appoint."

As Council has already taken the necessary action to acquire the fly-field by its recent submission to the Department of Transport, this resolution is being submitted tonight only for the information of City Council. The reference made in the resolution with respect to the buildings is worthy of note, however Council can take no action at this time until the decision on the fly-field is resolved.

Submitted for Information
"R.N. MCGREGOR"

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NO. 5

August 21, 1970

TO: Council

FROM: Assessor

RE: Proposed Purchase Lot 3A, Block 3, Plan 4576MC
D. & W. Holdings - CNR Riverside Industrial Area

Attached is a letter from D. & W. Holdings offering to purchase Lot 3A, which they have held under lease and used in conjunction with their Lot 2A since 1961. These premises are leased to a heavy equipment dealer.

Council have set building requirements for sale of industrial land and in this instance are; 20% of the site must be covered by buildings. In cases where additional land is being purchased, existing building areas may be taken into consideration. It has been calculated that the gross building requirement for Lots 2A and 3A is 9,800 sq. foot. The floor area of the existing building is 7,540 sq. ft. This leaves an additional building requirement of 2,260 sq. ft.

D. & W. Holdings have requested a relaxation of further building commitments. Councils direction in this regard would be appreciated.

Respectfully submitted,

"D.J. WILSON"

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5034 - 45 Street
RED DEER, Alberta
Aug 20, 1970

D.J. Wilson
City Assessor
City of Red Deer
Red Deer, Alberta

RE: Lot 3A, Block 3, Plan 4576 MC
CNR Riverside Industrial Area

Dear Sir:

We enclose a cheque in the amount of Three thousand three hundred and fifty dollars to cover 50% down payment on above referred Lot, as per your quotation of July 3, 1970. We have deducted the \$200.00 for Service connection as this is not required.

We ask that you have the building requirement relaxed to 7,540 square feet in order that our purchase may be finalized with our existing buildings. Due to the nature of the business carried on at these premises it is absolutely necessary for us to acquire this additional lot for storage of machinery etc..

We hope that you will expediate this purchase for us at your earliest convenience.

Yours truly,

"B.W. SWAINSON"
D & W Holdings

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CORRESPONDENCENO. 1

OFFICE OF THE PREMIER

Edmonton 6, Alberta
August 25th, 1970Mayor R. E. Barrett,
City Hall,
Red Deer, Alberta

Dear Mayor Barrett:

Fifteen copies of the revised and final version of the document outlining the Task Force on Urbanization and the Future have been sent to you under separate cover. We have been careful to take into account all comments made at the last meeting with the Mayors and we believe you will find this version satisfactory. A press conference has been called for Monday August 31, at which time the document will be formally released to the public. We hope you will be able to distribute copies to your councillors by this time.

The Government of Alberta is proceeding to appoint its two representatives on the Task Force Board. We hope that by September 10 your representative can also be chosen.

Yours truly,

DON HAMILTON,
Executive Assistant to the Premier

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NO. 2

THE WORKMEN'S COMPENSATION BOARD

10048 - 101A Avenue,
P. O. Box 2415,
EDMONTON 15, Alberta
August 20th, 1970The Mayor
City of Red Deer
Red Deer, Alberta

Dear Sir:

The Workmen's Compensation Act authorizes The Board to adopt a merit system. The system in use provides that employers in designated classifications may be granted a merit rebate of up to 33 1/3% of the assessment depending on the ratio of claims costs to assessment and subject to certain conditions.

In this regard, the Board recently awarded your city a merit rebate of \$4827.68 in respect of the year 1969 and a cheque for this amount has already been forwarded to your office.

The rebate acknowledges your city's favourable accident experience during the year. It is a reflection of your understanding that safety is an integral part of production, and that safe production is profitable to both your city and your employees.

In addition to reduced compensation costs, a significant reduction in indirect costs was very likely achieved by your operation. The loss of a valued employee, the cost of training a replacement, and the cost of production delays are examples of the indirect costs which can be avoided through safe production.

As responsibility for safe production rests with management, it is hoped that your continued direction and guidance will obtain an even better record for the current year.

If we can in any way assist you and your staff to achieve safer production, please feel free to contact the local office of the Safety Department of the Board.

Yours truly,

R. C. DAVIS,
Safety Director

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NO. 3

EDWARDS TRUCKING & WELDING LTD.
P. O. Box 57,
RED DEER, Alberta

August 24th, 1970

Mayor Barrett;
City Clerk;
City Council;
City Commissioner;
Appointed Committee:

Dear Sirs:

It is now over two years since I first approached the City regarding the restrictive median strip in front of my property and still no conclusion has been reached. On my initial encounter I was told the road had to be built to Provincial standards and nothing could be done about the median strip. After further persistence I was given a chance to air my complaint to Council and all seemed to agree that there was only one real solution to the problem, namely, see if Mr. Taylor would agree to opening the median. There were a number of alternatives -- not solutions -- suggested, such as:

1. See if land could be bought off Civic Tire for access.
2. Move my operation to another site -- the City paying for the relocation or some ? part of it.
3. Move at least my trucking operation out to another site with the City providing a suitable site at a reduced price.

As you know, we waited several months for Mr. Taylor to come and inspect the problem only to be refused the only true, permanent solution, a cut in the median at the lane. Personally I feel that had Mr. Taylor, his engineers, and the City Council had the courtesy to give me their attention for a few minutes at the site, as I tried to explain a suitable design, there was still some hope of getting a cut. However I was rudely ignored by any and all that I tried to corral long enough for an explanation. Even after submitting a plan to Council they refused to forward it to Mr. Taylor so I think it is now your move as to what you can offer.

We also found that Civic Tire was not prepared to sell any land as they are crowded as is. As far as alternative #2 goes, there is no use talking of moving a concrete block building and relocating for any less than \$25,000 to \$30,000.

In pursuing the third alternative, there seems to be about one city lot available where we could combine our trucking and warehousing, it being on trackage in the CN area. However it has something like three easements across it and a price tag of \$15,000, and in only preliminary inquiry and strictly unofficially, I was told the City might give me 10% off!

If my memory serves me right, the City received something like \$265,000 from the Provincial Government on the condition that the road be of the present design. I have yet to hear anyone on Council deny that my position in the middle of this block is an awkward one and that it has been caused by the City agreeing to the median strip in the first place. Whether by thoughtlessness or ignorance of my unique position in this block you have made access to my property from the West almost impossible, and exit from my property to City center a close second.

Some contend that my position is no different than anyone else on a one-way couplet. In the first place tell me who is going to make a safe U-turn at the corner East of here, with a situation as bad or worse than Gaetz Avenue and 32nd Street. Secondly, tell me who can use the road North of Civic Tire at times like about a month ago when a car was stuck on it with water up to the windows? We can only thank Providence that Civic Tire are co-operative in letting us and customers in and out.

There is no way we can continue to operate trucks in and out of here, so now we have to set up another operation resulting in nearly twice the overhead. If we move the welding with the trucking we will lose customers who are familiar with this locality. Either way we lose, besides the permanent devaluation of this property due to its inaccessibility. We originally choose this site on an incoming agricultural artery to get trade, long before this was City, and be sure we are not the only ones complaining, for our customers have some choice names for this "iron or concrete curtain" out front.

I want this matter brought to a head at the Council Meeting on August 30th, and if you can offer some means of compensation for devaluation of this property, the cost of relocation and additional overhead, and lost business for the two and a half years while you deliberated, let's get out of the weeds and hear it. I am surprised that I have had to take all of the stalling on this matter for when it first camp up at least two Aldermen suggested getting a bulldozer and opening the median strip. Also since that, the Capri has had a median opened for them while they have a service road as well.

Yours truly,

D. M. EDWARDS

RE: Edwards Trucking & Welding Ltd. -
Request for opening in median strip
on 67th Street

An examination of records concerning the above would indicate that Mr. Edwards originally approached the Engineering Department concerning the possibility of getting an opening in the median strip, in 1968. In March of 1969 the City Engineer forwarded correspondence to the Department of Highways advising of the request and requesting comments from the Chief Planning Engineer concerning same.

A letter of reply was received in April of 1969 wherein the Department of Highways advised they were opposed to any such opening for several reasons and which reasons were stated in their letter of April 25th. The reply from the Province was forwarded to Mr. Edwards together with the explanation that the City Engineer would be pleased to discuss any other possibilities in which the City could assist in routing all traffic in this area.

In June of 1969 Mr. Edwards forwarded a further letter to the City Clerk asking that City Council review their position in relation to the median strip on 67th Street.

This matter was considered by Council June 23rd, 1969 and a resolution was passed directing that representation be made to Provincial authorities to have a cut in the median strip opposite the lane West of Gaetz Avenue.

A letter was forwarded from the Mayor to the Minister of Highways in early July and a reply from the Honourable Gordon Taylor was received July 25th. This reply indicated that Mr. Taylor had now checked into the matter and wished to report as follows:

- (a) That 67th Street was designed and approved both by the City and his Department and was constructed accordingly.
- (b) That the design entailed left turning bays in order to facilitate the safe movement of through traffic and convenience for those turning from the Street. As in any such design left turning bays have been kept to a minimum.
- (c) That movement into the above site may be secured by West-bound traffic via the lane; and for East-bound traffic via 52nd Avenue thence along 68th Street thence via the lane. Exit through the site for East-bound traffic North via the lane thence along 68th Street to Gaetz Avenue.

Mr. Taylor suggested there were alternatives for Mr. Edwards' firm and accordingly he was unable to agree to cut a hole in the median strip opposite the lane serving this firm as to do so would nullify the effect of the left turning bays and would create a hazard for through traffic.

The correspondence from the Minister of Highways was placed before Council August 5th, 1969 at which time Council agreed that the Committee which was appointed earlier to meet with Provincial authorities on other traffic matters should also discuss Mr. Edwards' request with the view to receiving approval.

The Committee did meet with Mr. Edwards, Mr. Taylor and three of his Engineering staff together with the City Engineer on October 23rd, 1969 and a report from the Committee to Council on October 27th, 1970 read as part as follows:

"Regarding the median strip on 67th Street the Committee also agreed that it was very hazardous to make an opening in the median strip in front of Mr. Edwards' property and suggested as an alternative that we negotiate with the Civic Tire and Battery Co. to the West of this property for a 20' strip of land to the rear of their property as was suggested by the Engineer in a previous report and to endeavour to negotiate an agreement with the same people to combine the existing City land adjacent to 67th Street with enough of their front yard to provide a service road from 52nd Avenue to Edwards' property on the understanding that the City would pave this area, and that Civic Tire and Battery would agree to permit it to be used as a service road".

At the meeting October 27th Council agreed the land administrator endeavour to purchase the above described land from Civic Tire and Battery and negotiate an agreement as referred to above.

On November 24th, 1969 Land Administrator D. J. Wilson reported to Council that he had been unsuccessful in his negotiations with the owners of Civic Tire and Battery because of lack of space for their own requirements. Council at that meeting agreed that the original Committee of Council who had been appointed to investigate this matter should arrange to meet with Mr. Edwards and possibly the owners of Civic Tire and Battery with the view to arriving at some satisfactory solution.

At the meeting of Council January 19th, 1970 further consideration was given to a plan prepared by the Engineering Department and showing a break in the median strip opposite the lane on the South side of Edwards' property. Council were of the opinion that they could not support the plan or its submission to the Department of Highways but rather that steps be now taken to examine the possibility of relocating that portion of Mr. Edwards' business involving storage and large trucks. Council also indicated it would be prepared to consider a reduction in the standard sale price of a lot in the industrial area if the solution was acceptable to Mr. Edwards.

In the letter to Mr. Edwards and dated January 29th, 1970, City Commissioner D. Cole pointed out that the City was most anxious to minimize the inconvenience which the median strip has placed on this business and to help in any way it could to assist in the relocation of the portion of the business most affected. It was also pointed out that the City could not accept any liability for the effect on businesses which are brought about by changes in traffic patterns (e.g. one-way streets, median strips, no left turns, or elimination of parking). Mr. Cole closed his letter advising that he would be most happy to meet with Mr. Edwards at his convenience.

R. E. BARRETT, Mayor

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NO. 4

THE HILL MOTEL
4124 - 50th Avenue
Red Deer, Alberta

TO: City Council
City Hall,
Red Deer, Alberta

Dear Sirs:

RE: Roll Number 90-40700

This letter is for your kind consideration. The business taxes for the Auto Court, 4124 Gaetz Avenue, were paid by me through my banker - the Farmers and Merchants Trust Co., on July 8th, 1970.

I was under the impression that business taxes are to be paid by July 31st, 1970 whereas the tax notice was kept unattended. The surprise checking of City bills was brought to my attention by my secretary that taxes are to be paid by June 30th. I thought better late than never and likewise I phoned my banker to mail you the cheque on July 8th, 1970.

Your office has sent another notice that I am supposed to pay an extra amount of \$33.21 interest charges as penalty for making late payment. I was also given to understand that the grace date for payment of taxes was July 2nd.

I personally feel that the penalty is too high for late payment for just 5 days. Don't you think so!

Awaiting to hear your kind decision.

Your loyal citizen of Red Deer,

T. KHANNA

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August 21st, 1970

TO: City Clerk
FROM: City Assessor

RE: Hill Motel Business Tax

With reference to Mr. T. Khanna (owner of the Hill Motel), may we advise as follows:

No. 90-40700 - Hill Motel

Assessment Notice Mailed - December 31st, 1969

Rate Set by Council - 7.5%

Due Date - June 30th, 1970
 Penalty Levied - June 3rd, 1970 (\$33.21)
 Payment Received - July 9th, 1970
 Outstanding Balance - \$33.21

In view of the length of time the owner had to pay the said Business Tax, we would recommend that no adjustment be made.

D. J. WILSON,
 City Assessor

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NO. 5

August 25th, 1970

TO: Mayor and Council

FROM: Recreation Board

RE: Red Deer Rustlers - City of Red Deer Agreement
Season 1970 - 1971

Attached are four copies of an Agreement between the City of Red Deer and the Red Deer Rustlers Hockey Club for the 1970 - 1971 season.

This agreement has the approval of the Recreation Board and has been signed by Mr. Cadman for the Rustlers Hockey Club.

We respectfully request that Council give their approval to the Agreement which is basically the same as that governing our relationship in the 1969 - 1970 season.

Respectfully,

MURRAY PARKER, Chairman,
 Red Deer Recreation Board

* * *

A photocopy of the above agreement is attached to the agenda for Council's information. It is recommended Council authorize execution of same.

R. E. BARRETT, Mayor

* * * * *

BY-LAW NO. 2011/3-C

Being a By-law to amend the Zoning By-law No. 2011 of the City of Red Deer as amended.

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

- L. By-law No. 2011 of the City of Red Deer is amended as to Table 24 (Use Table for R.3 Zones) by adding under the heading "Conditional Uses", the following:

"Single family dwelling presently existing in sub-zone A only".

2. THIS BY-LAW SHALL COME INTO FORCE UPON THE FINAL PASSING HEREOF.

READ A FIRST TIME IN OPEN COUNCIL this _____ day of _____ A.D. 1970.

READ A SECOND TIME IN OPEN COUNCIL THIS _____ day of _____ A.D. 1970.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED THIS _____ day of _____ A.D. 1970.

MAYOR

CITY CLERK

BY-LAW NO. 2011/3-D

Being a By-law to amend By-law No. 2011 as amended,
being the Zoning By-law of the City of Red Deer.
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COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:-

1. The Zoning Map as defined in Section 2(3)(cc) and the residential Subzone Map referred to in Section 5(5) and the Trunk Road Map referred to in Section 1, Subsection (7) are hereby amended in accordance with Zoning Map A-106 hereto attached and forming part of this By-law and signed by the Mayor and City Clerk and impressed with the Corporate Seal of the City of Red Deer.

This By-law shall come into force upon the final passing hereof.

READ A FIRST TIME IN OPEN COUNCIL this _____ day of
_____ A.D., 1970.

READ A SECOND TIME IN OPEN COUNCIL this _____ day of
_____ A.D., 1970.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED this _____
day of _____ A.D., 1970.

MAYOR

CITY CLERK

THIS AGREEMENT made this 17 day of Aug., A.D. 1970.

BETWEEN:

THE CITY OF RED DEER, a municipal corporation carrying on business in the Province of Alberta (hereinafter called "the City")

OF THE FIRST PART

- and -

RED DEER RUSTLERS HOCKEY CLUB (1968) LTD., a body corporate carrying on business at the City of Red Deer, in the Province of Alberta, (hereinafter called "the Club")

OF THE SECOND PART

WHEREAS the City is the registered owner of the artificial ice arena known as the Red Deer Arena, and the Club is desirous of obtaining the use of the Arena for the 1970 - 1971 hockey season.

WITNESSETH that in consideration of the covenants, conditions and agreements hereinafter contained by the Club to be respectively observed and performed and the monies to be paid to or retained by the City as hereinafter set forth, the parties hereto covenant and agree as follows:-

1. The City doth hereby demise and grant to the Club the right to the use of the Arena and all its facilities, excepting concession, office and broadcasting facilities for the 1970 - 1971 season and the Club shall be entitled to:

(i) Twenty-five (25) scheduled season games to be played on specific dates and times to be approved in writing by the City Recreation Board.

(ii) Such number of playoff games, if any, as may be required on specific dates to be approved in writing by the City Recreation Board.

(iii) Exhibition games as hereinafter provided for to be played on such dates as may be approved by the City Recreation Board.

(iv) Subject to special events and the availability of ice, five (5) one and one-half (1½) hour practice sessions per week after the ice is installed and prior to the first scheduled game at no charge, and such practices during the season as are reasonably necessary to be held at such times as are mutually agreed upon by the Club and the City Recreation Board at a cost of \$2.50 per 1½ hour practice session.

2. The Club shall pay to the City a rental of \$30.00 per game plus \$15.00 for each one hundred paid admissions or part thereof.

3. The City shall provide at the Club's expense all ticket takers and cashiers and subject to the approval of the City Recreation Board the Club shall provide at its expense all doormen and firemen and such other staff as shall be deemed necessary by the City.

4. The Club shall pay to the City the printing costs of all reserved tickets.

5. The Club shall at its expense undertake all publicity for season and advance ticket sales and shall provide all required game officials including referees, goal judges, timekeepers and scorekeepers. The Club shall further be responsible for providing game programs and may retain all proceeds received from the sale of the said game programs.

6. Complimentary tickets may be issued for promotional purposes by the Club as may be mutually agreed upon by the parties hereto.

7. It is agreed by the parties hereto that tickets shall be sold for season games at the following prices.

Season	-	\$25.00
Reserve	-	1.25
Adult	-	1.25
Student	-	1.00
Children	-	.25

8. After the number and location of complimentary reserve tickets have been agreed upon by the parties hereto, the City shall distribute such

tickets and obtain signatures therefor and shall then provide the Club with printed tickets for each game for every remaining available reserved seat.

9. The Club shall assume full responsibility for the sale of season tickets and advance ticket sales and shall retain all money therefrom.

The Club shall be responsible for returning all unsold reserve tickets to the Arena Supervisor prior to each game who, (for accounting purposes) shall be entitled to assume that all reserve tickets which are unaccounted for have been sold. The sale of the remaining reserve tickets and other admission tickets shall be the responsibility of the Arena Supervisor who shall account to the Club following each game and shall retain for the City the amount to which the City is entitled pursuant to paragraph 2 hereof.

10. The Club may conduct special projects or activities within the Arena confines only with the prior written approval of the City.

11. The City agrees not to permit the use of the Arena by any Senior A or Junior A Hockey Club or team based outside Red Deer except the Canadian National teams and their opponents during the Club's season of league and playoff games without the prior approval or consent of the Club. PROVIDED HOWEVER that the City may lease the Arena for hockey exhibitions with touring or professional teams.

12. The Club covenants and agrees to save, defend, hold harmless and indemnify the City against any and all suits, claims, loss, actions, or demands of any nature or kind, to which the City shall or may become liable for or suffer by reason of any injury occasioned to, or suffered by any person or persons, or any property resulting from any wrongful act, neglect, or default on the part of the Club or any of its agents, servants, employees, licensees, or invitees, or arising out of the use and occupation by the Club of the demised premises, or any area used by the Club.

13. This agreement shall remain in full force and effect until May 1st, 1971, unless either party hereto shall sooner cancel and determine this Agreement by the giving of four months prior written notice.

14. The Club agrees to deliver to the City a current list of its shareholders and a copy of its articles of association and memorandum of association.

15. Time shall be of the essence of this Agreement and this Agreement shall enure to the benefit of and be binding upon and enforceable by the parties hereto and their respective administrators and successors.

IN WITNESS WHEREOF the parties hereto have affixed their corporate seals, attested to by their proper officers duly authorized in that behalf, the day and year first above written.

THE CITY OF RED DEER

Per: _____

RED DEER RUSTLERS HOCKEY CLUB (1968) LTD.

Per: _____

[Handwritten Signature]

16. Option to the Red Deer Rustlers Hockey Club to renew the Contract ~~on the same basis~~ for the following Season of 1971 - 1972, providing all the past commitments have been fulfilled.