

A G E N D A

For the regular meeting of RED DEER CITY COUNCIL
to be held in the Council Chambers, City Hall,
MONDAY, FEBRUARY 20th, 1978 commencing at 4:30
p.m.

- 1) Confirmation of the Council Minutes of February 6th,
and February 13th, 1978.

2) UNFINISHED BUSINESS

- 1) City Clerk - RE: Debenture Bylaw No. 2573/78 .. 1
2) City Clerk - RE: G.H. Dawe Community Centre .. 2
3) City Clerk - RE: Residential Land Sale Policy .. 3
4) Gordon Hamill/Stan Simpson - RE: Shopping
Development - S.E. Corner Piper Drive & Gaetz
Avenue .. 13
5) City Clerk - RE: Bylaws 2323/B-78 and 2323/C-78 .. 17
6) City Clerk - RE: Associate Clinic .. 18
7) City Clerk - RE: 1978 Court of Revision.
Assessment Appeals .. 19
8) City Clerk - RE: Membership - Landlord & Tenant
Advisory Board .. 20

3) REPORTS

- 1) City Treasurer - RE: Annual Meeting of the Alberta
Municipal Finance Corporation .. 22
2) Director of Economic Development - RE: Industrial
and Commercial Land Sale Agreements .. 23
3) Personnel Officer - RE: Additional Staffing .. 24
4) Secretary, Fort Normandeau Committee - RE: Appointment
to Fort Normandeau Committee .. 26

5)	Associate Planner - RE: 3720, 3722 - 52 Avenue, Zoning Bylaw 2011/E-78	.. 27
6)	City Treasurer - RE: Northwestern Utilities Franchise Agreement	.. 28
7)	Director of Economic Development - RE: Recent Trip to Toronto Area	.. 32
8)	P.S.S. Director - RE: Appointment to Red Deer & District P.S.S. Board	.. 35
4)	<u>WRITTEN INQUIRIES</u>	
	1) Alderman Oldring - RE: Downtown Redevelopment	.. 36
5)	<u>CORRESPONDENCE</u>	
	1) Mr. Scavo - RE: 5314 - 46 Avenue, Lot 6, Plan K4	.. 37
	2) J. Murray - RE: 4922 - 55 St. - House	.. 42
	3) C.P. Express - RE: Permission to operate triple bottom trailer combinations within the Corporate Limits of the City of Red Deer	.. 49
	4) W.J. Phillips - RE: Business License for 1978	.. 54
	5) J. Murray - RE: Red Deer Arena Renovations	.. 57
6)	<u>PETITIONS & DELEGATIONS</u>	
	1) Petitioners 44-46 Street; 38-39 Avenue - RE: Request for Rezoning	.. 63
7)	<u>NOTICES OF MOTION</u>	
	1) Alderman Oldring - RE: 1978 Budget Guidelines	.. 69
8)	<u>BYLAWS</u>	
	1) 2011/E-78 - first reading (Kushan Management Ltd.) - p. 27	
	2) 2323/B-78 - third reading (Procedure Bylaw)	
	3) 2323/C-78 - third reading (Procedure Bylaw) - p. 17	
	4) 2573/78 - first reading (Westyard Building & Land Acquisition)p. 1	
	5) 2577/78 - first reading (Agreement with Northwestern Utilities Ltd.) p. 28	
	6) 2578/78 - three readings (License to occupy - Associate Clinic) - p. 18	
	7) 2579/78 - three readings (Court of Revision) - p. 19	

ITEMS ON COMMITTEE OF THE WHOLE AGENDA

- (1) Annexation
- (2) Report from the Mayor RE: Downtown Redevelopment
Railway Relocation
- (3) Land Appraisal

UNFINISHED BUSINESSNO. 1

February 16, 1978.

TO: Council
FROM: City Clerk

RE: Debenture Bylaw No. 2573/78

The above mentioned bylaw which provides for the borrowing of \$1,293,000. for the purpose of extending the Transit Garage, the City Garage, West Yards land purchase, and improvements to the City Services yard, was introduced for first reading at the meeting of Council January 23 and prior to voting on first reading, Council agreed that this particular bylaw be tabled until after final consideration had been given to the Seven Year Plan. As the Seven Year Plan has now been finalized and approved by Council it would be in order for this Bylaw to receive first reading after which we will forward same to the Local Authorities Board for their approval.

The Bylaw in question will be available for Council consideration, February 20.

R. Stollings
City Clerk

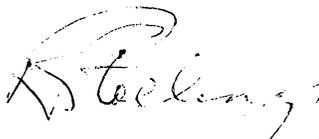
February 8, 1978

NO. 2

TO: COUNCIL
FROM: CITY CLERK

RE: G.H. DAWE COMMUNITY CENTRE

At the meeting of Red Deer City Council February 6th three reports were presented to Council from the Recreation Superintendent all of which pertained to the G.H. Dawe Community Centre. These reports were tabled by Council for a period of two weeks to enable all members to review same in detail. We would remind members of Council to bring forward their reports to the February 20th meeting.



R. Stollings,
City Clerk

RS/dk

February 16, 1978

TO: COUNCIL
FROM: CITY CLERK

RE: RESIDENTIAL LAND SALE POLICY

The following resolution was introduced by Council February 6, 1978 and was tabled for two weeks for comments from the House Builders Association.

Moved by Alderman Dale, Seconded by Alderman Callahan

"RESOLVED that Council of the City of Red Deer, hereby approve the Residential Land Sale Policy and procedure for the next residential lot sale and as recommended to Council, February 6th, 1978 by the Housing Committee."

Correspondence from the House Builders appears hereafter.

R. STOLLINGS
City Clerk

RS/dk

TO: City Council
FROM: City Assessor

RE: Land Policy - Contractors

City Council will recall that considerable discussion was held respecting the forth coming land sale policy as it would apply to the contractors section. It was proposed that the administration endeavor to define the word contractor in order to have some form of control over who could participate in the land draw.

Following discussions with City personnel, solicitors, contractors and developers, it was fairly well agreed a definition which would be practical was not forthcoming and that we should direct our attention towards the criteria for participating. In this regards we held a meeting with the Liaison Committee of H.U.D.A.C. Red Deer, who were invited by City Council to submit their feelings and recommendations.

After a joint discussion it was agreed that we could support part of their request but not all and that they would submit their total proposal to Council and that we would make our comments.

It is proposed to place 374 lots on sale this spring and if 40% of the lots are allocated to contractors they will receive 150 lots.

Last year, there were 101 Contractors who built one or more homes, this does not include those persons who obtained a contractors license to build their own home.

Breakdown permit basis (See attached list)

<u>Permits</u>	<u>Contractors</u>	%
1	39	
2 - 4	25	
5 - 10	25	
11 - 31	7	
32 & over	5	

With respect to the H.U.D.A.C. submission on the criteria for participation we have been advised by our solicitors that due to legal implications as to what a principal occupation is: that this item be denied (item #2).

Page 2

- Item 1 - Minimum of 5 permits in 1977.
*see above breakdown - only 37% of the contractors fall in this category.
- Item 2 - Solicitor advises denial.
- Item 3 - Requesting a license 12 months prior to sale.
*we would recommend having had a 1977 license and a current license would be satisfactory.
- Item 4 - One company - no associated or affiliated.
*this is the current practice.

Breakdown of lot distribution based on 1977 only.
(Time did not permit us to go back 2 additional years.)

On the assumption that only those contractors who build two or more homes last year and on the H.U.D.A.C. principal, - the following would apply to the 150 lots.

<u>PERMITS</u>	<u>CONTRACTORS</u>	<u>1977 PERMITS</u>	<u>PER CONTRACTOR % REQUEST</u>	<u>LOTS</u>	<u>AV. LOTS PER CONTR.</u>
2 - 4	25	62	1 lot	25	1.0
5 - 10	25	162	60%	97	3.9
11 - 31	7	132	50%	66	9.4
32 +	5	238	40%	95	19.0
				<u>283</u>	

As there are only 150 lots the following proration basis would apply.

<u>1977 PERMITS</u>	<u>CONTRACTORS</u>	<u>LOTS</u>	<u>AV. LOTS PER CONTR.</u>
2 - 4	25	25	1
5 - 10	25	47	1.9
11 - 31	7	32	4.5
32 +	5	46	9.2

The other alternative of course is to allocate the lots on a straight draw basis ie: 62 contractors, 150 lots = 2.4 lots each.

As can be seen by the above figures, there is not enough lots to meet the demands of the contractors.

The administration anticipates that all the lots in the contractors category will be sold and it is mainly the principle of distribution that City Council must decide upon.

Following the Council meeting, when this matter was tabled, we have been approached by numerous contractors who are concerned that they would not receive any lots and that the H.U.D.A.C. proposal only benefits the large companies who can afford to purchase and develop their own lands. We have also been approached by firms that wish to relocate or start new construction businesses in town who are very concerned that we will be having a closed shop type of operations.



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

Mellow	70
Cairns'	49
Springer	48
Boyчук	37
Engineered	34
Melcor	29
New Bar	25
Wonder	23
Hicke	23
Peterson	19
Laebon	12
Atco	11
Dukirk	9
Walter	9
Lema	9
Leo	8
Oosterhoff	8
Ranger	8
Aedes	7
Five - 0 Dev.	7
Frontier	7
Volk	7
B & H Homes	6
Corlo	6
Four Star	6
Grieb	6
Myland	6
Rosenow	6
Semon & Lucas	6
Welikoklad	6
Bauer	5
Choice	5
Gin's	5
Khorma	5
Pederson	5
VIP Modular	5
T. Freeman	5

T. Olsen	4
R & C Homes	4
S & S Homes	4
Stolz Const.	4
Calvert	3
Glass	3
Mittelmeyer	3
Rocky Moutain	3
A. Becker	2
C & M	2
Cobjar	2
Ed's	2
Grith	2
Grizzitt	2
Holm	2
Horizon	2
Housch & Thorn	2
Klevjer	2
Kordel	2
Pine	2
Prestige	2
* Starcrest	2
Stumm	2
Thomas	2
Upkar	2
<u>Plus contractors</u>	
<u>Single Permits</u>	39

NOTE.

SUMMARY

1977 contractors	101
1977 permits	594

E. KAPP <i>President</i>	<i>Directors</i> A BERRY
A. RITCHIE <i>Imm. Past President</i>	F. BISHOP
F. KIRKPATRICK <i>1st Vice President</i>	O. KNAPP
S. SCOTT <i>2nd Vice President</i>	M. LARIO
S. MLYNARSKI <i>Executive Officer</i>	I. ROBOCK
	G. ROSENOW
	B. WELIKOKLAD
	A. VAN DE BEEK

February 13th, 1978

His Worship Mayor K. Curle
and City Council

Dear Ladies and Gentlemen:

Re: Residential lot sale policy
and procedure - Definition
of Contractor for the upcoming
lot draw

Pursuant to the recent meeting between the Civic Liaison Committee of our Association and designated City Hall personnel, we are pleased to enclose herein our recommendation for determining the criteria for participating in the Contractor portion of the upcoming lot sale. We have as well included our Association's recommendation for the manner in which we would like to see the lots distributed among "Contractors" in same.

Our recommendation as to the criteria for participation as a Contractor would be as follows:

1. All applicants must have had at least five (5) residential building permits issued within the City of Red Deer in the one (1) year period ending December 31st, 1977
- OR
2. Applicants who have had less than five (5) residential building permits issued in the calendar year ending December 31st, 1977 would be eligible to participate in the Contractors portion of the upcoming lot sale providing the applicant swears an Affidavit to the effect that residential construction is the applicant's principal occupation.
 3. In either case all applicants must have had a City of Red Deer Contractor's License for a period of at least twelve (12) months prior to the date of the upcoming lot sale herein.

.../2

4. Only one company of associated or affiliated companies shall be permitted to purchase lots.

Our recommendation for the distribution of lots to "Contractors" in this category is as follows:

1. Contractors having had less than 5 residential building permits in the calendar year ending December 31st, 1977 would be entitled to one lot only.
2. Contractors having had 5 to 10 residential building permits issued in the 1977 calendar year would be entitled to receive lots on the following basis:

The Contractor would total the number of residential building permits issued to him for as long as the said Contractor has been in business in the City of Red Deer to a maximum of a three year period. He would then total the number of permits issued, divide same by the number of years (including fractions of years) in business and be entitled to Sixty (60%) per cent of that figure.

Example: If a Contractor commenced business on July 1st, 1976 and obtained 3 residential building permits in 1976 and 8 in 1977 he would have received 11 permits over a $1\frac{1}{2}$ year period or an average of 7.33 building permits per year (11 permits divided by 1.5 years). 60% of 7.33 is 4.38 and accordingly the Contractor would be entitled to 5 lots. All fractions of lots go to the next highest number.

3. Contractors having had 11 to 30 residential building permits issued in the 1977 calendar year would be entitled to receive lots on the following basis:

The Contractor would total the number of residential building permits issued to him for as long as the said Contractor has been in business in the City of Red Deer to a maximum of a three year period. He would then total the number of permits issued, divide same by the number of years (including fractions of years) in business and be entitled to Fifty (50%) per cent of that figure.

Example: If a Contractor commenced business on October 1st, 1975 and obtained 7 residential building permits in the 1975 calendar year, 9 in the 1976 calendar year and 14 in the 1977 calendar year he would have received 30 building permits over a $2\frac{1}{4}$ year period or an average of 13.3 building permits per year (30 permits divided by $2\frac{1}{4}$ years). 50% of 13.3 is 6.65 and accordingly the Contractor would be entitled to 7 lots.

4. Contractors having had a minimum of 31 residential building permits issued in the 1977 calendar year would be entitled to receive lots on the following basis:

The Contractor would total the number of residential building permits issued to him for as long as the said Contractor has been in business in the City of Red Deer to a maximum of a three year period. He would then total the number of permits issued, divide same by the number of years (including fractions of years) in business and be entitled to Forty (40%) per cent of that figure.

Example: If a Contractor commenced business on January 1st, 1976 and obtained 18 residential building permits in the 1976 calendar year and 38 residential building permits in the 1977 calendar year he would be credited with 56 building permits over a 2 year period or 28 building permits per year (56 permits divided by 2 years). 40% of 28 is 11.2 and accordingly the contractor would be entitled to 12 lots.

If there are any lots remaining after this procedure the same should be available on a draw system, one at a time, to Contractors with 5 building permits or more in the 1977 calendar year.

In that our Association is not satisfied with receiving 40% of the available lots we would recommend that if there are any lots remaining in the Contractors portion of this draw the same should be kept for future sale to Contractors only. We as well feel that if there are lots remaining in the home owners section the same should be made available to Contractors.

We enclose herein our suggested form to be completed by all Contractors as defined above which we feel would minimize the administrative duties of City Hall.

Our Association feels that the previous New Home Certification Program criteria was a good one and it is our hope that Council will consider going back to that method after the current Medicine Hat situation is resolved.

We hope City Council will see the merit in our suggestions and thank you for your consideration.

Yours very truly,



F. G. Kirkpatrick,
Acting President and Chairman
of the Civic Liaison Committee.

STATUTORY DECLARATION

TO: The City of Red Deer

11.

I, _____, being the owner or Managing
(Name of Declarant)
Director of _____, hereby declare that the
(Name of Construction Company)
said _____, has had a City of Red Deer
(Name of Construction Company)
Contractor's License since _____.
(Actual date and year)

The following is a list of the residential building permits
granted to _____ and the dates of same from
(Name of Construction Company)
January 1st, 1975 to December 31st, 1977:

<u>Date of Permit</u>	<u>Legal Description</u>	<u>Civic Address</u>
-----------------------	--------------------------	----------------------

And I make this solemn declaration conscientiously believing
it to be true and knowing it is of the same force and effect as if made
under oath and by virtue of The Canada Evidence Act.

DECLARED before me at the City)
of Red Deer, in the Province)
of Alberta, this ___ day of)
_____, A.D. 1978.)

A Commissioner for Oaths in and
for the Province of Alberta.

* I understand that any other person or corporation may examine
this Statutory Declaration and hereby authorize same.

* I understand that if my Statutory Declaration is false or
incorrect that the Construction Company herein may be barred from
participating in this lot draw.

* I understand that this Statutory Declaration must be filed
at least thirty (30) days prior to the lot draw in question and understand
that if it is not filed in time the Construction Company herein will not
be entitled to participate in the said lot draw.

February 15, 1978

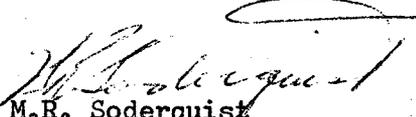
R. Stollings
City Clerk

Dear Sir:

It is my understanding that the Land Sale Policy for the City of Red Deer will be discussed at the February 20, 1978 meeting of Council.

Please accept this letter as notice that I would appreciate the opportunity of speaking to this issue.

Yours very truly,


M.R. Soderquist
Val-Lee Homes Limited

COMMISSIONER'S COMMENTS

In light of the above reports and correspondence, we recommend only one change to the policy recommended by the Housing Committee, that being that to qualify in the "contractors" section the contractor must have held a valid contractors license in the 1977 calendar year, and be the holder of a valid 1978 contractors license.

In meetings with H.U.D.A.C. no valid definition of a bonafide contractor could be formulated which is acceptable to the City Solicitor. We can see no merit to the elaborate allocation procedure among eligible contractors recommended by H.U.D.A.C. This may work well if a substantial number of lots were involved, but as there are only 150 lots for 101 eligible contractors, which averages $1\frac{1}{2}$ lots per contractor, the procedure outlined by H.U.D.A.C. would eliminate many contractors from receiving any lots at all. Instead we re-affirm the proposed policy of allocation by simple lottery.

In addition, we recommend Council adopt this policy for residential land sales in 1978.

"K. CURLE"
Mayor

"M.C. DAY"
City Commissioner

NO. 4

February 15, 1978.

Mayor and City Council,
City Hall,
RED DEER, Alberta.

Re: Shopping Development -
S.E. Corner Piper Drive
and Gaetz Avenue, RED DEER, Alberta

Dear Sirs:

After meeting with Mayor Ken Curle, Commissioner Mike Day, along with Mr. Cundy and Mr. Christensen of the Planning Commission, it has been decided that we will withdraw our application to change the zoning of our site to C3. Instead, we ask that the zoning be left as C5X and that the approved and conditional uses of C5 be added as conditional uses to C5X.

We further ask that the following uses be added:

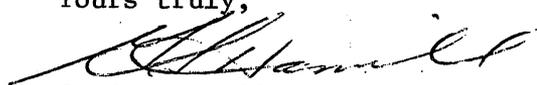
1. Drugstore
2. Beauty Parlor and Barber Shop

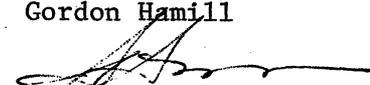
Our reason for asking for the drugstore and beauty parlor-barber shop is that at present there are none of these services available to the Pines or the Normandeau areas. The Parkland Mall does not provide the quick, convenient, drop-in type service nor the hours of service (including Sundays) that our center can provide.

We therefore, ask that our site be designated as the neighborhood-shopping center for the Pines and Normandeau areas. By designating it as such, the Administration would not place themselves in an awkward position when dealing with other re-zoning applications on highway commercial.

From our discussions it would appear that the only portion of our request that the Administration has difficulty accepting is the drugstore. We feel, after talking with some residents of the North Hill, that a drugstore is required in this area. The development of a drugstore is also extremely important to the success of our project.

Yours truly,


Gordon Hamill


Stan Simpson

Rec'd
11:30 A
Feb 15 1978
K

RED DEER REGIONAL PLANNING COMMISSION

4920 - 59 STREET
P.O. BOX 5002
TELEPHONE: 343-3394

RED DEER, ALBERTA
T4N 5Y5

FILE No. 13.00

February 16, 1978

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

Dear Sir:

Re: Shopping Development S.E. Corner
Piper Drive & Gaetz Avenue

We have received an application to amend the Zoning By-law to include in the C5X Use Table the following uses:

1. Drugstore
2. Barber Shop and Hair Dressing Establishment.

In June 1977, City Council defeated two amending by-laws. By-law #2011/S-77 and By-law #2011/T-77 which related directly to the above mentioned property. By-law #2011/S-77 would have rezoned the parcel from C5 to C5X, and By-law 2011/T-77 would have added to the Table 8A, Use Table for the C5X zone, the following conditional uses:

- Bank
- Grocery Store - the area of the store including the storage does not exceed 2500 sq. ft.
- Restaurant
- Liquor Store,
- Barber Shop
- Beauty Shop
- Confectionery.

On August 2, 1977 City Council passed the third reading of By-law #2011/EE-77 which in effect rezoned the S.E. corner of Piper Drive and Gaetz Avenue to C5X and to the C5X Use Table the following conditional uses:

- Convenience type Grocery Store - the area of the main floor, including storage, does not exceed 2000 sq. ft.
- Bank,
- Restaurant.

.. .. 2

MEMBERS

CITY OF RED DEER - TOWN OF CARSTAIRS - TOWN OF CASTOR - TOWN OF CORONATION - TOWN OF DIDSBURY - TOWN OF INNISFAIL - TOWN OF LACOMBE
TOWN OF OLDS - TOWN OF ROCKY MOUNTAIN HOUSE - TOWN OF STETTLER - TOWN OF SUNDRE - TOWN OF SYLVAN LAKE - VILLAGE OF BENTLEY - VILLAGE OF BLACKFALDS
VILLAGE OF BOWDEN - VILLAGE OF CAROLINE - VILLAGE OF CREMONA - VILLAGE OF ELNORA - VILLAGE OF PENHOLD - SUMMER VILLAGE OF GULL LAKE
SUMMER VILLAGE OF ROCHON 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

RED DEER REGIONAL PLANNING COMMISSION

4920 - 59 STREET

P.O. BOX 5002

TELEPHONE: 343-3394

RED DEER, ALBERTA

T4N 5Y5

FILE No.

.. .. 2

We have consistently argued against these types of uses at this particular corner, for the following reasons:

1. A small shopping center of this nature is more appropriately located in residential areas as neighbourhood facilities.
2. Ad hoc rezonings such as this request weaken the purposes of zoning districts, hence thwart the very purpose of the zoning by-law which is to aid the orderly development of our City.

There is a need however, to remove the restricted nature of the C5X use table.

Prior to this parcel being zoned C5X on August 2, 1977, it was zoned C5 and could have been developed in accordance with the C5 and I.1 use tables. Restoration of this development potential to the property would overcome its restricted nature and also be consistent with the surrounding area.

We also recognize the need for some convenience uses for the Pines area. The need arising from the fact that the proposed convenience shopping area in the Pines was used to develop a Senior Citizen multi-family complex.

We are reluctant to support a drugstore operation at this site, because it will lead to future pressure to locate in other areas of Gaetz. On June 6, 1977, Council denied a rezoning application which would have allowed a retail drugstore on the South Hill.

Our recommendations are:

- a) that the zoning amendment as requested, be denied, and
- b) that the Use Table for the C5X zone be amended so that all the uses of C.5 and I.1 zones are allowed as conditional uses, and
- c) that a barber shop, beauty salon be added as conditional uses.

Yours truly,



Monte Christensen,

ASSISTANT PLANNER.

CITY PLANNING SECTION

MC/cc

MEMBERS

CITY OF RED DEER - TOWN OF CARSTAIRS - TOWN OF CASTOR - TOWN OF CORONATION - TOWN OF DIDSBURY - TOWN OF INNISFAIL - TOWN OF LACOMBE
 TOWN OF OLDS - TOWN OF ROCKY MOUNTAIN HOUSE - TOWN OF STETTLER - TOWN OF SUNDRE - TOWN OF SYLVAN LAKE - VILLAGE OF BENTLEY - VILLAGE OF BLACKFALDS
 VILLAGE OF BOWDEN - VILLAGE OF CAROLINE - VILLAGE OF CREMONA - VILLAGE OF ELNORA - VILLAGE OF PENHOLD - SUMMER VILLAGE OF GULL LAKE
 SUMMER VILLAGE OF ROCHON 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

Commissioners' Comments

We concur fully with the recommendation of the Planning Commission. Council should be aware that a similar request (drugstore) was received for properties on Gaetz Avenue south and was denied by Council. The developer in question has made numerous calls following Council meetings to determine what action is being taken on the north hill, obviously with the view to requesting similar treatment on the south hill. The more uses which are added to the C.5 and C.5.X zones, the more we are encouraging strip retailing from one end of Gaetz Avenue to the other, all which will have an adverse effect on the downtown area and existing neighborhood shopping sites.

"K. CURLE"
Mayor

"M.C. DAY"
City Commissioner

February 14, 1978.

NO. 5

TO: Council
FROM: City Clerk

RE: Bylaws 2323/B-78 and 2323/C-78

Copies of the above noted bylaws were placed before Council for consideration at their meeting February 13 and at that particular meeting the bylaws were processed through first and second readings.

The above mentioned bylaws are now brought before Council for consideration of third reading. These particular bylaws provide for:

1. amendment to the procedure bylaw concerning written enquiries, and
2. prohibition of smoking in the Council Chambers.

R. Stollings
City Clerk

RS/ds

NO. 6

TO: COUNCIL

FROM: CITY CLERK

RE: ASSOCIATE CLINIC

At the last meeting of Council authorization was granted to the leasing of 8 parking stalls to the Associate Clinic. In order to finalize this matter, a draft bylaw has been prepared and is attached to this agenda for consideration of Council.

"R. STOLLINGS"
City Clerk

February 15, 1978.

NO. 7

TO: Council
FROM: City Clerk

Re: 1978 Court of Revision Assessment Appeals

At the meeting of Council, February 13th, the City Assessor drew to your attention the necessity of appointing five members as a Court of Revision to hear appeals against 1978 assessment. This matter was placed on the February 13th agenda to enable members of Council to bring forward suggested nominees for appointment to this particular Court. In addition, Council requested that this office contact those persons who had served on the Court in 1977 for the purpose of ascertaining whether or not they were agreeable to letting their name stand for the 1978 Court. Our office has contacted the individuals concerned and a list of those persons who are agreeable to serving will be submitted confidentially to members of Council in order that such names may be considered, together with any other nominees that may be brought forward by individual Council members.

R. Stollings
City Clerk

RS/ds

NO. 8

February 16, 1978.

TO: City Council

FROM: City Clerk

RE: Membership - Landlord & Tenant Advisory Board

At the last meeting of Council, I brought forward a report advising that Mr. Steve Edginton had tendered his resignation from the Landlord & Tenant Advisory Board and that the said Board had submitted the name of an individual whom they would wish to see appointed to fill Mr. Edginton's position on the Board. I neglected to include the recommendation from the Landlord & Tenant Advisory Board and therefore this matter was set over until the next meeting and accordingly, I have enclosed confidentially for members of Council the recommendations as I received them.

The following resolution was tabled at the February 13th meeting.

Moved by Alderman Dale, Seconded by Alderman Callahan

"RESOLVED that Council of the City of Red Deer hereby appoint the following person to the Landlord & Tenant Advisory Board to complete the term of office of Mr. Steve Edginton, said term to expire October, 1978."

R. Stollings
City Clerk

RS/ds

Commissioners' Comments

Current membership on the above Board is as follows:

Don Bidyk - 1103 Belvedere Apartments
Employed - Alberta Mental Health Services

Patricia Bill - 1201 Vista Village
Employed - Homemaker

Mrs. J. Mulder - 4309 Grandview Blvd.
Employed - Housewife

Clayton Dalwood - 5571 - 45 Street
Employed - Ranger Homes

Mrs. R. Cleveland - 18 McKinnon Crescent
Employed - Michener Centre - Placement Officer

June A. Wilson - #1, 5215 - 50 Avenue
Employed - Park Hotel

Peter Massie - 5924 Westpark Crescent
Employed - Aries Realty Ltd.

In addition, further nominations were brought forward at the statutory meeting and the individuals were not selected to serve. These names are resubmitted confidentially to members of Council for their consideration at this time.

"K. CURLE"
Mayor

"M.C. DAY"
City Commissioner

NO. 1

DATE: February 10, 1978

TO: City Clerk

FROM: City Treasurer

RE: ANNUAL MEETING OF THE ALBERTA
MUNICIPAL FINANCING CORPORATION

The annual meeting of the Alberta Municipal Financing Corporation is to be held on April 17, 1978 in Edmonton.

As you are aware the Alberta Municipal Financing Corporation is a corporation initiated by the Province to provide long term financing for Alberta municipalities.

REQUIRED ACTION

It is necessary for City Council to pass a resolution appointing a representative of the City for the Corporation's meeting. In the past the City Treasurer has been appointed by City Council.



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

AW:mw

Commissioners' Comments

Recommend Council by resolution authorize the City Treasurer to attend the above annual meeting as the City of Red Deer representative.

"K. CURLE"
Mayor

"M. DAY"
City Commissioner

February 14, 1978

NO. 2

TO: MAYOR AND CITY COUNCIL

FROM: DIRECTOR ECONOMIC DEVELOPMENT

RE: INDUSTRIAL AND COMMERCIAL LAND SALES AGREEMENTS

Our current Industrial and Commercial Land Sales Agreements require that the purchaser pay for the land in full in three equal payments, spaced over eight months. (The land may be paid for in less time if the purchaser wishes.)

Further, it is required that construction commence prior to the conclusion of the eight month period. This causes some problems with respect to obtaining a building permit.

The Building Inspection Department will not issue a Building Permit until the land is paid for, and construction cannot commence without a Building Permit.

To overcome this problem, our residential land sales agreements call for payment within eight months and a start on construction within nine months.

We would recommend that this same policy be adopted for industrial and commercial land sales agreements.

Sincerely, for

THE CITY OF RED DEER,


ALAN V. SCOTT, Director
Economic Development

AVS/gr

Commissioners' Comments

We concur with the recommendation of the Economic Development Director and suggest Council by resolution authorize a change in the industrial and commercial land sale agreements.

"K. CURLE"
Mayor

"M.C. DAY"
City Commissioner

February 15, 1978.

NO. 3

TO: CITY COMMISSIONER

FROM: PERSONNEL OFFICER

I have reviewed additional staffing requests with all Department Heads with the exception of the Recreation Superintendent who is presently on vacation.

I am on behalf of the Department Heads concerned respectfully requesting approval of some positions now for the reasons outlined below:

1) Maintenance & Tool Room Worker - Electric, Light & Power

This Department is taking possession of a new building now. A new equipment and tool storage location is to be set up requiring input from the employee concerned and there are many minor construction jobs to be done to accommodate staff moving in which can be performed by a maintenance man.

2) Accounting Clerk II - Treasury

The increasing work load of the Accounting section is such that additional permanent staff is essential. The Accounting Clerk II position is required to coordinate the work of the Accounting Clerk I positions, to orient and assign work to new employees to check accounts payable and solve routine work flow problems in the section. The ability to keep up with the increased work flow is further compounded by a high staff turnover, and currently we are operating with more than half the staff either new or temporary.

3) Engineering Assistant II (Draftsman) and a General Clerk I - in Engineering

The Engineering Design Section is not able to provide enough drafting services to keep up with load demand of the two Engineers working on design of roads, sidewalks, lanes, sewers, water lines and other Engineering functions. The lead time necessary to secure a Draftsman and have plans ready for the 1978 construction season makes it imperative that we start securing a Draftsman now.

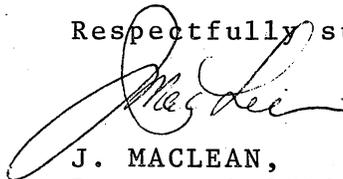
The clerical services within the Engineering Department although able to keep up with correspondence has fallen far behind in filing. There is no other City Department able to provide interim assistance and it is therefore essential that prior approval be given to this request.

(2)

4) Fire Inspector - Fire Department

The prior request for this position is of extreme urgency. The work load of the Fire Prevention Bureau has been greatly increased by the construction boom. Inspection of Apartment buildings is lagging far behind what is essential for safety standards. This is further compounded by the fact that all commercial, industrial and institutional buildings have missed one essential inspection in 1977.

Respectfully submitted



J. MACLEAN,
Personnel Officer.

JM/jp

Commissioners' Comments

It is normal that requests for increased staffing be considered during budget deliberations. At budget time the Commissioners will be making recommendations on all departmental requests for staff increases, but as some urgency exists with regard to the attached positions they have been reviewed by the Commissioners and Council approval is respectfully requested to fill these positions prior to setting the budget.

"K. CURLE"
Mayor

"M.G. DAY"
City Commissioner

THE CITY OF RED DEER



26.

NO. 4

Office of:
CITY CLERK

RED DEER, ALBERTA
February 1, 1978

TO: City Council
FROM: Fort Normandeau Committee

At the last meeting of the Fort Normandeau Committee consideration was given to the appointment of a replacement to complete the unexpired term of office of the late Mr. W.B. Dawe.

The Committee agreed to recommend to Council of the City of Red Deer the appointment of Mr. R.E. Barrett in this instance providing that Mr. Barrett was willing to serve on the aforesaid Committee. Mr. Barrett has been contacted and he has indicated willingness to serve on this Committee and accordingly the Fort Normandeau Committee is recommending the appointment of Mr. R.E. Barrett to serve on this Committee for a term of office to expire October, 1978.

Respectfully submitted,

C. SEVCIK
Secretary
Fort Normandeau Committee

RED DEER REGIONAL PLANNING COMMISSION

4920 - 59 STREET
P.O. BOX 5002

TELEPHONE: 343-3394

RED DEER, ALBERTA
T4N 5Y5

FILE No.

February 14, 1978

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

Dear Sir:

Re: 3720 - 3722 52 Avenue
Zoning By-law 2011/E-78

In accordance with Council's resolution of February 6, 1978 regarding the above mentioned, we submit the attached amending zoning by-law for first reading.

Yours truly,



M. Christensen
Associate Planner

/jam

Commissioners' Comments

The above mentioned bylaw pertains to the rezoning of the site at 3720; 3722 - 52 Avenue (Kushan Management Ltd.) as authorized by Council February 6, 1978.

"K. CURLE"
Mayor

"M.C. DAY"
City Commissioner

MEMBERS

CITY OF RED DEER - TOWN OF CARSTAIRS - TOWN OF CASTOR - TOWN OF CORONATION - TOWN OF DIDSBURY - TOWN OF INNISFAIL - TOWN OF LACOMBE
TOWN OF OLDS - TOWN OF ROCKY MOUNTAIN HOUSE - TOWN OF STETTLER - TOWN OF SUNDRE - TOWN OF SYLVAN LAKE - VILLAGE OF BENTLEY - VILLAGE OF BLACKFALDS
VILLAGE OF BOWDEN - VILLAGE OF CAROLINE - VILLAGE OF CREMONA - VILLAGE OF ELNORA - VILLAGE OF PENHOLD - SUMMER VILLAGE OF GULL LAKE
SUMMER VILLAGE OF ROCHON 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

NO. 6

DATE: February 8, 1978

TO: City Clerk

FROM: City Treasurer

RE: NORTHWESTERN UTILITIES FRANCHISE AGREEMENT

The City of Red Deer, under an agreement with Northwestern Utilities Limited, receives as a fee for allowing a gas franchise in the City 8.4% of the annual gross revenue from sale of gas to domestic and commercial customers, and 3.09% of the annual gross revenues from certain industrial customers.

The last franchise agreement between the City and Northwestern Utilities Limited was for a ten year period expiring August 22, 1977. The administration has been negotiating for a new agreement for a further 10 year period.

Attached is the proposed renewal agreement for a ten year period from the date of execution of the renewal agreement. The franchise percentages remain the same as under the expired agreement.

A bylaw is attached for Council's approval that will authorize the signing and execution of the agreement. The procedure to be followed is as follows:

1. Have first reading of the bylaw by Council.
2. Two copies of the bylaw and franchise agreement are then to be certified by the Mayor and City Clerk as having first reading. One copy is to be sent to the Public Utilities Board and one copy to N.W.U. Limited.
3. Northwestern Utilities Limited upon receipt of the copy in (2) will prepare and submit to the P.U.B. information to support the application for renewal.
4. The P.U.B., after receipt of (3), and hearing any interested parties, will determine whether the franchise renewal is proper. A letter will be required from the City (see attached) that it does not contest the terms of renewal.
5. When the P.U.B. have indicated their approval

City Council can then give second and third reading to the Bylaw and advise N.W.U. Limited that such has been done.

6. Three copies of the agreement are then executed by N.W.U. Limited and mailed to the City for execution. Two copies, along with the City Clerk's declaration and a copy of the Bylaw are then returned to N.W.U. Limited who forward one copy to the P.U.B.

REQUIRED ACTION

Approval by Council of:

1. Proposed franchise renewal agreement (subject to passing of Bylaw).
2. First reading of the Bylaw.
3. Approval of the draft letter to the P.U.B.



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

AW:mw

Att'd.

Commissioners' Comments

Concur with recommendations of the City Treasurer.

"K. CURLE" Mayor

"M.C. DAY" City Commissioner

THE CITY OF RED DEER



OFFICE OF:

CITY TREASURER

RED DEER, ALBERTA

T4N 3T4

February 8, 1978

Public Utilities Board,
11th Floor, Manulife Building
10055 - 106th Street
Edmonton, Alberta
T5J 2Y2

Dear Sirs:

RE: NATURAL GAS SUPPLY
CONTRACT RENEWAL

The Council of the City of Red Deer hereby applies to the Public Utilities Board for approval of a natural gas supply contract renewal between the City of Red Deer and Northwestern Utilities Limited, for a period not in excess of ten years from the date of execution of the natural gas supply contract renewal.

Enclosed herewith is a copy of By-Law No. 2577-78 read the first time on the 20th day of February, 1978.

The Council hereby declares:

- (a) That the natural gas supply contract renewal is necessary and proper for the public convenience and properly conserves the public interests.
- (b) That the scheme of Northwestern Utilities Limited for the supply of natural gas under the provisions of the natural gas supply contract renewal is reasonable and sufficient having regard to the general circumstances.
- (c) That having regard to the availability of any other source of supply of natural gas in the area in which the municipality is situated and to any other circumstances, the entering into the natural

- 2 -

gas supply contract renewal is to the general benefit of the area directly or indirectly affected thereby.

The Council also consents to the Public Utilities Board proceeding to consider approval of the natural gas supply contract renewal without a hearing.

DATED this _____ day of _____ 197_____.

SIGNED _____

MAYOR

CITY CLERK

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: DIRECTOR ECONOMIC DEVELOPMENT

RE: RECENT TRIP TO TORONTO AREA

Early in February, I spent six days in the Toronto area on a trip which combined calls on industry and business interested in locating in Alberta, with the opportunity to meet economic development people associated with railroads, banks, provincial and municipal governments. I feel the trip was extremely worthwhile, and will provide us with some very valuable contacts for the future. I arrived in Toronto one day prior to the beginning of the worst winter storm of this or any other year in recent history, and no matter how hard I tried, I could not convince Torontonians that we Albertans are not used to that kind of weather. Most of the core area of Toronto was completely shut down, and citizens were warned to stay off the streets because of falling glass, blown loose from some of the tall buildings.

During the course of my stay, I called on seven businesses which we have been dealing with for some time, and which have expressed an interest in locating facilities in Alberta. In most cases, their plans to move west are progressing, and decisions will be made this year. Alberta is a market which is becoming more and more significant as our population increases and our development expands. However, there are some major roadblocks appearing which are resulting in second thoughts in the minds of Eastern industrialists. Costs of establishing and operating a facility in Alberta are substantially higher than in many parts of Ontario. Land costs, which includes servicing, and construction costs, have risen to a point where profitability of an Alberta operation can be questioned. As an example, one industrialist showed me a quotation he had obtained on a lease/purchase arrangement for a medium sized plant in an Ontario city of 60,000 population. The annual lease rate per square foot is over \$1.00 less than the best rate quoted in Red Deer for a similar facility. And development costs are only half of the problem. Cost and availability of labour is a major concern to corporations considering a Western location. Labour is plentiful in Eastern Canada, and prepared to work for less. While Alberta is leading the nation in development, in employment and in wealth, this leadership is not without cost. Nevertheless, our province continues to be attractive to corporations considering Western location, and my contacts in the East re-affirmed my confidence in Red Deer's future.

One of the most informative days was spent with Bruce Murray, Industrial Commissioner for the City of Cambridge. Cambridge is a city of 70,000, located about 75 miles west of Toronto. It was formed about 6 years ago by amalgamation of three municipalities. While the size is double that of Red Deer, we share many similar goals and problems. For example, Cambridge is trying desperately to re-develop the downtown core. At the same time, pressures are being felt to relax zoning and permit the development of areas outside the centre of the city. Cambridge has no scheduled air service, relying on Waterloo, 15 miles away for private aircraft facilities and Toronto for scheduled airlines. Other problems such as parking, traffic flows, rail service and future development, reminded me of our situation in Red Deer.

Cambridge, like many other cities in Ontario, has a much broader industrial base than Western Canadian centres, and I feel that we can learn from their experience.

Cities such as Cambridge are developing huge (by Red Deer standards) industrial parks, consisting of over 1,000 acres. The land is pre-serviced and placed on the market at one time, enabling a blending of industry to take place so that all phases from highway commercial to heavy industry can be successfully integrated into the park. Large sums of money and time are spent to insure that very high (much higher than ours) standards of landscaping and architecture are retained throughout the park. The industrial department retains an architect who works with developers, offering suggestions and ideas to improve their projects. Professionally developed parks and green areas are located within the industrial park offering employees ideal environments for lunch, rest areas, or games such as baseball or soccer. Developers are encouraged to construct berms to hide such facilities as parking lots and outside storage.

In some areas, however, standards are lower than ours. Hydro is provided in an overhead system, rather than underground. Streets are gravelled and soil-cemented, while Northland Park in Red Deer provides paving, curbs and gutters. The storm sewer system is by ditching for two reasons economy and to retain the water table, which seems to be a problem.

An interesting point made by Mr. Murray was that in spite of Cambridge's quantities of industrial land, it is the policy of City Council to restrict sales to a maximum of 50 acres per year. This policy was adopted to fit into the long range plans of the municipality and enable the overall development of Cambridge in an orderly fashion. Studies indicated that one acre of industrial land represents seven new employees. At 3.2 members to each family, 50 acres of land sold would add 1,120 persons to the population. This figure, coupled with the other areas of anticipated development, provides the growth the City Council feels it can cope with.

It may also be of interest that the City of Cambridge has an owner/occupier clause in their land sales agreements to avoid speculation and vacant space. I gather that this policy is wide-spread in Ontario. Cambridge has had considerable success in attracting industry for several reasons, not the least of which is their adequate supply of serviced industrial land.

Kitchener, on the other hand, is experiencing some problems, and these can be partly blamed on a short supply of land. The City of Kitchener has a population of about 150,000. It, too, is located about 75 miles from Toronto, and has similar problems and advantages to Cambridge. But Kitchener has 45 acres of industrial land and their Industrial Commissioner, Archie Gillies, has found this to be somewhat of a problem. Industry in fact, has re-located from Kitchener recently because they could not obtain a suitable site for expansion. While industrial expansion is at a low ebb in Kitchener, downtown re-development is the City's strong suit. The new Oxford centre, the Farmers Market and a huge city-owned parking structure form the centre of a vibrant city core. And several additional major structures are on the drawing board, including some 750,000 square feet of office space. Kitchener's City Council was of the opinion that if downtown re-development could be started with a major structure, providing a focal center, a snowballing effect would develop. This seems to have worked successfully, as the Oxford Center appears to anchor the downtown area and provide the seed for future development. A nice blend of old and new buildings, together with plenty of open space and fair parking, make downtown Kitchener a nice place to visit.

It's most helpful to visit people like Bruce Murray and Archie Gillies, together with officials of the Ontario Department of Industry. Their problems and concerns are not unlike ours, and they have an extremely helpful and positive attitude. I feel that some of the ideas which are being used successfully in Ontario to assist economic development can be of assistance to communities such as Red Deer. Conversely, many of the problems encountered in the development of these much older centres, can be avoided in our future expansion with adequate knowledge.

The trip provided me with a considerable amount of excellent information in the development field, plus some excellent contacts in industry, commerce and government.

Respectfully submitted,


ALAN V. SCOTT, Director
Economic Development

THE CITY OF RED DEER

35.

NO. 8

RED DEER, ALBERTA

T4N 3T4

February 10, 1978

TO: City Clerk

FROM: R. Assinger, P.S.S. Director

Re: Red Deer and District
Preventive Social Services Board

The Preventive Social Services Board, at their regular meeting held February 7, 1978, accepted the resignation of Heather Sawula, as a citizen-at-large member.

As Mrs. Sawula's term does not expire until October, 1978, the Board approved a resolution appointing Mr. Walter A. Moes, 5920 - 58th Avenue, Red Deer, to serve the balance of the term created by the vacancy.

"Resolved that the Red Deer & District Preventive Social Services Board recommend to Council of the City of Red Deer that Walter A. Moes be appointed to serve on the Preventive Social Services Board as a citizen-at-large to complete the term of office vacated by Heather Sawula, said term expiring October, 1978."

The Board hereby recommend to Council the aforementioned resolution and would ask Council's verification and approval. A copy of Mr. Moes nomination form is herewith enclosed.

R. ASSINGER
 Director
 P.S.S. Department

RA/ca

Commissioners' Comments

The names of other persons who have previously agreed to serve on this Board, but were not so appointed have been submitted confidentially to Council for their consideration.

"K. CURLE" Mayor

"M.C. DAY" City Commissioner

WRITTEN INQUIRIESNO. 1

The following written inquiry has been submitted by Alderman Oldring.

"Could His Worship please bring Council up to date on the results of his trip down east to promote redevelopment of the downtown."

Commissioner's Comments

A confidential report has been provided to members of Council concerning the above.

"K. CURLE"
Mayor

CORRESPONDENCE

NO. 1

City Council 37.
City Hall
4914 - 48 Avenue
Red Deer, Alberta

Mr. & Mrs. F. Scavo
3833 - 46 Street
Red Deer, Alberta

Re: 5314 - 46 Avenue
Lot 6 - Plan K4
Frontage 75 ft.
Depth 145 - 155 ft.

On the above mentioned lot there is a small house which we would like moved or demolished. We understand that this lot is zoned residential.

Could you please tell us if there is a possibility that this area be re-zoned for 6 (six-plex) multiple housing. As this area already has an apartment across the street, would there be a possibility for us to put a new six-plex on this lot.

We would appreciate an answer on this question of re-zoning as soon as possible.

If more information is needed please contact us at 346-7917.

Yours truly

Franceschina Scavo

RED DEER REGIONAL PLANNING COMMISSION

4920 - 59 STREET

P.O. BOX 5002

TELEPHONE: 343-3394

RED DEER, ALBERTA
T4N 5Y5

FILE No.

February 15, 1978

Mr. R. Stollings,
City Clerk,
City Hall,
Red Deer, Alta.

Dear Sir:

Re: Lot 6, Plan K4
5314 - 46th Avenue.

In response to a letter submitted by Mr. & Mrs. Scavo,
Our comments are as follows:

Background

In 1971, as a result of a petition by the residents of the area, City Council passed an amending zoning by-law prohibiting apartment buildings in this area, except in five sites. On those designated sites, the conditional use for apartments may be allowed if certain high standards are met, such as 50% landscaping, etc.

Two of the designated sites contain apartments, and only three sites are remaining. They are as follows:

- 1) Lot 2, Registered Plan No. 5711 H.W., Lot 3, 4 and the westerly 15 feet of Lot 5, Block F, Registered Plan 3427 L (55 Street).
- 2) Lots 20 to 24 inclusive, Block H., Registered Plan No. 3427 L. (44th Avenue).
- 3) Lots 1 to 5 inclusive, Block G, Registered Plan No. 3427 L. and Lot A., Registered Plan No. 5711 H.W. (corner of 45 Avenue and 53 Street).

Present Request

The applicant is proposing to build a six unit apartment on 5314 - 46th Avenue in the Woodlea area of the City.

The site in question (Lot 6, Plan K4) is not one of the sites proposed for multiple family use.

.. .. 2

MEMBERS

CITY OF RED DEER - TOWN OF CARSTAIRS - TOWN OF CASTOR - TOWN OF CORONATION - TOWN OF DIDSBURY - TOWN OF INNISFAIL - TOWN OF LACOMBE
TOWN OF OLDS - TOWN OF ROCKY MOUNTAIN HOUSE - TOWN OF STETTLER - TOWN OF SUNDRE - TOWN OF SYLVAN LAKE - VILLAGE OF BENTLEY - VILLAGE OF BLACKFALDS
VILLAGE OF BOWDEN - VILLAGE OF CAROLINE - VILLAGE OF CREMONA - VILLAGE OF ELMORA - VILLAGE OF PENHOLD - SUMMER VILLAGE OF GULL LAKE
SUMMER VILLAGE OF ROCHON 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

2

City Council and the Woodlea Ratepayers Association agreed on a course of action which we feel should be upheld by not allowing an apartment on the site which was designated as a single family site.

Yours truly,



D. Rouhi, MCIP
SENIOR PLANNER
CITY PLANNING SECTION.

DR/cc

c.c. City Engineer,
City Assessor,
Building Inspector.

February 14, 1978

TO: R. Stollings, City Clerk
FROM: R. Strader, Acting Development Officer
RE: Lot 6, Plan K.4

The area is zoned R.2, in which multi-family buildings are usually a conditional use. However in this particular area (Wasksoo) multi-family buildings are not permitted as a conditional use except on certain lots mentioned in the bylaw. This was done by Council at the request of a citizens group, whom felt there had been enough apartments built in their area.

To the best of our knowledge the opinion of the residents has not changed. The last apartment that was built in this area was bitterly oposed by them.

February 13, 1978

TO: City Clerk
FROM: City Engineer

RE: Lot 6, Plan K 4
5314-46 Avenue

We have no objections to this proposal however the zoning for apartment sites was established by public meetings and Red Deer Regional Planning Commission and this location does not appear in the Bylaw.

The site is adjacent to existing water and sanitary sewer mains and a paved road.


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

PEG/ab

Commissioners' Comments

We concur with the recommendation of the Planning Commission that this particular application should be denied. It should be noted that the applicant could apply through M.P.C. to erect a duplex or triplex on this site as same are conditional uses in this zone.

"K. CURLE"
Mayor

"M.C. DAY"
City Commissioner

JOHN MURRAY ARCHITECT.

5415-49 Ave., Red Deer, Alberta. 346-4542. Area Code 403

42.

NO. 2

February 9, 1978

City of Red Deer
4914 - 48 Avenue
Red Deer, Alberta

Attention: Mr. R. Stollings
City Clerk

Dear Sir:

RE: 4922 - 55 Street - House

I would like to make a submission to City Council regarding this particular property, and its subsequent future development.

The property is presently zoned R2 which indicates that it could be approved for apartment use as a conditional use.

It is apparent that the land to the west of this house is in the process of being sold and links up with a large commercial property fronting on to Gaetz Avenue.

It is one of the interesting houses within the City, in an excellent state of preservation, unique in its character and extremely well landscaped.

To maintain it as a dwelling unit may prove to be difficult without having control of the surrounding developments and yet it would be desirable to maintain its residential character.

To prevent this house being sold with ultimate future demolition, I would like to approach council with a request for rezoning to enable professional offices to occupy the premises

It would be my intention to restore the interior for a lawyer, or an accountant's office, or for the purposes of a member of the medical profession.

Cont'd.....2

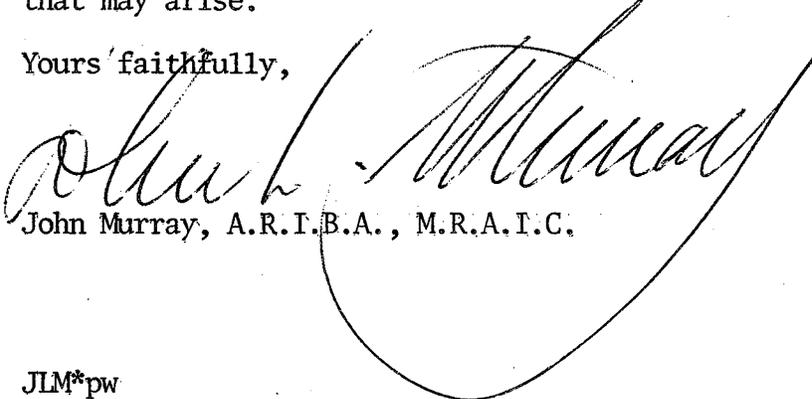
City of Red Deer
February 9, 1978
Page Two

43.

It would be my intention to restrict the signage in front of the building in keeping with its residential character and period, and provide parking for six vehicles off the lane as the property has 60'0" of frontage.

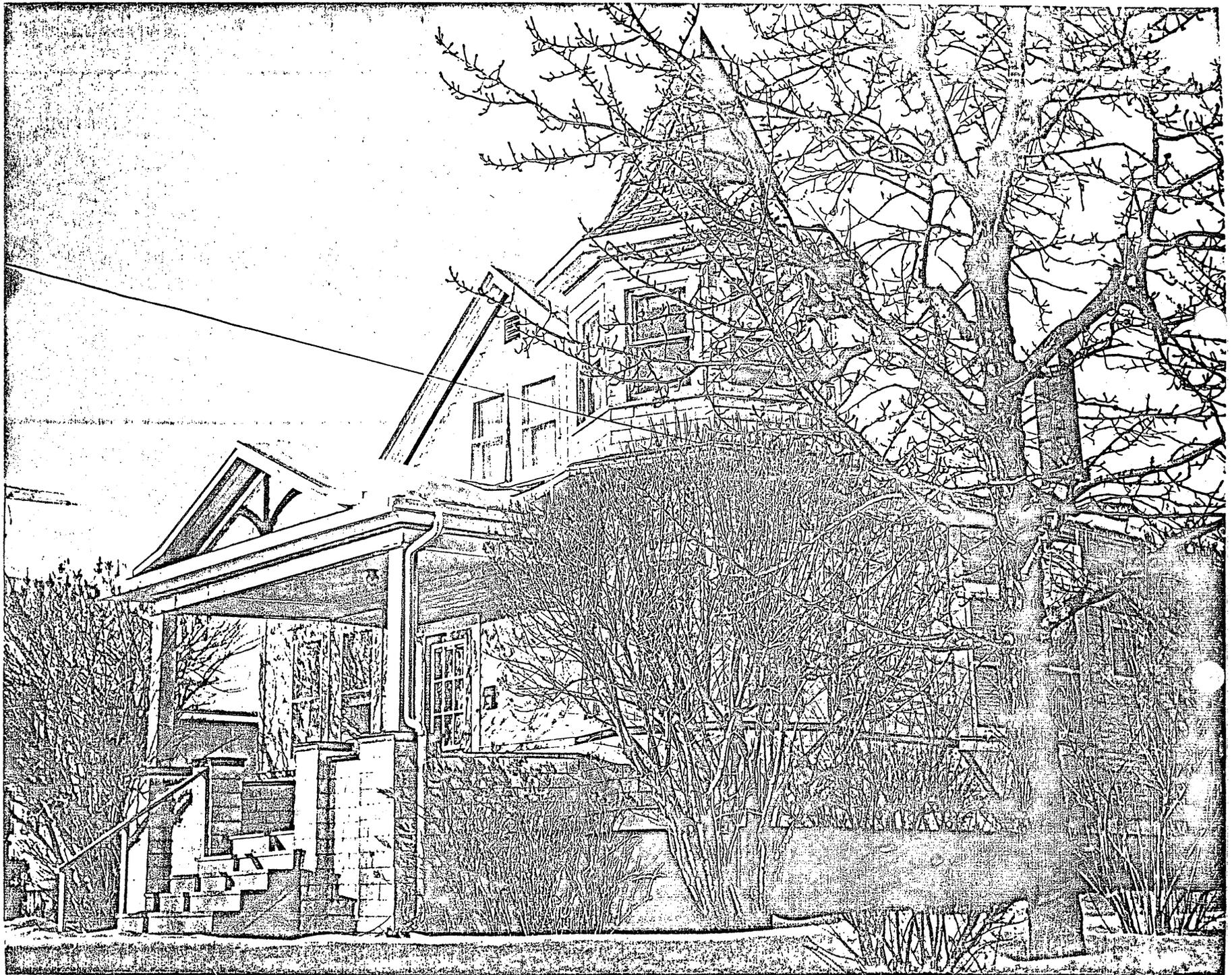
It is my opinion that the proposal that I am placing before the City is the only proposal that will enable this house to be preserved, and at the same time make it a viable proposition. It is my opinion that generally speaking 55th Street is one of the attractive older streets in our area and if you could present this proposal at the next meeting of City Council I would be present to answer any questions that may arise.

Yours faithfully,



John Murray, A.R.I.B.A., M.R.A.I.C.

JLM*pw



RED DEER REGIONAL PLANNING COMMISSION

4920 - 59 STREET
P.O. BOX 5002

RED DEER, ALBERTA
T4N 5Y5

TELEPHONE: 343-3394

FILE No.

February 16, 1978

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

Dear Sir:

Re: 4922 - 55 Street
Lots 5,6, Block 2, Plan 7075 A.E.

John Murray in a letter dated February 9th, has requested that the above mentioned property be rezoned to enable professional offices to occupy the premise.

The land is presently zoned R3A and not R2 as indicated in Mr. Murray's letter.

Since the supply of C.1 zoned property has significantly increased in the last year it is not necessary to rezone additional commercial land. A spot rezoning of this nature will only increase the pressure for further C.1 rezonings north of 55 ~~Avenue~~ ~~STREET~~.

Mr. Murray suggests that the house is unique in its character because of its age and design. He, therefore, suggests that it is worthy of preservation. The preservation of older, historically significant buildings is certainly worthy of consideration and policies should be implemented to protect this part of our heritage. Rezoning the land to permit professional office space does not guarantee the preservation of this house. The possibility to sell the house and demolish it still exists.

The zoning by-law does not have within it the means to protect and preserve older buildings. If the primary intention is preservation then new zoning legislation is required. We recommend that the request to rezone be denied.

Yours truly,



M. Christensen
Associate Planner

MEMBERS

CITY OF RED DEER - TOWN OF CARSTAIRS - TOWN OF CASTOR - TOWN OF CORONATION - TOWN OF DIDSBURY - TOWN OF INNISFAIL - TOWN OF LACOMBE
TOWN OF OLDS - TOWN OF ROCKY MOUNTAIN HOUSE - TOWN OF STETTNER - TOWN OF SUNDRE - TOWN OF SYLVAN LAKE - VILLAGE OF BENTLEY - VILLAGE OF BLACKFALDS
VILLAGE OF BOWDEN - VILLAGE OF CAROLINE - VILLAGE OF CREMONA - VILLAGE OF ELNORA - VILLAGE OF PENHOLD - SUMMER VILLAGE OF GULL LAKE
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COUNTY OF STETTNER No. 6 - IMPROVEMENT DISTRICT No. 10

February 16, 1978

TO: R. Stollings, City Clerk
FROM: R. Strader, Acting Development Officer
RE: 4922 - 55 Street

The above lot is zoned R.2.A, in order to accomodate Mr. Murray's request it will be necessary to rezone to C.1. At present there are approximately 4 blocks of C.1 land occupied mainly by older homes available for redevelopment.

When an office is placed in an existing house, it is necessary to submit an appeal to the Development Appeal Board. This is necessary to allow the use of a non-conforming building; and if the appeal is successful, approval is given for a temporary period of time only.

Mr. Murray would be required to follow this procedure, (if the lot is re-zoned) which does not allow any non-structural alterations to the building even if the appeal is granted. Structural alterations might be necessary to bring the building up to present fire and building standards especially if more than one occupancy is involved.

We cannot recommend approval of change of occupancies for these types of buildings as the necessary changes to the building structure are usually major. These would tend to destroy any specific characteristics the building may have had.

February 15, 1978

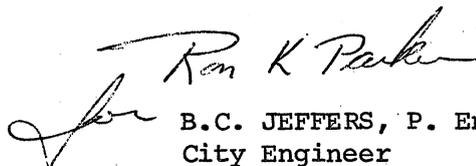
TO: City Clerk
FROM: City Engineer

RE: 4922-55 Street - House

The Engineering Department would recommend approval of this proposal not be granted.

While we appreciate Mr. Murray's purpose in requesting the rezoning, we cannot support the concept of spot rezoning. This sort of practise makes it difficult to resist the pressures of other developers requesting the same.

It is possible that a traffic problem could develop with clients or patients of the Occupant parking along 55th Street.


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

BCJ/ab
cc: Acting Development Officer
Regional Planning Commission

If Mr. Murray wishes to retain the residential character of this building, such action can be taken without rezoning by restoring the interior, as proposed by Mr. Murray, but for individual suites, a boarding house, a lodging house, an institutional home for senior citizens, widows or children, or a nursing home, all of which would truly preserve the residential character which Mr. Murray is so anxious to maintain and all of which are allowable uses in R.3.A. zones and the most intensive residential use under the bylaw. Such development would also complement Mr. Murray's adjacent development.

We recommend the request for rezoning be denied.

"K. CURLE"

Mayor

"M.C. DAY"

City Commissioner

CP Express

1004 - 4th Street S.E.
P.O. Box 2920
Calgary, Alberta T2P 2M7

THE CITY of RED DEER
ENGINEERING DEPARTMENT

RECEIVED	
TIME	3:00
DATE	Feb 10/78
BY	AOB

February 9, 1978.

Mr. K. G. Haslop,
Asst. City Engineer,
City of Red Deer,
Red Deer, Alberta
T4N 3T4

Dear Mr. Haslop:

Canadian Pacific Express Limited are making application to the Motor Transport Branch of Alberta Transportation, for authority to operate triple bottom trailer combinations between Calgary - Red Deer - Edmonton, via Highway No. 2.

As Red Deer will be an intermediate stop in this operation, we request your permission to operate such combinations within the Corporate limits of the City of Red Deer, between Highway No. 2 and our terminal at 4836 - 54th Avenue.

Yours truly,

CP EXPRESS



Mr. F. E. Adlam,
Manager,
Administration & Operating Procedures.

FEA:wa

February 13, 1978.

TO: Assist. City Clerk, C. Sevcik

FROM: Red Deer City Detachment

Re: Canadian Pacific Express Ltd. - Operation
of Triple Bottom Trailer Combinations

It is noted that previous authority has been granted to other trucking firms, ie. K & K Transport, Kingsway, to operate triple trailers to their terminals in Red Deer. No problems have arisen from this and I cannot foresee problems with Canadian Pacific Express.

It appears that they would use 54 Ave., 43 St. (Cronquist Drive) and perhaps Riverview Road in preference to 60 Avenue.


(W.E. Halliwell) Sgt.
N.C.O. i/c Traffic

WEH:vdm

February 15, 1978

To: Assistant City Clerk, C. SEVCIK

From: Bylaw Enforcement Officer
H.S. FRIESEN

RE: Canadian Pacific Express Limited - Operation
of Triple Bottom Trailer Combinations.

In regards to your letter concerning the above captioned subject, I do not think that there is any reason that the units mentioned cannot be operated in the city limits.

I do, however, feel that due to their size and the difficulty of maneuvering and the load stress of the vehicles, that they should be required to travel a specific route. If at all possible, the units should not traverse the streets in the downtown area as it would present undue stress on the already heavy traffic flow.



H.S. FRIESEN
Bylaw Enforcement Officer

February 13, 1978

TO: Assistant City Clerk C. Sevcik,

FROM: Wm. N. Thomlison, Fire Chief

RE: Canadian Pacific Express Limited
Operation of Triple Combinations

In regards to these vehicles, which I understand to be a tractor with two full size trailers behind them, making a tandem of approximately three vehicle lengths (more or less) , we have no real objection to these units entering the city limits with the following reservations.

1. That they enter the City of Red Deer coming in opposite West Park from Highway #2 going directly to their terminal at 4836 - 54th Avenue. At this point, if they have deliveries within the City from these vehicles, that they drop off two of the trailers, deliver with one and come back to pick up the other and so on, so that they do not pick up and deliver throughout the city with two or three trailers.
2. That this trailer, or any of them are not loaded with acetylene tanks, butane or propane tanks.
3. That they continue to transport all fertilizer of ammonia nitrate type in their box cars and do not use these trailers for that purpose.

With these stipulations, we have nothing to worry about.


W. N. Thomlison

WNT/cb

February 15, 1978

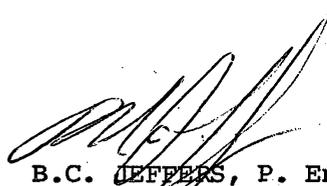
TO: City Clerk
FROM: City Engineer

RE: Triple Trailer Units
C.P. Express - 4836-54 Avenue
Red Deer, Alberta

We cannot foresee any difficulties with this request and are prepared to allow triple trailer units on 54 Avenue and the 45 Avenue Overpass as we have previously granted permission for similar units on 52 Avenue, 67 Street, 49 Avenue and Gaetz Avenue and have not experienced any problems to date.

We strongly recommend that these units be restricted to the aforementioned roadways only and between the hours of 12:00 midnight and 6:00 A.M., to avoid peak traffic flows.

It should be noted that the clearance at the 55th Street Underpass is just over 14'. Cronquist Drive (43 Street) to the C.P. Terminal would be a shorter route but the County would have to be contacted by C.P. and permission obtained to use the County roads which may be effected.



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

PEG/ab

Commissioners' Comments

We concur with the recommendation of the administration that permission be granted to operate triple trailers, subject to County approval for their portion of the road from Highway 2 via 43 St. to the C.P.R. Depot only and subject further to the conditions outlined by the Fire Chief regarding toxic and inflammable loads.

"K. CURLE"
Mayor
"M.C. DAY"
City Commissioner

NO. 4

Box 813
Red Deer, Alberta
February 8, 1978

City Council
City of Red Deer
Red Deer, Alberta

Dear Council

Could you please give me the opportunity of appealing the decision of your Licencing Inspector not to issue me with a Business Licence for 1978.

Thank you for your consideration.

Yours sincerely

W.J. Phillips

THE CITY OF RED DEER

55.

RED DEER, ALBERTA
T4N 3T4

February 14, 1978

To: City Clerk

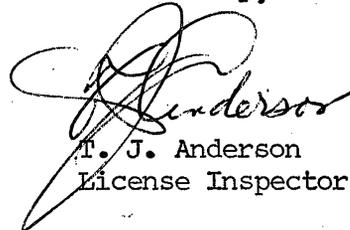
RE: Private club known as the Nordek Social Club; located
upstairs at 5022 Ross Street, Red Deer, Alberta

With reference to the above; a letter was sent to Mr. William James Phillips owner of the Nordek Social Club, via registered mail, advising him that he would not be issued a private club license for the year 1978.

The decision on the part of this department not to issue Mr. Phillips with a Private Club License was due to the fact that he was convicted at Red Deer on November 14, 1977 before Provincial Judge McKenzie for keeping a Common Gaming House contrary to Sec 185 (1) of the Criminal Code. He was fined \$ 400.00. The charge was laid in respect to the premise known as the Nordek Club at 5022 Ross Street, Red Deer, Alberta.

Due to the fact Mr. Phillips operated the Nordek Club in a manner contrary to the Criminal Code of Canada, it was the writer's decision not to issue a Private Club License for year 1978.

Yours truly,



T. J. Anderson
License Inspector

City of Red Deer

TJA/pw



"K" Division

YOUR NO.
VOTRE NO

OUR NO.
NOTRE NO

Red Deer City Detachment,
Box 533,
RED DEER, Alberta T4N 5G1.

February 10, 1978.

Mr. Tom Anderson,
Licence Inspector,
City of Red Deer,
RED DEER, Alberta.

Dear Sir:

This will confirm that William James PHILLIPS was convicted at Red Deer on 14 NOV 77 before Provincial Judge McKenzie for Keeping a Common Gaming House contrary to Section 185(1) of the Criminal Code. He was fined \$400.00. The charge was laid in respect to the premise known as Nordek Club at 5022 - Ross Street, Red Deer, Alberta.

Yours truly,

(C.C. Coutts) Insp.
O. i/c Red Deer City Det.

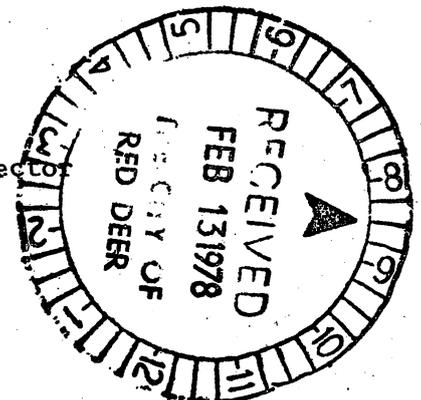
CCC:vdm

Commissioners' Comments

We concur with the action taken by the License Inspector and recommend that Council uphold this action.

"K. CURLE"
Mayor

"M.C. DAY"
City Commissioner



John K. Murray Architect.

5415-49 Ave., Red Deer, Alberta. 346-4542. Area Code 403

NO. 5

57.

February 15, 1978

Mr. R. Stollings
City Clerk
City of Red Deer
4914 - 48 Avenue
Red Deer, Alberta

Dear Sir:

RE: RED DEER ARENA RENOVATIONS

Some years ago Red Deer City Council agreed that all projects tendered by the City of Red Deer would be processed through the Alberta Bid Depository.

Although this is generally a desirable arrangement, there are instances when it may be beneficial to the City to consider alternative bidding procedures.

In the case of the Red Deer arena, I would suggest that we use the rules and regulations of the Alberta Bid Depository, and deposit drawings in the Construction Association offices for the use of their members, but allow the subcontractors to bid direct to general contractors tendering the total project.

It is my opinion that the nature of this work and the type of renovations proposed would ensure that we get sufficient number of sub-trades bidding in the initial tender call to prevent the necessity of having to retender any portion of the work at a later stage.

The disadvantage of this approach to the trade, would be the tendency for general contractors to shop for the most competitive bids from the sub-trades, but in my opinion this can be done in an ethical manner and would result in the lowest price possible for the work.

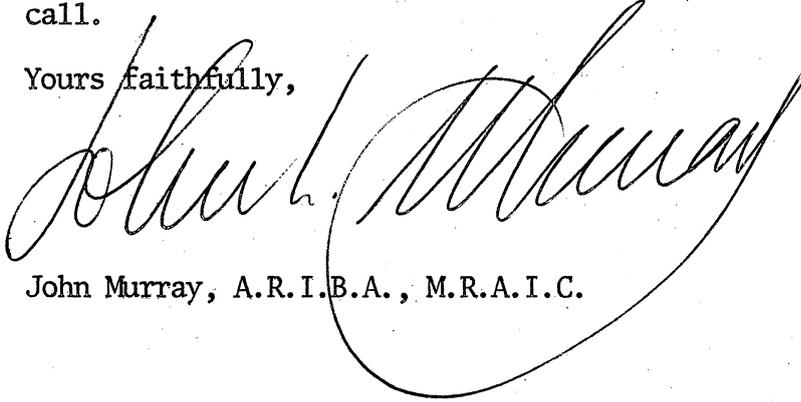
Cont'd.....2

Mr. R. Stollings
City of Red Deer
February 15, 1978
Page Two

58.

I would like Council to reconsider a previous decision regarding bidding policy particularly for this tender call.

Yours faithfully,

A large, stylized handwritten signature in cursive script, appearing to read "John Murray". The signature is written in dark ink and is positioned above the typed name.

John Murray, A.R.I.B.A., M.R.A.I.C.

JLM*pw

Commissioner's Comments

Mr. Murray will elaborate verbally at Council concerning this matter.

For the information of Council we are reproducing certain reports presented to Council June 5, 1972.

"M.C. DAY"
City Commissioner

NOTICE OF MOTION

59.

NO. 1

The following Notice of Motion was submitted by Alderman Donald at the May 18th meeting of Council:

"That Council of the City of Red Deer instruct any City departments which wish to price major construction jobs which are put to tender, submit the price at the time, place and manner as tenders are called."

*

*

May 31st, 1972

TO: CITY COUNCIL

FROM: CITY COMMISSIONER

RE: NOTICE OF MOTION BY ALDERMAN DONALD IN RESPECT
TO THE CITY BIDDING ON ITS OWN CONSTRUCTION JOBS

Following discussion with Alderman Donald, the City Engineer and the City Treasurer, it is suggested that the Notice of Motion be amended to also provide that all tender documents and advertising for invitations to tender on City construction jobs, clearly indicate to the prospective bidders whether the City intends to bid on the construction project. It is further suggested that a policy should be initiated which will permit waiver of the clauses in the tender documents in respect to the bid deposit and performance bonds as they apply to the bids submitted by the City of Red Deer.

Because no formal documents are executed for construction jobs undertaken by the City, it is recommended that regular cost reports on expenditures be submitted to Council for their information and to ensure that the City's bid price is not exceeded.

It is further suggested that, in order not to discourage competitive bidding, the City should include a minimum 10% on top of its estimate to provide for overhead costs in administration.

The attached report from Mr. Schilberg with regard to the letter from Red Deer Construction Association on the use of the bid depository is related to this topic and perhaps City Council would wish to consider a trial period.

"M. H. Rogers"
City Commissioner

*

*

May 25, 1972

Mr. M. H. Rogers
City Commissioner
City of Red Deer
Ross Street
Red Deer, Alberta

Dear Mr. Rogers:

We wish to thank the City of Red Deer for specifying the use of our bid depository for the City Sewage Treatment Plant.

We ask on behalf of our association and it's members that the City of Red Deer give due consideration to the use of our bid depository when calling for tenders on all building construction by the City of Red Deer.

The Red Deer Construction Association is an association made up of General Contractors, Trade Constructors and Manufacture and supply firms. We are affiliated with Alberta Construction Association, head office in Ottawa. We are a branch office for the Alberta Bid Depository Ltd. Projects designated to close in Red Deer and area through bid depository close for all sub trades at our branch. We appeal to the City of Red Deer to use our facilities for bid depository at no cost to the City.

We are a non profit organization and a large percentage of our operating expense is dependant on bid depository closing. This is derived from the sale of official envelopes to sub trades using bid depository and from a share of envelope sales of those envelopes sent through our depository from the other sub trades who purchase their envelopes in Calgary and Edmonton. A fee is charged to the General Contractors for the sub trade bids they get from us.

The use of the bid depository system is highly praised by the Generals as the most economical way for them to receive sub trade prices and this reflects in savings in their price on the project to the owners of the project. The sub trades are very much in favour of the bid depository system as it gives them an equal opportunity to bid very competitively on projects, without price peddling.

This system of tendering is also endorsed by,

The Royal Architectural Institute of Canada
The Association of Consulting Engineers of Canada
The Engineering Institute of Canada
The Alberta Construction Association
The Canadian Construction Association

We respectively submit that this letter of appeal to the City of Red Deer for the use of Bid Depository in your tender calls for building construction will be given every consideration.

We offer our services to you at no cost and we trust you will make good use of it.

We will appreciate discussing this matter further with you at your convenience.

Yours very truly,

Red Deer Construction Association

"S. W. Stimson, President"

*

*

May 31, 1972

TO: CITY COMMISSIONER

FROM: CITY TREASURER

SUBJECT: Red Deer Construction Association Letter
In Respect To Bid Depository For Sub-Trades

There are both advantages and disadvantages to the use of a bid depository for sub-trades. The main disadvantage is that the general contractor is obligated to accept the low bid and in some instances the reputation of the general contractor could suffer because of the poor performance of the sub-trades. When the sub-trades performance is poor additional costs are incurred for City staff time, consultants fees and in some cases legal fees in order to remedy the problem.

The benefit on the other hand lies in the fact that the bidding by sub-trades will be more competitive. In addition, the use by the City of the local office will add immeasurably in justifying a bid depository office in Red Deer.

There are probably many local sub-trade firms who do not bid on local jobs which involve a large general contractor or because they are a small operation. Use of a local bid depository would encourage local bidders because they would know that they would be successful if their bid was low.

I suggest that before we specify that all City building construction jobs involving sub-trades are handled through the local bid depository office we contact a select number of general contractors to determine their views on the use of the bid depository service offered.

As an alternative we could consider a trial period (say 6 months) where we specify the use of the local depository office and evaluate the results at the end of the period. The trial period would certainly test the reaction of the general contractors and we could determine the degree of risk in respect to poor sub-trade performance.

"C. N. Schilberg"
City Treasurer

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*

*

NO. 1

To the Mayor and Members of Council of the City of Red Deer. We the undersigned request that the area described as being between 38th and 39th Avenue and between 44th and 46th Street be not allowed for Tri-plexes or Apartments as a conditional use.

Reasons for the above request are outlined below:

1. Devaluation of property value, which has already devaluated because of multiple housing in immediate area.
2. Destruction and removing of trees and shrubs by the Developer and not replaced.
3. Parking will become virtually impossible with a minimum of fourteen (14) extra cars.
4. Within the same Block, being between 38 and 39 Avenue and 45 and 46 Street there is two (2) Five-plexes one on each corner of 45 Street, two (2) Duplexes, one on each corner of 46 Street, and one (1) Four-plex in the middle of 45 Street all of them being between 38 and 39 Avenue. There is also one (1) Four-plex on the North West corner of 45 Street and 39 Avenue.
5. Because of all the Buildings itemized on item four (4) there already is sixteen (16) extra families in the above described location.
6. Garbage is most of the time untidy and a mess because there is no one to take the responsibility of keeping it tidy.
7. Developers only build the structure and then sell it to someone who is only interested in the money they make, not in the appearance or beautifying the Grounds or even putting them back in the condition it was before they destroyed all the beauty.
8. The excess traffic has made it a hazard to children as Apartments do not allow for a place for children to play.

Recd
Feb 18/78
H

February 14, 1978

TO: R. Stollings, City Clerk
FROM: R. Strader, Acting Development Officer
RE: 44-46 Street ; 38-39 Avenue

The above area is presently zoned R.2 in which multi-family buildings are a conditional use. (The proposal must be approved by Municipal Planning Commission) The residents propose to have apartments, row houses, triplexes, 4 plex removed as conditional uses in their area.

In the past Council has done this in the Waskasoo and North Red Deer area when requested by Citizens groups.

Our departments only concern is that fewer areas are left where apartments can be built. With the type of growth Red Deer is experiencing apartments are a important housing unit.

February 15, 1978

TO: City Clerk

FROM: City Engineer

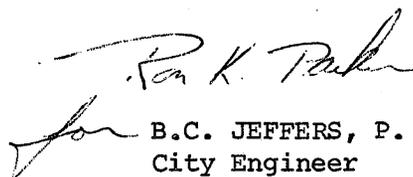
RE: Petition

The Engineering Department has reviewed the comments put forth in the petition. Many of the points put forward by the petitioners are valid. Construction of a large number of multifamily units does devalue adjacent single family units. The streets and underground utilities were designed in these areas to accommodate single family units. Certainly as multifamily units are developed traffic congestion can result. In some instances it also places a strain on the utilities.

The comments regarding garbage are an enforcement problem.

At the same time it must be realized that there is a demand for apartment sites and there will in all likelihood continue to be one. Restricting this area will almost certainly cause more pressure in another area.

This situation is one of the less desirable effects of growth in a City, growth which for the most part is beneficial to all if controlled.


for B.C. JEFFERS, P. Eng.,
City Engineer

BCJ/ab
cc: Acting Development Officer
Regional Planning Commission

RED DEER REGIONAL PLANNING COMMISSION

4920 - 59 STREET

P.O. BOX 5002

TELEPHONE: 343-3394

RED DEER, ALBERTA

T4N 5Y5

FILE No.

February 16, 1978.

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

Dear Sir:

Re: Zoning Amendment
Blocks 24 & 27, Plan 5555 A.F.

We have received your correspondence and accompanying petition requesting a zoning bylaw amendment which will restrict development of multi-family residential buildings on the above properties.

The petition as presented has several points - some are valid and relevant while others are not so relevant or proven. Basically the objection is toward apartment buildings and resulting effects such developments have on surrounding single family residents and their life styles. This issue is subjective and varies from one person to another and from one part of the city to another.

As a result of a written inquiry by Alderman MacMillan on November 28, 1977, regarding essentially the same issue, the Red Deer Regional Planning Commission was asked to examine the problem. To date we have barely completed an inventory and located on a map all the four-plexes and apartments in the City. There are obviously a preponderance of multifamily buildings in the area. The objection regarding traffic and parking may be substantiated but our study has not progressed to this point.

In view of the amount of land zoned for multifamily, the R.3 zone, and the amount of land zoned R.2 where apartments are a conditional use we would recommend that a moratorium be placed on apartment development in the subject area until the study is completed and policy guidelines adopted.

Yours truly,

M. Christensen
M. Christensen,
Associate Planner

MC/t

MEMBERS

CITY OF RED DEER - TOWN OF CARSTAIRS - TOWN OF CASTOR - TOWN OF CORONATION - TOWN OF DIDSBURY - TOWN OF INNISFAIL - TOWN OF LACOMBE
TOWN OF OLDS - TOWN OF ROCKY MOUNTAIN HOUSE - TOWN OF STETTLER - TOWN OF SUNDRE - TOWN OF SYLVAN LAKE - VILLAGE OF BENTLEY - VILLAGE OF BLACKFALDS
VILLAGE OF BOWDEN - VILLAGE OF CAROLINE - VILLAGE OF CREMONA - VILLAGE OF ELNORA - VILLAGE OF PENHOLD - SUMMER VILLAGE OF GULL LAKE
SUMMER VILLAGE OF ROCHON 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

Commissioners' Comments

We concur with the recommendations of the Planning Commission and suggest Council pass a resolution to this effect.

"K. CURLE"
Mayor

"M.C. DAY"
City Commissioner

NOTICES OF MOTIONNO. 1

The following notice of motion was submitted by Alderman Oldring February 13, 1978.

"BE IT RESOLVED that Council of the City of Red Deer hereby agree to set 1978 Budget guidelines in consultation with the City Commissioners and City Treasurer."

Commissioners' Comments

We would recommend that the above resolution not be proceeded with as outlined, as all budgets have been submitted by individual departments and most have been reviewed by the Commissioners. Council may wish to establish a guideline figure for their own use at the first budget meeting.

"K. CURLE"
Mayor

"M.C. DAY"
City Commissioner

BY-LAW NO. 2577-78

OF

THE CITY OF RED DEER

Being a Bylaw to authorize the Mayor and the City Clerk of The City to sign and execute on behalf of the City an agreement with Northwestern Utilities Limited amending and Renewing a certain franchise agreement dated the 24th day of September, 1945 and made between the City and Northwestern Utilities Limited.

WHEREAS the City and Northwestern Utilities Limited entered into an agreement dated September 24th, 1945, (hereinafter called the "Franchise Agreement") wherein the City was to be supplied with natural gas, and;

WHEREAS the City and Northwestern Utilities Limited agree that the date on which Northwestern Utilities Limited commenced to supply natural gas to the City pursuant to the original franchise agreement dated September 24, 1945, was the 22nd day of August, 1947; and

WHEREAS the Franchise Agreement dated September 24, 1945, was renewed, extended and amended for a further period of ten (10) years from August 22, 1967, by agreement dated November 17, 1967; and

WHEREAS the City deems the privilege or franchise under consideration is necessary and proper for the public convenience and properly conserves the public interests;

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

1. The City of Red Deer hereby grants to Northwestern Utilities Limited (Company), its successors and assigns, a renewal of the franchise and the rights to be derived under the Franchise Agreement, for a further term of ten (10) years, in accordance with the provisions of the Agreement marked Schedule "A", hereto, and subject to any orders of the Public Utilities Board.

2. Upon the final passing of this By-Law the Mayor and the City Clerk of the City are hereby authorized, empowered and directed to execute the said Agreement Schedule "A" hereto by, for, and on behalf of the City of Red Deer.

3. This By-law shall take effect upon the final passing thereof.

READ A FIRST TIME IN OPEN COUNCIL this _____ day of _____, A.D. 1978.

READ A SECOND TIME IN OPEN COUNCIL this _____ day of _____, A.D., 1978.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED this _____ day of _____, A.D. 1978.

MAYOR

CITY CLERK

CERTIFIED A TRUE COPY OF
BYLAW NO. 2577-78

CITY CLERK

THIS IS SCHEDULE "A" FORMING
PART OF BYLAW NO. 2577 - 78 OF
THE CITY OF RED DEER

THIS MEMORANDUM OF AGREEMENT MADE AND ENTERED INTO
this _____ day of _____ A.D., 1978.

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

OF THE FIRST PART,

- and -

NORTHWESTERN UTILITIES LIMITED
a corporation having its head office
in the City of Edmonton in the
Province of Alberta
(hereinafter called "the company")

OF THE SECOND PART.

WHEREAS the City and the Company entered into an agreement dated September 24th, 1945 (hereinafter called the "franchise agreement") wherein the City granted to the Company a special franchise to supply natural gas to the City and the inhabitants thereof for the term of 20 years from the 30th day of November, 1947 or from such earlier date as at upon which the Company may commence to supply natural gas pursuant to the original agreement;

AND WHEREAS the City and the Company agree that the date on which the Company commenced to supply natural gas to the City pursuant to the original franchise agreement dated the 24th day of September, 1945 was the 22nd day of August, 1947;

AND WHEREAS the franchise agreement was renewed and extended for a further term of 10 years from the 22nd day of August, 1967 by an agreement between the City and the Company dated the 17th day of November, 1967 (hereinafter called the "renewal franchise agreement").

AND WHEREAS the City and the Company are desirous of renewing the franchise agreement for a further period of 10 years with alterations as agreed between the City and the Company as hereinafter provided;

NOW THIS AGREEMENT WITNESSETH THAT the franchise agreement dated the 24th day of September A.D., 1945, amended and renewed as aforesaid, shall be and it and all the terms, conditions and provisions thereof with alterations therein as hereinafter provided are declared to be renewed and extended for a period of 10 years from the date of execution of this agreement; the terms conditions and provisions thereof being amended and altered by deleting all clauses thereof and substituting therefor the following:

1. The City hereby grants to the Company, its successors and assigns, subject to the terms and provisions hereinafter contained, a franchise, exclusive except as hereinafter provided, for the purpose of providing a supply of natural gas to the City and the inhabitants thereof together with the exclusive

right, authority and permission to use, break up, dig, trench and excavate in the public streets, roads, squares, lanes, utility lots, alleys, and (or) other public highways or places within the jurisdiction of the City, including any area or areas which may hereafter be added to or be incorporated within and with the City, and otherwise do such work therein as may from time to time be required to locate, construct, lay, operate, maintain, repair, renew, extend, relay, and (or) remove the pipelines of the Company necessary to be installed for the purposes of this agreement. However, the Company shall not be required to install pipelines to serve areas that have not been officially subdivided or that have not had sewer and water installations completed, or to install pipelines or to connect service lines to serve trailers or temporary dwellings or buildings.

2. The said franchise shall be in full force and effect for a period of ten (10) years from the date hereof with such alterations, if any, as may be agreed upon by the parties and approved by The Public Utilities Board.

3. The said pipelines shall be located in the lanes and alleys rather than in the streets and main thoroughfares of the City when reasonably practicable and where the cost of so doing will not be unreasonably great.

4. In respect of subsequent extensions of its distribution system, the Company agrees that a plan showing the location of

the proposed extensions shall be first submitted to and approved of by any person or persons appointed by the Council of the City or its authorized officers for that purpose. The Company shall give notice to the person or persons so appointed as aforesaid of its intention to open or break up any of the public streets, roads, squares, lanes, utility lots, alleys and (or) other public highways or places in the City not less than ten days before the beginning of such work, except in cases of emergency arising from defects or breaking of the pipe or other works, when immediate notice shall suffice.

5. The Company agrees with the City that it will do as little damage as possible in the execution of the powers hereby granted and will cause as little obstruction as possible during the progress of the work and at all other times and will restore the streets, highways, lanes, and other places affected within the limits of the City to a state of repair as nearly as possible equal to their former state.

6. The Company further agrees that it will protect and indemnify and save harmless the City against any claims, loss, damages or expenses made against or sustained by the City arising out of or in any way connected with the execution by the Company of the powers hereby granted from and against all claims, demands and actions by third persons in respect of damages sustained by reason of any operations of the Company

in relation to its undertaking.

7. The Company agrees at its own expense and at the request of the City to change the location of any of its pipelines when any of the public streets, roads, squares, lanes, utility lots, or other public highways within the City are closed by any bylaw of the City Council for public purposes, and to carry out such change with reasonable speed; provided, however, that should any of the public streets, roads, squares, lanes and (or) other public highways within the City be legally closed for any other than a public purpose, the Company will at the expense of the person or persons for whose benefit such closure was made relocate its pipelines with reasonable speed.

8. The Company agrees that where the lowering and/or alteration of any of the pipe lines becomes necessary due to the City grading and/or gravelling and/or paving any of the highways under which the same have been laid the Company will carry out such lowering and/or alteration at its own expense in the following cases, namely:-

- (a) Where the pipe lines were laid in any calendar year up to and including the year 1954 and where the top of the pipe lines is less than Forty-two (42") inches below the presently existing grade;

- (b) Where the pipe lines were laid in the calendar year 1955 and where the top of the pipe lines is less than Forty-two (42") inches below the grade established in the Grade Book of the City;
- (c) Where the pipe lines are laid subsequent to December 31, 1955 and where the top of the pipe lines is less than Forty-two (42") inches below the then existing grade or the grade then established in the Grade Book of the City whichever is the lower.

9. The City agrees that in all cases other than those referred to in the next preceding paragraph hereof where the lowering and/or alteration of any of the pipe lines becomes necessary due to the City grading and/or gravelling and/or paving any of the highways under which the same have been laid the lowering and/or alteration will be carried out by the Company but at the expense of the City and the Company agrees to carry out such lowering and/or alteration at the request of the City and the City agrees to pay the expense thereof to the Company.

10. (a) The City agrees that before it commences any work of grading and/or gravelling and/or paving of any of the highways in which any of the pipe lines are located and which may

have to be lowered or altered in accordance with paragraphs 8 and 9 hereof it will give to the Company reasonable prior notice of its intention to commence such work and will then furnish the Company with a copy of a profile map showing the existing grade, the proposed cut to sub-grade required and the final grade of the highway affected;

(b) The Company agrees that upon receipt of such notice and copy of such profile map it will within a reasonable time and wherever possible before the commencement of any such work determine the depth of the pipe lines in question and the Company will so advise the Engineer of the City who shall then be at liberty to check the depth of the said pipe lines;

(c) The City and the Company agree that after the Engineer of the City has satisfied himself as to the depth of the said pipe lines representatives of the City and the Company shall meet, examine all information available and determine;

(i) Whether or not any lowering and/or alteration of the pipe lines is necessary; and

(ii) Where any lowering and/or alteration is required also determine the responsibility for the payment of the expense thereof pursuant to paragraphs numbered 8 and 9 hereof as the case may be.

11. The City agrees that in respect of any extension and/or alteration of any of the pipe lines required to be made by the Company to serve new customers or otherwise the City will on the request of the Company provide the Company with a profile map showing the then existing grade, the proposed sub-grade and the final grade for any of the highways in which the extension and/or alteration of any of the pipe lines is to be carried out.

12. In all other cases before the City undertakes any construction, replacement, repairs or alterations in respect of any of its public services, the construction, replacement, repairs or alterations of which may in any way affect any of the Company's pipe line or lines, plant or equipment, the City shall give to the Company or its representative in the City ten days' notice, in writing, except in cases where the construction, replacement, repairs or alterations by the City are required to be done immediately, when any notice shall suffice. The City agrees with the Company that during any construction, replacement, repairs, or alterations in respect of any of the public services of the City, either by itself or its agents, that it will do as little damage as possible to the pipe line or lines, plant or equipment of the Company and the City further agrees to protect, indemnify and save harmless the Company from and against any claims, loss, damages or expenses made against or sustained by the Company by reason

of, arising out of or in any way connected with any such operation of the City.

13. The Company shall during the term of the said franchise supply as much natural gas as may be required by the said City and (or) its inhabitants within the limits of the City, except as hereinbefore excluded, when the places or buildings to be supplied therewith are situated within economical distance of the Company's distribution system.

14. The Company shall install without any charge to the customer a maximum of 100 feet of service line from the property line and any service line in excess of 100 feet shall be paid for by the customer. A meter shall be owned and installed without charge by the Company at a location to be determined by the Company.

15. The terms and conditions for supplying natural gas to all customers in the City shall be in accordance with the Company's Rules and Regulations" as amended or substituted by the Company from time to time and approved by the Public Utilities Board. The Company shall give fifteen (15) days written notice to the City of any proposed addition, alteration or amendment of the "Rules and Regulations" prior to the filing of such additions, alterations or amendments with the Public Utilities Board.

16. The Company shall charge for natural gas supplies to the City and the inhabitants thereof such prices and rates as may be approved or fixed from time to time by the Public Utilities Board of Alberta.

17. The City agrees that it will not, during the term hereof, grant to any other person, firm or corporation the right to lay pipes in its public streets, roads, squares, lanes, utility lots, alleys and other public highways or places for the purpose of supplying natural gas to or in the City for any purpose, so long as the Company supplies to the City and the inhabitants thereof their reasonable requirements of natural gas.

18. IT IS FURTHER AGREED that at the expiration of the term hereof this contract may be renewed for a period not exceeding ten (10) years (and so on from time to time) with such alterations, if any, as may be agreed upon by the parties and approved by the Public Utilities Board, and that, if either party refuses to renew such contract, or if the parties fail to agree as to the conditions of such renewal, then the City may purchase all the rights of the Company within the City limits (as defined) in all matters and things under contract, and in all apparatus and property situated within the City limits for the purpose of supplying gas to the inhabitants of the City for such price and on such terms as may be agreed upon with the Company, or failing such

agreement, then for such price and on such terms as may be fixed by the Public Utilities Board on the application of either of the parties hereto, but nothing shall be claimed by or paid to the Company for any and all franchise or franchises received from the City. This clause shall not be taken or read as referring to any property or apparatus forming part of the plant used in connection with the supplying of natural gas to other cities, towns, villages or municipalities.

19. The City consents to the exercise within the City by the Company and its successors and assigns, of the powers which may be exercised by a Company with the consent of the municipality under and pursuant to the provisions of the Water, Gas, Electric and Telephone Companies Act.

20. The parties agree that upon execution of this agreement the Company, after the said date of execution, shall pay (as hereinafter mentioned) and the City shall accept 8.4% of the annual gross revenues of the Company derived from the sale of gas to domestic and commercial customers and to industrial customers served under rate No. 1 General Rate or Rate No. 2 Optional Rate and 3.09% of the annual gross revenues of the Company derived from the sale of gas to industrial customers served under Rate No. 3 - Optional High Load Factor Rate, all within the City (exclusive of the aforementioned payment to the City) during the particular

calendar year, in lieu of taxing the special franchise, lands, improvements, pipe lines, works, machinery, equipment and apparatus belonging to and used by the Company in the operation of the franchise and related operations in the service area operated within the City. "Said payments in lieu of taxes."

- (a) shall commence with the first billing sent by the Company to the customer for the period of gas delivery commencing -
 - i) after the date of this agreement, and
 - ii) after the Public Utilities Board has by order approved any change in rates to the customer made necessary by this paragraph 20.
- (b) for parts of a calendar year shall be apportioned according to the said gross revenue during the relevant part of the calendar year;
- (c) shall be made in two (2) instalments, the first being on or before July 31st in each year for the percentage of gross revenue applicable to the immediate preceding period January 1 to June 30, and the second on or before February 28th in each year for the immediate preceding period July 1st to December 31st.

"PROVIDED, HOWEVER, if the Company shall at any time own any lands within the corporate limits of the City, upon which is situated any building or buildings used either in whole or in

part as a dwelling or dwellings, or occupied by any person or corporation other than the Company, then the same shall be liable to assessment and taxation in the same manner as other property in the vicinity of such parcel or parcels."

21. The Company will not without the consent of the City assign this franchise agreement or the rights, powers and privileges granted hereby or any of them.

22. This agreement shall enure to the benefit of and shall be binding upon the successors and assigns of each of the parties hereto.

IN WITNESS WHEREOF the parties hereto have affixed their respective corporate seals under the hands of their proper officers in that behalf, as of the day and year first above written.

CITY OF RED DEER

Per: _____

NORTHWESTERN UTILITIES LIMITED

Per _____

COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

- 1) The Associate Clinic (hereinafter called the Licensee) is hereby granted license and permission to temporarily occupy and use that portion of the Lands Registered as Public Reserve Lot R, Plan 5164 K.S. described as follows:

The eight (8) parking stalls abutting the most northerly property boundary of Lot 4, Block 37, Plan 6275 H.W. as shown shaded on the attached sketch marked Schedule "A" so affixed and hereinafter being part of Bylaw No. 2578/78 hereinafter called the said lands.

subject always to the following covenants, terms and conditions which shall be accepted and agreed to by the Licensee as a condition precedent to his occupation and use of the said lands.

(a) The license and permission hereby granted shall only apply between the hours of 8:00 o'clock in the forenoon and 6:00 o'clock in the afternoon, Monday to Friday inclusive and between the hours of 8:00 o'clock in the forenoon and 12:00 o'clock noon on Saturdays.

(b) The license and permission hereby granted may be terminated by either the City or the Licensee upon giving of thirty (30) days notice in writing, which notice may be served by mailing of same, postage prepaid, as follows:

The City Hall, 4914 - 48 Ave., Red Deer, Alberta.

The Licensee, 4728 - 50 Street, Red Deer, Alberta.

and shall be deemed to have been received the day following the mailing thereof.

(c) The Licensee shall at all times keep and maintain the said lands in good and tenantable condition and repair.

(d) The Licensee shall comply with all Bylaws, Statutes, Rules or Regulations in any manner referring to or affecting the said lands.

(e) The City shall not be liable for any injury or damage to persons or property arising on or about the said lands and the Licensee shall indemnify the City from and against any claim or demand in respect thereof.

(f) The Licensee shall pay to the City the sum of twenty-five Dollars (\$25.00) on the first day of March 1978 and on the first day of every succeeding month so long as the within license continues.

(g) The Licensee shall pay for all utilities or other services provided to the said lands, and shall pay taxes levied in respect of any improvements or taxable equipment situated on the said lands.

(h) The Licensee shall not place or erect any buildings, improvements or structures on the said land without the expressed written consent of the City first had and obtained.

BYLAW NO. 2579/78

Being a Bylaw to establish a Court of Revision

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

- (1) There is hereby established a Court of Revision consisting of five (5) members, namely:-

- (2) The members hereby appointed to the Court of Revision shall hold office until the 31st of December, 1978.

- (3) The said members shall be remunerated for their services on the Court of Revision as follows:

Fifty (\$50.00) Dollars per member per day for each day attending the Court of Revision.

- (4) a) The City Clerk of the City of Red Deer, or in the case of his absence, the Assistant City Clerk of the City of Red Deer, is hereby appointed Clerk of the Court of Revision.
- b) The said Clerk shall, when required to do so, issue a summons to any person to attend as a witness at the Court of Revision.
- c) The said Clerk shall keep in a summary form a record of the proceedings of the Court of Revision, and shall perform such other duties as the Court of Revision may direct.
- d) The said Clerk shall be remunerated for his services to the Court of Revision as follows: NIL

- (5) In the event of any vacancy arising in the membership of the Court of Revision, the Council shall as soon as is practicable make an appointment to fill such vacancy.

- (6) No person who is interested, directly, or indirectly, in any property or business, in connection with the assessment of which an appeal has been filed, shall act as a member of the Court of Revision on such appeal.
- (7) The majority of the members of the Court of Revision shall constitute a quorum.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D., 1978

READ A SECOND TIME IN OPEN COUNCIL this day of A.D., 1978

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED this day of
A.D., 1978.

MAYOR

CITY CLERK

A D D I T I O N A L

A G E N D A

For regular meeting of the COUNCIL
of the CITY OF RED DEER, FEBRUARY
20, 1978.

February 8, 1977

TO: City Commissioners

FROM: City Assessor

RE: R. R. L. Ventures Ltd.
Part of Lot 1, Block 3, Plan 762-1710
Normandeau Highway Commercial

We submit the attached affidavit received February 6, 1978, from Chapman Abercrombie, the solicitors acting on behalf of R. R. L. Ventures Ltd. regarding the reinstatement of the Land Sale Agreement pertaining to the above described lands. This agreement again became null and void due to the payment due on January 14, 1978, not received as of this date.

The following summary is forwarded for your perusal.

- June 6/77 - City Council approved sale of 2.8 acres of land to R. R. Lake General Contractors Limited (R.R.L. Ventures) of Vancouver.
- June 14/77 - Option to purchase agreement entered into.
- Sept 6/77 - Correspondence forwarded to R. R. Lake reminding them that their option was to be exercised on or before September 14, 1977.
- Sept 14/77 - Due date for exercising option. No reply received from R. R. Lake.
- Sept 29/77 - Forwarded correspondence to R. R. Lake notifying them agreement was null and void.
- Oct 6/77 - Received affidavit from R. R. Lake stating reasons why payment was late and requesting an extension to November 15, 1977, to exercise option.

Further to item #5 of the Oct.6/77 affidavit.
Clause 9, page 7 of the agreement reads as follows:

"The Purchaser acknowledges that the plans of which the said lands form a part is not subdivided and that upon the exercising of the option the City may not be in a position to immediately provide a registrable transfer to the said lands."

- Oct 11/77 - The above was submitted to City Council and the following resolution so passed.
"Resolved that Council of the City of Red Deer hereby agree to grant R. R. Lake an extension to October 14, 1977, in respect of land sale agreement pertaining to part of Lot 1, Block 3, Plan 762-1710 located in the Normandeau Highway Commercial Subdivision.
- Oct 14/77 - Council resolution of October 11, 1977, was not fulfilled therefore, agreement was again null and void.
- Oct 17/77 - Correspondence forwarded to R. R. Lake confirming that the agreement was again null and void.
- Nov 7/77 - Second affidavit received from R. R. Lake outlining reasons why payment due October 14, 1977, was not received on time.
- Nov 14/77 - Second affidavit submitted to Council for reinstatement of Land Sale Agreement. Council approved reinstatement of agreement subject to monies being received on or before November 18, 1977, as per the Commissioners recommendations.
- Nov 18/77 - Payment of \$41,868.70 received as of this date. This was the payment of principle (\$36,758.34) and interest (\$5,110.36) as approved by the November 14, 1977 Council meeting. Therefore, agreement was reinstated.
- Dec 12/77 - Council reaffirmed their resolution of November 14, 1977, with respect to the penalties charged R. R. Lake for reinstatement of the agreement.
- Jan 4/78 - Forwarded correspondence to R. R. Lake as a reminder that the second payment as per the land sale agreement was due on January 14, 1978.
- Jan 14/78 - Second payment was not received. Therefore, agreement again declared null and void.
- Jan 17/78 - Correspondence forwarded to R. R. Lake declaring the agreement null and void for the third time.

Page 3
February 8, 1978

- Jan 27/78 - Received request from Chapman Abercrombie for copies of previous affidavits submitted by R. R. Lake for reinstatement of their agreement, October 6, 1977 and November 7, 1977.
- Feb 6/78 - Third affidavit received from Chapman Abercrombie, solicitors for R. R. Lake for reinstatement of Land Sale agreement due to the agreement being declared null and void because 2nd payment was not received on or before January 14, 1978. Please note correspondence from T. Chapman attached to affidavit.

Further to the above the survey linen for the 2.8 acres was registered as plan 782-0350 on February 6, 1978.



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

att'd.

CHAPMAN ABERCROMBIE

Barristers, Solicitors, Notaries

THOMAS H. CHAPMAN PROFESSIONAL CORPORATION
WILLIAM D. ABERCROMBIE
GLEN D. CAPELING
ALLAN F. GERIG
DOUGLAS A. AST

208 PROFESSIONAL BUILDING
4808 ROSS STREET
RED DEER, ALBERTA T4N 1X5
TELEPHONE (403) 346-6603
TWX 610-841-5684

YOUR FILE.....
OUR FILE 28,889

February 6, 1978

The City of Red Deer,
City Hall,
Red Deer, Alberta.

ATTENTION: Mr. Day.

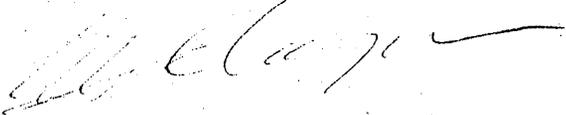
Dear Sir:

Re: R.R. L. VENTURES LTD.

I enclose herewith Statutory Declaration completed by Dick Lake relative to his application for extension of time to complete his second payment under his Agreement.

I also enclose herewith copy of correspondence received from the Bank of British Columbia and would confirm that we hold in our trust account the sum of \$45,000.00.

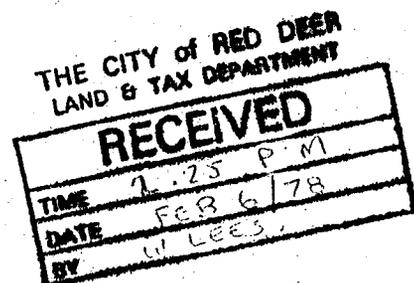
Yours truly,



T.H. CHAPMAN.

/at

encl.



CANADA)
PROVINCE OF ALBERTA)
TO WIT)

IN THE MATTER OF
PART OF LOT ONE (1), BLOCK
THREE (3) PLAN 762 1710

STATUTORY DECLARATION

I, RICHARD R. LAKE, of Vancouver, in the Province of
British Columbia, DO SOLEMNLY DECLARE THAT:-

1. I am the President of R.R. Lake General Contractors Ltd. and R.R.L. Ventures Ltd.
2. That an Option Agreement was entered into on the 14th day of June, A.D. 1977 between R.R. Lake General Contractors Ltd. (R.R. L. Ventures Ltd.) and the City of Red Deer granting R.R. Lake General Contractors Ltd. and R.R.L. Ventures Ltd. an option to purchase part of Lot 1, in Block 3, Plan 762 1710 for a period of ninety (90) days from the date of the Option Agreement.
3. THAT following the extensions permitted by the City for payment of the first instalment under the said Agreement, I made payment to The City of Red Deer of the instalment due on or about the 14th day of November, A.D. 1977 and the next instalment due under the said Agreement was on the 14th day of January, A.D. 1978.
4. THAT prior to the 14th day of January, A.D. 1978, I had made arrangements with the Bank in British Columbia to obtain interim financing from them for the purpose of being able to make the payment due on January 14th, A.D. 1978. I was advised by the Manager, Bank of British Columbia that such financing was approved but subsequent thereto, I was advised by the said Bank of British Columbia that they could not proceed on the basis

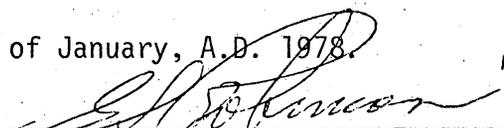
of interim financing since they would not be able to register any security against the Title as it would not, at that time, be fully registered in my name. As a result of the foregoing, I was unable to make the payment to the City of Red Deer in the sum of money required on or before January 14, A.D. 1978.

5. THAT I have had further negotiations with the Bank of British Columbia and they have now confirmed to me that they are prepared to advance the full amount of money necessary to make payment in full of the balance owing under the Agreement to purchase the above described land from the City of Red Deer, to be secured by way of Mortgage registered against the Title to the said land, and I VERILY BELIEVE THAT the instructions to effect registration of the said mortgage should be received within the province of Alberta within the next ten (10) days.

6. THAT R.R.L. Ventures Ltd. desires to proceed with the purchase of the said land and this declaration is made in support of an application to the City of Red Deer to extend the time in which the balance of the funds payable under the said Agreement will be extended to the 28th day of February, A.D. 1978.

AND I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath, and by virtue of the Canada Evidence Act.

DECLARED before me at the City of Red Deer,)
in the Province of Alberta, this 27th day)
of January, A.D. 1978.)



A Commissioner for Oaths in and for the Province of Alberta.





Bank of British Columbia

Canada's Western Bank

2899 GRANVILLE ST., VANCOUVER, B.C. V6H 3J4 TELEPHONE 732-7281

January 25, 1978.

Chapman and Abercrombie,
Barristers and Solicitors,
208 Professional Building,
Red Deer, Alberta.
T4N 1X5.

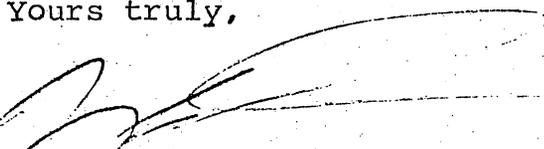
Attention: Tom Chapman

Dear Sirs:

Re: R.R.L. Ventures Ltd.

Further to our telephone conversation this date, we are enclosing a copy of the captioned company's guarantee in favour of R.R.Lake General Contractors Ltd. We request you draw and register a mortgage in favor of the Bank of British Columbia relating to the outstanding balance which we understand to be in the \$85,000 area. This mortgage will cover the approximate 2.8 acres purchased from the City of Red Deer for approximately \$130,800 of which under the Agreement for Sale we understand a balance outstanding to be approximately \$85,000. Our loan at this office will be in the name of R.R.Lake General Contractors Ltd. and bear interest at Prime (presently $8\frac{1}{4}\%$) plus 3%. As discussed this date, we are enclosing our draft for \$45,000 to be held in trust until such time as the security is in place. We request you advise the City of Red Deer, these funds are held relative to the second disbursement under the Agreement for Sale and that full payout will be forthcoming. Please advise, in due course, the balance required to retire the City of Red Deer agreement. All costs relating to this matter are for the account of R.R.L. Ventures Ltd.

Yours truly,


J.B. Carlson,
Manager.

JBC/ra
Encls.

COMMISSIONERS' COMMENTS:

The Commissioners feel they cannot reinstate this land sale agreement and, therefore, the applicant wishes to plead his case before Council.

"K. CURLE"
Mayor

"M.C. DAY"
City Commissioner