

- ✓ 1. Thank your letters to various cities.
- ✓ 2. Where is the fire by-law.
- 3. Bumpers on trucks.
- ✓ 4. Lighter - police committee
- ✓ 5. Ready by-laws

A G E N D A

For meeting of the Council to be held in the Council Chambers, September 6, 1955 at 7:30 p.m.

Present:

1. Confirmation of the minutes of the regular meeting of August 22, 1955.

2. Unfinished Business:

1. Re: Small Business Operated from Private Residences

3. Correspondence:

2. Letter to Mr. Breen of Gen'l Const. Co.

Re: Road & Curb, gutter & sidewalk Contracts, Red Deer

2. Lyle Brothers Ltd.

Re: Property west of the C.N.R. right of way on 48th St.

3. Salvation Army

Re: Letter of thanks re grant

4. R.C.M.P.

Re: Extra member in Force at Red Deer

4. By-Laws:

1. 1844 - "Traffic By-law" - 2nd & 3rd readings.

2. 1845 - Construction of sidewalks - 1955 - 2nd & 3rd readings.

3. 1847 - land sales - 3 readings.

Johnston, R.L. 25 & 26 9 6269 A.F. \$375.00 750 sq. ft.

McKay, Bambrick & Ahlstrom Pt. of E 1/2 17-38-27-4 \$2,075.00 \$25,000.00

5. Reports:

1. Re: Front End Loader.

2. Building Permits for August, 1955.

6. New Business:

1. Payment of Accounts.

6 Bly/G  
Vt/le

Bring in a report

Letter to Stewart  
Letter to Wirt

Pay 2273

Copy  
Legion parking lot - Assess all property  
Co-op Lot.

Sign-up house. 2x12

Taxes -  
Business on equal footing -  
One man only - No employees -  
Time limits: prohibit plumbing, carpenters, etc. Insurance

Trade-In

Garbage Collection: Conroy, Hetchewe  
Additional - Police asked about  
Name Serial No. Name  
Hand signals



Unfinished Business:

Signs in Residential Areas

(1) City of Calgary

Sign not larger than 1½ ft. by 2 ft.

Can only be used for home businesses where there are no employees and it is part time work.

(2) City of Edmonton

Uses customarily incident to any of the above uses, including offices of professional and business persons when situated in the same dwelling, provided that no window display shall be made, nor any sign shown or other than one affixed to the dwelling and not exceeding two (2) square feet in area, and bearing only the name and occupation of the owner.

In addition to the above, the sign cannot be illuminated and someone such as a doctor or dentist can use his home as an office provided he doesn't have any help (Same as Calgary)

Recommend: That to start with, we institute a maximum 2 sq. ft. size for signs in residential areas and limiting the sign to the name and occupation of the owner. Note: Letters have been written to cities re business tax on businesses in residential areas.

J.A.B.

City of Lethbridge,  
August 22, 1955

J. A. Beveridge, P. Eng.,  
City Commissioner.

Dear Sir:            Re: Small Businesses Operated from Private Residences

We have received your letter of the 19th instant regarding the above subject and like yourselves, have refrained from levying a business tax for businesses which are operating in a residential area.

So far, the City Council has not taken steps to impose higher license fee on those businesses but eventually it may be necessary for them to do so.

The chief offenders in the small business class seem to be plumbers and electricians and we receive numerous complaints from their competitors who are located in the commercial areas.

The regulations which we attempt to follow are laid down in the Zoning By-law of 1945, which prohibits business being operated in residential areas. However, there are two exceptions in the By-law which cause trouble in its enforcement..

Article VIII, Section 2, reads as follows:

"No existing building of any kind, type or use, which does not conform to the provisions of this By-law applicable to the area in which the said building is located, shall be enlarged, reconstructed or structurally altered unless thereby such building is altered to a kind, type or use permitted by this By-law in the said area."

Under this section, the older businesses which were in operation at the coming into force of the Zoning By-law are permitted to carry on.

Article IV, Section 2, Sub-section (o), reads in part as follows:

"Uses customarily incident to any of the above uses; offices or professional and business persons when situated in the same dwelling;

the keeping of not more than four boarders or lodgers; provided that no window display, in respect to the uses permitted by this clause shall be made nor any sign shown other than one affixed to the building"

It will be noted that under this last sub-section, no express restriction is made regarding the kind or the nature of the business that can be transacted or carried on in the business offices. The only express restriction is that the offices be located in the same dwelling. Recently, a local photographer was forced to move out of a local business area on account of the sale of the premises, but he was successful in obtaining consent of the City Council in locating his business in his residence.

This spring, our Building Inspector prosecuted a local plumber for conducting his business, mainly from his residential garage.

As far as we are concerned, the situation is not at all satisfactory and we are hoping that through the cooperative action of the various cities some solution to the problem may be found.

If you would like a copy of our Zoning By-law, kindly advise and we will endeavour to obtain one for you.

Yours very truly,

"J. K. Wood"  
City Assessor.

City of Edmonton,  
August 2 nd, 1955

City Commissioner,  
J. A. Beveridge, P. Eng.,

Dear Sir:      Re: Businesses Operated from Private Residences

Reference your letter of August 19th regarding the above, any person who operates a business from his or her home and which is located in a residential area, is levied an annual business tax of \$10.00. These are in most part single operators such as building Contractors, painters, plasterers, landscapers, or any self-employed person who would not need a separate place of business.

Selling a product or retail business would not be allowed in a residential area.

I would suggest you write Mr. Noel Dant, Town Planner, who would give you further information on the zoning bylaws.

Yours truly,  
"R. A. Reid"  
Assistant City Assessor.

City of Medicine Hat,  
August 24, 1955

Mr. J. A. Beveridge,  
City Commissioner.

Dear Sir:

In reply to your letter of the 19th inst. addressed to our City Assessor, I would advise that where businesses have been established in homes in residential areas in this City they are being assessed at the regular business tax rate.

However, since the adoption of zoning regulations in Medicine Hat it is now impossible for a business to operate in a residential area of the City.

Yours truly,  
"W. A. Keith"  
City Clerk

City of Calgary,  
August 26, 1955

City Commissioner,  
City of Red Deer.

Dear Sir:            Re: Small Businesses operated from Private Residences

With reference to your enquiry on the above noted subject, please be advised that a Business Tax is levied against the operator conducting business from his residence, the procedure being as outlined below.

1. Applicant is referred to Town Planning Department for permission to operate the business in question in a residential district.
2. The levy for Business Tax varied due to the amount of space necessary, such as use of telephone and desk space or storage room or workshop in basement and use of garage.

Trusting that this information may be of some assistance, we remain.

Yours very truly,  
"P. H. Cormack"  
Assessor.

COMMENT: - From the above letters it would seem that all we can do is keep our present restriction and remove businesses from residential areas when they are particularly objectionable (i.e. upon complaint) The other restriction which must be added is to limit, or prohibit business signs in residential areas.

J.A.B.

CORRESPONDENCE:

LETTER NO. 1

August 30, 1955

Materials Testing Laboratories Ltd.,  
10214 - 112 St.,  
EDMONTON, Alberta.

Dear Sir: Re: Road, Curb, Gutter and Sidewalk Contracts, Red Deer

Enclosed please find a copy of the letter we have forwarded to Mr. Breen of General Construction.

Yours truly,  
"E. Newman"  
City Clerk

August 29, 1955

Mr. H. J. Breen,  
President,  
General Construction Co. (Alberta) Ltd.,  
LETHBRIDGE, Alberta.

Dear Sir: Re: Road & Curb, gutter & sidewalk Contracts, Red Deer.

We wish to notify you formally that the City is most concerned regarding the progress of work on the above mentioned contracts.

As you are no doubt aware, by July 31st only \$38,032.11 of work had been completed out of a total of \$482,110 as provided for in the two contracts. This represented 7.9% of the work in 40% of the time.

At the time of writing the rate of progress on the curb, gutter and sidewalk programme is improving but is far behind the necessary rate to complete the programme by the date specified in the contract.

The situation regarding the road work is, however, alarming in our opinion. About 70% of the time has elapsed and not more than 15% of the work has been completed.

Approximately 25% of the sub-base has been completed.  
No coarse gravel has so far been compacted or graded to specifications  
No crushed gravel whatever has so far been brought on to the site.  
No priming or paving has, of course, been started.

It is our considered opinions that the work specified in the contract will not be completed by the due date by a very substantial margin in spite of abnormally fine weather.

On two occasions your Mr. Stewart has been asked if there is any further help or assistance the City or our Consulting Engineers (Materials Testing Laboratories) can give, and on both occasions we have been assured that the co-operation of our staff has been most satisfactory.

We would draw your attention to the fact that we regard the situation as most serious.

It is our opinion that the work is not being prosecuted in an efficient and workmanlike manner, that the supervision at foreman level is both inadequate and insufficiently experienced in soils, proper compaction methods and grade interpretation. A disregard for stakes, water shut offs and manholes has been shown from the beginning and although the replacement and repair is, of course, being done at your cost it is taxing our staff to the limit. Inadequate barriers or no barriers are placed across the roads under construction in spite of numerous reminders, which is dangerous for the public and delays the work.

You will appreciate that our only desire is to see the work completed in a satisfactory manner by the due date, but the situation has reached a stage where we must consider the probability that a substantial portion will remain incomplete.

The City will be liable next year for the first repayment installment of both principle and interest on the money it has borrowed for this work. The major portion of the money for this installment is to be recovered by assessment on the properties fronting on to these improvements. The City has to prepare its assessment roll at the end of the year for the year following and may not assess properties where the work is incomplete. The assessment roll cannot be changed during the course of the year. Consequently, any work which is not completed by the end of the year cannot be assessed for a further 12 months and the City will lack a very substantial sum required for the first installment repayment next year.

You will observe that under Article 1-(16) covering delay of completion, the Contractor is liable for all engineering costs and testing costs after the proper date for completion. In the event of the contract being cancelled all costs and expenses resulting from the cancellation are to be borne by the Contractor. (1-17)

We should be obliged if you would inform us whether you are prepared to pay that proportion of the principal and interest installment in respect of which the work is incomplete at the end of the year, even though the contract is not cancelled. A decision by you on this point is both urgent and important as we must know how to finance our repayment installment in spite of a probable substantial shortage in frontage taxes due to the work not being completed.

At this stage, we regret to inform you that unless there is evidence during the next six days of the work proceeding at a rate to permit completion by the due date, our Council will have no option but to consider referring the matter to the Bonding Company.

Yours truly,  
"H. W. Halladay"  
Mayor

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LETTER NO. 2

August 25, 1955

Mr. C. E. Ross,  
City Assessor.

Dear Mr. Ross:

Regarding our negotiations to purchase the parcel of Land West of the C.N.R. right of way on 48th Street under date of April 28, 1955, and the payment to you from Allen, MacKimmie, Matthews & Wood of \$1,000 under date of May 26th. We wish to advise that we are prepared to pay the balance of the purchase price provided the period of building commitment on this be extended to July 1956.

Yours very truly,  
LYLE BROTHERS LIMITED  
Per: Kennett I. Lyle.

NOTE:

Balance owing is \$6,395. The point here is that if the option was not taken up it would have cost the company in question \$1,000. The city should insist that if building does not commence by July, 1956 it will mean a penalty of cost of services - \$2,375 plus survey cost \$208 plus land tax. i.e. a total of approx. \$2,773.

J.A.B.

August 25, 1955

Lyle Brothers Ltd.,  
Imperial Bank Chambers,  
8th Ave. at Centre St.,  
CALGARY, Alberta.

Attention: Mr. K. I. Lyle

Dear Sir:

Enclosed please find a map of the commercial property on 49th Street, Red Deer in which you are interested, this portion is outlined in Red.

With reference to the option you have with us re above, as you know this expires Saturday August 27, 1955. I have discussed this with our City Commissioners and they agree that you should remit the balance of the purchase price of land and services in order to exercise the option.

49th Street is slated on this years construction program, however as the sewer, water and gas mains have to be installed we are anxious to hear further from you.

The enclosed newspaper clipping might be of some interest to your client.

Trusting you will advise us of your intentions at your earliest convenience.

Yours truly,  
"C. E. Ross"  
City Assessor  
Per: R.M. Wells

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LETTER NO. 3

August 25, 1955

Mr. E. Newman,  
City Treasurer.

My Dear Mr. Newman:

I would like to acknowledge with thanks the receipt of your cheque for \$250.00, which comes to us as a grant from the City of Red Deer for 1955. Our official receipt is attached.

The Salvation Army appreciates very much the help given by the City of Red Deer towards its work for the unfortunate. This continued assistance on the part of Municipalities enables our Organization to keep open its doors to the most needy.

Would you kindly pass along these expressions to the Council at their next meeting.

Thanking you personally for presenting our appeal and sending us the cheque, I am,

Sincerely yours,  
"Burton Dumerton"  
Senior Major

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LETTER NO. 4

August 22, 1955

Mr. J. A. Beveridge, P. Eng.,

Dear Sir:

1. The Commissioner has now officially advised that the Minister of Justice has approved an increase in the contract strength at Red Deer to twelve members of the Force. This has particular reference to your letter of May 10th last. The extra member was detailed for this duty on and from July 23rd, 1955.

Yours truly,  
"F. A. Regan" Supt. for Officer  
Commanding "K" Divn. A.O.D.

<u>Vendor</u>	<u>Make of Machine</u>	<u>Cost with diesel Excl. Sales Tax</u>	<u>Cost with gas excl. Sales Tax</u>	<u>Struck Capacity of Bucket</u>	<u>weight complete</u>	<u>Light material bucket excl. Sales Tax</u>	<u>Cu. Cap. (light) material Bucket</u>	<u>Total with diesel Price inc. extra</u>	<u>Total with gas</u>
Geo. McDonald Delivery - immediate on gas	Scoopmobile	\$15,495.00	14,495.	1 5/8 cu.yd.	20,000 lbs.	525.00	3 yds.	\$16,020.00	15,020.00
Industrial & Road Equip. Delivery - October, 1955	Hough	16,477.00	14,968.	1 1/2 cu.yd.	21,700 lbs.	589.00	3.78 (heaped)	17,066.00	15,557.00
erguson Supply Delivery - 3-4 weeks	Baker Lull	14,661.00	12,911.	1 1/2 cu.yd.	15,000 lbs. (gasoline)	795.00	2 1/2 yd	15,456.00	13,706.00
Construction Equip. Delivery - immediate on gas	Michigan	15,475.00	13,640	1 5/8 cu.yd.	18,500 lbs.	617.00	2yds	16,092.00	14,257.00
Waterous Ltd. <u>rated only</u>	Allis Chalmers <u>1 1/8 yd. struck</u>	12,831.00	11,148.	1 1/8 cu. yd.	12,300 lbs	503.00	2 yds	13,334.00	11,651.00
Pardee Equip. Delivery - 10 days	Pettibone Mulliken	14,500.00	13,100	1 1/2 cu.yd.	17,000 lbs	866.00	3 yds	15,366.00	13,966.00

September 2, 1955

Mr. Denis Cole,

In compliance with your request that the City of Edmonton be contacted in conjunction with the pending purchase of a loader, I have phoned Mr. Don Murray, Supervisor of Equipment for the City of Edmonton.

The City of Edmonton have both a Scoopmobile and a Michigan of comparative size, the latter mentioned being purchase this year and the Scoopmobile last year. Mr. Murray informed me that they have had some trouble with the hydraulic pump and steering cylinders of the Scoopmobile and have experienced difficulty in obtaining replacement parts. He stated that his machine was recently held up for one week awaiting repairs. With regard to the Michigan, they have not as yet had any troubles with this machine, but he feels that they possibly may have some trouble obtaining repair parts for it.

In comparing the machines, he believes that the Michigan is actually doing a little better job, and it was stated that if he were to make a choice between the two, he would favour the Michigan.

They have received very good service from both firms in the matter of service calls, etc.

Trusting this is the information you require, I remain,

Yours truly,  
"A. S. Krause"  
Purchasing Agent

CONFIDENTIAL NOTE:

- In addition to the above,
- (1) Mr. Ross Currie and a Union Tractor Mtc. foreman checked the various machines and they agree the Michigan is best.
  - (2) One of the competitors who was told the bid has been narrowed down to Scoopmobile and Michigan, recommended the Michigan.

It is recommended that since the Michigan written bid was the lower of the two and the men who are to operate the loader apparently prefer the Michigan, that the city purchase this machine. Failing the above, we should call for written tenders again, with specifications changed to include trade-in of the old machine and payment immediate cash or terms.

J.A.B.

BUILDING PERMITS

August, 1955

<u>NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Pioneer Electric	Addition	8,000.00
P.A. Jardine	Dwelling	9,000.00
C.J. Hoveland	Dwelling and Garage	10,000.00
N. Jahelka	Dwelling	7,000.00
N. Wells	Addition	400.00
G.W. Swanson	Dwelling	10,000.00
Raymonde Constr. Ltd.	Dwelling	9,500.00
A.W. Papineau	Garage	400.00
Templeton Constr. Ltd.	Dwelling	10,000.00
W.H. Gerritsen	Dwelling	5,000.00
W.J. Reid	Garage	400.00
Alton Bros.	Dwelling	10,000.00
Western Builders Ltd.	Dwelling	10,000.00
Western Builders Ltd.	Dwelling	12,000.00
Western Builders Ltd.	Office and Warehouse	40,000.00
Red Deer Twilight Lodge Foundation	A Lodge	100,000.00
Morris Constr. Co.	Dwelling and Garage	15,000.00
Housing Leaseholds Ltd.	Apartment Houses	240,000.00
J.A. Rindal	Garage	800.00
Morris Constr. Co.	Dwelling	10,000.00
Morris Constr. Co.	Dwelling	10,000.00
Bud Bourke	Alterations	3,500.00
E. Brown	Dwelling	3,000.00
R. Wager	Garage	500.00
N.C. Anderson	Dwelling	9,000.00
N.C. Anderson	Dwelling	9,000.00
Alton Bros.	Dwelling	11,000.00
J. Bourne	Addition	1,000.00
G. Bell	Improvements	600.00
F. Scheurer	Dwelling	10,000.00
Morris Construction Co.	Dwelling	11,000.00
Morris Constr. Co.	Dwelling	10,000.00
Morris Constr. Co.	Dwelling	10,000.00
Morris Constr. Co.	Dwelling	11,000.00
Morris Constr. Co.	Dwelling	10,000.00
Morris Constr. Co.	Dwelling	10,000.00
Morris Constr. Co.	Dwelling	11,000.00
Morris Constr. Co.	Dwelling	10,000.00
Johnston Constr. Ltd.	Dwelling	8,000.00
G.B. Minue	Garage	150.00
Templeton Constr. Ltd.	Dwelling	14,000.00
Alton Bros.	Dwelling	9,500.00
	Total	669,750.00
	Forward	2,111,316.00
		<u>2,781,066.00</u>

Red Deer, Alberta, September 6, 1955

Minutes of the regular meeting of city council held in the Council Chambers on Tuesday, September 6, 1955 at 7:30 p.m.

Present: Aldermen Fletcher, McRobbie, Lampard, Allen, and Brown; Mayor Halladay; City Clerk, E. Newman; City Commissioner, J. A. Beveridge; and City Engineer, D. Cole.

The minutes of the regular meeting of August 22, 1955 were adopted as transcribed.

The minutes of the special meeting held in the City Office on Thursday, August 25 to discuss the 1955 Road Construction Program, were adopted as transcribed.

Unfinished Business:

It was generally agreed that a by-law be prepared prohibiting businesses in residential areas and from private residences where more than the owner is employed. The time limit is to be set and certain types of businesses shall be prohibited all together and signs on the house only will be limited to 2 X 1½ feet in size.

Correspondence:

The letter to Mr. Breen of General Construction was discussed together with the proposed letter to be sent to General Construction as written as written by City Engineer and the latter letter was approved by Council and will be sent.

The application from Lyle Brothers for an extension of time on the purchase of their land east of the Swimming Pool was approved by the following resolution:

"Moved by Alderman Brown, seconded by Alderman Lampard that the parcel of land west of the C.N.R. right-of-way on 48th St. be sold to Lyle Brothers providing that the conditions as stated in the Commissioners' note of the agenda of September 6 be adhered to." CARRIED,

The letter of thanks from the Salvation Army was ordered filed.

The letter re the extra member of the R.C.M.P. was also ordered filed.

By-Laws:

Moved by Alderman Fletcher, seconded by Alderman McRobbie that by-law No. 1844 be now read a second time and be referred to Committee of the Whole.

Moved by Alderman Brown, seconded by Alderman Lampard that by-law No. 1845 be now read a second time and be referred to Committee of the Whole.

Moved by Alderman Lampard, seconded by Alderman Brown that a by-law to authorize the execution of certain land sale agreements

be now read a first time and be entitled by-law No. 1847.

Moved by Alderman Lampard, seconded by Alderman Brown that by-law No. 1847 be now read a second time and be referred to Committee of the Whole.

Council then resolved into Committee of the Whole to consider by-laws No. 1844, 1845 and 1847. The Chairman declared these by-laws approved.

Moved by Alderman Fletcher, seconded by Alderman McRobbie that by-law No. 1844 be now read a third time and do finally pass any rules to the contrary notwithstanding, and the Mayor and City Clerk be authorized to sign same in Open Council and affix the corporate seal thereto.

Moved by Alderman Brown, seconded by Alderman Lampard that by-law No. 1845 be now read a third time and do finally pass any rules to the contrary notwithstanding, and the Mayor and City Clerk be authorized to sign same in Open Council and affix the corporate seal thereto.

Moved by Alderman Lampard, seconded by Alderman Brown that by-law No. 1847 be now read a third time and do finally pass any rules to the contrary notwithstanding, and the Mayor and City Clerk be authorized to sign same in Open Council and affix the corporate seal thereto.

#### Reports:

With regard to the purchase of a front end loader, the following resolution was adopted:

"Moved by Alderman Lampard, seconded by Alderman Fletcher that the Commissioners be authorized to purchase the "Michigan" loader as demonstrated subjected to a satisfactory trade-in for the city's old machine." CARRIED.

Building permits were ordered filed.

#### New Business:

The accounts were passed for payment as listed on Page 170.

The Building Inspector was to be instructed to investigate the situation at the Co-op parking lot as it is thought that they are leasing a portion of this land to the garage north of them. A report is requested from the Building Inspector.

#### Additional Agenda:

The letter from Mr. and Mrs. Evan Thomson was discussed, and it was agreed that the Commissioners notations be accepted and Mr. and Mrs. Thomson are to be informed that no consideration can be given to this matter.

The letter from the Northwest Utilities was ordered filed for future reference.

The letter from Mr. E. A. Johnstone re: C.M.H.C. representative was ordered filed.

The request from the Kiwanis Club re their Apple Day slated for October 1st or an alternate date of October 8th was agreed to.

The request from W. K. Clark for a veteran's lot was disallowed after the following resolution was defeated:

"Moved by Alderman Lampard, seconded by Alderman Brown that Council agree to sell Mr. Clark one 50' lot at the veteran's price of \$1.00 in view of previous application, which was not carried through at the time." DEFEATED.

The garbage contract was under discussion and the following resolution was adopted:

"Moved by Alderman Brown, seconded by Alderman Lampard that the City draw up a new garbage contract as per recommendation of the Commissioners. Basic rate per collection be increased from 27 to 30 cents per collection. City's charge be increased from 40¢ to 50¢ per collection in order to balance revenue and expenditures and commercial rates to be adjusted." CARRIED

The question of prohibiting parallel parking by trucks without bumpers in the City of Red Deer was discussed, and the following resolution was defeated:

"Moved by Alderman Allen, seconded by Alderman McRobbie that a clause prohibiting parallel parking by trucks without bumpers be inserted in our new traffic by-law." DEFEATED .

Alderman Lampard, as Chairman of the Police Committee, informed council that at a later date a Police Committee will draw up a resolution to be forwarded to the Department of Highways re this matter.

The meeting adjourned at 11:45 p.m.

READ AND CONFIRMED IN OPEN COUNCIL THIS 12th day of September, A.D. 1955.

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Mayor

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City Clerk