

DATE: April 7, 1998
TO: All Departments
FROM: City Clerks
RE: PLEASE POST FOR THE INFORMATION OF ALL EMPLOYEES

SUMMARY OF DECISIONS



FOR THE ***REGULAR MEETING OF RED DEER CITY COUNCIL***

HELD IN THE COUNCIL CHAMBERS, CITY HALL

MONDAY, April 6, 1998

COMMENCING AT ***4:30 P.M.***



- (1) Confirmation of the Minutes of the Regular Meeting of March 23, 1998

DECISION - Approved as transcribed

PAGE #

- (2) **UNFINISHED BUSINESS**

1. City Clerk - Re: New Alarm Bylaw No. 3194/98 / (See Bylaw Section For Readings)

. . 1

DECISION - Report received as information. See Bylaw Section for Bylaw Readings

2. Realty World - MDR - Re: Wood Investments Ltd. - Former CP Rail
Yards / Final Concept Plan - Railwood Plaza . . 4

**DECISION - Agreed to extend the date for satisfaction of
conditions to May 2, 1998**

(3) PUBLIC HEARINGS

1. City Clerk - Re: Duhamel/Trueman - Pinnacle Housing Corporation: . . 8
- (a) Road Closures - Kerry Wood Subdivision / Road Closure
Bylaws 3200/98, 3201/98, 3202/98, 3203/98, 3204/98,
3205/98 & 3206/98 / (See Bylaw Section For Readings)
 - (b) Disposal of Municipal Reserve - Kerry Wood Subdivision /
Lot 41 MR, Block 2, Plan 822-2724
2. City Clerk - Re: Request for Road Closure - Part of Golden West
Avenue / Plan 812-0210: . . 13
- (a) Road Closure Bylaw No. 3199/98 / (See Bylaw Section For
Readings)
 - (b) Partial Disposal of Municipal Reserve To Facilitate
Residential Subdivision Development R-2 (Reserve), Plan
1028 TR
3. City Clerk - Re: Rosedale Meadows - Phase 4 / Part of the NE ¼ 14-
38-27-4 / Land Use Bylaw Amendment 3156/E-98 / Farm Air
Properties / (See Bylaw Section For Readings) . . 17
4. City Clerk - Re: Gaetz Crossing Inc. / Former Drummond Brewery
Site / Request for Discretionary Use On Site - Commercial
Entertainment Facility at 2210 - 50 Avenue / Land Use Bylaw
Amendment 3156/F-98 / (See Bylaw Section For Readings) . . 19

(4) **REPORTS**

1. Land and Economic Development Manager - Re: . . 22

- (a) Partial Disposal of Municipal Reserve / Part of Lot 1 MR,
Block 11, Plan 892-2465 / Deer Park Estates - Phase 7D /
Melcor Developments / Dietz Close

**DECISION - Agreed to advertise a Public Hearing to be held on
May 4, 1998 to consider the disposal of Municipal Reserve**

- (b) Request for Closure of Part of Lane Turn Around / Plan
892-2465 / Deer Park Estates - Phase 7D / Melcor
Developments / Road Closure Bylaw No. 3209/98 / (See
Bylaw Section for Readings)

**DECISION - Report received as information. See Bylaw Section
for Bylaw Readings**

2. Director of Development Services - Re: Westerner Exposition
Association - Use of Existing Landfill . . 26

**DECISION - Agreed to turn over the current Landfill site to the
Westerner Exposition Association under the terms of the current
lease, subject to various conditions**

3. Exempt Compensation Project Leader & Personnel Manager - Re:
Exempt Pay Policy . . 29

**DECISION - Agreed that for Exempt Staff, the City of Red Deer
will use the median of similar jobs in organizations that Red
Deer compares itself with to set its pay policy line, effective April
6, 1998**

4. City Clerk - Re: Federation of Canadian Municipalities Conference -
June 5-8, 1998 / Call For Resolutions . . 34

**DECISION - Agreed to support a resolution regarding the
Multilateral Agreement on Investment**

5. City Clerk - Re: Request to Forgive Ambulance Invoice / Jeremy James . . 38

DECISION - Denied request to forgive ambulance invoice

6. Recreation, Parks & Culture Board - Re: East Hill District Park Site Needs Assessment . . 39

DECISION - Agreed that a Recreational Facilities Needs Assessment be undertaken for the East Hill District Park Site and that extensive public participation be solicited. Further, that interim funding for the Needs Assessment come from the Land Bank

7. Parkland Community Planning Services - Re: Part of the SE ¼ 10-38-27-4 / Anders East - Phase 8 / Anders East Developments Ltd. / Land Use Bylaw Amendment 3156/J-98 / (See Bylaw Section for Readings) . . 55

DECISION - Report received as information. See Bylaw Section for Readings

8. Parkland Community Planning Services - Re: Lot 31A, Plan 942-2769 / SE ¼ 32-38-27-4 and Part of the NE ¼ 32-38-27-4 / East Kentwood - Phase 4B / Frank and Rosalie Kuhnen / Land Use Bylaw Amendment 3156/K-98 / (See Bylaw Section for Readings) . . 59

DECISION - Report received as information. See Bylaw Section for Bylaw Readings

9. Engineering Services Manager - Re: Wild Rose Power Centre - Commercial Development West Side of Gaetz Avenue, North of Delburne Road . . 63

DECISION - Agreed to City initiating a local improvement for water and sanitary main extensions and to the Gaetz Avenue auxiliary lane. Further agreed to reimburse \$80,000 to Wild Rose Power Centre from storm off-site levies and approved funding of \$60,000 for a 50% share of cost of installing traffic signals

(5) **CORRESPONDENCE**

1. Council of Canadians Red Deer Chapter - Re: Nation Wide Campaign
- Multilateral Agreement on Investment . . 70

DECISION - Agreed to request the Alberta Urban Municipalities Association and the Federation of Canadian Municipalities to study the Multilateral Agreement on Investment and provide municipalities with details on its effect on municipalities

2. Highland Green Community Association - Re: Request for City to
Purchase Lot 26, Block 21, Plan, 174 HW / (6018-53 Avenue) . . 93

DECISION - Approved the purchase of a piece of land on the Highland Green escarpment for a price of \$70,000 to be funded by the Public Reserve Trust Fund

3. KO Boxing Promotions - Re: Request for City to Approve Supervision
by the Edmonton Boxing & Wrestling Commission for Boxing Event to
be held in Red Deer May 8, 1998 . . 98

DECISION - Agreed to have the City of Edmonton Boxing and Wrestling Commission supervise boxing, wrestling and similar matches within Red Deer and further, request the Provincial Government to appoint a sanctioning body for these sports

(6) **PETITIONS AND DELEGATIONS**

(7) **NOTICES OF MOTION**

1. Councillor Dawson - Re: Proclamations by the Mayor

(8) **WRITTEN INQUIRIES**

(9) **BYLAWS**

1. 3156/E-98 - Land Use Bylaw Amendment / Rosedale Meadows -
Phase 4 / Part of the NE ¼ 14-38-27-4 / Farm Air Properties / - 2nd
& 3rd Readings .. 108
.. 17
DECISION - Bylaw given 2nd & 3rd Readings
2. 3156/F-98 - Land Use Bylaw Amendment / Gaetz Crossing Inc. /
Former Drummond Brewery Site / Request for Discretionary Use
On Site - Commercial Entertainment Facility at 2210 - 50 Avenue /
- 2nd & 3rd Readings .. 110
.. 19
DECISION - Bylaw *DEFEATED* at 2nd Reading
3. 3156/J-98 - Land Use Bylaw Amendment / Part of the SE ¼ 10-
38-27-4 / Anders East - Phase 8 / Anders East Developments Ltd.
/ - 1st Reading .. 111
.. 55
DECISION - Bylaw given 1st Reading
4. 3156/K-98 - Land Use Bylaw Amendment / Lot 31A, Plan 942-
2769 / SE ¼ 32-38-27-4 and Part of the NE ¼ 32-38-27-4 / East
Kentwood - Phase 4B / Frank and Rosalie Kuhnlen / - 1st Reading .. 113
.. 59
DECISION - Bylaw given 1st Reading
5. 3194/98 - New Alarm Bylaw / To Repeal Alarm Bylaw No. 3017/90
/ - 3rd Reading .. 115
.. 1
DECISION - Bylaw given 3rd Reading
6. 3199/98 - Road Closure Bylaw / Request for Road Closure - Part
of Golden West Avenue / Plan 812-0210 / - 2nd & 3rd Readings .. 125
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DECISION - Bylaw given 2nd & 3rd Readings
7. 3200/98 - Road Closure Bylaw / Kerry Wood Subdivision / - 2nd &
3rd Readings .. 126
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12. 3205/98 - Road Closure Bylaw / Kerry Wood Subdivision / - 2nd & 3rd Readings .. 131
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13. 3206/98 - Road Closure Bylaw / Kerry Wood Subdivision / - 2nd & 3rd Readings .. 132
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DECISION - Bylaw given 2nd & 3rd Readings
14. 3209/98 - Road Closure Bylaw / Request for Closure of Part of Lane Turn Around / Plan 892-2465 / Deer Park Estates - Phase 7D / Melcor Developments / - 1st Reading .. 133
.. 22
DECISION - Bylaw given 1st Reading

ADDITIONAL AGENDA

1. Director of Community Services - Re: Purchase of Transit Buses

DECISION - Approved the submission of a bid to purchase four Transit buses from the City of Owen Sound

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, APRIL 6, 1998

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Agenda - Regular Meeting of Council
April 6, 1998
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| | | .. 22 |

Additional Agenda

1. Director of Community Services, Director of Corporate Services & Transit Manager - Re: Purchase of Transit Buses
2. Director of Corporate Services - Re: Appointment of City Representative to the Alberta Municipal Financing Corporation's Annual Meeting

Committee of the Whole:

- (a) Administrative Matter
- (b) Administrative Matter
- (c) Administrative Matter
- (d) Administrative Matter

DATE: March 30, 1998
TO: City Council
FROM: City Clerk
RE: ***NEW ALARM BYLAW NO. 3194/98***

At Council's meeting of February 23, 1998, first and second readings were given to new Alarm Bylaw No. 3194/98. Third reading was tabled to the April 6, 1998 meeting to allow Members of Council to obtain additional information concerning the rationale for changes contemplated to the existing bylaw.

On March 25, 1998 Council met with the Policing Committee to review the proposed changes. No new changes were put forth as a result of that meeting.

Recommendation

New Alarm Bylaw No. 3194/98 is now being presented to Council for consideration of third reading.



Kelly Kloss
City Clerk

KK/clr
attchs.

DATE: JANUARY 27, 1998
TO: MAYOR & CITY COUNCIL
FROM: RED DEER POLICING COMMITTEE CHAIRMAN
RE: NEW ALARM BYLAW 3194/98.

You will recall that the Policing Committee had proposed changes to the Alarm Bylaw some 11 months ago. The City Manager requested, and the Policing Committee agreed to postpone submission of a new Alarm Bylaw until such time as the Committee could see if the existing Bylaw 3017/90 would be effective if properly monitored and enforced.

Since there does not appear to have been a reduction in false alarms in the past nine months, the Policing Committee would respectfully request approval of Alarm Bylaw 3194/98, which will allow the RCMP to have some control over the issuance of permits, response fees to false alarms and penalties. The Alarm Bylaw includes provisions that:

- no alarm installation company may install an alarm system unless the holder has a valid alarm permit.
- "excessive false alarms" means more than three false alarms in any six month period.
- \$25.00 permit fee and \$50.00 for an alarm monitoring service license.
- Response fee of \$20.00 for a false alarm at a residential building
\$40.00 for a false alarm at a business up to 500 sq. metres
\$60.00 for a false alarm at a business over 500 sq. metres
- reinstatement fee of \$200.00
- Penalty of \$50.00 for first offence
Penalty of \$250 for a second or subsequent offence
- an alarm system permit is not transferable. A new application must be made and the applicable fee paid after each location change for an existing alarm system.

Information and instructions will be contained on each permit application relative to where the application is to be filed, what the permit fee is, and where the permit fee is to be paid. The application form will also contain the necessary information contained in the bylaw relative to monitoring, revocation of a permit, notification, reinstatement,

appeal process and offences and penalties. We will ensure that the entire process provides quality customer service. The provision that appeals be handled by the Red Deer Policing Committee is contained in the Committees Bylaw.

Recommendation:

"That Alarm Bylaw 3194/98 be given three readings."

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Assinger', with a stylized flourish at the end.

RICK ASSINGER
Chairman
Red Deer Policing Committee

March 16, 1998

Protec Security Systems
Box 603
Red Deer, Alberta T4N 5G6

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Councillor Bev Hughes,

Re: Alarm Bylaw

Upon reviewing our customer list we can honestly say that Protec does not dispatch the RCMP for anyone with recurring end user or equipment problems. These sources of potential false alarms are resolved between the customer and Protec before the police are put on the response list.

The only way to eliminate false alarms altogether is to remove the RCMP from the response list. Citizens will then be responding to potentially dangerous situations themselves. False alarm stats will drop along with the safety and protection the citizens of Red Deer expect.

Please keep in mind that the majority of people who go to the expense of having an alarm system installed are themselves victims of crime. Please don't make them victims again by enforcing user fees.

Since Nov. 6, 1998 Protec has suggested "one stop" shopping in regard to acquiring an alarm permit. Citizens of Red Deer still must take the completed permit application to the City of Red Deer RCMP Detachment for their stamp and then to City Hall to make payment for the permit. I did this service for an elderly client and spent 45 minutes trying to submit an already completed permit application.

The following Alarm Bylaw Information Sheets are provided to Protec by the Calgary City Police. These may be of interest to the Policing Commission.

Yours truly,

Linda Rowe

Burglar caught after alarm sounds

A home alarm was instrumental in catching a burglar red-handed, Red Deer court heard Friday.

Harold Anthony Gallup, 26, of Red Deer was jailed for 2 1/2 years after pleading guilty to the break-in on New Year's Eve in the Anders Park area.

Provincial Court Judge Douglas Crowe heard Gallup was hiding in the closet when city RCMP responded to the alarm.

Gallup was caught with more than \$9,200 in cash and more than \$40,000 in jewelry including a \$28,000 ring.

Police also found a quantity of marijuana in Gallup's pocket.

Crowe heard Gallup would have probably made a clean escape except for the alarm.

The robbery wouldn't have been discovered for some time since the homeowners were vacationing in Mexico.

Court heard Gallup has an extensive property-related record including a two-year jail term in 1993 for a break-in.

Defence lawyer Kevin Sproule said his client told him "I may be a bad guy but I'm not a very good bad guy."

Sproule said Gallup suffers from manic depression and he went off his medication in late November.

Crowe said the accused should think hard about turning his life around.

"There's a saying that if you find yourself in a hole you better stop digging," Crowe said.

"I guess you haven't learned that yet," Crowe added.

B&E STATS FROM CST DAN DOYLE COMMUNITY POLICING

COMMERCIAL B&E

1996	267	} 16% increase
1997	309	

RESIDENTIAL B&E

1996	269	} 57% increase
1997	422	

	FIN.	COM.	RES.	TOTAL
PERMITS				
ISSUED:	0	2	3	5
EXPIRED:	0	0	0	0
ACTIVE:	0	2	3	5
ACT-SELF:	0	0	0	0
ACT-MONITOR:	0	2	3	5
ALARMS				
SUSPENDED:				0
PENDING SUSPENSION:				0
APPEAL SUSPENSION:				0
KEYHOLDERS				
SUSPENDED:				0
PENDING SUSPENSION:				0
APPEAL SUSPENSION:				0

LINDA
This is what
calgary gives us
on False alarms

→
Ran

STATISTICS FOR JAN 01, 1997 TO DEC 31, 1997

PERMITS ISSUED: 2
PERMITS EXPIRED: 0

	FIN.	COM.	RES.	TOTAL	MONTHLY RATE PER 100 ACTIVE PERMITS
ALARMS CAUSE					
VALID:	0	0	0	0	0.00000
FALSE:	0	0	1	1	1.66666
UNKNOWN:	0	1	0	1	1.66666
TOTAL:	0	1	1	2	3.33333
KEYHOLDER RESPONSE					
RESPONDED:	0	1	0	1	1.66666
REFUSED:	0	0	0	0	0.00000
NO RESPONSE:	0	0	0	0	0.00000
UNKNOWN:	0	0	1	1	1.66666
ALARM RESULTS					
ARRESTS:	0	0	0	0	0.00000
FALSE:	0	1	1	2	3.33333
CANCELLED:	0	0	0	0	0.00000
OTHER:	0	0	0	0	0.00000
UNKNOWN:	0	0	0	0	0.00000

LETTERS TO PERMIT HOLDERS

NO PERMIT LETTERS SENT:	0
ALARM FINAL LETTER SENT:	0
ALARM FIRST LETTER SENT:	0
KEYHOLDER FINAL LETTER SENT:	0
KEYHOLDER FIRST LETTER SENT:	0

ALARM RESPONSE TIME BREAKDOWN
FOR MONITOR COMPANY: *PROTEC SECURITY 260

98-01-05

FOR THE PERIOD FROM JAN 01, 1997 TO DEC 31, 1997

	FALSE ALARMS			VALID ALARMS		
	FIN.	COM.	RES.	FIN.	COM.	RES.
0001 - 0100						
0101 - 0200						
0201 - 0300						
0301 - 0400			1			
0401 - 0500						
0501 - 0600						
0601 - 0700						
0701 - 0800						
0801 - 0900						
0901 - 1000						
1001 - 1100						
1101 - 1200		1				
1201 - 1300						
1301 - 1400						
1401 - 1500						
1501 - 1600						
1601 - 1700						
1701 - 1800						
1801 - 1900						
1901 - 2000						
2001 - 2100						
2101 - 2200						
2201 - 2300						
2301 - 2400						

ALARM RESPONSE TIME BREAKDOWN

98-01-04

FOR THE PERIOD FROM DEC 01, 1997 TO DEC 31, 1997

	FALSE ALARMS			VALID ALARMS		
	FIN.	COM.	RES.	FIN.	COM.	RES.
0001 - 0100	3	61	8		7	
0101 - 0200		51	9		5	
0201 - 0300	2	45	10		5	
0301 - 0400		39	8		16	1
0401 - 0500	2	33	6		15	
0501 - 0600	1	39	7	1	8	
0601 - 0700	2	24	12		4	
0701 - 0800	1	3	17		1	
0801 - 0900	3	5	27			
0901 - 1000	3	6	37			
1001 - 1100	1	5	44			
1101 - 1200		7	52			1
1201 - 1300		3	71			1
1301 - 1400	1	5	52			
1401 - 1500		7	55			
1501 - 1600		6	54			1
1601 - 1700	2	3	43	1	1	
1701 - 1800	2	24	28			
1801 - 1900	3	37	48		1	
1901 - 2000		38	47		2	1
2001 - 2100	1	42	32		3	1
2101 - 2200	3	52	17		2	
2201 - 2300		36	22		1	
2301 - 2400	1	52	24		1	

*** END OF REPORT ***

Date from 1997/12/01 to 1997/12/31

ALARM BYLAW STATISTICS FOR MONITOR AND INSTALL COMPANIES

1 FALSE ALARM	-	1141
2 FALSE ALARMS	-	89
3 FALSE ALARMS	-	16
4 FALSE ALARMS	-	2
5 FALSE ALARMS	-	0
6 FALSE ALARMS	-	0
7 FALSE ALARMS	-	0
8 FALSE ALARMS	-	0
9 FALSE ALARMS	-	0
MORE THAN 9 FALSE ALARMS	-	1

*** END OF REPORT ***

**ALARM BYLAW UNIT
YEAR END REPORT
1997**

1997					1996				
ALARM STATISTICS									
Permits issued		9,873			Permit issued		7,979		
Active permits		47,548			Active permits		39,684		
ALARMS									
	FIN.	COM.	RES.	TOTAL YEAR		FIN.	COM.	RES.	TOTAL YEAR
Valid	5	769	81	855	Valid	2	771	74	847
False	318	6,874	9,138	16,330	False	406	6,128	7,008	13,542
Cancelled	22	692	1,465	2,179	Cancelled	16	564	1,244	1,824
PERMIT SUSPENSION APPEALS									
				TOTAL					TOTAL
Appeals heard				4	Appeals heard				9
PERMIT SUSPENSIONS									
	FIN.	COM.	RES.	TOTAL YEAR		FIN.	COM.	RES.	TOTAL YEAR
Processed	3	993	769	1,765	Processed	20	789	621	1,430
Withdrawn	5	275	165	445	Withdrawn	9	207	140	356
Appeals allowed	0	0	0	0	Appeals allowed	0	3	2	5

FOR THE PERIOD FROM JAN 01, 1997 TO DEC 31, 1997

	FALSE ALARMS			VALID ALARMS		
	FIN.	COM.	RES.	FIN.	COM.	RES.
0001 - 0100	19	517	106		77	6
0101 - 0200	10	481	115	1	90	3
0201 - 0300	16	490	86		96	3
0301 - 0400	9	437	105		120	4
0401 - 0500	11	393	86		118	2
0501 - 0600	5	367	77	1	74	3
0601 - 0700	11	341	94		34	
0701 - 0800	12	52	212		5	1
0801 - 0900	13	51	446			4
0901 - 1000	9	50	495		1	1
1001 - 1100	17	63	595		1	3
1101 - 1200	2	70	676		1	6
1201 - 1300	4	63	680			6
1301 - 1400	7	53	701		1	6
1401 - 1500	8	60	684		3	3
1501 - 1600	8	58	701		1	7
1601 - 1700	9	74	582	1	2	4
1701 - 1800	22	346	540		5	3
1801 - 1900	31	459	519		10	2
1901 - 2000	27	463	537		14	3
2001 - 2100	26	455	407	2	24	4
2101 - 2200	16	459	276		30	3
2201 - 2300	17	466	211		43	5
2301 - 2400	8	515	150		42	4

*** END OF REPORT ***

Date from 1997/01/01 to 1997/12/31

ALARM BYLAW STATISTICS FOR MONITOR AND INSTALL COMPANIES

1 FALSE ALARM	-	7203
2 FALSE ALARMS	-	2236
3 FALSE ALARMS	-	762
4 FALSE ALARMS	-	276
5 FALSE ALARMS	-	104
6 FALSE ALARMS	-	39
7 FALSE ALARMS	-	25
8 FALSE ALARMS	-	8
9 FALSE ALARMS	-	3
MORE THAN 9 FALSE ALARMS	-	10

*** END OF REPORT ***

ALARM BYLAW STATISTICS FOR ALL PERMITS

98-01-04

	FIN.	COM.	RES.	TOTAL
PERMITS				
ISSUED:	1161	20083	39954	61198
EXPIRED:	328	6624	6698	13650
ACTIVE:	833	13459	33256	47548
ACT-SELF:	1	653	3460	4114
ACT-MONITOR:	832	12806	29796	43434

ALARMS	
SUSPENDED:	257
PENDING SUSPENSION:	18
APPEAL SUSPENSION:	0

KEYHOLDERS	
SUSPENDED:	22
PENDING SUSPENSION:	2
APPEAL SUSPENSION:	0

STATISTICS FOR JAN 01, 1997 TO DEC 31, 1997

PERMITS ISSUED: 9882
 PERMITS EXPIRED: 2078

	FIN.	COM.	RES.	TOTAL	MONTHLY RATE PER 100 ACTIVE PERMITS
ALARMS CAUSE					
VALID:	5	793	86	884	0.15493
FALSE:	303	6766	10139	17208	3.01589
UNKNOWN:	36	750	412	1198	0.20996
TOTAL:	344	8309	10637	19290	3.38079
KEYHOLDER RESPONSE					
RESPONDED:	227	5675	5942	11844	2.07579
REFUSED:	0	1	2	3	0.00052
NO RESPONSE:	7	824	2353	3184	0.55803
UNKNOWN:	110	1809	2340	4259	0.74643
ALARM RESULTS					
ARRESTS:	1	43	7	51	0.00893
FALSE:	317	6798	9085	16200	2.83923
CANCELLED:	22	695	1448	2165	0.37944
OTHER:	0	77	26	103	0.01805
UNKNOWN:	4	696	71	771	0.13512

LETTERS TO PERMIT HOLDERS	
NO PERMIT LETTERS SENT:	212
ALARM FINAL LETTER SENT:	0
ALARM FIRST LETTER SENT:	0
KEYHOLDER FINAL LETTER SENT:	0
KEYHOLDER FIRST LETTER SENT:	0

**ALARM BYLAW UNIT
MONTH END REPORT
DECEMBER 1997**

1997	1996
------	------

ALARM STATISTICS

Permits issued	872	Permit issued	698
Active permits	47,548	Active permits	39,684

ALARMS

	FIN.	COM.	RES.	TOTAL MONTH	Y-T-D		FIN.	COM.	RES.	TOTAL MONTH	Y-T-D
Valid	2	72	6	80	855	Valid	1	73	2	76	830
False	31	625	730	1,386	16,330	False	37	683	630	1,350	13,616
Cancelled	2	62	129	193	2,179	Cancelled	2	64	123	189	1,826

PERMIT SUSPENSION APPEALS

	THIS MONTH	Y-T-D		THIS MONTH	Y-T-D
Appeals heard	0	4	Appeals heard	0	9

PERMIT SUSPENSIONS

	FIN.	COM.	RES.	TOTAL MONTH	Y-T-D		FIN.	COM.	RES.	TOTAL MONTH	Y-T-D
Processed	0	87	62	149	1,765	Processed	2	98	47	147	1,430
Withdrawn	0	15	5	20	445	Withdrawn	0	26	9	35	356
Appeals allowed	0	0	0	0	0	Appeals allowed	0	0	0	0	5

ALARM BYLAW STATISTICS FOR ALL PERMITS

98-01-04

	FIN.	COM.	RES.	TOTAL
PERMITS				
ISSUED:	1161	20083	39954	61198
EXPIRED:	328	6624	6698	13650
ACTIVE:	833	13459	33256	47548
ACT-SELF:	1	653	3460	4114
ACT-MONITOR:	832	12806	29796	43434

ALARMS	
SUSPENDED:	257
PENDING SUSPENSION:	18
APPEAL SUSPENSION:	0

KEYHOLDERS	
SUSPENDED:	22
PENDING SUSPENSION:	2
APPEAL SUSPENSION:	0

STATISTICS FOR DEC 01, 1997 TO DEC 31, 1997

PERMITS ISSUED: 872
 PERMITS EXPIRED: 137

	FIN.	COM.	RES.	TOTAL	MONTHLY RATE PER 100 ACTIVE PERMITS
ALARMS CAUSE					
VALID:	2	72	6	80	0.16508
FALSE:	29	622	831	1482	3.05819
UNKNOWN:	4	65	28	97	0.20016
TOTAL:	35	759	865	1659	3.42345
KEYHOLDER RESPONSE					
RESPONDED:	22	512	495	1029	2.12340
REFUSED:	0	1	0	1	0.00206
NO RESPONSE:	1	87	228	316	0.65208
UNKNOWN:	12	159	142	313	0.64589
ALARM RESULTS					
ARRESTS:	0	5	0	5	0.01031
FALSE:	31	625	730	1386	2.86009
CANCELLED:	2	62	129	193	0.39826
OTHER:	0	1	2	3	0.00619
UNKNOWN:	2	66	4	72	0.14857

LETTERS TO PERMIT HOLDERS	
NO PERMIT LETTERS SENT:	102
ALARM FINAL LETTER SENT:	0
ALARM FIRST LETTER SENT:	0
KEYHOLDER FINAL LETTER SENT:	0
KEYHOLDER FIRST LETTER SENT:	0



REALTY WORLD™ - MDR

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Toll Free: 1-888-289-2241

www.buyabiz.com

March 31, 1998

Mr. Alan V. Scott
Manager, Land & Economic Development
The City of Red Deer
Box 5008
Red Deer, Alberta
T4N 3T4

Dear Sir:

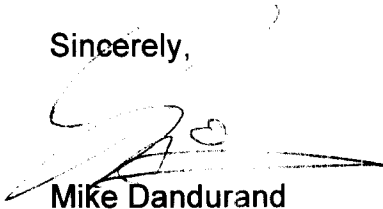
RE: FINAL CONCEPT PLAN - RAILWOOD PLAZA

In response to your concerns that the S.M.T. requires more time to properly prepare recommendations for Council, our client agrees to postpone the presentation of his Final Concept Plan until the Council meeting of April 20, 1998.

Since the deadline for confirmation of the project's feasibility is April 18, its is also necessary that Council extend that confirmation date to at least April 21, 1998.

James Wensley is currently preparing details regarding, exterior finishes, landscaping and signage; we will deliver this information upon our receipt. We thank you for your cooperation and remain,

Sincerely,



Mike Dandurand



FILE

Council Decision - April 6, 1998 Meeting

DATE: April 7, 1998
TO: Red Deer Policing Committee
FROM: City Clerk
RE: New Alarm Bylaw No. 3194/98

Reference Report: City Clerk dated March 30, 1998

Bylaw Readings:

New Alarm Bylaw No. 3194/98 was given 3rd Reading. Attached please find a copy of the new bylaw for your records.

Report Back to Council Required: No

Comments/Further Action:

With the passing of new Alarm Bylaw No. 3194/98, previous Alarm Bylaw No. 3017/90 was repealed. Please discard all copies of Bylaw No. 3017/90 and replace same with the attached new Bylaw No. 3194/98.

By way of a copy of this memo, I am requesting S/Sgt. Derouin to contact the Alarm industry representatives and provide them with a copy of the new bylaw. Please contact Charlaire and she will provide you with the number of copies you require.



Kelly Kloss
City Clerk

/clr
attchs.

c Director of Community Services
 S/Sgt. D. Derouin, R.C.M.P.
 Inspections & Licensing Manager
 Inspections & Licensing (Counter Copy)
 City Solicitor
 Sandra Ladwig, Council & Committee Secretary
 C. Rausch

DATE: March 31, 1998

TO: Kelly Kloss, City Clerk

FROM: Alan Scott, Land and Economic Development Manager

RE: **WOOD INVESTMENTS LTD. - FORMER CP RAIL YARDS**

Attached is correspondence from Realty World - MDR on behalf of Wood Investments, requesting that Council approval of the proposed development for the former CP Rail yards be extended from April 6 to April 20, 1998. The extension is necessary due to delays associated with negotiations involving Westfair Foods.

The Option and Development Agreement between Woods Investments Ltd. and the City of Red Deer is very specific, with respect to the dates upon which various conditions are to be removed. The developer is required to submit to Council for approval, a final concept plan for the development, in compliance with the development standards, criteria, and objectives of the City, respecting the development of the optioned lands, as approved by Council at its meeting of January 12. The plan is to include details of the architectural treatment and design, building materials, hard and soft landscaping, signage, lighting, pedestrian linkages, colour schemes, parking design and the gross floor area of buildings to be constructed within the development. This approval was to be obtained on or before April 6, 1998.

In addition, the following conditions were to be removed by the developer no later than April 18, 1998:

1. Approval by the purchaser of the permitted encumbrances;
2. Approval by the purchaser of the feasibility of the development;
3. Approval by the purchaser of soil conditions of the optioned land and the environmental state and condition of the optioned lands as determined by the environmental report;
4. Agreement being reached by the purchaser with Westfair Foods Ltd. satisfactory to the purchaser relative to the restrictive covenant.

RECOMMENDATION

We recommend that:

1. Approval of the final concept plan for the development be extended from April 6 to April 21, 1998;

City Clerk
Page 2
March 31, 1998

2. Approval of all conditions contained within the agreement be extended from April 18 to April 21, 1998.

The extensions as recommended, will allow a submission for Council's approval to be made at the April 20 meeting of Council.

Respectfully submitted,



Alan V. Scott
Land and Economic Development Manager

AVS/mm

Comments:

We concur with the recommendations of the Land and Economic Development Manager.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager



Box 5008

Red Deer, Alberta

T4N 3T4

The City of Red Deer

FILE

Office of the City Clerk

March 26, 1998

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Realty World - MDR
4805 - 48 Avenue
Red Deer, AB T4N 3T2

Attention: Mike Dandurand, Project Consultant

Dear Mr. Dandurand:

I am in receipt of your letter dated March 25, 1998 re: Final Concept Plan Presentation - Railwood Plaza. Your letter will be placed on the Red Deer City Council Agenda of Monday, April 6, 1998.

Your request has been circulated to City Administration for comments. A copy of the administrative comments will be available to you prior to the Council Meeting and can be picked up at our office on the second floor of City Hall on Friday, April 3, 1998.

It is my understanding that someone on behalf of Realty World - MDR will be in attendance at the Council Meeting to answer questions/speak to this item. Please be advised that this matter is tentatively scheduled for Council's consideration at 7:30 p.m. at the Council Meeting of April 6th. Upon arrival at City Hall, please enter the park side entrance and proceed to the Council Chambers on the second floor.

Council Meetings are open to the general public and are televised live on Shaw Cable, Channel 3. Council Meetings commence at 4:30 p.m., adjourn for the supper hour at 6:00 p.m., and reconvene at 7:00 p.m. Council agendas are available to the public and media from the City Clerk's Department.

If you have any questions or require further assistance, please do not hesitate to contact me.

Sincerely,

Kelly Kloss
City Clerk

KK/fm

DATE: March 26, 1998

TO: DIRECTOR OF COMMUNITY SERVICES
DIRECTOR OF CORPORATE SERVICES
DIRECTOR OF DEVELOPMENT SERVICES
CITY ASSESSOR
E. L. & P. MANAGER

X ENGINEERING DEPARTMENT MANAGER
FIRE CHIEF/MANAGER EMERGENCY SERVICES
INFORMATION TECHNOLOGY SERVICES MANAGER
INSPECTIONS AND LICENSING MANAGER
←X LAND AND ECONOMIC DEVELOPMENT MANAGER
PERSONNEL MANAGER
PUBLIC WORKS MANAGER
R.C.M.P. INSPECTOR - C/O: WENDY
RECREATION, PARKS & CULTURE MANAGER
SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
X PRINCIPAL PLANNER
CITY SOLICITOR
X GREG SCOTT

*Please
coordinate
response
among
administration*

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

*Note: As there
are limited
quantities of the
attached plan, I
would appreciate
the return of same
by Tuesday,
March 31.*

Kelly

FROM: CITY CLERK

RE: Railwood Plaza - Final Concept Plan

Please submit comments on the attached to this office by March 30, 1998 for the Council Agenda of Monday, April 6, 1998.

"Kelly Kloss
City Clerk



TO: Mr. Morris Flewwelling

A BROCHURE ON

RAILWOOD PLAZA





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DEVELOPMENT: RAILWOOD PLAZA

**SUBJECT: RETAIL/OFFICE DEVELOPMENT
FORMER RAIL LANDS - DOWNTOWN RED DEER**

**LOCATION: South of the existing Superstore
49th street, downtown Red Deer, Alberta**

LEGAL DESCRIPTION: To be determined

**SIZE: Total Land area: 5 acres m/l
Total Retail Area: 58,700 sq.ft.
Total Office Area: 14,000 sq.ft.**

ZONING: C1A Commercial (City Centre West) District

PROJECTED DEVELOPMENT START DATE: July 1, 1998



BACKGROUND

What follows is the results of months of planning and meetings between Railwood Plaza's Development Team, prospective tenants, leasing agents, the City of Red Deer, committees and Westfair.

In planning Railwood Plaza, a large number of objectives needed to be considered:

For the City of Red Deer, they were:

- a) a design approaching the features of the former railroad station;
- b) an environment conducive to pedestrians;
- c) the absence of "rear" elevations; and,
- d) provisions of leasing or purchasing opportunities for smaller, local merchants.

For the Rail Lands Planning Committee, the goals and objectives paralleled the City's; they also incorporated however, provisions for a seamless transition between Railwood plaza and the planned park to the south.

This was a very difficult task for the Development Team since in addition to answering the needs of the authorities, it had to comply with the demanding requirements of its anchor tenant, successfully negotiate a relaxation of Westfair's covenant, conceive a design which could deliver a maximum leasing flexibility and accomplish all of the above within the realms of financial feasibility.

We trust that the artist renderings included in this brochure represent the nearest possible solution to all of the above challenges; we trust that they fulfill the objectives of Council.

OVERALL SITE PLAN:

The development of the five acre parcel consists of five basic structures referred to in this brochure as Buildings "A" to "E". Building "A" is tentatively leased to Petcetera. All other buildings are not yet spoken for but have been designed to maximize their usage and flexibility. Building "B" and "E" can be leased as one or divided into bays. Buildings "C" and "D" are attached to their larger neighbours; this feature allows the incorporation of finer design to the larger structures without too much alteration to the structures themselves. This discretely segregates the vehicular portion of the development from its pedestrian content.

The final alignment of the future 48th street, and Petcetera's need to have an unobstructed location on the site, pushes any additional retail space, to the south of the property. This however has proven beneficial since it now concentrates all of the pedestrian environment immediately to the north of the park, truly enhancing the "seamless" objective between the two land uses.

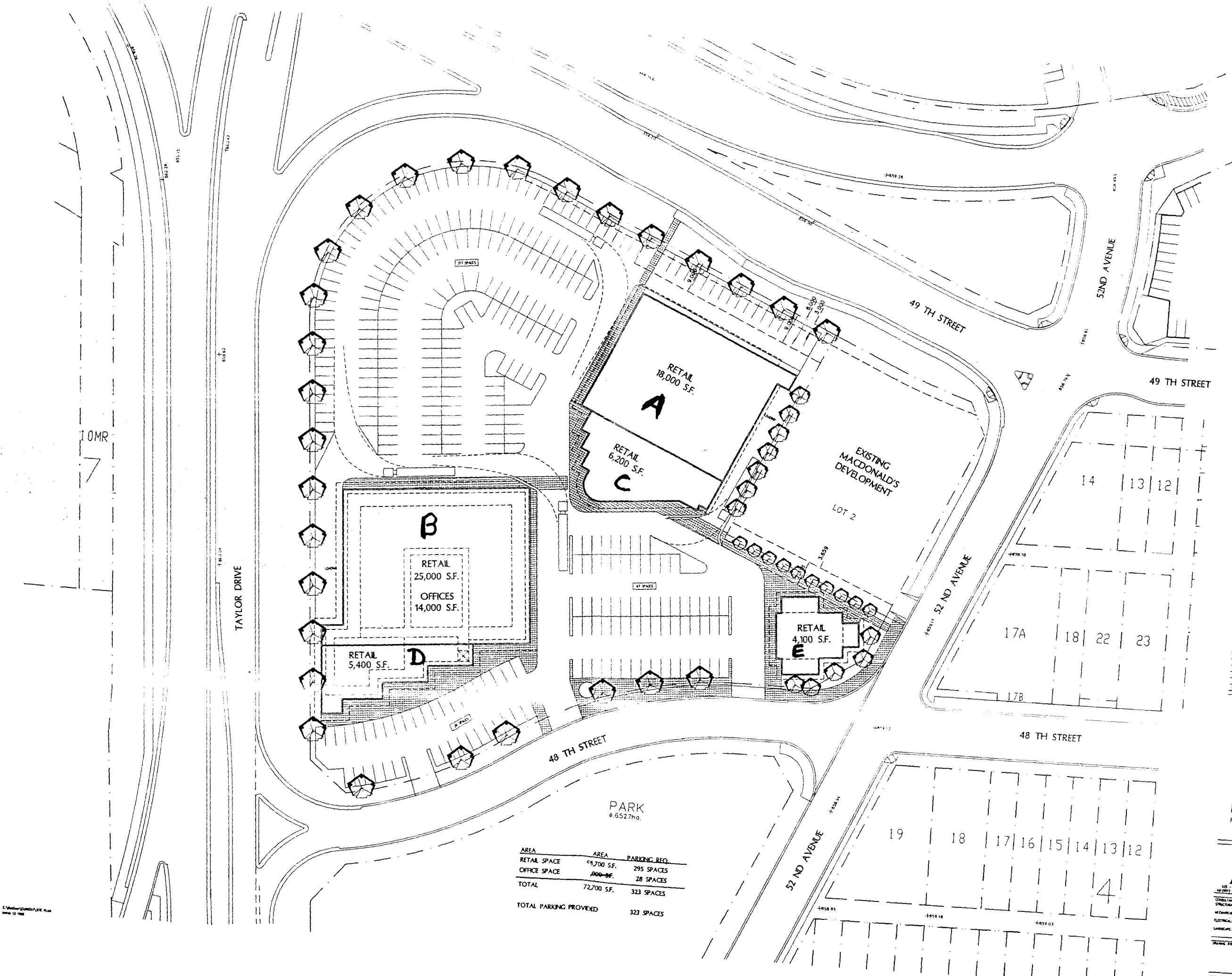
The development shall consist of 58,700 square feet of retail space; 18,000 of which has been committed to Petcetera, and 14,000 square feet of office space.

Pedestrian Plaza:

Over one half of the five acre parcel has been dedicated to a pedestrian related environment. The rendering entitled "View from South" accurately depicts how the development will appear when viewed from the park.

We expect that arrangements will be made with the owners of the McDonald's franchise to link their restaurant to our client's pedestrian concourse.

CONTRACTOR TO VERIFY ALL DIMENSIONS OF THE EXISTING DEVELOPMENT AND SHALL NOT BE USED WITHOUT THE ARCHITECT'S APPROVAL. ALL DIMENSIONS SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO PROCEEDING WITH THE WORK.



AREA	AREA	PARKING REQ.
RETAIL SPACE	59,700 S.F.	295 SPACES
OFFICE SPACE	14,000 S.F.	28 SPACES
TOTAL	73,700 S.F.	323 SPACES
TOTAL PARKING PROVIDED		323 SPACES

RED DEER
RAIL LANDS
DEVELOPMENT
RED DEER
ALBERTA

**B. JAMES
WENSLEY
ARCHITECT LTD.**
120 - 1000 West Campbell Street, Vancouver, B.C. V6E 4V7
TEL (604) 427-5252 FAX (604) 427-0274 www.bjameswensley.ca

CONSULTANTS
STRUCTURAL
MECHANICAL
ELECTRICAL
LANDSCAPE

SITE PLAN
PROJECT NO. 1117 DRAWN BY J.C.
SCALE: 1" = 10' DATE: 11/11/11

C:\Users\jamesw\OneDrive\Site Plan
11/11/11



VIEW FROM NORTH

CPR PHASE TWO REDEVELOPMENT
Downtown Red Deer

PRELIMINARY CONCEPTUAL DESIGN

B. JAMES
WENSLEY
ARCHITECT LTD.

625 1090 West Georgia St.
Vancouver, B.C. (604) 685-3529



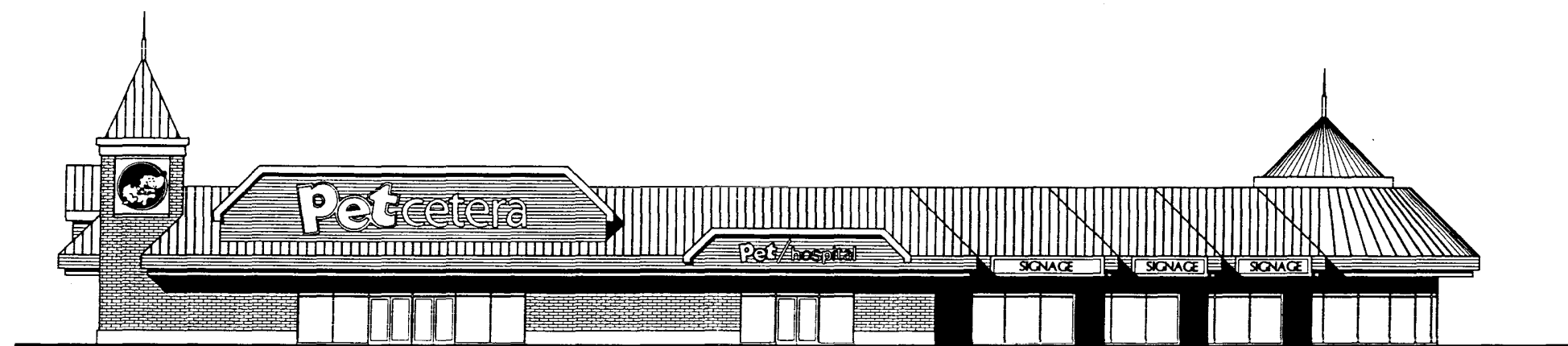
VIEW FROM SOUTH

CPR PHASE TWO REDEVELOPMENT
Downtown Red Deer

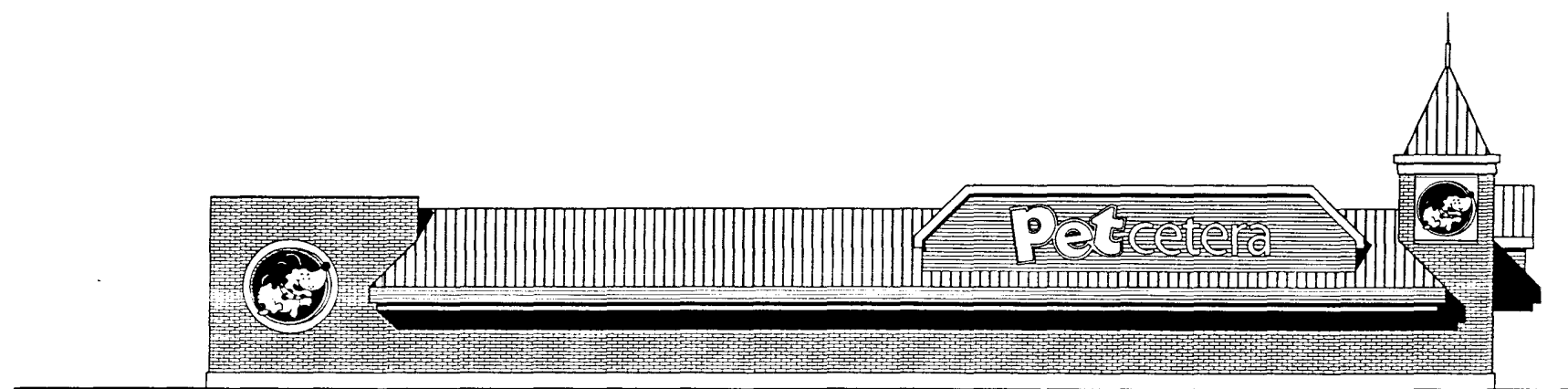
PRELIMINARY CONCEPTUAL DESIGN

B. JAMES
WENSLEY
ARCHITECT LTD.
625 1090 West Georgia St.
Vancouver, B.C. (604)685-3529

COPYRIGHT RESERVED. ALL PARTS OF THIS DRAWING ARE THE EXCLUSIVE PROPERTY OF B. JAMES HECKLEY ARCH. AND SHALL NOT BE USED WITHOUT THE ARCHITECT'S PERMISSION. ALL DIMENSIONS SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO PROCEEDING WITH THE WORK.



WEST ELEVATION- PETCETERA BLOCK



NORTH ELEVATION- PETCETERA BLOCK

[illegible]

RED DEER
RAIL LANDS
DEVELOPMENT
RED DEER ALBERTA

**B. JAMES
WENSLEY
ARCHITECT LTD.**
625 - 1098 St. George Street, Vancouver, BC V6E 3V
Tel: (604) 685-5528 Fax: (604) 685-5529 and Internet:

CONCRETE
STRUCTURAL
MECHANICAL
ELECTRICAL
LANDSCAPE

PETCETERA BLOC ELEVATIONS

PROJECT NO.	6747	GRAPHIC NO.	
SCALE:	1/8" = 1'-0"	DATE:	
		A30	

E. V. ~~POPOV~~ ~~POPOV~~ ~~POPOV~~ ~~POPOV~~ ~~POPOV~~
 1999, 1999

A black and white architectural line drawing of a building facade. The building features a prominent central gable with a small spire on top. The word "SIGNAGE" is written in large, bold, capital letters across the front of the building. The facade is composed of various materials, including brickwork on the lower level and horizontal siding on the upper level. There are several windows, including a large set of windows on the right side and a smaller set of windows in the center. The drawing is a perspective view, showing the building from a slightly elevated angle.

An architectural elevation drawing of a building facade. The building features a long, low profile with a series of gabled roof sections. The roof is covered in vertical hatching. A prominent sign with the word "SIGNAGE" in capital letters is mounted on the facade. The building has multiple windows, some of which are shaded with horizontal lines. The overall style is a technical architectural sketch.

Q.

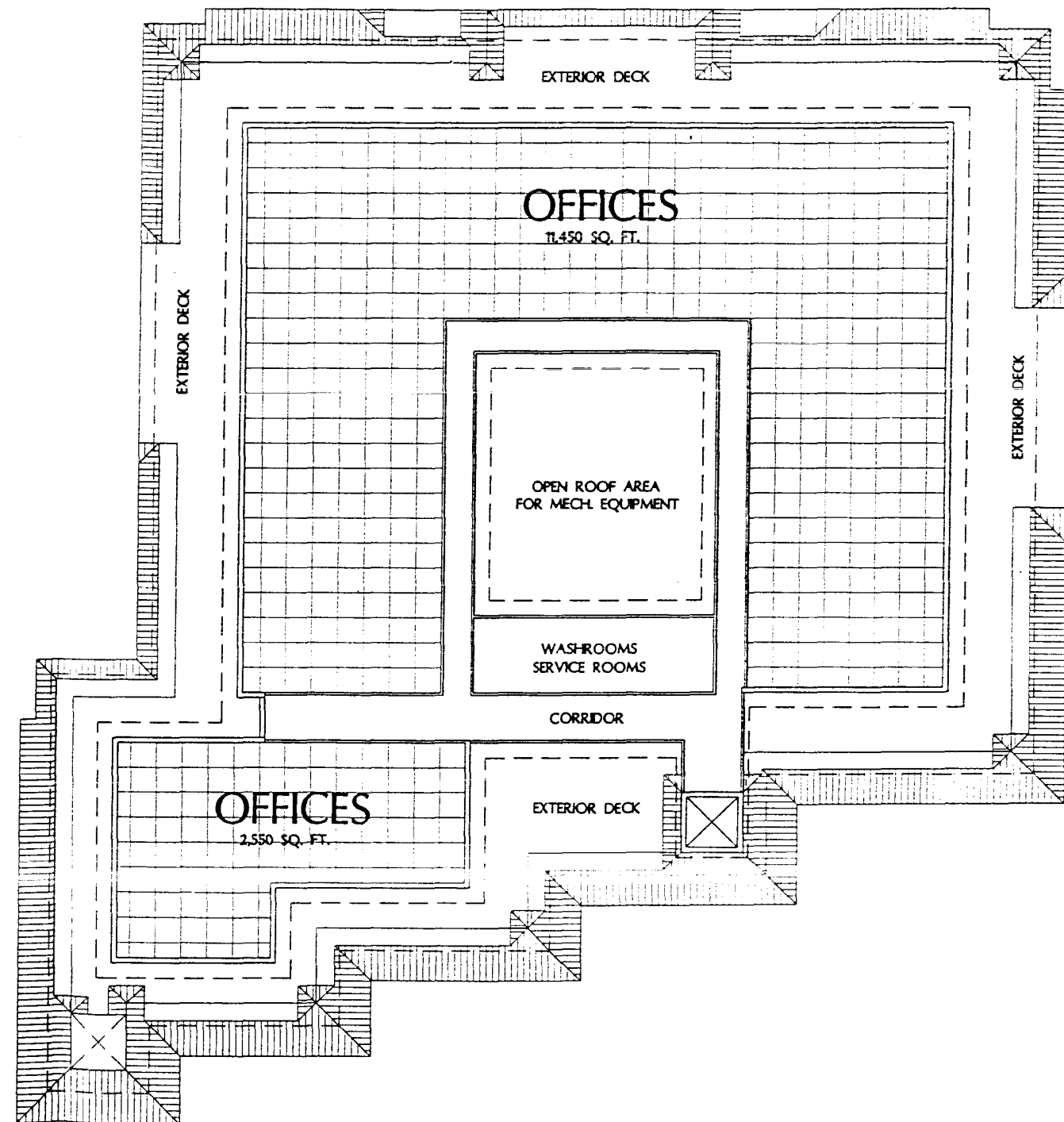
REVISION

8-9-76

**B. JAMES
WENSLEY
ARCHITECT LTD.**
625 - 1090 West George Street, Vancouver, BC V6E 7K7
tel: (604) 685-3579 fax: (604) 685-4574 email: b.james@bcnet.ca

RETAIL/OFFICE ELEVATIONS

PROJECT NO. 9747	DRAWN BY:
SCALE: 1/8" = 1'-0"	DATE: 10/1/88
BY:	A301



SCHEMATIC OFFICE LEVEL PLAN

SCALE 1" = 30'

Memo

Submitted To City Council

Date: April 6, 1998

confidential

DATE: April 6, 1998
TO: Kelly Kloss, City Clerk
FROM: Alan Scott, Land and Economic Development Manager
RE: **WOODS INVESTMENTS - FORMER CP RAIL LANDS**


A letter appears on the open agenda from MDR Realty World, on behalf of the above, requesting an extension for the date to submit final development plans, from April 6 to April 20, 1998. This request was received on March 31, and the Administration supported the request for the extension and, at the same time, recommended that other conditions related to the Option and Land Sale Agreement be extended from April 18 to April 21.

At 11:20 a.m. on April 6, I received a telephone call from Mike Dandurand, advising that Jeff Woods, President of Woods Investments, and his solicitor David Manning, had requested that Mr. Dandurand represent them at this evening's Council meeting, and request that all conditions related to the Option and Land Sale Agreement be extended a further thirty days, to May 20, 1998. The reason the extension is requested is that final negotiations have not been completed with Westfair Foods.

RECOMMENDATION

As you can appreciate, the Administration has not had an opportunity to deal with the request. The applicant has had the land under his control since December 15, at no cost to this date. Certainly, there have been delays, some of which had been caused by the City. Our experiences with private sector developers however, have, without exception, required non-refundable deposits quite early on in the transaction in order to retain control of the land.

As Administration has not discussed this latest request, I can only offer comments from the Land and Economic Development Department. The Administration has agreed to an extension to the agreement, to April 21, 1998. I would recommend that any extension beyond that date, should carry with it the posting of non-refundable deposit in the amount of \$25,000.



Alan V. Scott

AVS/mm

FILE

Council Decision - April 6, 1998 Meeting

DATE: April 7, 1998
TO: Land and Economic Development Manager
FROM: City Clerk
RE: *Wood Investments Ltd. - Former CP Rail Yards,
Final Concept Plan - Railwood Plaza*

Reference Report:

Land and Economic Development Manager dated March 31, 1998 and correspondence from Realty World - MDR dated March 31, 1998

Resolution:

"RESOLVED that Council of The City of Red Deer, having considered correspondence from Realty World - MDR dated March 25, 1998, re: Final Concept Plan - Railwood Plaza / Wood Investments Ltd., hereby agrees as follows:

1. That the time for submission of the Final Concept Plan and the approval of such Plan by City Council as provided for in Article 6 of the Agreement with Wood Investments Ltd. dated the 18th day of March, 1998, be extended from April 6, 1998 to April 21, 1998.
2. That the time for satisfaction of the conditions specified in clauses 5.1.1. to 5.1.6. of the said Agreement be extended to May 2, 1998."

Report Back to Council Required: Yes

Comments/Further Action:

As directed above, please note the extension of dates for approval of the Final Concept Plan for Railwood Plaza and for the satisfaction of conditions.


Kelly Kloss
City Clerk

/clr

c Director of Community Services
Director of Development Services
Inspections & Licensing Manager
Community Development Planning Coordinator
Principal Planner



Box 5008

Red Deer, Alberta

T4N 3T4

The City of Red Deer

Office of the City Clerk

FILE

April 7, 1998

Realty World - MDR
4805 - 48 Avenue
Red Deer, AB T4N 3T2

Faxed To: 342-6610

Att: Mr. Mike Dandurand

Dear Sir:

**RE: WOOD INVESTMENTS LTD. - FORMER CP RAIL YARDS,
FINAL CONCEPT PLAN - RAILWOOD PLAZA**

At the City of Red Deer's Council Meeting held Monday, April 6, 1998, consideration was given to your correspondence dated March 31, 1998, regarding the above. At that meeting, the following resolution was passed:

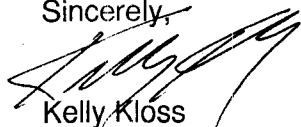
"RESOLVED that Council of The City of Red Deer, having considered correspondence from Realty World - MDR dated March 25, 1998, re: Final Concept Plan - Railwood Plaza / Wood Investments Ltd., hereby agrees as follows:

1. That the time for submission of the Final Concept Plan and the approval of such Plan by City Council as provided for in Article 6 of the Agreement with Wood Investments Ltd. dated the 18th day of March, 1998, be extended from April 6, 1998 to April 21, 1998.
2. That the time for satisfaction of the conditions specified in clauses 5.1.1. to 5.1.6. of the said Agreement be extended to May 2, 1998."

As directed above, please note the extension of dates for approval of the Final Concept Plan for Railwood Plaza and for the satisfaction of conditions.

Should you require any further assistance or clarification of Council's decision in this regard, please do not hesitate to contact me or Mr. Alan Scott, Land and Economic Development Manager.

Sincerely,



Kelly Kloss
City Clerk

/clr

c Director of Development Services
Land and Economic Development Manager
Principal Planner

4914 - 48th Avenue, Red Deer, AB Canada T4N 3T4

Tel: (403) 342-8132 Fax: (403) 346-6195 E-mail: cityclerk@city.red-deer.ab.ca Web: <http://www.city.red-deer.ab.ca>

DATE: March 24, 1998

TO: City Council

FROM: City Clerk

RE: 1. ***DUHAMEL/TRUEMAN - PINNACLE HOUSING CORPORATION /
ROAD CLOSURE - KERRY WOOD SUBDIVISION
(Road Closure Bylaws: 3200/98, 3201/98, 3202/98, 3203/98, 3204/98,
3205/98 & 3206/98)***

2. ***DISPOSAL OF MUNICIPAL RESERVE - KERRY WOOD SUBDIVISION
/ LOT 41 MR, BLOCK 2, PLAN 822-2724***

Public Hearings have been advertised for the above noted Road Closure Bylaws and for the above noted Partial Disposal of Municipal Reserve, to be held on Monday, April 6, 1998 in the Council Chambers at 7:00 p.m.

The above noted Road Closure Bylaws will facilitate the development of a 38 unit housing project north of Farrell Avenue.

At the March 9, 1998 Council Meeting, the following resolution was passed regarding the Partial Disposal of Municipal Reserve lands:

"RESOLVED that Council of The City of Red Deer, hereby agrees that the following resolution be considered at the Council Meeting of Monday, April 6, 1998, to allow for the advertising of a Public Hearing to be held on Monday, April 6, 1998, for the disposal of municipal reserve lands as noted:

'RESOLVED that Council of the City of Red Deer, having considered report from the Land and Economic Development Manager dated March 4, 1998, re: Duhamel/Trueman - Pinnacle Housing Corporation - Disposal of Part of Municipal Reserve - Kerry Wood Subdivision, hereby approves the disposal of municipal reserve lands described as:

'All that portion of Lot 41 MR, Block 2, Plan 822-2724, lying within Plan _____, containing 0.663 ha (1.64 ac) more or less',

and as presented to Council March 9, 1998."

RECOMMENDATIONS

That following the Public Hearings:

1. Road Closure Bylaw Nos. 3200/98, 3201/98, 3202/98, 3203/98, 3204/98, 3205/98 and 3206/98 may be given 2nd and 3rd Readings;

City Council
March 24, 1998
Page 2

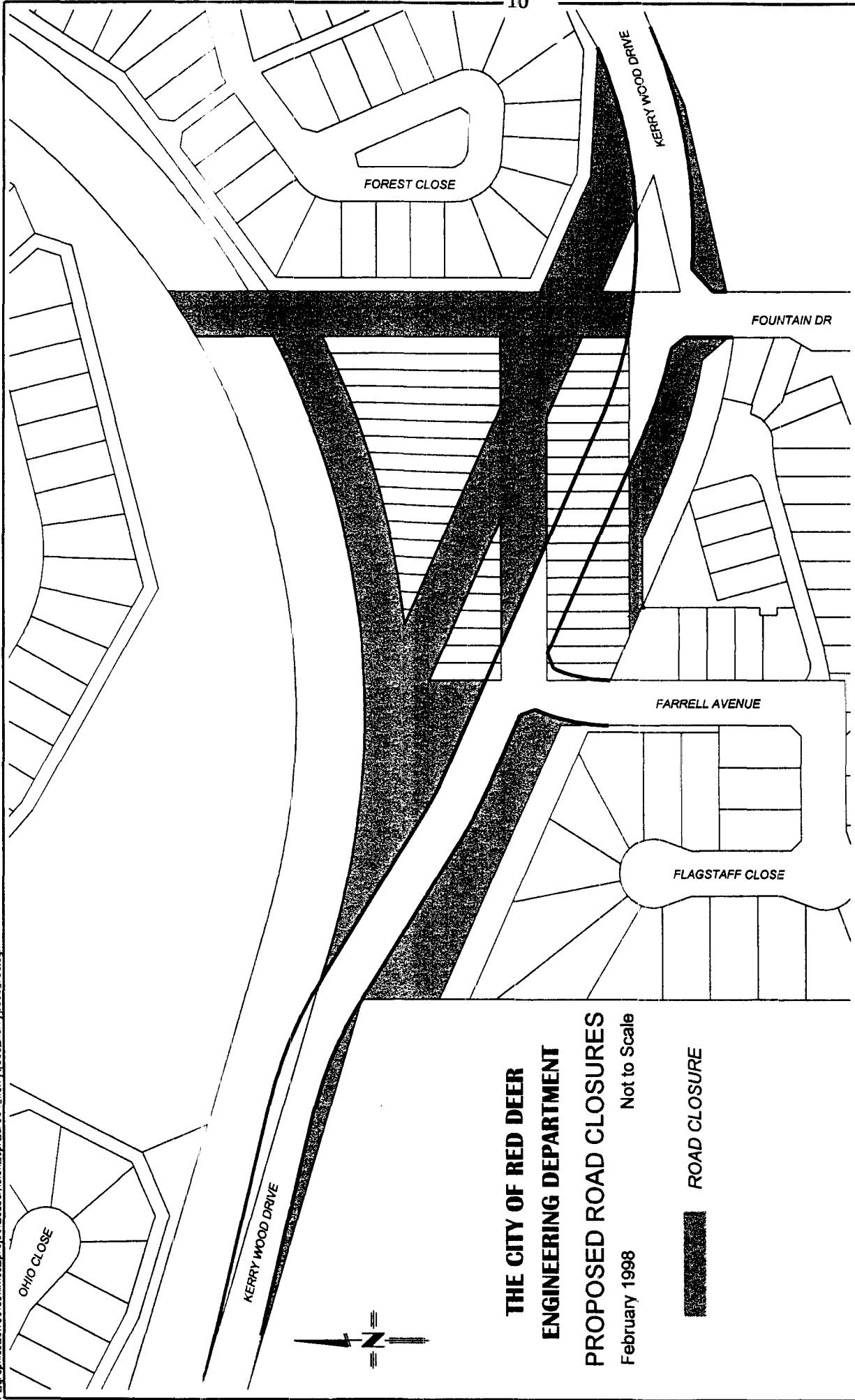
2. Council may proceed with the passing of a resolution to dispose of the noted Municipal Reserve lands.

A handwritten signature in black ink, appearing to read 'Kelly Kloss', written in a cursive style.

Kelly Kloss
City Clerk

/clr
attchs.

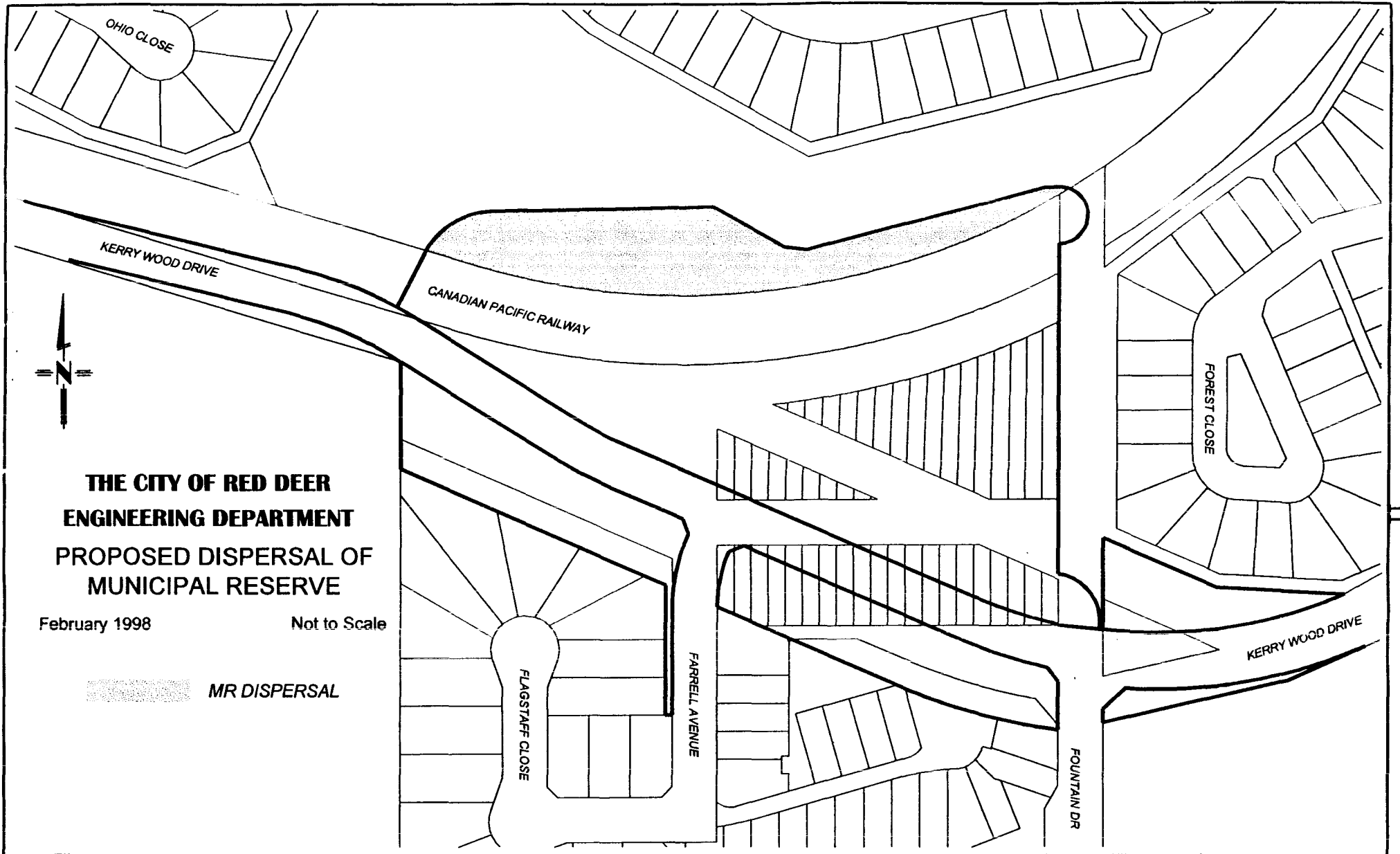
I:\graphics\as1\ref\all\res\proj\asubdivision\pr\areo4_kerrywood\kerrywood_roc.dgn



**THE CITY OF RED DEER
ENGINEERING DEPARTMENT
PROPOSED ROAD CLOSURES**

February 1998
Not to Scale

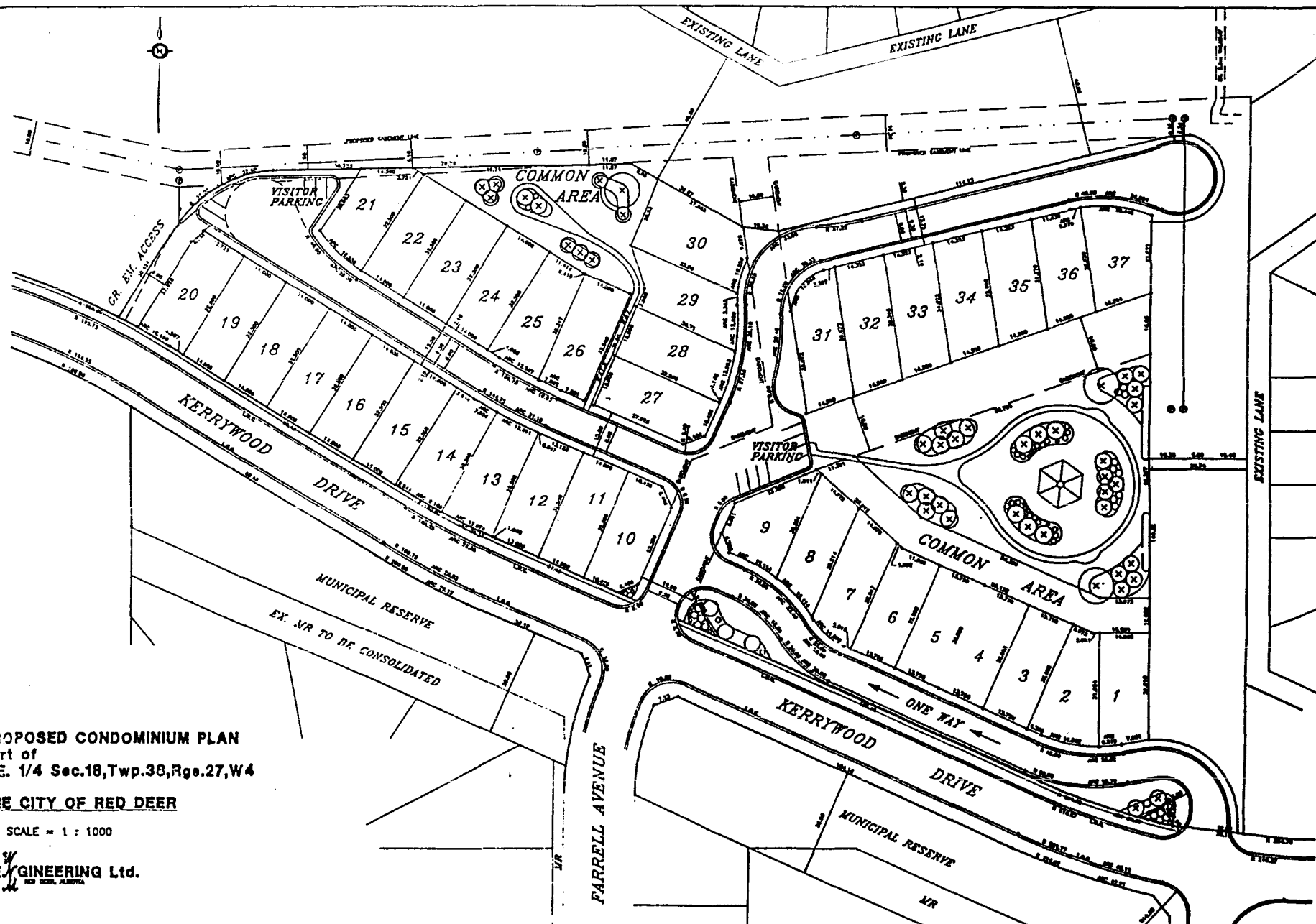
 ROAD CLOSURE



PROPOSED CONDOMINIUM PLAN
 Part of
 N.E. 1/4 Sec.18,Twp.38,Rgs.27,W4
 in
THE CITY OF RED DEER

SCALE = 1 : 1000

E. GINEERING Ltd.
 REG. SURV. ALBERTA



Council Decision - April 6, 1998 Meeting

DATE: April 7, 1998

TO: Land and Economic Development Manager

FROM: City Clerk

RE:

1. **DUHAMEL/TRUEMAN - PINNACLE HOUSING CORPORATION /
ROAD CLOSURES - KERRY WOOD SUBDIVISION
(Road Closure Bylaws: 3200/98, 3201/98, 3202/98, 3203/98, 3204/98,
3205/98 & 3206/98)**
2. **DISPOSAL OF MUNICIPAL RESERVE - KERRY WOOD SUBDIVISION
/ LOT 41 MR, BLOCK 2, PLAN 822-2724**

Reference Report:

City Clerk dated March 24, 1998

Resolution:

"RESOLVED that Council of the City of Red Deer, having considered report from the Land and Economic Development Manager dated March 4, 1998, re: Duhamel/Trueman - Pinnacle Housing Corporation - Disposal of Part of Municipal Reserve - Kerry Wood Subdivision, hereby approves the disposal of municipal reserve lands described as:

All that portion of Lot 41 MR, Block 2, Plan 822-2724, lying within Plan _____, containing 0.663 ha (1.64 ac) more or less'."

Bylaw Readings:

Road Closure Bylaws 3200/98, 3201/98, 3202/98, 3203/98, 3204/98, 3205/98 and 3206/98 were given 2nd & 3rd Readings, following the Public Hearings. Copies are attached hereto.

Report Back to Council Required:

No

Comments/Further Action:

The noted Road Closure Bylaws and resolution provide for the proposed development of land north of Farrell Avenue.

Public Hearings were held with respect to the noted Road Closure Bylaws and for the Disposal of the Municipal Reserve as noted above. Following the Public Hearings, the Road Closure Bylaws were given second and third readings.

Land and Economic Development Manager
April 7, 1998
Page 2

Please find attached a certified copy of the resolution outlining the Disposal of Municipal Reserve as indicated above, for furtherance to Land Titles as well as certified copies of the Road Closure Bylaws.

A handwritten signature in black ink, appearing to read 'Kelly Kloss', written over a horizontal line.

Kelly Kloss
City Clerk

/clr
attchs.

- c Director of Development Services
- Director of Community Services
- E. L. & P. Manager
- Fire Chief/Manager Emergency Services
- City Assessor
- Leigh-Ann Khoshaba, Graphics Designer
- Council and Committee Secretary, S. Ladwig
- C. Rausch

CANADA

PROVINCE OF ALBERTA

TO WIT:

)
)
)
)
)
)

IN THE MATTER OF SECTION 674
OF THE MUNICIPAL GOVERNMENT
ACT, 1994, CHAPTER M-26.1

I, Kelly Kloss, of the City of Red Deer, in the Province of Alberta, DO SOLEMNLY DECLARE:

1. THAT I am the duly appointed City Clerk of The City of Red Deer and its proper designated officer in this behalf.
2. THAT the Council of The City of Red Deer wishes to dispose of a municipal reserve.
3. THAT The City of Red Deer has complied with the provisions of Section 674 of the Municipal Government Act, 1994, Chapter M-26.1.
4. THAT The City of Red Deer, in accordance with Section 675(1) of the Municipal Government Act, requests the removal of the designation of municipal reserve from the lands described as follows:

"All that portion of Lot 41 MR, Block 2, Plan 822-2724, lying within Plan _____, containing 0.663 ha (1.64 ac) more or less."

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 7th day of April, A.D. 1998.

)
)
)
)
)
)


KELLY KLOSS,
CITY CLERK


A COMMISSIONER FOR OATHS IN AND
FOR THE PROVINCE OF ALBERTA



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

Office of the City Clerk

FILE

April 7, 1998

Mr. Douglas Duhamel/Mr. Dale Trueman
Pinnacle Housing Corporation
2nd Floor, 5233-49 Avenue
Red Deer, AB T4N 6G5

Dear Sirs:

- RE: 1. DUHAMEL/TRUEMAN - PINNACLE HOUSING CORPORATION /
ROAD CLOSURES - KERRY WOOD SUBDIVISION
(Road Closure Bylaws: 3200/98, 3201/98, 3202/98, 3203/98, 3204/98,
3205/98 & 3206/98)**
- 2. DISPOSAL OF MUNICIPAL RESERVE - KERRY WOOD SUBDIVISION
/ LOT 41 MR, BLOCK 2, PLAN 822-2724**
-

At the City of Red Deer's Council Meeting held April 6, 1998, Public Hearings were held with respect to the above noted Road Closure Bylaws and for the noted Disposal of Municipal Reserve. Following the Public Hearings, the above mentioned Road Closure Bylaws were given second and third readings. Copies of which are attached hereto.

The following resolution was passed agreeing to the Disposal of Municipal Reserve:

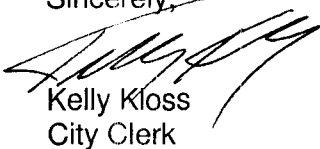
"RESOLVED that Council of the City of Red Deer, having considered report from the Land and Economic Development Manager dated March 4, 1998, re: Duhamel/Trueman - Pinnacle Housing Corporation - Disposal of Part of Municipal Reserve - Kerry Wood Subdivision, hereby approves the disposal of municipal reserve lands described as:

'All that portion of Lot 41 MR, Block 2, Plan 822-2724, lying within
Plan _____, containing 0.663 ha (1.64 ac) more or less'."

The noted Road Closure Bylaws and resolution provide for the proposed development of land north of Farrell Avenue.

Please do not hesitate to contact me or Mr. Alan Scott, Land and Economic Development Manager, should you have any questions or require further clarification.

Sincerely,


Kelly Kloss
City Clerk

/clr
attchs.

c Principal Planner

Council & Committee Secretary, S. Ladwig

4914 - 48th Avenue, Red Deer, AB Canada T4N 3T4

Tel: (403) 342-8132 Fax: (403) 346-6195 E-mail: cityclerk@city.red-deer.ab.ca Web: <http://www.city.red-deer.ab.ca>

Item No. 2

DATE: March 24, 1998

TO: City Council

FROM: City Clerk

**RE: 1. REQUEST FOR ROAD CLOSURE - PART OF GOLDEN WEST AVENUE
(PLAN 812-0210) / ROAD CLOSURE BYLAW NO. 3199/98**

**2. PARTIAL DISPOSAL OF MUNICIPAL RESERVE TO FACILITATE
RESIDENTIAL SUBDIVISION DEVELOPMENT R-2 (RESERVE),
PLAN 1028 TR**

Public Hearings have been advertised for Road Closure Bylaw No. 3199/98 and for the above noted Partial Disposal of Municipal Reserve, to be held on Monday, April 6, 1998 in the Council Chambers at 7:00 p.m.

Road Closure Bylaw No. 3199/98 provides for a partial closure of road described as "All that portion of Golden West Avenue, Plan 812-0210, lying within Subdivision Plan _____, containing 0.388 ha (0.96 ac) more or less, to accommodate a land exchange with Conwood Construction. Conwood Construction is proposing to develop a residential subdivision.

At the March 9, 1998 Council Meeting, the following resolution was passed regarding the Partial Disposal of Municipal Reserve lands:

"RESOLVED that Council of The City of Red Deer, hereby agrees that the following resolution be considered at the Council Meeting of Monday, April 6, 1998, to allow for the advertising of a Public Hearing to be held on Monday, April 6, 1998, for the disposal of municipal reserve lands as noted:

RESOLVED that Council of the City of Red Deer, having considered report from the Land and Economic Development Manager dated March 4, 1998, re: Conwood Construction - Partial Disposal of Municipal Reserve to Facilitate Residential Subdivision Development / R-2 (Reserve), Plan 1028 TR, hereby approves the disposal of municipal reserve lands described as:

'All that portion of R-2 (Reserve), Plan 1028 TR, lying within Subdivision Plan _____, containing 0.033 ha (0.08 ac) more or less',

and as presented to Council March 9, 1998."


RECOMMENDATIONS

That following the Public Hearings:

1. Road Closure Bylaw No. 3199/98 may be given 2nd and 3rd Readings;

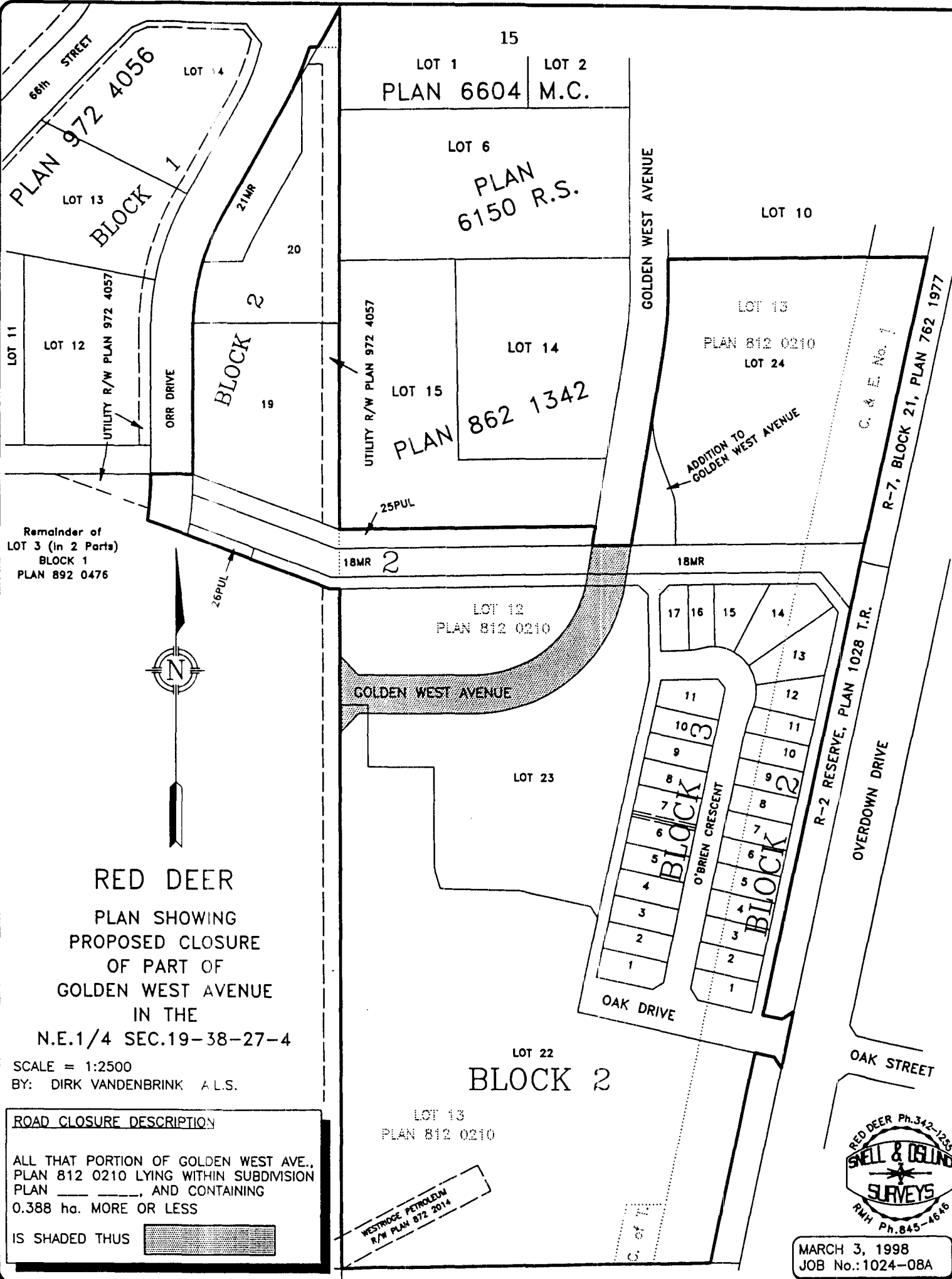
City Council
March 24, 1998
Page 2

2. Council may proceed with the passing of a resolution to dispose of the noted Municipal Reserve lands.



Kelly Kloss
City Clerk

/clr
attchs.



RED DEER

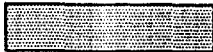
PLAN SHOWING
PROPOSED CLOSURE
OF PART OF
GOLDEN WEST AVENUE
IN THE
N.E.1/4 SEC.19-38-27-4

SCALE = 1:2500
BY: DIRK VANDENBRINK A.L.S.

ROAD CLOSURE DESCRIPTION

ALL THAT PORTION OF GOLDEN WEST AVE.,
PLAN 812 0210 LYING WITHIN SUBDIVISION
PLAN _____, AND CONTAINING
0.388 ha. MORE OR LESS

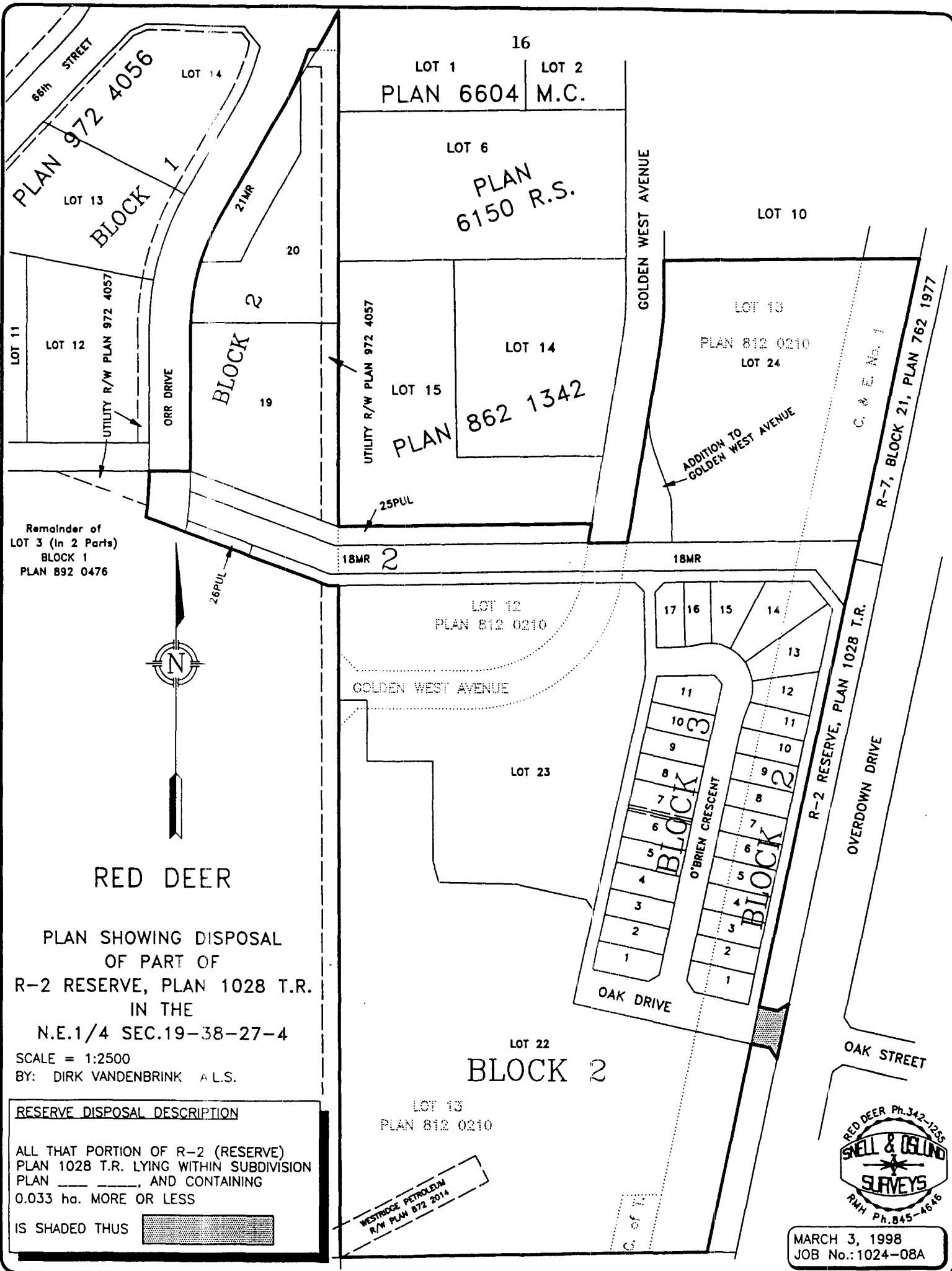
IS SHADED THUS



WESTRIDGE PETROLEUM
R/W PLAN 872 2014



MARCH 3, 1998
JOB No.:1024-08A



RED DEER

PLAN SHOWING DISPOSAL
OF PART OF
R-2 RESERVE, PLAN 1028 T.R.
IN THE
N.E.1/4 SEC.19-38-27-4

SCALE = 1:2500

BY: DIRK VANDENBRINK A.L.S.

RESERVE DISPOSAL DESCRIPTION

ALL THAT PORTION OF R-2 (RESERVE)
PLAN 1028 T.R. LYING WITHIN SUBDIVISION
PLAN _____, AND CONTAINING
0.033 ha. MORE OR LESS

IS SHADED THUS



WESTRIDGE PETROLEUM
R/W PLAN 872 2014



MARCH 3, 1998
JOB No.: 1024-08A

FILE

Office of the City Clerk

April 7, 1998

Conwood Construction Ltd.
Att: Mr. Uli Wunsch
Suite 204, 7803 - 50 Avenue
Red Deer, AB T4P 1M8

Fax No. 347-1970

Dear Sir:

- RE: 1. REQUEST FOR ROAD CLOSURE - PART OF GOLDEN WEST AVENUE (PLAN 812-0210) / ROAD CLOSURE BYLAW NO. 3199/98**
- 2. PARTIAL DISPOSAL OF MUNICIPAL RESERVE TO FACILITATE RESIDENTIAL SUBDIVISION DEVELOPMENT / R-2 (RESERVE) PLAN 1028 TR**
-

At the City of Red Deer's Council Meeting held April 6, 1998, Public Hearings were held with respect to Road Closure Bylaw No. 3199/98 and for the noted Disposal of Municipal Reserve. Following the Public Hearings, Road Closure Bylaw No. 3199/98 was given second and third readings, a copy of which is attached hereto.

The following resolution was passed agreeing to the Disposal of Municipal Reserve:

"RESOLVED that Council of the City of Red Deer, having considered report from the Land and Economic Development Manager dated March 4, 1998, re: Conwood Construction - Partial Disposal of Municipal Reserve to Facilitate Residential Subdivision Development / R-2 (Reserve), Plan 1028 TR, hereby approves the disposal of municipal reserve lands described as:

'All that portion of R-2 (Reserve), Plan 1028 TR, lying within Subdivision Plan _____, containing 0.033 ha (0.08 ac) more or less'."

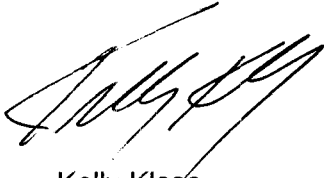
Road Closure Bylaw No. 3199/98 provides for a partial closure of road described as "All that portion of Golden West Avenue, Plan 812-0210, lying within Subdivision Plan _____, containing 0.388 ha (0.96 ac) more or less, to accommodate a land exchange with Conwood Construction. Conwood Construction is proposing to develop a residential subdivision.



Conwood Construction Ltd.
April 7, 1998
Page 2

Please do not hesitate to contact me or Mr. Alan Scott, Land and Economic Development Manager, should you have any questions or require further clarification of Council's decision.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kelly Kloss', written over a horizontal line.

Kelly Kloss
City Clerk

/clr
attchs.

c Land and Economic Development Manager
 Principal Planner
 Council & Committee Secretary, S. Ladwig

FILE

Council Decision - April 6, 1998 Meeting

DATE: April 7, 1998

TO: Land and Economic Development Manager

FROM: City Clerk

RE:

1. **REQUEST FOR ROAD CLOSURE - PART OF GOLDEN WEST AVENUE (PLAN 812-0210) / ROAD CLOSURE BYLAW NO. 3199/98**
2. **PARTIAL DISPOSAL OF MUNICIPAL RESERVE TO FACILITATE RESIDENTIAL SUBDIVISION DEVELOPMENT / R-2 (RESERVE) PLAN 1028 TR**

Reference Report:

City Clerk dated March 24, 1998

Resolution:

"RESOLVED that Council of the City of Red Deer, having considered report from the Land and Economic Development Manager dated March 4, 1998, re: Conwood Construction - Partial Disposal of Municipal Reserve to Facilitate Residential Subdivision Development / R-2 (Reserve), Plan 1028 TR, hereby approves the disposal of municipal reserve lands described as:

'All that portion of R-2 (Reserve), Plan 1028 TR, lying within Subdivision Plan _____, containing 0.033 ha (0.08 ac) more or less'."

Please find attached a certified copy of the resolution outlining the Disposal of Municipal Reserve as indicated above, for furtherance to Land Titles.

Bylaw Readings:

Road Closure Bylaw No. 3199/98 was given 2nd & 3rd Readings. Please find attached a certified copy for furtherance to Land Titles.

Report Back to Council Required:

No

Land and Economic Development Manager
April 7, 1998
Page 2

Comments/Further Action:

Road Closure Bylaw No. 3199/98 provides for a partial closure of road described as "All that portion of Golden West Avenue, Plan 812-0210, lying within Subdivision Plan _____, containing 0.388 ha (0.96 ac) more or less, to accommodate a land exchange with Conwood Construction. Conwood Construction is proposing to develop a residential subdivision.



Kelly Kloss
City Clerk

/clr
attchs.

c Director of Development Services
 Director of Community Services
 E. L. & P. Manager
 Fire Chief/Manager Emergency Services
 City Assessor
 Leigh-Ann Khoshaba, Graphics Designer
 Council and Committee Secretary, S. Ladwig
 C. Rausch

BYLAW NO. 3199/98

Being a bylaw to close a portion of road in the City of Red Deer as described herein.

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

1 The following portion of roadway in the City of Red Deer is hereby closed:

"All that portion of Golden West Avenue, Plan 812-0210,
Lying within Subdivision Plan _____,
Containing 0.388 ha (0.96 ac) more or less."

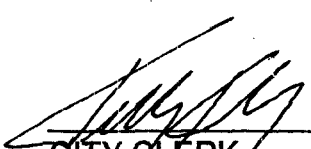
READ A FIRST TIME IN OPEN COUNCIL this 9 day of March A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this 6 day of April A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this 6 day of April A.D. 1998.

AND SIGNED BY THE MAYOR AND CITY CLERK this 6 day of April A.D. 1998.


MAYOR


CITY CLERK

CERTIFIED TO BE A TRUE AND CORRECT
COPY OF THE ORIGINAL BYLAW.


CITY CLERK

DATE: March 10, 1998

TO: City Council

FROM: City Clerk

RE: ***ROSEDALE MEADOWS - PHASE 4 / PART OF THE NE ¼ 14-38-27-4 /
LAND USE BYLAW AMENDMENT 3156/E-98 / FARM AIR PROPERTIES***

Public Hearing has been advertised for the above noted Land Use Bylaw Amendment, to be held on Monday, April 6, 1998 in the Council Chambers at 7:00 p.m.

Land Use Bylaw Amendment 3156/E-98 provides for the redesignation of 4.45 ha (11 ac) of land from A1 Future Urban Development District to R1 Residential Low Density District and Road. The amendment is to accommodate the development of 50 single family lots and to dedicate a portion of road right-of-way for the Ross Street extension. This amendment corresponds with Phase 4 of the Rosedale Meadows Outline Plan.

RECOMMENDATION

That following the Public Hearing, Land Use Bylaw Amendment 3156/E-98 may be given 2nd and 3rd readings.



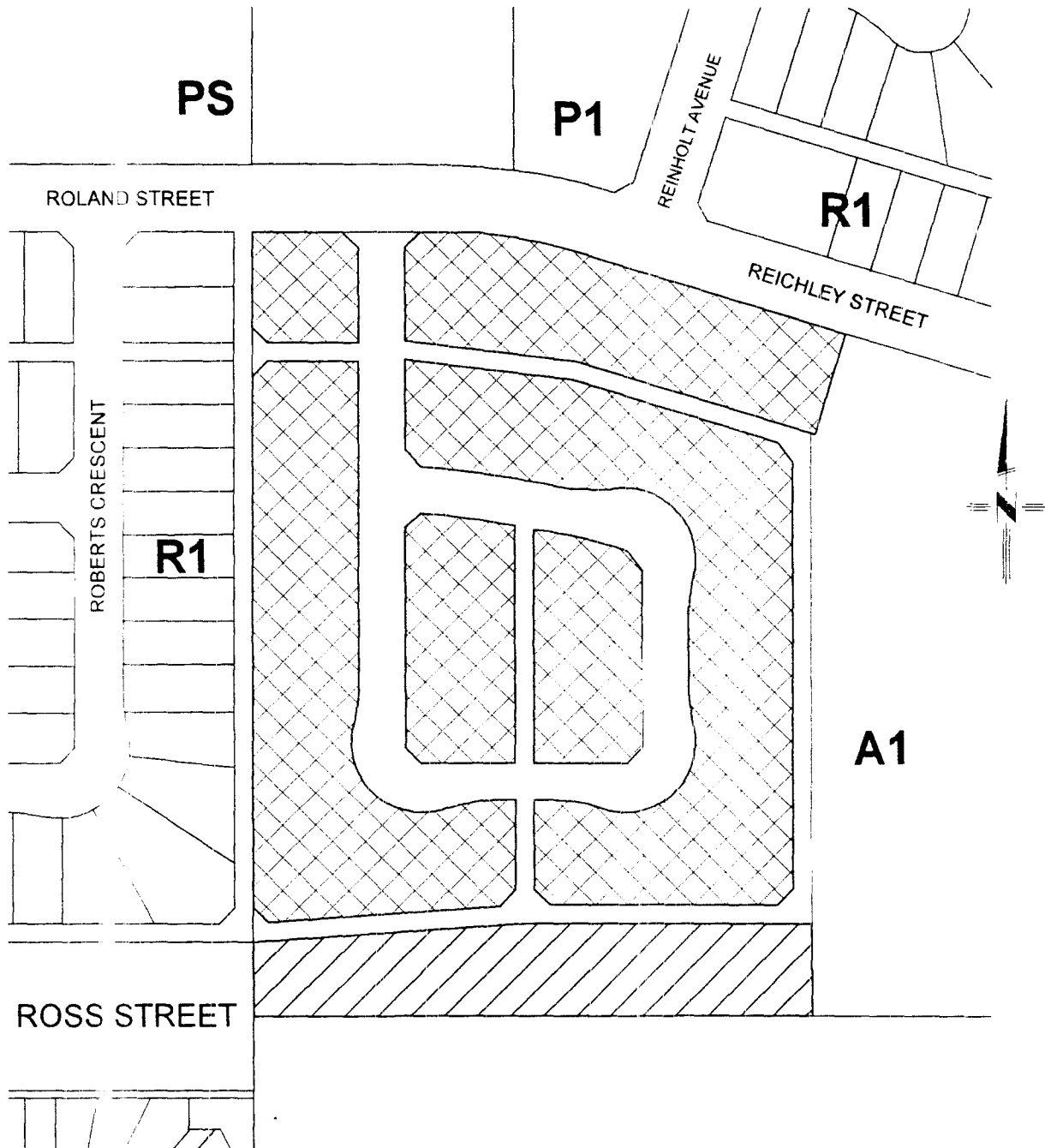
Kelly Kloss
City Clerk

/clr

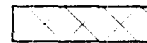
attchs.

The City of Red Deer

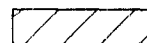
PROPOSED LAND USE BYLAW AMENDMENT



Change from: A1 to R1



A1 to road



AFFECTED DISTRICTS:

A1 - Future Urban Development

R1 - Residential (Low Density)

MAP NO. 4 / 98
BYLAW NO. 3156 / E - 98



Box 5008

Red Deer, Alberta
T4N 3T4

The City of Red Deer

Office of the City Clerk

FILE

April 7, 1998

Mr. Charles Allard
c/o Farm Air Properties Inc.
Suite 210, 5324 Calgary Trail
Edmonton, AB T6H 4J8

Fax: (403) 438-2632

Dear Sir:

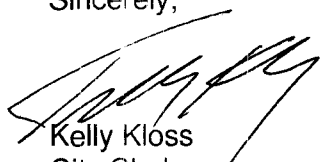
**RE: Rosedale Meadows - Phase 4 / Part of the NE ¼ 14-38-27-4,
Land Use Bylaw Amendment No. 3156/E-98 / Farm Air Properties**

At the City of Red Deer's Council Meeting held April 6, 1998, a Public Hearing was held with respect to Land Use Bylaw 3156/E-98. Following the Public Hearing, Land Use Bylaw Amendment 3156/E-98 was given second and third readings, a copy of which is attached hereto.

Land Use Bylaw Amendment 3156/E-98 provides for the redesignation of 4.45 ha (11 ac) of land from A1 Future Urban Development District to R1 Residential Low Density District and Road. The amendment is to accommodate the development of 50 single family lots and to dedicate a portion of road right-of-way for the Ross Street extension. This amendment corresponds with Phase 4 of the Rosedale Meadows Outline Plan.

Please do not hesitate to contact me should you have any questions or require further clarification.

Sincerely,


Kelly Kloss
City Clerk

/clr
attchs.

c Principal Planner
Land & Economic Development Manager
Council & Committee Secretary, S. Ladwig

FILE

Council Decision - April 6, 1998 Meeting

DATE: April 7, 1998
TO: Principal Planner
FROM: City Clerk
RE: **Rosedale Meadows - Phase 4 / Part of the NE ¼ 14-38-27-4,
Land Use Bylaw Amendment No. 3156/E-98 / Farm Air Properties**

Reference Report: City Clerk dated March 10, 1998

Bylaw Readings:

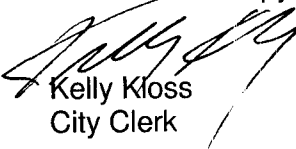
Land Use Bylaw Amendment No. 3156/E-98 was given 2nd and 3rd Readings at the Council Meeting, a copy of which is attached hereto.

Report Back to Council Required: No

Comments/Further Action:

Land Use Bylaw Amendment 3156/E-98 provides for the redesignation of 4.45 ha (11 ac) of land from A1 Future Urban Development District to R1 Residential Low Density District and Road. The amendment is to accommodate the development of 50 single family lots and to dedicate a portion of road right-of-way for the Ross Street extension. This amendment corresponds with Phase 4 of the Rosedale Meadows Outline Plan.

A Public Hearing was held with respect to Land Use Bylaw Amendment 3156/E-98, following which same was given second and third readings. Our office will now be updating the office consolidation copy of the Land Use Bylaw and distributing same in due course.


Kelly Kloss
City Clerk

/clr
attchs.

c Director of Development Services
 Director of Community Services
 E. L. & P. Manager
 Fire Chief/Manager Emergency Services
 City Assessor
 Land and Economic Development Manager
 Leigh-Ann Khoshaba, Graphics Designer

C. Rausch
Council & Committee Secretary, S. Ladwig

DATE: March 12, 1998

TO: City Council

FROM: City Clerk

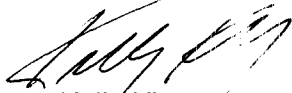
RE: ***GAETZ CROSSING INC. (FORMER DRUMMOND BREWERY SITE) - REQUEST FOR
DISCRETIONARY USE ON SITE - COMMERCIAL ENTERTAINMENT FACILITY / 2210
- 50 AVENUE, RED DEER, AB / LAND USE BYLAW AMENDMENT 3156/F-98***

A Public Hearing has been advertised for the above noted Land Use Bylaw Amendment, to be held on Monday, April 6, 1998, in the Council Chambers at 7:00 p.m.

Land Use Bylaw Amendment 3156/F-98 provides for an exception, as a discretionary use, a commercial entertainment facility on the above noted site which is zoned C4.

RECOMMENDATION

That following the Public Hearing, Land Use Bylaw Amendment 3156/F-98 may be given 2nd and 3rd Readings.



Kelly Kloss
City Clerk

/clr
attchs.

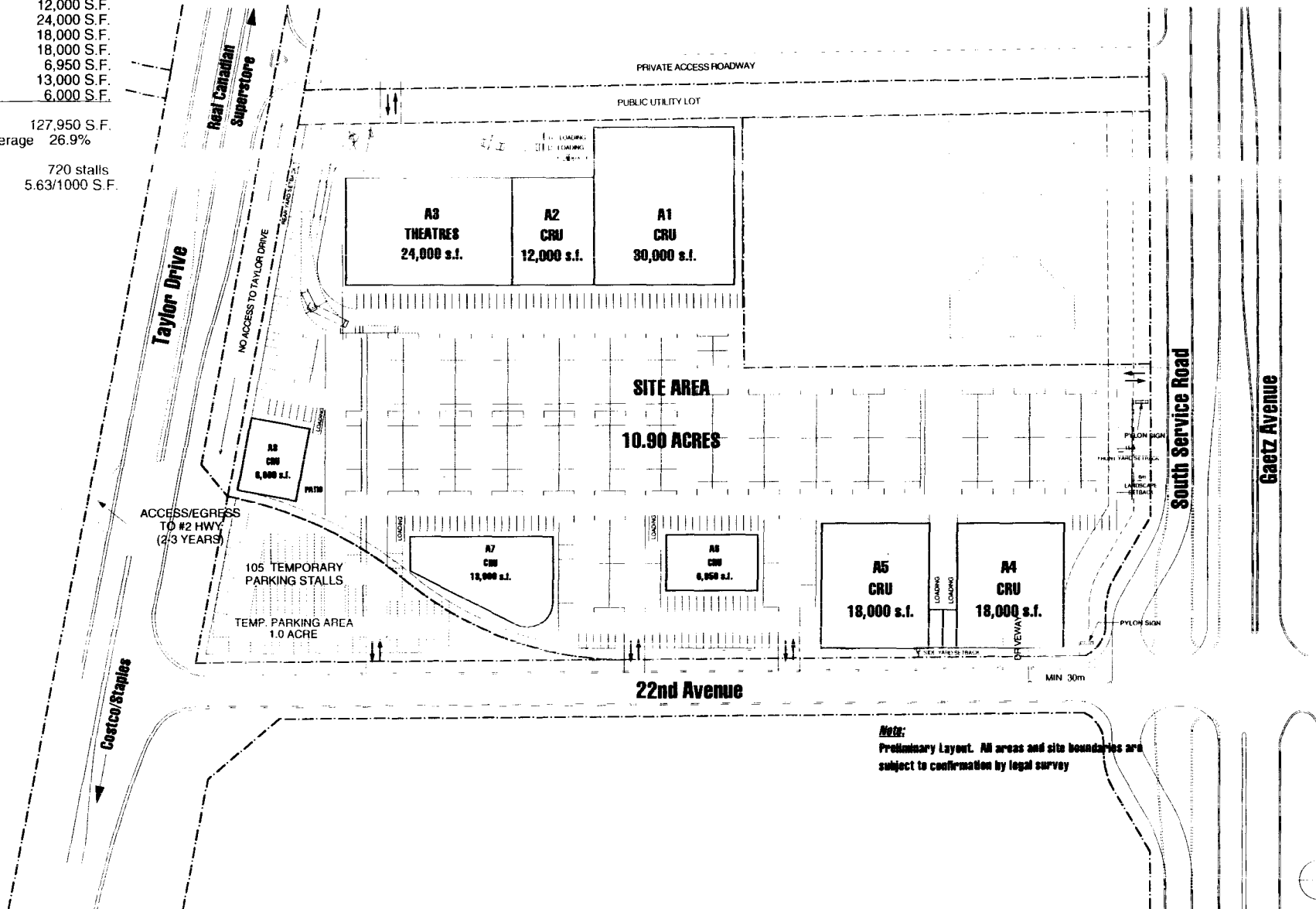
AREA SUMMARY

Site Area 474,960 S.F. (10.90 Acres)

A1	30,000 S.F.
A2	12,000 S.F.
A3	24,000 S.F.
A4	18,000 S.F.
A5	18,000 S.F.
A6	6,950 S.F.
A7	13,000 S.F.
A8	6,000 S.F.

TOTAL 127,950 S.F.
Site Coverage 26.9%

Parking 720 stalls
Ratio 5.63/1000 S.F.



Note:
Preliminary Layout. All areas and site boundaries are
subject to confirmation by legal survey

The
Kasian
Kennedy
Design
Partnership

Architects
Interior Designers
And Planners

British Columbia
And Alberta

3901 1188 West Georgia St.
Vancouver, B.C. V6Z 2T7
Fax: (604) 683-7871
Tel: (604) 683-4145



Gaetz Avenue
Crossing
Red Deer, Alta.

Cedaridge
Development &
Management

Site Plan

Scale: 1"=80'
North Arrow
Feb. 8, 1998

DP-01R9

DATE: MARCH 13, 1998

TO: MAYOR & CITY COUNCIL

FROM: DOWNTOWN PLANNING COMMITTEE

RE: **Gaetz Crossing Inc. (Former Drummond Brewery Site)**
Request to rezone 2210 - 50 Avenue to accommodate
Commercial Entertainment Facility (Theatre)
Land Use Bylaw Amendment 3156/F-98.

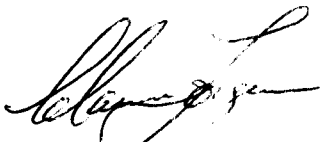
The members of the Downtown Planning Committee discussed the above request made to City Council on March 9, 1998 by Kasian Kennedy Gardner Partnership. At said Council meeting, First Reading of Land Use Bylaw Amendment 3156/F-98, (providing for a land use exception on the subject site) was approved.

The members of the Downtown Planning Committee discussed this item at length at their March 11th meeting, during which the following motion was introduced and passed.

"THAT the Downtown Planning Committee, in consideration of First Reading of Land Use Bylaw Amendment 3156/F-98 that allows spot zoning of the Gaetz Crossing Inc. (former Drummond Brewery site at 2210 - 50 Avenue), **does not endorse or support** any Land Use Bylaw amendment related to allowing theatres outside of the downtown C1 or C1A Districts due to contravention of the Downtown Concept Plan."

Committee members requested that a comment be added with the above motion that would advise Council that the Downtown Planning Committee would also not support rezoning the site from C4 to C2 not only because of the theatre, but also because C2 zoning would then permit office use on the site, which is also in contravention of the Downtown Concept Plan.

Respectfully submitted,



CLARENCE TORGERSON
Chairman
Downtown Planning Committee

FILE

Council Decision - April 6, 1998 Meeting

DATE: April 7, 1998
TO: Principal Planner
FROM: City Clerk
RE: **GAETZ CROSSING INC. (FORMER DRUMMOND BREWERY SITE) - REQUEST FOR DISCRETIONARY USE ON SITE - COMMERCIAL ENTERTAINMENT FACILITY / 2210 - 50 AVENUE, RED DEER, AB / LAND USE BYLAW AMENDMENT 3156/F-98**

Reference Report: City Clerk dated March 12, 1998

Bylaw Readings:

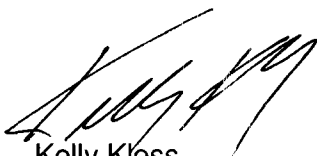
Land Use Bylaw Amendment No. 3156/F-98 was **DEFEATED** at 2nd Reading.

Report Back to Council Required: No

Comments/Further Action:

Land Use Bylaw Amendment 3156/F-98 provided for an exception, as a discretionary use, a commercial entertainment facility on the above noted site which is zoned C4.

A Public Hearing was held with respect to Land Use Bylaw Amendment 3156/F-98, following which same was **defeated**.



Kelly Kloss
City Clerk

/clr
attchs.

c Director of Development Services
Director of Community Services
E. L. & P. Manager
Fire Chief/Manager Emergency Services
City Assessor
Land and Economic Development Manager

C. Rausch
Council & Committee Secretary, S. Ladwig

FILE

Office of the City Clerk

April 6, 1998

Box 5008

Red Deer, Alberta
T4N 3T4

The Kasian Kennedy
Gardner Partnership
980-1188 W. Georgia Street
Vancouver, BC V6E 4A2

Faxed To: (604) 683-2827

Att: Mr. Christopher Lamb

Dear Sir:

**RE: Gaetz Crossing Inc. (Former Drummond Brewery Site) - Request for
Discretionary Use On Site - Commercial Entertainment Facility / 2210 - 50
Avenue, Red Deer, AB / Land Use Bylaw Amendment 3156/F-98**

At the City of Red Deer's Council Meeting held April 6, 1998, a Public Hearing was held with respect to Land Use Bylaw 3156/F-98. Following the Public Hearing, Land Use Bylaw Amendment 3156/F-98 was **defeated**.

Land Use Bylaw Amendment 3156/F-98 provided for an exception, as a discretionary use, a commercial entertainment facility on the above noted site which is zoned C4.

Please do not hesitate to contact me should you have any questions or require further clarification of Council's decision in this regard.

Sincerely,



Kelly Kloss
City Clerk

/clr
attchs.

c Principal Planner
Land and Economic Development Manager
Council & Committee Secretary, S. Ladwig

The City of Red Deer

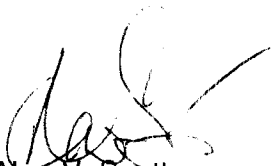
Item No. 1
Reports

DATE: March 24, 1998
TO: Kelly Kloss, City Clerk
FROM: Alan Scott, Land and Economic Development Manager
RE: **PARTIAL DISPOSAL OF MUNICIPAL RESERVE
PLAN 892-2465**

To facilitate a residential development for Melcor Developments in Deer Park Estates, Dietz Close (Phase 7D), it is necessary to request the partial disposal of Part of Lot 1 MR, Block 11, Plan 892-2465. This new plan has been reviewed by Parkland Community Planning Services and the City Engineering Department; neither expressed any concern.

RECOMMENDATION

The Land and Economic Development Department recommends that Red Deer City Council approve the partial disposal of Lot 1 MR, Block 11, Plan 892-2465, containing 18.50 m², required for lane extension.



Alan V. Scott

PAR/mm

DATE: March 24, 1998
TO: Kelly Kloss, City Clerk
FROM: Alan Scott, Land and Economic Development Manager
RE: **CANCELLATION OF LANE TURN AROUND
PLAN 892-2465
Road Closure Bylaw No. 3209/98**

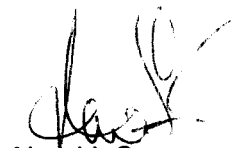
To facilitate a residential development for Melcor Developments in Deer Park Estates, Dietz Close (Phase 7D), it is necessary to request a closure of part of the lane turn around, registered by Plan 892-2465.

The area to be closed is 202.5 m² will be incorporated into lots 42 and 43. With this incorporation, a realignment of lot boundaries was necessary and an additional lot (46A) has been added to the original design layout.

This new plan has been reviewed by Parkland Community Planning Services and the City Engineering Department; neither expressed any concern.

RECOMMENDATION

The Land and Economic Development Department recommends that Red Deer City Council approve the cancellation of the lane turn around in Plan 892-2465, on the condition that the 202.5 m² is consolidated into the proposed Lots 42 and 43.



Alan V. Scott

PAR/mm

N

EN OF THE

C.14, TWP.38, RGE.27, W.4th. M

R T A

DAVISON DRIVE

DUMAS

R DEVELOPMENTS LTD.

RA ENGINEERING LTD.

11x17 VERSION SCALE: 1:1000 m.

3½x11 VERSION SCALE: NOT TO SCALE.

202.5 m2 AREA TO BE
INCORPORATED IN NEW
LOTS FROM REQUIRED
CLOSURE OF LANE R.O.W.

1 M.R.

18.50 m2 OF AREA TO BE ADDED
TO LANE VIA 1.0 m DISPOSITION
OF RESERVE.

IN METRES AND DECIMALS THEREOF.

CURVES ARE ARC MEASUREMENTS.

AND WERE DERIVED FROM ASCMS 59857 AND 154039.
RE 5.00m UNLESS SHOWN OTHERWISE.

OF CURVES ARE SHOWN THUS —
 BY THIS PLAN IS OUTLINED THUS —

DTS:

PHASE 7C = 1.400 Ha. (17 LOTS)

PHASE 7D = 1.525 Ha. {17 LOTS}

MAR 17 1998

38-27-W4

2

1 M.R

REVISED: MAR 16/1998
REVISED: OCT 22/1997
REVISED: OCT 17/1997
PREPARED: SEPT 15/1997

AL-TEFRA

ENGINEERING LTD.

EDMONTON

RED DEER

\\PROJS\DEERPARK\DP7CD-TB

Comments:

We concur with the recommendations of the Land and Economic Development Manager relative to the cancellation of the lane turn around and municipal reserve.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

Council Decision - April 6, 1998 Meeting

DATE: April 7, 1998

TO: Land and Economic Development Manager

FROM: City Clerk

RE:

1. *Partial Disposal of Municipal Reserve / Part of Lot 1 MR, Block 11, Plan 892-2465 / Deer Park Estates - Phase 7D / Melcor Developments / Dietz Close*
2. *Request for Closure of Part of Lane Turn Around / Plan 892-2465 / Deer Park Estates - Phase 7D / Road Closure Bylaw No. 3209/98*

Reference Report:

Land and Economic Development Manager,
dated March 24, 1998

Resolution:

"RESOLVED that Council of The City of Red Deer, hereby agrees that the following resolution be considered at the Council Meeting of Monday, May 4, 1998, to allow for the advertising of a Public Hearing to be held on Monday, May 4, 1998 for the disposal of municipal reserve lands as noted:

RESOLVED that Council of the City of Red Deer, having considered report from the Land and Economic Development Manager dated March 24, 1998, re: Partial Disposal of Municipal Reserve - Part of Lot 1 MR, Plan 892-2465 / Deer Park Estates - Phase 7D / Dietz Close (Melcor Developments), hereby approves the disposal of municipal reserve lands described as:

'Part of Lot 1 MR, Block 11, Plan 892-2465,
containing 18.50 m²,'

and as presented to Council April 6, 1998."

Bylaw Readings:

Road Closure Bylaw No. 3209/98 was given 1st reading, a copy of which is attached hereto.

Report Back to Council Required:

Yes, Public Hearings to be held Monday, May 4, 1998 at 7:00 p.m.

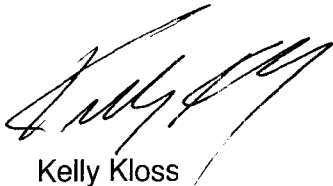
Land and Economic Development Manager
April 7, 1998
Page 2

Comments/Further Action:

Road Closure Bylaw No. 3209/98 provides for the closure of part of the lane turn around, registered by Plan 892-2465 to facilitate a residential development by Melcor Developments in Deer Park Estates, Dietz Close - Phase 7D.

The Disposal of Municipal Reserve regarding Part of Lot 1 MR, Block 11, Plan 892-2465 is also being requested to facilitate this residential development in Deer Park Estates - Phase 7D, Dietz Close.

This office will now proceed with the advertising for Public Hearings. Our office has advised Melcor Developments, via letter, that they will be responsible for the advertising costs in these instances.



Kelly Kloss
City Clerk

/clr
attchs.

- c Director of Development Services
- Director of Community Services
- E. L. & P. Manager
- Fire Chief/Manager Emergency Services
- City Assessor
- Principal Planner
- Council and Committee Secretary, S. Ladwig

FILE

Office of the City Clerk

April 7, 1998

Box 5008
Red Deer, Alberta
T4N 3T4

Melcor Developments Ltd.
Mr. Guy Pelletier
#502, 4901 - 48 Street
Red Deer, AB T4N 6M4

Dear Sir:

- RE: 1. Partial Disposal of Municipal Reserve / Part of Lot 1 MR, Block 11,
Plan 892-2465 / Deer Park Estates - Phase 7D / Melcor Developments
/ Dietz Close**
- 2. Request for Closure of Part of Lane Turn Around / Plan 892-2465 / Deer
Park Estates - Phase 7D / Road Closure Bylaw No. 3209/98**
-

At the City of Red Deer's Council Meeting held April 6, 1998, 1st Reading was given to Road Closure Bylaw No. 3209/98, a copy of which is attached hereto. As well, following the Public Hearing, the following resolution was passed:

"RESOLVED that Council of The City of Red Deer, hereby agrees that the following resolution be considered at the Council Meeting of Monday, May 4, 1998, to allow for the advertising of a Public Hearing to be held on Monday, May 4, 1998 for the disposal of municipal reserve lands as noted:

'RESOLVED that Council of the City of Red Deer, having considered report from the Land and Economic Development Manager dated March 24, 1998, re: Partial Disposal of Municipal Reserve - Part of Lot 1 MR, Plan 892-2465 / Deer Park Estates - Phase 7D / Dietz Close (Melcor Developments), hereby approves the disposal of municipal reserve lands described as:

'Part of Lot 1 MR, Block 11, Plan 892-2465,
containing 18.50 m²,'

and as presented to Council April 6, 1998."

Road Closure Bylaw No. 3209/98 provides for the closure of part of the lane turn around, registered by Plan 892-2465 to facilitate a residential development by Melcor Developments in Deer Park Estates, Dietz Close - Phase 7D.

The Disposal of Municipal Reserve regarding Part of Lot 1 MR, Block 11, Plan 892-2465 is also being requested to facilitate this residential development in Deer Park Estates - Phase 7D, Dietz Close.

4914 - 48th Avenue, Red Deer, AB Canada T4N 3T4

Tel: (403) 342-8132 Fax: (403) 346-6195 E-mail: cityclerk@city.red-deer.ab.ca Web: <http://www.city.red-deer.ab.ca>

The City of Red Deer


Melcor Developments Ltd.
April 7, 1998
Page 2

This office will now proceed with the advertising for a Public Hearing to be held on Monday, May 4, 1998 at 7:00 p.m., or as soon thereafter as Council may determine, in the Council Chambers of City Hall.

In accordance with the Land Use Bylaw, you are required to deposit with the City Clerk, prior to public advertising, an amount equal to the estimated cost of advertising, which in this instance is \$600. We require this deposit by no later than 10:00 a.m., Wednesday, April 15, 1998, in order to proceed with the advertising. Once the actual cost of advertising is known, you will either be invoiced for or refunded the difference.

If you have any questions or require additional information, please do not hesitate to call me.

Sincerely,



Kelly Kloss
City Clerk

/clr
attchs.

c Land and Economic Development Manager
Principal Planner
Council and Committee Secretary, S. Ladwig

→ Directed to
Peter Robinson & R.

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO	0139
CONNECTION TEL	3437510
SUB-ADDRESS	
CONNECTION ID	MELCOR DEVOLMENT
ST. TIME	04/08 12:12
USAGE T	01'21
PGS.	3
RESULT	OK

FILE

Office of the City Clerk

April 7, 1998

Melcor Developments Ltd.
 Mr. Guy Pelletier
 #502, 4901 - 48 Street
 Red Deer, AB T4N 6M4

Dear Sir:

- RE: 1. Partial Disposal of Municipal Reserve / Part of Lot 1 MR, Block 11,
 Plan 892-2465 / Deer Park Estates - Phase 7D / Melcor Developments
 / Dietz Close**
- 2. Request for Closure of Part of Lane Turn Around / Plan 892-2465 / Deer
 Park Estates - Phase 7D / Road Closure Bylaw No. 3209/98**

At the City of Red Deer's Council Meeting held April 6, 1998, 1st Reading was given to Road Closure Bylaw No. 3209/98, a copy of which is attached hereto. As well, following the Public Hearing, the following resolution was passed:

"RESOLVED that Council of The City of Red Deer, hereby agrees that the following resolution be considered at the Council Meeting of Monday, May 4, 1998, to allow for the advertising of a Public Hearing to be held on Monday, May 4, 1998 for the disposal of municipal reserve lands as noted:

'RESOLVED that Council of the City of Red Deer, having considered report from the Land and Economic Development Manager dated March 24, 1998, re: Partial Disposal of Municipal Reserve - Part of Lot 1 MR, Plan 892-2465 / Deer Park Estates - Phase 7D / Dietz Close (Melcor Developments), hereby approves the disposal of municipal reserve lands described as:

'Part of Lot 1 MR, Block 11, Plan 892-2465,



Box 5008
 Red Deer, Alberta
 T4N 3T4

The City of Red Deer

DATE: March 31, 1998

TO: City Clerk

FROM: Director of Development Services

**RE: WESTERNER EXPOSITION ASSOCIATION
USE OF EXISTING LANDFILL**

It is estimated that the present landfill will reach capacity in 2001 - 2002. It is likely that we will start construction and use of the new site before the old one is complete.

The Westerner Association has for a number of years expressed an interest in acquiring the old landfill site for expansion purposes. The primary use would likely be for increased parking.

Over the last few weeks, the executive of the Westerner Board and a subcommittee of the Planning and Development Committee of The Westerner have approached City Administration and the Mayor to pursue this matter. It would be their wish that City Council agree to add the old landfill site to their present lease at no additional cost to the Westerner. They would like to have Council's position on this before they invest funds in site development plans. As stated earlier, their present preliminary plans are to construct additional parking, perhaps some sports fields, and a structure over the creek to accommodate the movement of people.

The site presently is an asset to the Solid Waste Utility. There is presently some income generated from the rental of finished areas for crops. Upon completion and closing of the site, more area could be added to the agricultural lease and the income increased. The total income would not be great. Development on the site is very limited because it is a landfill site; structures with significant foundations could not be constructed over fill areas. The one exception to this is the site presently occupied by The County of Red Deer. This site has never been landfilled, and although its proximity to the landfill site limits its uses, there are certainly more options than for the rest of the site. It would be our opinion that whatever deal is made for the site with the Westerner, that this site be excluded.

The Recreation, Parks, and Culture Department is interested in the site as well. They consider it to be a potentially good site for sports fields. They are presently considering whether or not they would like to construct and manage the fields themselves, or whether it would be satisfactory to let the Westerner do that. It may be that, depending upon the plans of the Recreation, Parks, and Culture Department, that Council may wish to lease a portion of the site to the Westerner and retain a portion for City purposes. This arrangement could be determined in an agreement between the two parties. The City also indicated to Westerner representatives that the creek area is sensitive and valuable and any plans for development must consider this. In the longer term, it would be The City's intent to extend the trail system through this area.

City Clerk
Page 2
March 31, 1998

RECOMMENDATION

It is respectfully recommended that all or a portion of the current landfill site be turned over to the Westerner under the terms of the current lease subject to the following conditions:

1. The site will not be available until the Public Works Department declares the site to be closed.
2. The City to continue to have access to the site to carry out post closure monitoring activities.
3. Addition of the site to the current lease would be subject to the Westerner and the Recreation, Parks, and Culture Department concluding a mutually satisfactory agreement that accommodates the objectives of each group.
4. The present County of Red Deer site would not be included in the areas added to the lease.
5. The creek and natural area be protected to the satisfaction of the Recreation, Parks, and Culture Department
6. City Council have an opportunity to review and approve the proposed plans and uses the Westerner intends to place on the site.
7. The City of Red Deer would assume no responsibility for the costs associated with the Westerner's planned development.



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

BCJ/emr
c. Director of Community Services
c. Public Works Manager

Comments:

We concur with the recommendations of the Director of Development Services.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

Council Decision - April 6, 1998 Meeting

DATE: April 7, 1998

TO: Director of Development Services

FROM: City Clerk

RE: Westerner Exposition Association - Use of Existing Landfill

Reference Report:

Director of Development Services, dated
March 31, 1998

Resolution:

"RESOLVED that Council of The City of Red Deer, having considered report from the Director of Development Services dated March 31, 1998, re: Westerner Exposition Association Use of Existing Landfill, hereby agrees that all or a portion of the current landfill site be turned over to the Westerner Exposition Association under the terms of the current lease, subject to the following conditions:

1. That said site not be available until the Public Works Department declares the site to be closed;
2. That the City will continue to have access to the site to carry out post closure monitoring activities;
3. That the addition of the site to the current lease would be subject to the Westerner and the Recreation, Parks and Culture Department concluding a mutually satisfactory agreement that accommodates the objectives of each group;
4. The present County of Red Deer site not be included in the areas added to the lease;
5. That the creek and natural area be protected to the satisfaction of the Recreation, Parks and Culture Department;
6. That the proposed plans and uses the Westerner intends to place on the site be presented to Council to afford them an opportunity to review and approve the proposed plans;
7. The City of Red Deer will assume no responsibility for the costs associated with the Westerner's planned development,

and as presented to Council April 6, 1998."

Director of Development Services
April 7, 1998
Page 2

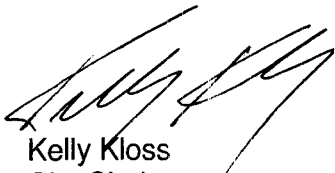
Report Back to Council Required:

Yes

Comments/Further Action:

As directed above, it is requested that Council be given the opportunity to review the proposed plans and uses the Westerner intends to place on this site so as they may consider final approval of same.

I anticipate that you will be supplying the Westerner with a copy of Council's decision as well as keeping Council apprised of the progress in this regard.



Kelly Kloss
City Clerk

/clr

c Director of Community Services
 Public Works Manager
 Recreation, Parks and Culture Manager

THE WESTERNER

exposition association

*file
Cnsal*

4847A - 19th STREET, RED DEER, ALBERTA, CANADA T4R 2N7
TELEPHONE (403) 343-7800 FAX (403) 341-4699

September 24, 1996

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

Attention: Mr. Kelly Kloss
City Clerk

Dear Mr. Kloss;

On behalf of the Planning and Development Committee and the Board of Directors of the Westerner Exposition Association, I wish to formally advise the City of Red Deer of our desire to acquire and manage the existing Landfill site, immediately adjacent to the Westerner site, at such time as it is no longer required for its current usage.

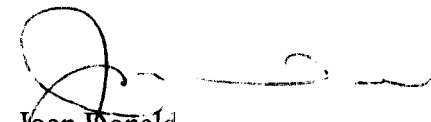
In our letter to the Parkland Community Planning Services, dated July 5, 1996, we outlined possible uses for this site, which we felt may be viable and that would enhance the facilities available in Red Deer. We have since established an Ad Hoc Sub Committee of our Planning and Development Committee which is responsible for Long Term Planning. A key component of their mandate is to establish a formal plan for the development of the Landfill site.

Our Long Term Planning Sub Committee has been instructed to develop a plan for this site by the end of December of this year. At that time, we will be in a position to make a formal presentation to the City of Red Deer on the intended uses for the site.

We look forward to sharing our plans and goals with the City of Red Deer at that time.

Should you have any questions or comments, please contact either myself or John Harms, General Manager at the Westerner at 343-7800.

Yours sincerely,



Joan Donald
President

JD/dfm



THE CITY OF RED DEER

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

FAX: (403) 346-6195

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

October 3, 1996

Joan Donald President
The Westerner Exposition Assoc.
4847A - 19th Street
Red Deer, AB T4R 2N7

Dear Ms. Donald:

Thank you for your letter dated September 24, 1996, regarding the future use of the existing Landfill Site.

I will be circulating your letter to members of Council and the administration for their information. I look forward to receiving the Westerner's formal proposal regarding this site in due course.

Should you have any questions regarding this matter, please don't hesitate to contact me.

Sincerely,

KELLY KLOSS
City Clerk

KK/lb



*a delight
to discover!*

DATE: October 25, 1996
TO: City Clerk
FROM: Public Works Manager

RE: THE WESTERNER - FUTURE USE OF EXISTING LANDFILL SITE

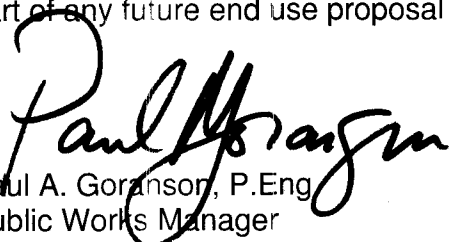
We are strongly in favour of developing a long-term, end use plan for the current landfill site and agree that proposals from the Westerner Association should be considered.

As part of this consideration, it is important that the following items be addressed:

1. The land and site were purchased by, and are owned by, the Solid Waste Utility. Therefore, any lease/purchase revenue should be returned to the Utility.
2. The airspace, which is the volume used for solid waste disposal, has a value to the Utility and any airspace not available for disposal of waste, due to an end use plan, has a cost associated with it.
3. Any reduction in available airspace may accelerate the required opening of the new landfill site. There would be costs associated with increased carrying costs, due to accelerated capital expenditures.

RECOMMENDATION

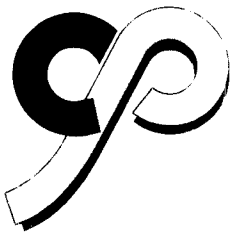
We respectfully recommend that the above mentioned items be considered by Council as part of any future end use proposal for the existing landfill site.



Paul A. Goranson, P.Eng
Public Works Manager

/blm

c Director of Development Services
 Director of Community Services
 Director of Corporate Services
 Recreation, Parks & Culture Manager
 Principal Planner



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Suite 500, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570

DATE: October 11, 1996

TO: KELLY KLOSS, CITY CLERK

FROM: TONY LINDHOUT, PLANNER

**RE: WESTERNER ASSOCIATION LETTER OF SEPTEMBER 24, 1996
FUTURE USE OF EXISTING LANDFILL SITE**

Several years ago City Council requested a study be undertaken to determine the end use of the current landfill site and therefore identified the need to prepare a multi-use concept plan for this site. A Committee to oversee the preparation of a concept plan was formed three years ago but it has only been recently that this Committee has begun to meet regularly. The Committee consists of representatives from the following City Departments/agencies:

- | | |
|----------------------|--|
| * Public Works | * Recreation, Parks & Culture |
| * Engineering | * Parkland Community Planning Services |
| * Community Services | * Westerner Association |

Early planning objectives for the landfill site identified private recreational preferences, the desire to accommodate certain interests of the Westerner Association (subject to a lease agreement with the City) and the need to protect and manage the existing natural environment. Due to the landfills' proximity to the Westerner grounds and their interest in expanding portions of their operation, the entire Westerner site has been included in the study area. The study area (see attached map) therefore comprises of the developed Westerner grounds, an extensive natural area that contains Piper Creek, and the landfill site itself containing areas that have been reclaimed as well as portions which are still actively being filled.

The concept plan will deal with such issues as the road network, environmental conservation, level of services, types of land uses on fill areas, final closure and reclamation of site, any associated and projected costs and other matters that the City has deemed necessary. No permanent building structures will be permitted on the landfill site due to surface settlement and other health and safety related matters. The Plan will encourage and promote an orderly development of the landfill site in a manner that will minimize both City capital and social costs.

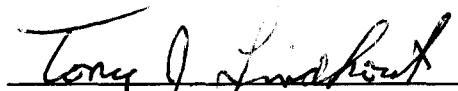
The Westerner Association through their Planning and Development Committee are examining their long term needs including possible expansion onto the landfill site (i.e parking, RV camping, etc.). This Committee anticipates completion of their work by the end of 1996. If City Council gives approval for Westerner use of all or part of the landfill site, their development proposals will be considered for incorporation into the final end use Concept Plan for the landfill site.

It is anticipated that once a draft Concept Plan is available (spring '97) including all related costs, the following process will be used:

- * plan circulated to all applicable city departments, boards and agencies
- * plan to be forwarded and discussed with Council at a closed session
- * community input through a public participation component
- * final plan forwarded to an open Council meeting for City approval.

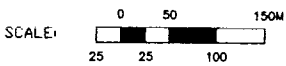
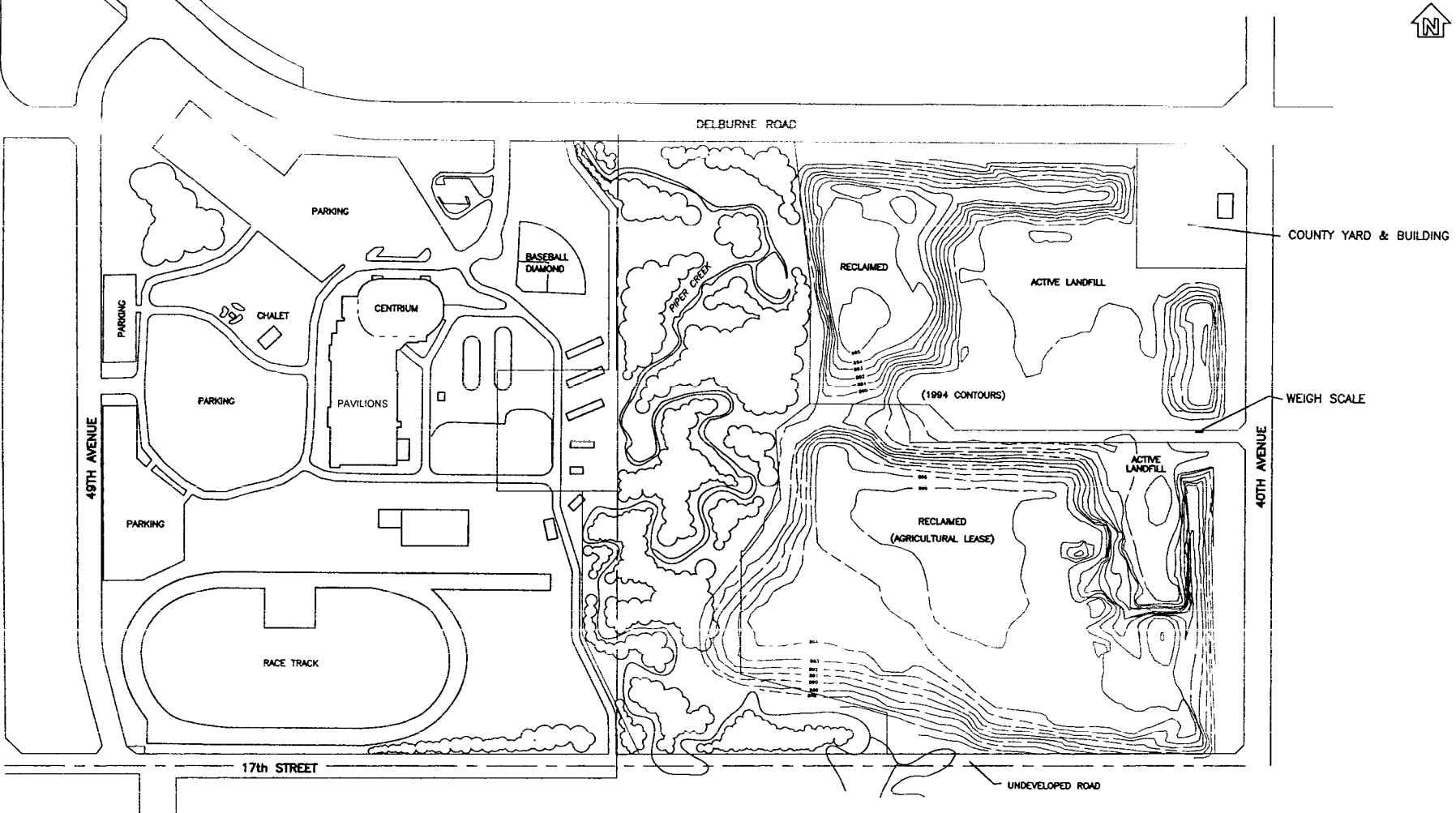
Recommendation

Planning staff recommend that no action be taken at this time pending the completion of the Westerner Planning and Development Committee's study of anticipated long term needs relating to the existing landfill site. The Westerner has indicated that once their long range development plan has been completed by the end of December, they would wish to make a formal presentation to City Council including possible discussion concerning lease/purchase of landfill lands.


Tony J. Lindhout, ACP, MCIP
PLANNER

- c.c. - Director of Community Services
 - Director of Development Services
 - Public Works Manager
 - Westerner Association (General Manager John Harms)

LANDFILL RECLAMATION CONCEPT PLAN



EXISTING FEATURES
MAP 1

DATE: November 6, 1996

TO: KELLY KLOSS
City Clerk

FROM: LOWELL R. HODGSON
Community Services Director

RE: WESTERNER EXPOSITION ASSOCIATION:
INTEREST IN LANDFILL SITE

As I understand it, I am preparing these notes for the consideration of the City Manager, as he will meet with the Westerner Exposition Board for some exploratory discussions relative to the landfill site.

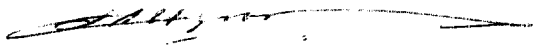
Much has changed over the last few years with respect to the development of community service facilities, as well as their operations. Much has changed, as well, with respect to interest we might have had for the use of the landfill site once it is capped. At one time, this Division and the Recreation, Parks & Culture Department, specifically, expressed strong interest in having access to this site for the development of sportsfields and another athletic park. It was felt that pressure would continue to build on Great Chief Park and there would be need for additional competitive sportsfields that could be used to accommodate tournament play. Since major structures could not be developed on this site, it was felt to be well suited for sportsfields, a toboggan hill, and so on.

Since that time, our moratorium on new facility construction has been in place and we are working with the sport community in very different ways and, in fact, encouraging them to develop their own sportsfields to complement what exists at Great Chief Park, with our best example being the Edgar Athletic Park. There, we are cooperating with the Red Deer Minor Baseball Association, Central Alberta Slo-Pitch Association and the Red Deer Minor Soccer Association. Edgar Athletic Park will accommodate significant tournament use, but, equally significant, it will be operated by those sporting groups at their expense, rather than that of the taxpayer. Thus, there is not the same need for sportsfields on the landfill site that had earlier existed.

In consideration of other uses that there might be for this landfill site, we have considered commercial recreation use, where we might lease land to entrepreneurs for the development of such things as a golf driving range, miniature golf course and other carnival type activities. We have no way of knowing at this time whether, in fact, there would be interest in this. However, we saw this as a possibility as we are, of course, concerned with not incurring additional operating costs for the Division or the department. Thus, the strong interest we had at one time is perhaps not nearly so strong today.

We have tried, however, to be supportive of the Westerner in their consideration of this site, as it seems it could assist them in providing some additional parking space, the possibility of recreation vehicle parking, extensions to our Waskasoo Park trail system, and even their expressed interest in an amphitheatre for major events/concerts. We have not, however, given any consideration to the cost of leaving part of this site unfilled in order to accommodate a large, outdoor amphitheatre, but we do see value in having a facility like that if the resources were there from the City, the Westerner, or from anyone else, to develop and operate it.

In summary, our major interest is in Waskasoo Creek that divides the existing Westerner site from the landfill site. Indeed, we want that to be protected and maintained in its natural state, with appropriate trail development extending what already exists in Waskasoo Park. Beyond that, we have no interest in the landfill site for our own purposes, but we are, of course, interested in seeing that it is used in the most appropriate way without its being a tax burden for the City.



LOWELL R. HODGSON

:dmg

c. Don Batchelor, Rec., Parks & Culture Manager

DATE: October 3, 1996

TO: X DIRECTOR OF COMMUNITY SERVICES
X DIRECTOR OF CORPORATE SERVICES
X DIRECTOR OF DEVELOPMENT SERVICES
CITY ASSESSOR
E. L. & P. MANAGER
ENGINEERING DEPARTMENT MANAGER
FIRE CHIEF (EMERGENCY SERVICES)
INFORMATION TECHNOLOGY SERVICES MANAGER
INSPECTIONS AND LICENSING MANAGER
LAND AND ECONOMIC DEVELOPMENT MANAGER
PERSONNEL MANAGER
X PUBLIC WORKS MANAGER
R.C.M.P. INSPECTOR
X RECREATION, PARKS & CULTURE MANAGER
SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
X PRINCIPAL PLANNER
CITY SOLICITOR

FROM: CITY CLERK

RE: THE WESTERNER - FUTURE USE OF EXISTING LANDFILL SITE

Please submit comments on the attached to this office by October 28, 1996, for the Council Agenda of November 4, 1996.

"Kelly Kloss"

City Clerk

DATE: March 31, 1998

TO: City Council

FROM: Greg LeBlanc
Exempt Compensation
Project Leader

Grant Howell
Personnel Manager

RE: Exempt Pay Policy

INTRODUCTION

In late 1996, The Personnel Department launched a project, with Council approved funding, to review the Exempt Compensation Program and to replace the Exempt Position Evaluation System in use at that time. The project has resulted in a new program that has been recently approved by the Senior Management Team, contingent upon Council's approval of the Exempt Pay Policy. The purpose of this report is to seek Council's approval of the Exempt Pay Policy.

WHY?

The City of Red Deer has been in the process of developing a new Compensation Program for its Exempt (Management Staff) for over a year. A key component of any sound compensation program is the organization's compensation philosophy or how it will decide to pay in comparison to other employers.

RECOMMENDATION

Exempt Pay Policy

We recommend approval of an Exempt pay policy which states:

For Exempt Staff, we will use the median of similar jobs in organizations we compare with to set our pay policy line.

RATIONALE

- We can attract above average staff to The City of Red Deer by paying median (middle) salary rates because Red Deer is an attractive place to live.
- This policy recognizes the importance of paying fairly at the same time it recognizes the need to keep public sector salary costs reasonable.

It is especially important to pay competitively today and in the near future given:

- the increasingly competitive Alberta labour market.
- our need to attract qualified candidates to Exempt staff vacancies. Over 30% of our Exempt staff will retire in the next 5 years.

IMPACT

New Exempt Pay policy effective April 6, 1998.

1. Bringing salaries in line with the pay policy (median) will cost \$20,000 less than the \$300,000 already allocated in the 1998 budget for that purpose. No additional budget would be required for 1998.
2. It would move us to our desired competitive position.

BACKGROUND PROCESS

In 1990, a study was undertaken by William M. Mercer, Limited (a compensation consultant) in which the following observations were made:

Flaws with Old Evaluation System

- criteria used to differentiate positions were flawed.
- could not withstand a pay equity challenge should the Province introduce such legislation.
- changes in expectations regarding education and experience criteria had increasingly caused rating difficulties.

Flaws with Old Salary Structure

- salary structure was overly responsive to minor changes in job content resulting in unnecessary reclassification.
- too many salary ranges to permit effective and/or efficient salary administration.
- range lengths were too short to permit flexibility and recognition for differing levels of competence.

The system had been designed with a life expectancy of 5 to 7 years but had been in use for almost 17 years. The fact that the system had lasted so long was a result of the manner in which the system application had been controlled rather than the inherent strengths of the evaluation system. It was time to replace it.

Phase 1

Consultants Hired

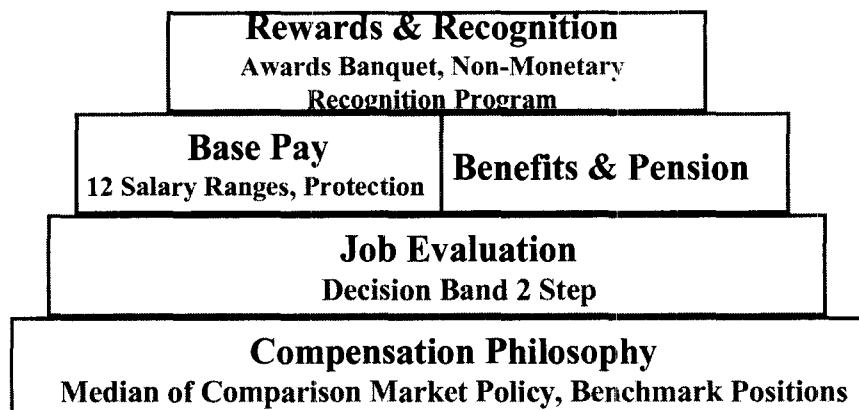
Ernst & Young was hired to complete a salary survey and to suggest compensation program options for review.

Phase 2

Options Evaluated

Many hours were spent looking at different options for salary structures, internal equity systems, external comparison approaches, and variable pay. A total compensation system development model, which outlined the basic building blocks that a successful system must consider, was used.

The resulting program can best be outlined using the framework of the total compensation system development model:




To begin the process of comparing salaries to other companies a list of 30 job capsules was developed with the consultant. The survey results showed 24 jobs could be matched so these became “benchmark” jobs which will be used for future comparisons. The consultants told us that it was an exceptionally strong survey since almost 35% of exempt positions were included in the survey (i.e., 24 of 70) whereas others have had to rely on as little as 10%. This gives us greater confidence in knowing how we compare to our “market”.

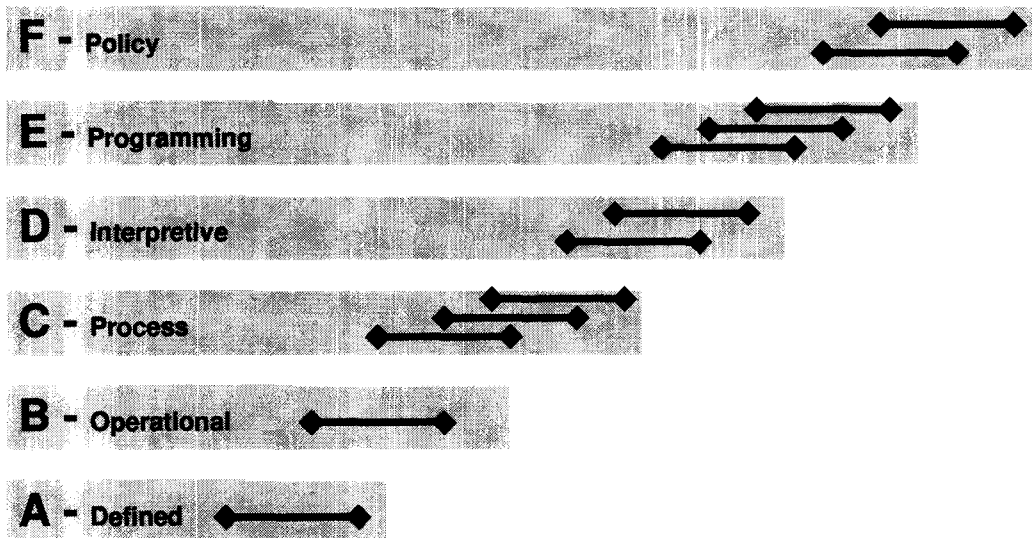
The consultant suggested the organizations considered in the comparison. The comparison included organizations with which The City competes for staff, a mix of private and public sector organizations and a mix of local and provincial organizations. Seven of the organizations are municipalities similar in size to Red Deer.

The survey indicated that, overall, Exempt staff were 3.85% behind the median of the comparison market (based on the 24 benchmark salary comparisons). This information was combined with the results of an internal evaluation of jobs (Decision Band 2 Step) which included all 70 Exempt jobs so that a salary model could be developed.

The organization’s culture is moving more in the direction of teamwork, with examples of cross functional task teams and integrated services such as the Development Services Centre. To promote this culture it makes sense to have more homogeneity in pay. Our E&Y consultant gave examples of much larger Alberta companies, such as Telus, with fewer than 10 salary ranges. Several salary range structures were modeled to test the fit of market survey data with the internal evaluation results. The approved structure had 12 separate ranges.

Decision Bands

12 Salary Ranges 80%  100%



To provide more flexibility in salary administration a broader salary range was also adopted. A single range now extends from 80% to 100% of the evaluated rate instead of from 85% to 100%.

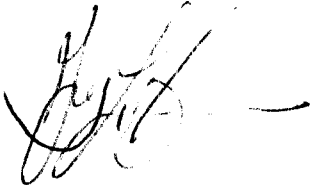
The final step in the process was to establish the dollar value of the ranges. The consultant used information derived from the external salary survey and established 12 appropriate ranges in which to place the 70 exempt positions.

RECOMMENDATION

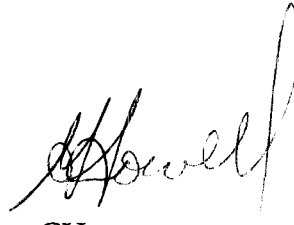
Exempt Pay Policy

For Exempt Staff, we will use the median of similar jobs in organizations we compare with to set our pay policy line.

Submitted for your approval,



GL



GH

Comments:

We recommend that Council approve the Policy as recommended in the report. Council should note that the 1998 economic adjustment applied to exempt staff salary ranges was 3%.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

COUNCIL MEETING OF APRIL 6, 1998

**ATTACHMENT TO REPORT
APPEARING ON THE OPEN AGENDA**

RE:

Exempt Compensation Policy

Exempt Compensation Policy Questions and Answers

1. Why is Council being asked to consider this policy now?

The City is facing a significant challenge in attracting and retaining competent employees given the rapid expansion that's occurring across Alberta and in a number of our local industries. We're also faced with the retirement of approximately one-third of our management staff over the next five years.

The City has to remain reasonably competitive in order to maintain a skilled workforce. In general, exempt staff are currently paid below the median (middle rate) of a number of other municipal, local and provincial organizations. Maintaining a competent and skilled workforce is very important to the ongoing viability of the organization.

The City's exempt compensation program is currently being revised. A key component of any sound compensation program is the organization's compensation philosophy (how it decides to pay in comparison to other employers).

2. Why was the City's compensation program reviewed?

The City's pay structure is outdated and in need of significant revision. It has not been revised for almost 17 years. The old compensation program did not evaluate exempt positions effectively and it did not adequately consider the impact of the market on salaries. The new salary structure considers internal factors, including the type of decisions made within the organization, as well as salaries of other organizations.

3. What is the new salary policy that Council is considering?

Council is considering a policy that will use the median (middle rate) of similar jobs in other organizations we compare with to help set our exempt staff salary ranges.

4. How many staff would be impacted by the new salary policy?

73 exempt employees would be impacted by the policy. Exempt staff include a wide range of employees including certain professional staff, supervisors and senior managers. The City has approximately 550 employees in total.

5. When would the policy take effect?

If approved, the pay at the median policy would take effect April 6, 1998. It would not be retroactive.

6. **How do exempt staff salaries compare with other organizations?**
Based on market comparisons of 18 organizations and 24 positions, the market survey indicated that generally, Exempt City staff are paid below average and below the median salary. On average, Exempt City staff are paid about 3.85% below the market median based on 1997 salaries.
7. **How were the 18 comparison organizations chosen?**
The consultant suggested the organizations considered in the comparison. The comparison included organizations with which The City competes for staff, a mix of private and public sector organizations and a mix of local and provincial organizations. Seven of the organizations are municipalities similar in size to Red Deer.
8. **Is staff turnover increasing?**
Although data is only available for the first two months of 1998, early figures indicate that staff turnover is increasing. In the first two months of 1998 The City's turnover rate was 10% (annualized) compared with 4.6% for 1997 and 4.2% for 1996. The number of staff retiring in the next several years will keep turnover rates high and force the City to compete for staff in a competitive market.
9. **Are positions becoming more difficult to fill?**
In general, it is taking longer to staff technical and professional positions than it has in the past. More candidates are also rejecting positions because they feel the salary is inadequate. A good example of increased difficulty in staffing positions is the Energy Analyst position. The City has recruited for the position twice but has not yet been successful in filling the position.
10. **What is the additional cost of paying at the median in 1998?**
The additional cost of bringing The City of Red Deer salaries up to the market median can be accommodated within the 1998 budget. The cost of bringing salaries up to the median in 1998 is \$280,000 (\$20,000 less than the \$300,000 allocated for exempt salary adjustments and implementation costs in the 1998 budget). Because the market survey was based on 1997 market data, part of the additional cost includes a 3% adjustment (\$112,000 for the remainder of 1998) to make the salaries relevant for 1998.
11. **How would individual staff be impacted by the policy?**
Because the new compensation system considers internal decision making responsibilities as well as market comparisons, the impact on staff would vary. The majority of staff would receive increases while some staff would be negatively impacted. Those negatively impacted would remain at their current salary until their new position salary range exceeds their current salary.

FILE

Council Decision - April 6, 1998 Meeting

DATE: April 7, 1998
TO: Personnel Manager
Exempt Compensation Project Leader
FROM: City Clerk
RE: *Exempt Pay Policy*

Reference Report: Personnel Manager and Exempt Compensation
Project Leader, dated March 31, 1998


Resolution:

"RESOLVED that Council of The City of Red Deer, having considered report from the Personnel Manager and Exempt Compensation Project Leader dated March 31, 1998, hereby agrees that, effective April 6, 1998, for Exempt Staff, the City of Red Deer will use the median of similar jobs in organizations that Red Deer compares itself with to set its pay policy line."

Report Back to Council Required: No

Comments/Further Action:

As noted above, the Exempt Pay Policy as submitted to Council April 6, 1998 is effective as of April 6, 1998


Kelly Kloss
City Clerk

/clr

c Director of Corporate Services
Director of Community Services
Director of Development Services

Item No. 4

DATE: March 25, 1998

TO: Council

FROM: City Clerk

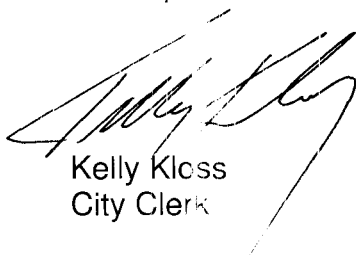
**RE: FEDERATION OF CANADIAN MUNICIPALITIES CONFERENCE -
JUNE 5 - 8, 1998 - CALL FOR RESOLUTIONS**

In preparation for the upcoming conference of the Federation of Canadian Municipalities, I have inquired as to the status of the Call for Resolutions which should have been forwarded to us well in advance of this conference. Apparently, the Call for Resolutions was made in December, 1997 with the deadline being February 6, 1998. For some reason, the Federation of Canadian Municipalities missed the City of Red Deer in their mail out. Upon identifying this oversight to the Federation they have faxed the attached for your consideration.

The Federation has suggested that if Council wishes to present a resolution, this should be done as soon as possible. The Federation's executive will be asked to consider the inclusion, at the June conference, of any resolutions put forward by Council. Unfortunately, due to the passing of the deadline, resolutions submitted will not be included in the Policy Handbook to be distributed prior to the conference.

RECOMMENDATION

Please bring any resolutions to be forwarded to the Federation of Canadian Municipalities to Council for review and approval.



Kelly Kloss
City Clerk

/fm

attch.



Federation of Canadian Municipalities
Fédération canadienne des municipalités

December 8, 1997

Memorandum to FCM Municipal, Affiliate and Associate and Members

Deputy Mayor Joe Eadie
Winnipeg, Manitoba
President
President

CALL FOR RESOLUTIONS FOR CONSIDERATION BY

Mayor Claude Contin
Quebec, Quebec
President, Vice-president
First Vice-president

A) FCM NATIONAL BOARD OF DIRECTORS, March 5-7, 1998 OR

B) FCM ANNUAL CONFERENCE, JUNE 5-9, 1998

Mayor Léopold Belliveau
Montréal, Québec
Second Vice-President
Deputy vice-president

The FCM Standing Committee on Policies and Resolutions and the National Board of Directors invite members to submit resolutions on topics of **national municipal interest** for debate either at the March 1998 meeting of the FCM National Board of Directors or at the FCM Annual Conference in Regina, Saskatchewan in June, as directed by the sponsor.

Mayor Joanne Monaghan
Kelowna, British Columbia
Third Vice-President
Deputy vice-president

FCM will take a stand on issues which are clearly of **national municipal interest** and which fall within the jurisdiction of the federal government, provincial/territorial governments acting at the interprovincial level, or FCM itself. Indirect municipal issues and local/regional issues will not be supported by major research and lobbying activity, unless otherwise directed by the Annual Conference or by FCM's National Board of Directors.

Deputy Mayor Grant Hopcroft
Edmonton, Alberta
Fourth President of Council
Vice-president of Council

Resolutions must meet the enclosed guidelines and be received in the FCM Secretariat no later than **February 6, 1998**. Strict adherence to this deadline and to the enclosed procedures will ensure the expedient processing of your municipality's resolution(s). All submissions must be supported by background information.

James W. Knight
Executive Director
FCM Secretariat

FCM looks forward to hearing from its members.

Sheila Keating-Nause

Sheila Keating-Nause
Policy and Resolutions

Enclosure





GUIDELINES FOR PRESENTATION OF RESOLUTIONS TO THE FEDERATION OF CANADIAN MUNICIPALITIES

It is by way of resolutions that Municipal, Affiliate and Associate Members bring their concerns to FCM for consideration at the Annual Conference, held in June of each year, or at meetings of the National Board of Directors, held in September, December and March.

Resolutions may be submitted by any municipality or provincial/territorial municipal association which is a member in good standing of the Federation of Canadian Municipalities.

All resolutions endorsed at the Annual Conference or at the National Board of Directors and which require action from the Government of Canada, shall be submitted to the appropriate minister, department or agency for response.

It is therefore important that resolutions be carefully worded so that FCM is directed to take the appropriate action and that the proper message is conveyed.

FCM does not wish to receive resolutions which pit one municipality against another.

Members submitting resolutions regarding Community Safety and Crime Prevention matters are advised to focus on the "principle" of the issue being addressed and avoid attempts to re-word the criminal code.

A national vocabulary should be used at all times when drafting resolutions. Local references may detract from the national significance of resolutions

CONSTRUCTION OF RESOLUTIONS

All members are urged to observe the following guidelines when preparing resolutions for submission to FCM:

- a) FCM will take a stand only on issues which are clearly of national municipal interest and which fall within the jurisdiction of the federal government, the provincial and territorial governments acting at the interprovincial level, or FCM itself. Indirect municipal issues and local/regional issues will not be supported by major research and lobbying activity, unless otherwise directed by the Annual Conference or by FCM National Board of Directors.
- b) The **descriptive clauses** (WHEREAS...) should clearly and briefly set out the reasons for the resolution. If the sponsor believes that the rationale cannot be explained in a few preliminary clauses, the problem should be more fully stated in supporting documentation.
- c) The **operative clause** (BE IT RESOLVED...) must clearly set out its intent stating a specific proposal for any action which the sponsor wishes FCM to take. (i.e. BE IT RESOLVED that FCM urge/endorse/petition...) The wording should be clear and brief. Generalization should be avoided.

- d) **Background information should be submitted with the resolution in most cases.** When a resolution is not self explanatory and when adequate information is not received, FCM staff may return the resolution to the sponsor with a request for additional information or clarification.
- e) **Proof of endorsement by the sponsoring council must accompany the resolution.**

CATEGORIZATION OF RESOLUTIONS

The Standing Committee on Policies and Resolutions will review the resolutions received and categorize them as follows:

- Category A: National municipal issues**
- Category B: Local/regional municipal issues**
- Category C: Issues not within municipal jurisdiction**
- Category D¹: Matters dealt with by FCM in the previous three years and that are in accordance with FCM policy**
- Category D²: Matters dealt with by FCM in the previous three years and that are NOT in accordance with FCM policy**

SUPPLEMENTARY INFORMATION

The Standing Committee on Policies and Resolutions is responsible for receiving and taking action on all resolutions in accordance with the above stated guidelines.

Resolutions which fall within the mandate of an FCM Standing Committee or Task Force will be reviewed by same for the purpose of presenting recommendations to the National Board of Directors or the Annual Conference. Standing Committees and Task Forces are responsible for ensuring that resolutions are compatible with existing policy statements and approved resolutions.



Box 5008

Red Deer, Alberta
T4N 3T4

The City of Red Deer

FILE

Office of the City Clerk

April 7, 1998

Federation of Canadian Municipalities
24 Clarence Street
Ottawa, ON K1N 5P3

Faxed To: (613) 241-7440

Att: Sheila Keating-Nause,
Policy and Resolutions

Dear Ms. Keating-Nause:

RE: FCM - CALL FOR RESOLUTIONS FROM MUNICIPALITIES

At the City of Red Deer's Council Meeting held Monday, April 6, 1998, the following resolution was passed and it was agreed that same be submitted to the Federation of Canadian Municipalities in response to their call for resolutions:

"WHEREAS, concern has been expressed regarding the Federal Government's development of a Multilateral Agreement on Investment;
and

WHEREAS, the Multilateral Agreement on Investment will have an impact on municipalities of Canada; and

WHEREAS, more information is required prior to municipalities supporting or not supporting the Multilateral Agreement on Investment;

THEREFORE BE IT RESOLVED, that the Council of the City of Red Deer hereby requests the Federation of Canadian Municipalities and the Alberta Urban Municipalities Association to review the implications of the Multilateral Agreement on Investment on municipalities and determine a course of action to be taken to ensure the interests of Canadian municipalities are protected."

Please note that this resolution is being submitted past the deadline as The City of Red Deer just recently was provided with correspondence from FCM requesting the submission of resolutions.

Federation of Canadian Municipalities
April 7, 1998
Page 2

As noted above, it would be appreciated if the FCM would *review the implications* of the Multilateral Agreement on Investment on municipalities and determine what course of action should be taken to ensure that the interests of the municipalities are protected. For your information, I have included the information that was presented to Council April 6, 1998.

Please provide your response to this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kelly Kloss', is written over a large, empty rectangular box. The signature is fluid and cursive.

Kelly Kloss
City Clerk

/clr
attchs.

Item No. 5

DATE: March 30, 1998

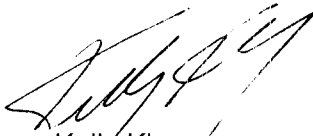
TO: City Council

FROM: City Clerk

RE: ***REQUEST TO FORGIVE AMBULANCE INVOICE - JEREMY JANES***

Mr. Jeremy Janes has requested Council's consideration in cancelling the ambulance invoice he received regarding ambulance services rendered on his behalf.

As in the past, due to the personal nature of this matter, the information has been submitted to Council in confidence.



Kelly Kloss
City Clerk

/clr



Office of the City Clerk

March 23, 1998

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Box 5008

Red Deer, Alberta

T4N 3T4

Jeremy Janes
33 Geene Close
Red Deer, AB T4P 3B4

Dear Mr. Janes:

I am in receipt of your letter dated March 20, 1998 re: Request to Waive Ambulance Invoice. Your letter will be placed on the Red Deer City Council Agenda of Monday, April 6, 1998.

Your request has been circulated to City Administration for comments. A copy of the administrative comments will be available to you prior to the Council Meeting and can be picked up at our office on the second floor of City Hall on Friday, April 3, 1998.

If you wish to be present and/or speak at the Council Meeting, please telephone our office on Friday, April 3rd and we will advise you of the approximate time that Council will be discussing this item. Upon arrival at City Hall, please enter the park side entrance and proceed to the Council Chambers on the second floor.

Council Meetings are open to the general public and are televised live on Shaw Cable, Channel 3. Council Meetings commence at 4:30 p.m., adjourn for the supper hour at 6:00 p.m., and reconvene at 7:00 p.m. Council agendas are available to the public and media from the City Clerk's Department.

If you have any questions or require further assistance, please do not hesitate to contact me.

Sincerely,

Kelly Kloss
City Clerk

KK/fm

DATE: March 23, 1998

TO: DIRECTOR OF COMMUNITY SERVICES

X DIRECTOR OF CORPORATE SERVICES

DIRECTOR OF DEVELOPMENT SERVICES

CITY ASSESSOR

E. L. & P. MANAGER

ENGINEERING DEPARTMENT MANAGER

X FIRE CHIEF/MANAGER EMERGENCY SERVICES

INFORMATION TECHNOLOGY SERVICES MANAGER

INSPECTIONS AND LICENSING MANAGER

LAND AND ECONOMIC DEVELOPMENT MANAGER

PERSONNEL MANAGER

PUBLIC WORKS MANAGER

R.C.M.P. INSPECTOR - C/O: WENDY

RECREATION, PARKS & CULTURE MANAGER

SOCIAL PLANNING MANAGER

TRANSIT MANAGER

TREASURY SERVICES MANAGER

PRINCIPAL PLANNER

CITY SOLICITOR

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

FROM: CITY CLERK

RE: Jeremy Janes - Ambulance Invoice

Please submit comments on the attached to this office by March 30, 1998 for the Council Agenda of Monday, April 6, 1998.

"Kelly Kloss"

City Clerk

c Accounts Receivables



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

FILE

Office of the City Clerk

April 7, 1998

Mr. Jeremy Janes
33 Greene Close
Red Deer, AB T4P 3B4

Dear Mr. Janes:

RE: Request to Forgive Ambulance Invoice

At the City of Red Deer's Council Meeting held Monday, April 6, 1998, consideration was given to your correspondence dated March 20, 1998, concerning the above. At that meeting, the following resolution was passed, denying your request to have the noted invoice cancelled:

"RESOLVED that Council of The City of Red Deer, having considered report from the City Clerk dated March 30, 1998, re: Request to Forgive Ambulance Invoice - Mr. Jeremy Janes, hereby agrees that said request be denied;

Council further agrees that should Mr. Jeremy Janes require, a payment schedule subject to the satisfaction of the Director of Corporate services be set with no interest charges being applied."

Although Council did not approve your request, they did indicate that should you require additional time to pay, that you contact the Accounts Receivable Coordinator, Ms. Jeannette Devine, at 342-8224 to make the necessary arrangements.

Please do not hesitate to contact me should you require further clarification in this regard.

Sincerely,



Kelly Kloss
City Clerk

/clr

c Director of Corporate Services
 Fire Chief/Manager Emergency Services
 Accounts Receivable Coordinator, Jeannette Devine

DATE: March 30, 1998

TO: KELLY KLOSS
City Clerk

FROM: NATALIE SCHNELL, Chair
Recreation, Parks & Culture Board

RE: EAST HILL DISTRICT PARK SITE NEEDS ASSESSMENT

The Recreation, Parks & Culture Board considered a report from the Department Manager during its Special Meeting of March 26, 1998. Letters from the Red Deer City Soccer Association and the Red Deer Gymnastics Club were also reviewed prior to the Board passing the following resolutions:

1. That the Recreation, Parks & Culture Board and the Joint Use Planning Committee support and recommend to City Council that a Recreational Facilities Needs Assessment for the East Hill District Park Site be undertaken immediately.
2. That the Recreational Facilities Needs Assessment include extensive public participation opportunities in identifying gymnastic, indoor soccer and other recreational facility needs at the East Hill District Park Site.
3. That the Recreational Facilities Needs Assessment be funded by the Land Bank in the interim, until such time as approximately 5 - 7 acres of the Edgar Athletic Park Site are sold. At that time, the fund would be reimbursed and the balance of the funds would be redirected to the development of recreation facilities at the East Hill District Park Site.



for NATALIE SCHNELL

DB/ad

Atts.

- c. Lowell R. Hodgson, Community Services Director
Ian Brown/Noreen Spencer, Red Deer All Seasons Soccer Centre Foundation
Lyn Radford/Alan Peturson, Red Deer Gymnastic Association

DATE: March 31, 1998

TO: KELLY KLOSS
City Clerk

FROM: LOWELL R. HODGSON
Community Services Director

RE: EAST HILL DISTRICT PARK SITE:
NEEDS ASSESSMENT

The East Hill District Park Site Needs Assessment budgeted for 1999 needs to be expanded to include the proposed gymnastics centre and an indoor soccer facility, and this assessment must be advanced to 1998. This is made necessary because of the problem of providing a serviced site at Edgar Athletic Park, ready for the gymnastics centre development in the spring of next year. This East Hill District Needs Assessment is required to confirm the spatial requirements and potential links to the two high schools for these two facilities, along with other community needs yet to be identified through this assessment. This ten-acre site has tremendous potential, but also some limitations, and it is important that this assessment be completed so that the community can be clear as to what facilities will be on this site, along with a proposed timeline for development.

I support the recommendations of the Recreation, Parks & Culture Board and the Joint Use Planning Committee to advance this needs assessment this spring, with funding to come from the Land Bank, repayable at a time when the lands not utilized at Edgar Athletic Park are sold for industrial purposes.



LOWELL R. HODGSON

:dmg

DATE: March 19, 1998

TO: RECREATION, PARKS & CULTURE BOARD
JOINT USE PLANNING COMMITTEE

FROM: DON BATCHELOR
Recreation, Parks & Culture Manager

RE: EAST HILL DISTRICT PARK
RECREATIONAL FACILITY NEEDS ASSESSMENT

A significant issue of timing has developed around the availability of the Edgar Athletic Park for the development of the new gymnastics centre. The Red Deer Gymnastics Association's lease on its present facility in the Riverside Industrial Area expires in May of 1999. At the same time, the City anticipates not having the deep services extended to Edgar Athletic Park any earlier than the fall of 1999. This preliminary timeline for services is optimistic and depends on industrial land sales to the north. A construction season for the Gymnastics Association could not occur any earlier than the year 2000, and, thus, the dilemma. The Club has its funding in place, and needs to commence construction in the early spring of 1999.

There are offsite servicing charges for the Edgar Athletic Park site if a building is to be built (as opposed to the sportsfields alone), which makes it less attractive to develop in comparison to some other sites. We have looked at eleven other sites, including the Piper Creek School site, the Montfort School site, the vacant parcel north of Camille J. Lerouge School, and the East Hill District site as alternatives to Edgar Athletic Park.

A committee was established with several representatives from the Red Deer City Soccer Association, the Red Deer Gymnastics Club, the City of Red Deer, the Catholic Board of Education, and the Public School Board, to examine in detail all possible alternative sites and to reach consensus on a course of action.

This committee has concluded that the East Hill District Park Site (Attachment #1) would be the most suitable location to accommodate a gymnastics facility, indoor soccer facility and a future recreation complex(s). The Recreation, Parks & Culture Department had included a preliminary Recreation Facility Needs Assessment for this site in 1999; however, if this site is to be explored for all three recreation facilities, this needs assessment must be advanced immediately and the scope of the assessment increased.

This proposed Recreation Facility Needs Assessment would involve the entire community: the general public; sport groups; athletic associations; community groups; and other agencies. This assessment, through an extensive public participation process, would outline, firstly, what the community of Red Deer wants and needs in terms of recreation facilities over the next decade, and, secondly, would provide conceptual layouts as to how these recreational facilities would be located on the East Hill District Park Site. The plan would clearly outline relationships to the existing Hunting Hills and Notre Dame High Schools. A phased development is envisioned, with the gymnastics facility first (1999), indoor soccer facility (2000 - 2001), and a recreation facility (date to be determined). Such a detailed needs assessment and public consultation process must begin immediately, (May - September, 1998), and would likely cost in the order of \$50,000.

March 19, 1998

If the Red Deer Gymnastics Club and the indoor soccer facility were to relocate to the East Hill District Site, they could in fact relinquish approximately 5 - 7 acres of land that they now lease in Edgar Athletic Park (Attachment #2). This land could go back into the industrial land bank for sale, and the proceeds could then be used for park and recreation purposes. The Edgar Athletic Park Site was acquired with Urban Parks money; therefore, any proceeds from it should be used for park and recreation planning, acquisition, or development elsewhere in the city.

Completion of the Recreation Facility Needs Assessment (Attachment #3 - Terms of Reference) is essential at this time to enable continued planning in the pursuit of a multi-use recreational partnership on the East Hill site. This partnership would include the following:

- Red Deer City Soccer Association
- Red Deer Gymnastics Club
- Red Deer Public School Board
- Red Deer Catholic Board of Education
- The City of Red Deer
- Other possible sport organizations

Through the needs assessment, other sport organizations may be identified that could be included in this development and partnership project, either within the buildings proposed or in association (add on) to the proposed buildings. The potential for the shared and joint use of facilities on this site is outstanding; including: parking areas; gymnasiums; cafeterias; locker rooms and class room space.

The two School Boards, the Gymnastics Club and the Soccer Association support, in principle, the concept of sharing and joint use on this site, and support the advancement of a Recreational Facilities Needs Assessment for the East Hill District Park Site.

RECOMMENDATION

1. That the Recreation, Parks & Culture Board and the Joint Use Planning Committee support and recommend to City Council that a Recreational Facilities Needs Assessment for the East Hill District Park Site be undertaken immediately.
2. That the Recreational Facilities Needs Assessment include extensive public participation opportunities in identifying gymnastic, indoor soccer and other recreational facility needs at the East Hill District Park Site.
3. That the Recreational Facilities Needs Assessment be funded by the Land Bank in the interim, until such time as approximately 5 - 7 acres of the Edgar Athletic Park Site are sold. At that time, the fund would be reimbursed and the balance of the funds would be redirected to the development of recreation facilities at the East Hill District Park Site.



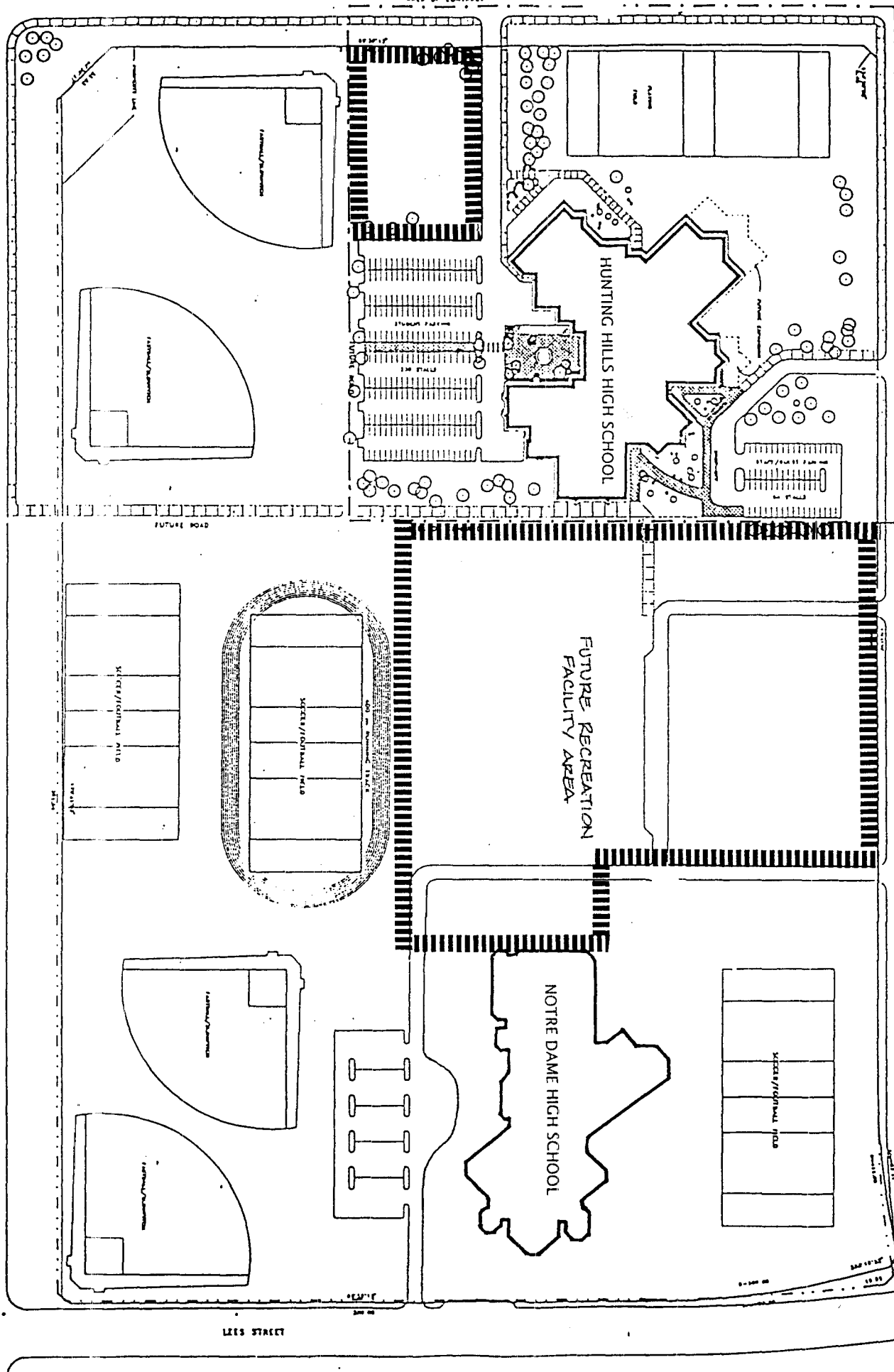
DON BATCHELOR

:ad
Atts.

← NORTH

30M AVENUE

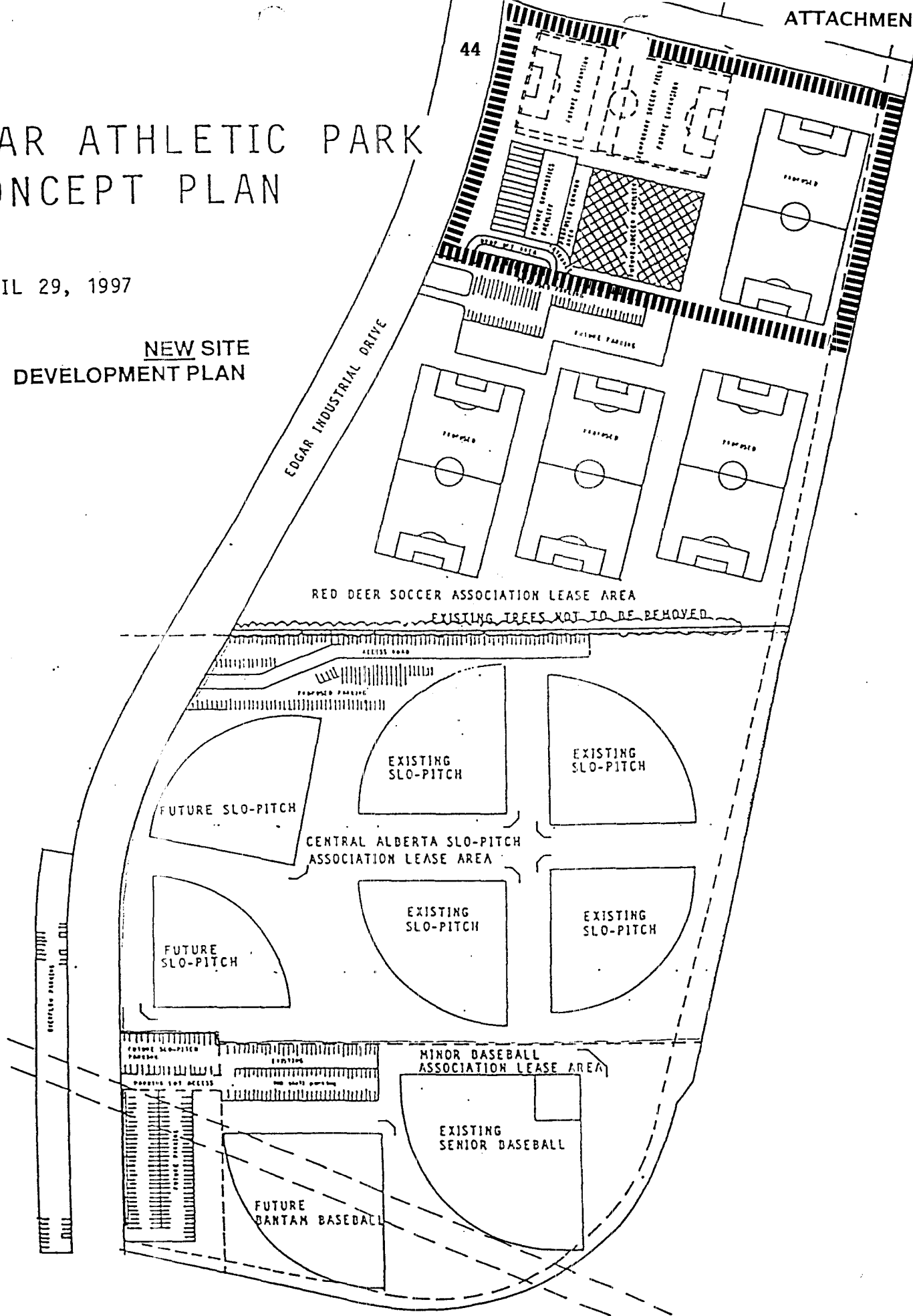
EAST HILL SCHOOL & PARK SITE



DGAR ATHLETIC PARK CONCEPT PLAN

APRIL 29, 1997

NEW SITE DEVELOPMENT PLAN



RED DEER GYMNASTIC ASSOCIATION

City of Red Deer
Attn. Don Batchelor
P.O. Box 5008
Red Deer, AB T4N 3T4

March 18, 1998

Dear Don,

Further to our meeting on March 17, 1998; the Red Deer Gymnastic Association would like to offer our full support to the **NEEDS ASSESSMENT** for the East Hill District Park location. As you are well aware, the gymnastic club is very interested in advancing the assessment for this area.

As part of our support we have at our disposal a nominal grant that could be used for the preliminary site plan of the East Hill District Park location.

Please let me know if the Red Deer Gymnastic Association can help in any further way.

Sincerely,



Lyn Radford
Director – Building Committee

C.C. Alan Peturson

RED DEER ALL SEASONS SOCCER CENTRE FOUNDATION

24 Riverview Park, Red Deer, Alberta T4N 1E3

March 24, 1998

Mayor Gail Surkan
City of Red Deer
4914 - 48th Ave.
Red Deer, AB
T4N 3T4

Dear Mayor Surkan:

With City of Red Deer staff and other community partners we have explored possible sites for the proposed Indoor Soccer and Gymnastics facility in response to the Gymnastics club's need to proceed on a time line incongruent with the servicing of Edgar Athletic Park. Without the gymnastics club as a partner, development of an Indoor Soccer Centre at Edgar Park would severely stretch the limited resources of the Soccer group. Given this and considering the possibility of cost sharing with Gymnastics, other community groups and potentially the City of Red Deer, we support the proposed East Hill development.

The East Hill's proximity to the two high school's and its location within a growing residential community, offers a valued advantage to balance the absence of a suitable number and standard of adjacent outdoor Soccer fields. That site also offers the considerable benefits of additional community partnerships that could measurably enhance recreation opportunities within the City of Red Deer. To this end, we request that the City of Red Deer proceed with a community consultation to identify the priorities of the citizens of Red Deer for the East Hill District Site. We trust this will be done in a cost effective and timely manner to allow Gymnastics to meet their deadlines and ensure that Soccer's fundraising momentum is not lost due to site uncertainty.

There has been some suggestion that land previously committed to Soccer and Gymnastics for their buildings could be sold for commercial/ industrial purposes and the money used to fund this study. Soccer is always happy to contribute it's share but as in any other situation, we trust that equity will prevail and that two key factors are considered in any decision about the use of that land.

First, until a site for Soccer is confirmed, we would not like to relinquish any rights to the space at Edgar. And second, we would expect to contribute equally with all of the stake holders vying for a spot at the East Hill site: Gymnastics, other community groups, Parks and Rec and other City departments.

In the past, it has been intimated that Soccer and Gymnastics should develop the Edgar site for the community and, when the City budget allows, tax dollars would be used to build another arena and pool. I do not believe that such is now the general vision but I would like to reinforce our view that we should be working towards a new partnership model for the millennium - one where public money is melding with the money, hearts and bodies of the community groups for the good of all the citizens. It should not be a model where the groups with the energy and initiative to travel much of the rocky road are left to their own devices while others have their path paved from the beginning.

With the East Hill site we have the opportunity to forge a new structure and I look forward to working with you, your Council and City departments in this most worthwhile initiative.

Yours faithfully,

A handwritten signature in dark ink, appearing to read 'Ian R. Brown', with a stylized flourish at the end.

Ian R. Brown

Chairman and on behalf of the RDASSCF board members

MAJOR RECREATIONAL FACILITIES & COMMUNITY PROGRAMS NEEDS & DEVELOPMENT ASSESSMENT PROCESS

PROJECTED TIMELINE

- MARCH - Joint Use Planning Committee, Recreation, Parks & Culture Board and Senior Management Team Reviews Terms of Reference
- APRIL - City Council Approves Terms of Reference
- APRIL/MAY - Consultant Selection Process
- MAY/JUNE - Phase #1 Public Input Process
 - * Issues/Needs Identification (Meetings/Open House)
- Presentation of Preliminary Public Participation Results to Joint Use Planning Committee, Recreation, Parks & Culture Board and Senior Management Team
- SEPT. - Phase #2 Public Input Process
 - * Present and Review Preliminary Draft Report
- OCTOBER - Presentation of Final Report Draft to Recreation, Parks & Culture Board & Joint Use Planning Committee
- OCTOBER - Presentation of Final Report to City Council

THE CITY OF RED DEER

DRAFT MAJOR RECREATIONAL FACILITIES & COMMUNITY PROGRAMS NEEDS & DEVELOPMENT ASSESSMENT

TERMS OF REFERENCE

March 30, 1998

1. Overview

The Recreation, Parks & Culture Department, in compliance with the Community Services Master Plan, and in partnership with youth and adult organizations, encourages and supports recreational facility development and community program delivery through three levels of facilities: city, district and neighbourhood.

Presently, the East Hill District Park Site (Attachment 1) includes two high schools which meet the needs of students and, in part, are available for community use. Support amenities in the schools such as gymnasiums, libraries, classrooms, cafeteria/lobby and art rooms, do provide some community program opportunities. In addition, a number of outdoor sport facilities exist on site, including four baseball diamonds, and four soccer/football fields. There are areas designated for some type of further outdoor sport facility development, including an outdoor running track and a two acre area west of the Hunting Hills High School. There is also a 10 acre area designated for future recreational facility development (Attachment 2). Adopted within the Community Services Master Plan are development and program delivery guidelines for each district site, including both hard and soft facilities. Based on Red Deer's changing demographics and activity trends, population increases, and participation patterns, plus new community needs, the Recreation, Parks & Culture Department wants to ensure that the facilities constructed on this site truly meet the needs of city residents and all aspects of community programming are reviewed, identifying opportunities and potential sponsorships.

Considering this, the Recreation, Parks & Culture Department is seeking a consultant to complete a "Recreational Facility and Community Program Needs and Development Assessment for the Southeast District Parks & School Site". Specifically, the assessment will identify community program opportunities, needs, issues and recommend an overall development plan that provides alternatives for the future development of quality recreation facilities in harmony with the community. The assessment will outline recreation facilities that would compliment the existing school and recreation facilities at the East Hill District Park and outline opportunities for joint use in the delivery of community programs over the next 10 - 15 years.

2. Work Guidelines

The assessment will provide the information necessary to make recommendations as to the future requirements for major recreational facilities. This assessment will:

- a) identify the future major recreation facility needs for the city of Red Deer, their prospective users and their needs/issues;
- b) identify community program needs representative of youth, adults and seniors, and highlight the potential for inclusion within the recreational facility

- development (i.e., senior's programs, community youth support, community policing);
- c) identify the most cost effective means of facility development and operation, highlighting the potential for partnership sharing and independent operation responsibilities, (potential partnerships include, but may not be limited to, County of Red Deer, Public School Board, Catholic School Board, sports groups, community associations, etc.);
 - d) through a comprehensive review of the two high school facilities, identify those building areas that could provide opportunity for community access and program use;
 - e) develop a site analysis outlining the most appropriate and cost-effective conceptual design and layout;
 - f) determine and provide a comprehensive financial analysis, including capital development costs, operating costs and potential revenue recovery rates;
 - g) provide a long-range capital plan that identifies construction costs;
 - h) include an impact analysis of any new facilities on the operations, revenues and community program delivery of comparable existing recreation facilities and programs in the city;
 - i) outline possible alternate locations in the city of Red Deer that may be suitable for the development of lower-priority recreational facilities that cannot, or should not, be included in the East Hill District Park Site.

This assessment must provide the Joint Use Planning Committee, Recreation, Parks & Culture Board, City Council and the community with sufficient information to make critical decisions and recommendations about proceeding with capital development of recreational building(s) on this site, plus the opportunity to include new and individual community program operations.

In summary, the information obtained from this assessment will include:

- A comprehensive review of user requirements on the demand for major and minor recreation facilities (such as, but not limited to, indoor soccer facility, ice arena, tennis, track & field, leisure aquatic facility, competitive swimming pool and/or a gymnastic facility) and the identification of the facilities that meets these needs.
- A translation of identified needs and proposed facility development and its compatibility to the space/area available on the Southeast District Site.
- An identification of potential community programs for youth, adults and seniors that could be developed and incorporated within the recommended facilities.

3. **Project**

The consultant will meet as required with the City of Red Deer Joint Use Planning Committee and the Recreation, Parks & Culture Department (contact Don Batchelor, Manager), other support staff includes: Harold Jeske, Recreation & Culture Facilities Superintendent; and Greg Scott, Community Development & Planning Coordinator.

4. **Methodology**

The methodology shall include, but not be limited to:

- a) Project initiation meeting with the Joint Use Planning Committee and the Recreation, Parks & Culture Department to discuss work guidelines, timelines and resource materials.
- b) A review of existing information including studies, plans, surveys, other documents and department records.
- c) Identification and consultation with the potential facility stakeholders and partners including sport organizations, community associations, agencies, two school boards, County of Red Deer and appropriate Hunting Hills and Notre Dame High School staff. All sport and community groups and the general public will be consulted and given opportunities for public participation through focus group meetings, public surveys and questionnaires, two open houses and one public meeting (one to identify issues/needs, one to present results, and one to present final draft of assessment report).
- d) Consultation with appropriate staff.
- e) Consultation, research and analysis of all potential providers of major recreation facilities identified in this report.
- f) Research of recently developed recreation facilities in other municipalities to add knowledge and information to the options and recommendations.

5. **Project Budget**

The upset limit of the budget has been established at \$50,000. All hourly rates for staff are to be indicated. The consultant will supply and accept responsibility for all manpower and equipment necessary to complete this assignment.

6. **Report of Results**

The Major Recreation Facilities Needs and Development Assessment is to be provided on a 8½" x 11" and cerloxed-bound format. An executive summary to be included. A supply of 25 copies, plus a master copy on computer disc is required.

All reports, documents and other products completed as part of this project will become the property of The City of Red Deer.

The assessment, reports, documents and other products are considered confidential until accepted by the Joint Use Planning Committee, Recreation, Parks & Culture Board and City Council.

7. **Timeframe and Project Completion**

Upon assignment and based on the projected timeline, the consultant is to have the project completed by no later than seven months from the date of commencement.

8. **Requirements**

The successful consultant will be required to work with the Joint Use Planning Committee and Recreation, Parks & Culture Department staff toward the completion of this Terms of Reference.

The Joint Use Planning Committee will meet with the contractor several times over the course of the contracts, depending on the proposed work plan of the contractor.

The contract will be overseen by the Joint Use Planning Committee and the Recreation, Parks & Culture Department with final approval of the work coming from the Recreation, Parks & Culture Board and Red Deer City Council.

Copies of the Terms of Reference are being sent to

The proposal shall include at least the following:

- a) A resume of education and experience of each project team member, highlighting those aspects which would benefit this project.
- b) A description of all previous projects, programs and needs assessments that have been completed which illustrate your ability to carry out this project.
- c) Approach, methodology and techniques to be used in accomplishing this project as outlined in the Terms of Reference.
- d) Detailed work plan, including:
 - personnel and time (work days) to complete each phase of project;
 - outline of how the project is to be managed;
 - how progress is to be measured.
- e) Timing and scheduling of the project.
- f) A schedule of the upset fees and costs to be identified relating to the tasks and personnel outlined in the work plan.

For further information on these requirements and the Terms of Reference can be obtained by calling:

Don Batchelor, Manager, Recreation, Parks & Culture Department (403) 342-8165

9. **Contractor Eligibility**

It is understood by all interested respondents submitting proposals that in order to qualify, the successful contractor must meet the following criteria:

- A demonstrated understanding of recreation facility and community program development and services.
- The ability to work with both large organizations and small community groups.
- Experience in developing resource tools and related supporting documentation that can be used in a written form or as part of presentations.
- Demonstrated success in working with Boards and other community groups at the administrative and operational levels.
- Experience building consensus within diversified groups/committees.
- Three relevant and recent business references. and
- The proposal must be submitted in the format described in this document.

10. **Formal Agreement**

The successful contractor will be required to enter into a written agreement with the Recreation, Parks & Culture Department and the City of Red Deer.

11. **Contract Term and Conditions**

The contract will be deemed to have been fulfilled with the delivery of a report, including all of the deliverables, as outlined in this Terms of Reference. This is not limiting, as there may be other components that could be negotiated in the preparation of the work plan. Any additions would have to be agreed to by both

parties. Late submissions and extensions will not be granted. The contractor understands, should they not satisfactorily complete all the requirements outlined in the Terms of Reference, they will forfeit all their rights to compensation.

12. **Selection Process**

All proposals will be evaluated by the Joint Use Planning Committee and the Recreation, Parks & Culture Department. Proposals will be measured on the respondent's merits, experiences, a proposed plan to develop the outcome, as outlined in the Terms of Reference. Interviews may be conducted with potential contractors, either in person or by telephone conference. All unsuccessful respondents will be notified by mail.

The lowest proposal bid will not necessarily be accepted, and the Joint Use Planning Committee and the Recreation, Parks & Culture Department reserves the right to accept or reject any or all proposals in whole or in part. Respondents may be required to provide supplementary information after the closing date to support their proposal.

The Joint Use Planning Committee and the Recreation, Parks & Culture Department will not be liable for any costs of proposal preparation, presentation or negotiations. All proposals and accompanying documentation submitted by respondents become the property of the Recreation, Parks & Culture Department and will not be returned.

13. **Proposal Submission Outline**

Title Page:

- Include the respondent's profile (legal name, address, telephone, fax, e-mail and contact person).

Contents of Proposal

- Respondent's detailed proposal plan on completing the project as per the Terms of Reference.
- Expected contract fees
- References
- Experience and qualifications
- Other relevant information the respondent deems necessary to support their proposal.
- Ensure that all pages are numbered.

Comments:

We concur with the recommendations of the Recreation, Parks and Culture Board.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

FILE

Council Decision - April 6, 1998 Meeting

DATE: April 7, 1998
TO: Recreation, Parks & Culture Board
FROM: City Clerk
RE: *East Hill District Park Site Needs Assessment*

Reference Report: Recreation, Parks & Culture Board,
dated March 30, 1998

Resolution:

"RESOLVED that Council of The City of Red Deer, having considered report from the Recreation, Parks and Culture Board dated March 30, 1998, re: East Hill District Park Site Needs Assessment, hereby agrees as follows:

1. That a Recreational Facilities Needs Assessment for the East Hill District Park Site be undertaken;
2. That the Recreational Facilities Needs Assessment include extensive public participation opportunities in identifying gymnastics, indoor soccer and other recreational facility needs at the East Hill District Park Site;
3. That the Recreational Facilities Needs Assessment be funded by the Land Bank until such time as approximately 5 - 7 acres of the Edgar Athletic Park Site are sold. At that time, the fund is to be reimbursed and the balance of the fund redirected to the development of recreation facilities at the East Hill District Park Site,

and as presented to Council April 6, 1998."

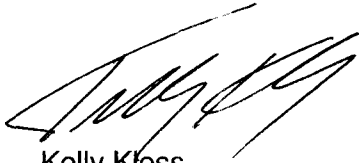
Report Back to Council Required:

Yes, upon completion of the East Hill District Park Site Needs Assessment.

Recreation, Parks & Culture Board
April 7, 1998
Page 2

Comments/Further Action:

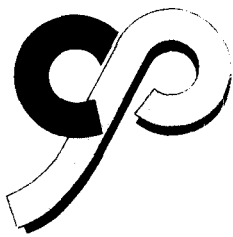
I trust you will be advising the Red Deer Gymnastic Association and the Red Deer All Seasons Soccer Centre Foundation of Council's decision in this regard. Council looks forward to a further report once the Assessment has been completed.

A handwritten signature in black ink, appearing to read 'Kelly Kloss', is written over the printed name and title.

Kelly Kloss
City Clerk

/clr

c Director of Community Services
 Director of Corporate Services
 Recreation, Parks & Culture Manager
 Principal Planner



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

55

Suite 500, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
e-mail: ccps@telusplanet.net

Date: March 31, 1998

To: Kelly Kloss, City Clerk

From: Frank Wong, Planning Assistant

Re: Land Use Bylaw Amendment 3156/J-98
Part of the SE ¼ 10-38-27-4
Anders East – Phase 8
Anders East Developments Ltd.

Al-Terra Engineering Ltd., on behalf of Anders East Developments Ltd., is proposing to redesignate 5.886 ha (14.54 ac) of the remainder of the SE ¼ Sec. 10-38-27-4 for residential development.

They are proposing to redesignate the area identified as Phase 8 on the Anders East Outline Plan from A1 Future Urban Development District to R1 Residential Low Density District and P1 Parks and Recreation District. The proposal is to accommodate the development of 58 single family lots, 2 public utility lots, and 3 municipal reserve lots. This amendment complies with the Anders East Outline Plan.

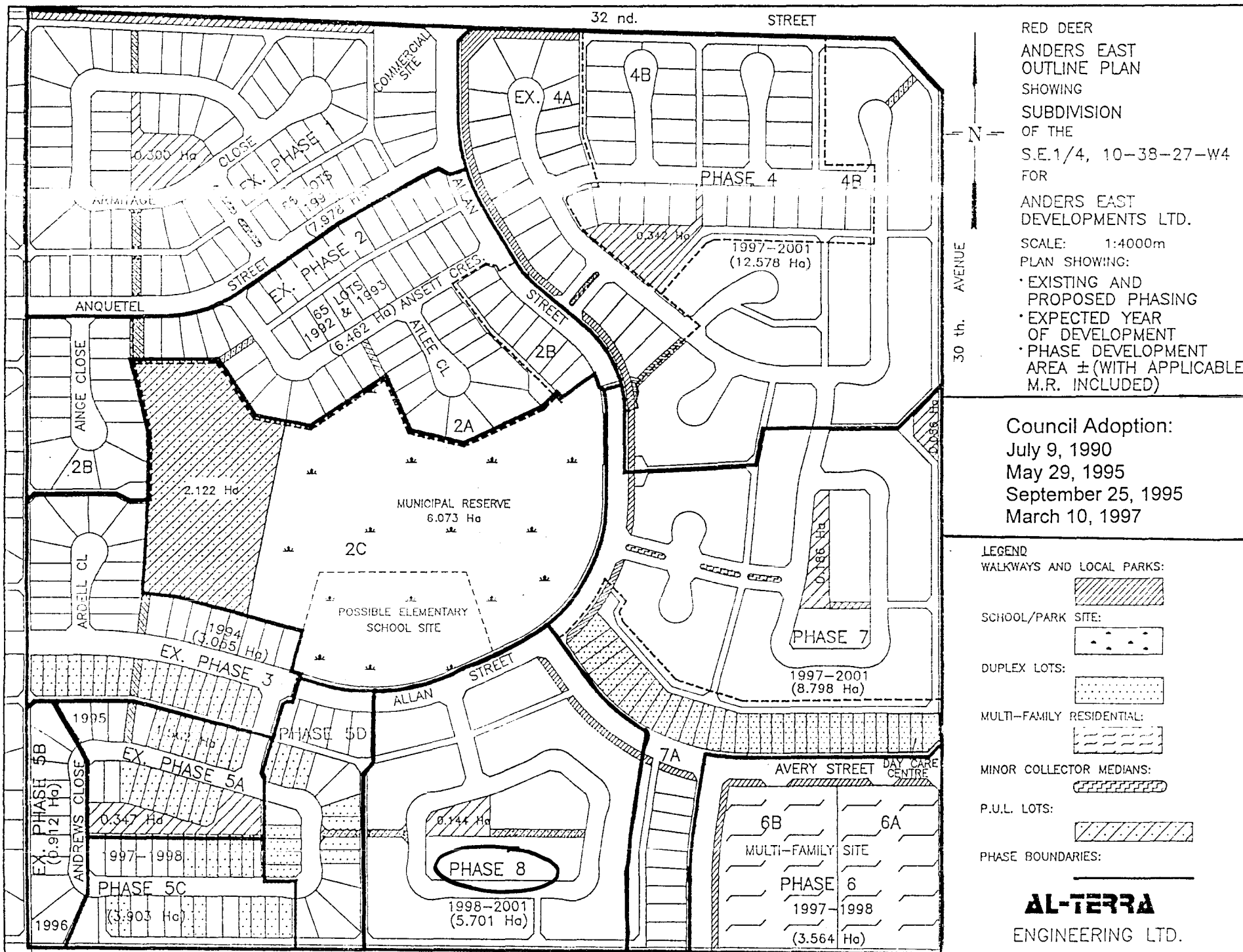
Staff Recommendation

Planning staff recommend that City Council proceed with first reading of Land Use Bylaw Amendment 3156/J-98.

Sincerely,

Frank Wong
Planning Assistant

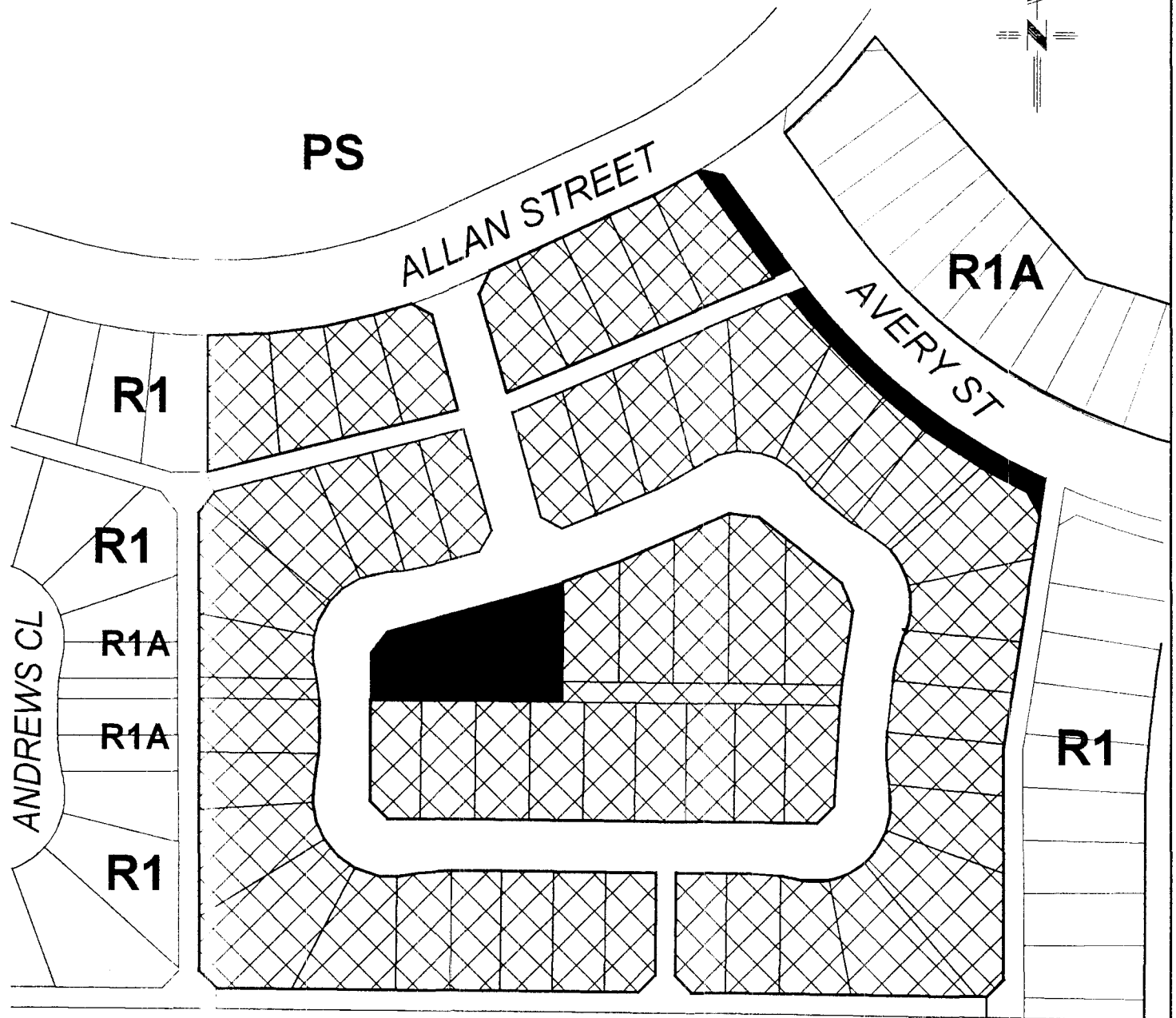
Attachment



REVISED FEB 18/97, APR. 2/97

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



N.E. 1/4 SEC. 3-38-27-4

Change from: A1 to R1



A1 to P1



AFFECTED DISTRICTS:

A1 - Future Urban Development

R1 - Residential (Low Density)

P1 - Parks & Recreation

MAP No. 8 / 98

BYLAW NO. 3156 / J - 98

Comments:

We concur with the recommendation of the Planning Assistant that Land Use Bylaw Amendment No. 3156/J-98 be given 1st Reading.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager



FILE

Office of the City Clerk

April 7, 1998

Box 5008

Red Deer, Alberta
T4N 3T4

Anders East Developments Ltd.
#502, 4901 - 48 Street
Red Deer, AB T4N 6M4

Faxed To: 343-7510

Att: Mr. Guy Pelletier

Dear Sir:

**RE: Part of the SE ¼ 10-38-27-4 / Anders East - Phase 8
Anders East Developments Ltd.
Land Use Bylaw Amendment 3156/J-98**

At the City of Red Deer's Council Meeting held April 6, 1998, 1st Reading was given to Land Use Bylaw Amendment 3156/J-98, a copy of which is attached hereto.

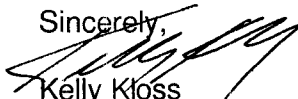
Land Use Bylaw Amendment 3156/J-98 provides for the redesignation of the area identified as Phase 8 on the Anders East Outline Plan from A1 Future Urban Development District to R1 Residential Low Density District and P1 Parks and Recreation District. The proposal is to accommodate the development of 58 single family lots, two public utility lots and 3 municipal reserve lots. This amendment complies with the Anders East Outline Plan.

This office will now proceed with the advertising for a Public Hearing to be held on Monday, May 4, 1998 at 7:00 p.m., or as soon thereafter as Council may determine, in the Council Chambers of City Hall.

In accordance with the Land Use Bylaw, you are required to deposit with the City Clerk, prior to public advertising, an amount equal to the estimated cost of advertising, which in this instance is \$600. We require this deposit by no later than 10:00 a.m., Wednesday, April 15, 1998 in order to proceed with the advertising. Once the actual cost of advertising is known, you will either be invoiced for or refunded the difference.

If you have any questions or require additional information, please do not hesitate to call me.

Sincerely,


Kelly Kloss
City Clerk

/clr
attchs.

c Land and Economic Development Manager
City Assessor

Principal Planner
S. Ladwig

4914 - 48th Avenue, Red Deer, AB Canada T4N 3T4

Tel: (403) 342-8132 Fax: (403) 346-6195 E-mail: cityclerk@city.red-deer.ab.ca Web: <http://www.city.red-deer.ab.ca>

The City of Red Deer

Dear Sir:

**RE: Part of the SE ¼ 10-38-27-4 / Anders East - Phase 8
Anders East Developments Ltd.
Land Use Bylaw Amendment 3156/J-98**

FILE

At the City of Red Deer's Council Meeting held April 6, 1998, 1st Reading was given to Land Use Bylaw Amendment 3156/J-98, a copy of which is attached hereto.

Land Use Bylaw Amendment 3156/J-98 provides for the redesignation of the area identified as Phase 8 on the Anders East Outline Plan from A1 Future Urban Development District to R1 Residential Low Density District and P1 Parks and Recreation District. The proposal is to accommodate the development of 58 single family lots, two public utility lots and 3 municipal reserve lots. This amendment complies with the Anders East Outline Plan.

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If you have any questions or require additional information, please do not hesitate to call me.

Sincerely,

Kelly Kloss
City Clerk

/clr
attchs.

c Land and Economic Development Manager
City Assessor

Principal Planner
S. Ladwig

4914 - 48th Avenue, Red Deer, AB Canada T4N 3T4
Tel (403) 342-8132 Fax: (403) 346-6195 E-mail: cityclerk@city.red-deer.ab.ca Web: http://www.city.red-deer.ab.ca

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*** TX REPORT ***

FILE

Council Decision - April 6, 1998 Meeting

DATE: April 7, 1998
TO: Parkland Community Planning Services
FROM: City Clerk
RE: *Part of the SE ¼ 10-38-27-4 / Anders East - Phase 8
Anders East Developments Ltd.
Land Use Bylaw Amendment 3156/J-98*

Reference Report: Planning Assistant dated March 31, 1998

Bylaw Readings:

Land Use Bylaw Amendment 3156-98 was given 1st Reading, a copy of which is attached hereto.

Report Back to Council Required:

Yes, Public Hearing to be held Monday, May 4, 1998 at 7:00 p.m.

Comments/Further Action:

Land Use Bylaw Amendment 3156/J-98 provides for the redesignation of the area identified as Phase 8 on the Anders East Outline Plan from A1 Future Urban Development District to R1 Residential Low Density District and P1 Parks and Recreation District. The proposal is to accommodate the development of 58 single family lots, two public utility lots and 3 municipal reserve lots. This amendment complies with the Anders East Outline Plan.

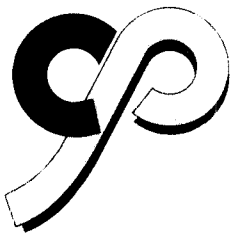
This office will now proceed with the advertising for a Public Hearing. Our office has advised Anders East Developments Ltd. (c/o Melcor Developments), via letter, that they will be responsible for the advertising costs in this regard.


Kelly Kloss
City Clerk

/clr
attchs.

c Director of Development Services
 Director of Community Services
 E. L. & P. Manager
 Fire Chief/Manager Emergency Services
 City Assessor

Land and Economic Development Manager
Council & Committee Secretary, S. Ladwig



**RED DEER
COMMUNITY
PLANNING
SERVICES**

59

Suite 500, 4803 Ross Street
Red Deer, Alberta T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
e-mail: pops@telusplanet.net

Date: March 31, 1998

To: Kelly Kloss, City Clerk

From: Frank Wong, Planning Assistant

Re: Land Use Bylaw Amendment 3156/K-98
Lot 31A, Plan 942 2769
SE ¼ Sec. 32-38-27-4, and
Part of the NE ¼ Sec. 32-38-27-4
East Kentwood - Phase 4B
Frank and Rosalie Kuhnen

Frank and Rosalie Kuhnen presently own land in the Kentwood neighbourhood. They are proposing to develop the remaining single family lots on the west side of their site. The lands proposed for redesignation are shown on the attached map and comprise 0.954 ha (2.36 ac). In order to complete the west side of this development, the owners wish to redesignate their remaining land and portions of the NE ¼ Sec. 32-38-27-4 from A1 Future Urban Development District to R1 Residential Low Density District and P1 Parks and Recreation District. The rezoning will accommodate the development of 10 single family lots and 1 municipal reserve lot. The easterly 4 single family lots (Lots 50 to 53, Block 8) is being made available for the development of a day care centre for a period of six months and if the parcel is not sold in that time, it can be registered as 4 single family lots.

This proposal complies with the East Kentwood Outline Plan.

Staff Recommendation

Planning staff recommend that City Council proceed with first reading of Land Use Bylaw Amendment 3156/K-98.

Sincerely,

Frank Wong
Planning Assistant

Attachment

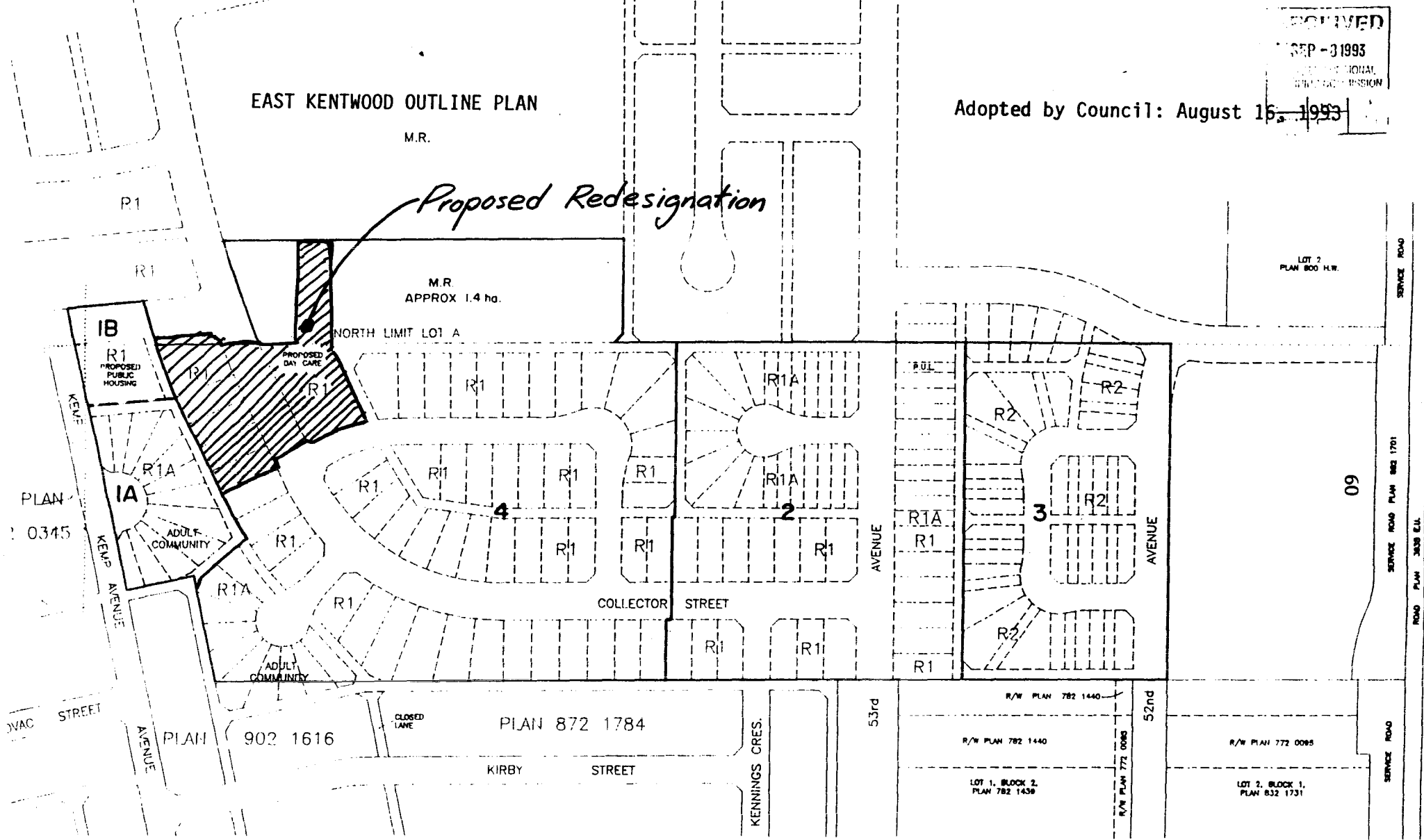
RECEIVED
SEP - 3 1993
REGIONAL
ENGINEERING DIVISION

Adopted by Council: August 16, 1993

EAST KENTWOOD OUTLINE PLAN

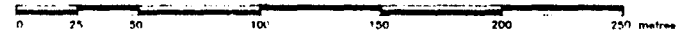
M.R.

Proposed Redesignation



OUTLINE PLAN AFFECTING
LOT 31, BLOCK 4, PLAN 932 0345
BEING IN THE S.E. SEC. 32 &
PORTION OF THE N. 1/2 SEC. 32,
TWP. 38, RGE. 27, W. 4th M.

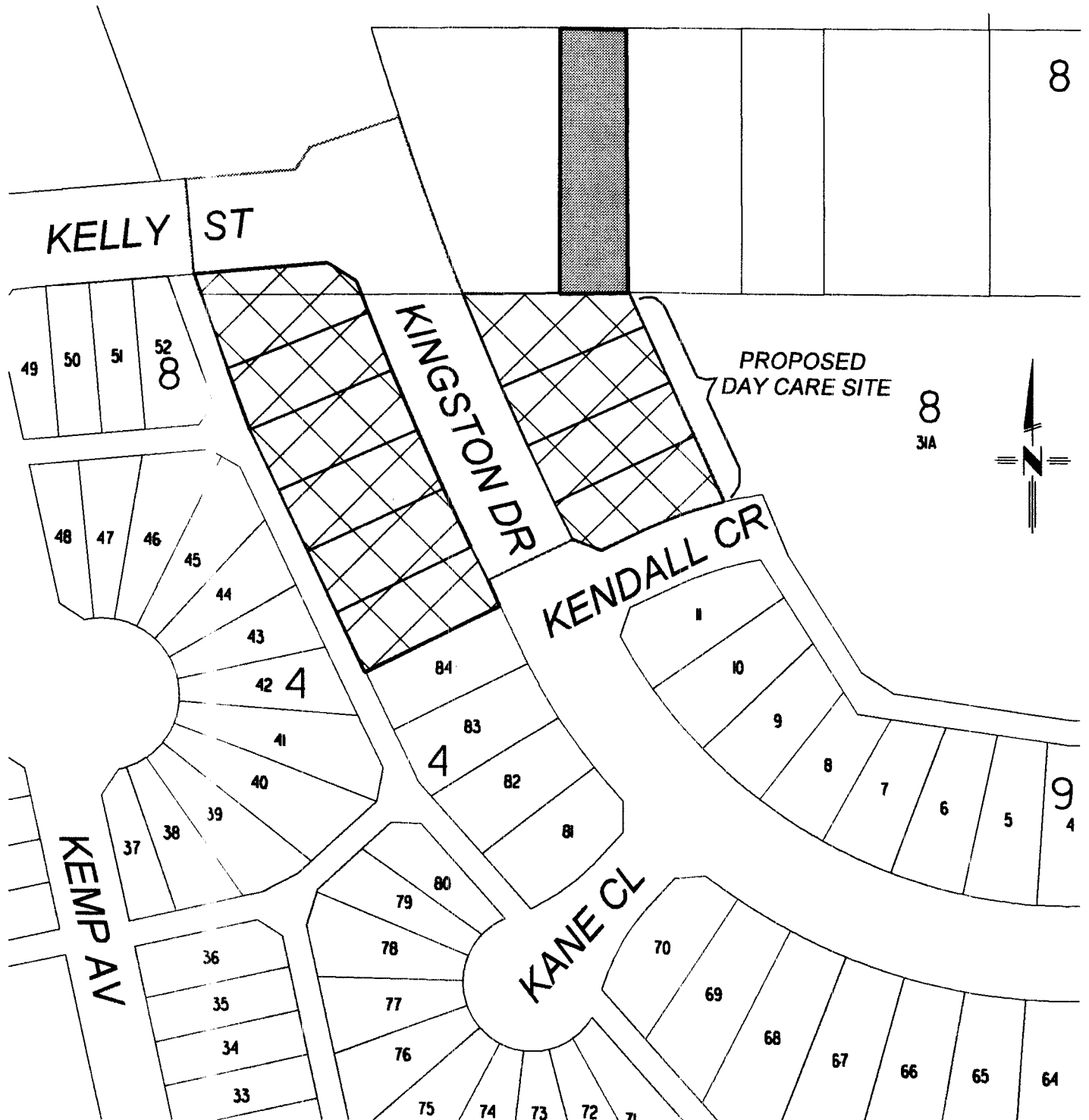
SCALE : 1 : 2000



HETA SURVEYS LIMITED
5205 B - 54th AVENUE, RED DEER, ALBERTA T4N 0
PHONE : 342 6203 (93/07/18) FILE : 2280-

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



Change from: A1 to R1
A1 to P1



AFFECTED DISTRICTS:

- A1 - Future Urban Development
- R1 - Residential (Low Density)
- P1 - Parks & Recreation

MAP No. 9 / 98
BYLAW No. 3156 / K - 98

Comments:

We concur with the recommendation of the Planning Assistant that Land Use Bylaw Amendment 3156/K-98 be given 1st Reading.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

FILE

Council Decision - April 6, 1998 Meeting

DATE: April 7, 1998

TO: Parkland Community Planning Services

FROM: City Clerk

RE: Lot 31A, Plan 942-2769 / SE ¼ 32-38-27-4 and Part of the NE ¼ 32-38-27-4
East Kentwood - Phase 4B, Frank and Rosalie Kuhnen
Land Use Bylaw Amendment 3156/K-98

Reference Report:

Planning Assistant, dated March 31, 1998

Bylaw Readings:

Land Use Bylaw Amendment 3156/K-98 was given 1st Reading, a copy of which is attached hereto.


Report Back to Council Required:

Yes, a Public Hearing will be held Monday, May 4, 1998 at 7:00 p.m.

Comments/Further Action:

Land Use Bylaw Amendment 3156/K-98 provides for the redesignation of land from A1 Future Urban Development District to R1 Residential Low Density District and P1 Parks and Recreation District to accommodate the development of 10 single family lots and 1 Municipal Reserve lot. The easterly four single family lots (Lots 50 to 53, Block 8) are being made available for the development of a day care centre for a period of six months. Should that parcel not be sold in that time, same can be registered as four single family lots at that time. This proposal complies with the East Kentwood Outline Plan.

This office will now proceed with the advertising for a Public Hearing. Our office has advised Frank and Rosalie Kuhnen via letter, with a copy to Mr. Ron Coleman at Northside Construction, that they will be responsible for the advertising costs in this regard.


Kelly Kloss
City Clerk

/clr
attchs.

c Director of Development Services
 Director of Community Services
 E. L. & P. Manager
 Fire Chief/Manager Emergency Services

City Assessor
Land and Economic Development Manager
Council & Committee Secretary, S. Ladwig



Office of the City Clerk

FILE

April 7, 1998

Box 5008

Red Deer, Alberta

T4N 3T4

Frank & Rosalie Kuhnen
Box 393
Red Deer, AB T4N 5E9

Dear Mr. & Mrs. Kuhnen:

**RE: Lot 31A, Plan 942-2769 / SE ¼ 32-38-27-4 and Part of the NE ¼ 32-38-27-4
East Kentwood - Phase 4B, Frank and Rosalie Kuhnen
Land Use Bylaw Amendment 3156/K-98**

At the City of Red Deer's Council Meeting held April 6, 1998 1st Reading was given to Land Use Bylaw Amendment 3156/K-98, a copy of which is attached hereto.

Land Use Bylaw Amendment 3156/K-98 provides for the redesignation of land from A1 Future Urban Development District to R1 Residential Low Density District and P1 Parks and Recreation District to accommodate the development of 10 single family lots and 1 Municipal Reserve lot. The easterly four single family lots (Lots 50 to 53, Block 8) are being made available for the development of a day care centre for a period of six months. Should that parcel not be sold in that time, same can be registered as four single family lots at that time. This proposal complies with the East Kentwood Outline Plan.

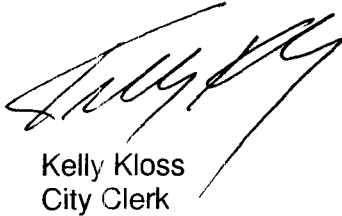
This office will now proceed with the advertising for a Public Hearing to be held on Monday, May 4, 1998 at 7:00 p.m., or as soon thereafter as Council may determine, in the Council Chambers of City Hall.

In accordance with the Land Use Bylaw, you are required to deposit with the City Clerk, prior to public advertising, an amount equal to the estimated cost of advertising, which in this instance is \$600. We require this deposit by no later than 10:00 a.m., Wednesday, April 15, 1998, in order to proceed with the advertising. Once the actual cost of advertising is known, you will either be invoiced for or refunded the difference.

Frank and Rosalie Kuhnen
April 7, 1998
Page 2

If you have any questions or require additional information, please do not hesitate to call me.

Sincerely,



Kelly Kloss
City Clerk

/clr
attchs.

c Land and Economic Development Manager
Principal Planner
Council and Committee Secretary, S. Ladwig

Mr. Ron Coleman,
Northside Construction Ltd.
Fax No. 346-4650

Mr. Wayne Fawcett, Beta Surveys Limited
Fax No. 342-5334

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 0137
CONNECTION TEL 3464650
SUB-ADDRESS
CONNECTION ID NORTHSIDE CONST.
ST. TIME 04/08 11:43
USAGE T 01'43
PGS. 4
RESULT OK

FILE

Office of the City Clerk

April 7, 1998

Frank & Rosalie Kuhnien
Box 393
Red Deer, AB T4N 5E9

Dear Mr. & Mrs. Kuhnien:

**RE: Lot 31A, Plan 942-2769 / SE ¼ 32-38-27-4 and Part of the NE ¼ 32-38-27-4
East Kentwood - Phase 4B, Frank and Rosalie Kuhnien
Land Use Bylaw Amendment 3156/K-98**

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Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

DATE: April 1, 1998

TO: City Clerk

FROM: Engineering Services Manager

**RE: WILD ROSE POWER CENTRE - COMMERCIAL DEVELOPMENT
WEST SIDE OF GAETZ AVENUE, NORTH OF DELBURNE ROAD**

As you may be aware, Wild Rose Power Centre Ltd. is proposing to develop a shopping centre at the above noted location, immediately south of the Chrysler Plant. Attached for your reference is a drawing of the site (Figure 1) that illustrates the current development proposal. The Developer has indicated that he only intends to develop Lots 1, 2, and 5 at this time.

We are currently in the final stages of preparing a Development Agreement and are, therefore, seeking Council approval with respect to a number of financial issues as outlined below.

1. Local Improvement for Service Extensions Adjacent to the Site

In order to service the development, the Developer will extend water and sanitary sewer mains along the west boulevard of Gaetz Avenue, from 22 Street to the Delburne Road. The water main will further extend south and east across Gaetz Avenue to connect to the existing system on 49 Avenue. To provide access to the site, the Developer will construct an auxiliary lane along the west side of Gaetz Avenue. These improvements are illustrated on Figure 2 attached.

While the Developer is responsible for the cost of these improvements, the Developer has requested that the cost of same be financed as a local improvement to be repaid by the property owners over the next 10 years. The estimated value of these improvements is as follows:

a.	Sanitary sewer main	\$200,000
b.	Water main	\$275,000
c.	Gaetz Avenue Auxiliary Lane	<u>\$165,000</u>
	Total	\$640,000

The Agreement anticipates that the Developer will construct these improvements initially. Upon completion, the Developer will submit the final costs of the improvements and The City will calculate the local improvement rates. A local improvement notice would then be submitted to the registered owners of the five properties. Assuming support of the property owners, a Local Improvement By-law would then be taken to Council for final approval.

City Clerk
Page 2
April 1, 1998

This procedure has been endorsed by the Director of Corporate Services. At this time we are only seeking approval of the principles outlined above and approval to initiate a local improvement for these facilities.

2. Storm Water Detention Facility

The storm sewer system that serves the subject development was originally constructed in the 1970's as part of the Bower Subdivision development and later extended in the early 1990's as part of the Taylor Drive construction. It was only designed to carry pre-development runoff volumes from the subject property with the intention that the site would detain storm water runoff on site when it developed. The current development proposal includes storm water detention within the TransAlta right of way along the north edge of the site.

The Developer has, therefore, requested reimbursement of \$80,000 from the storm off-site levy fund to off-set the cost of constructing this detention pond. Total storm off-site levies to be paid within this Development Agreement (i.e. for Lots 1, 2, and 5) is approximately \$96,000 (less the \$80,000 rebate if approved). The Developer will also pay off-site levies for Lots 3 and 4 when they develop.

3. Traffic Signals at Gaetz Avenue and 20 Street

Traffic volumes generated by the subject development, combined with the existing traffic volumes along Gaetz Avenue, will warrant the installation of traffic signals at the above noted intersection. This installation is estimated to cost \$120,000. The Developer has requested that The City share in the cost of this work on a 50/50 basis, as a traffic signal has an area wide benefit. This will result in a \$60,000 cost share to The City.

4. Bulbing of the West Gaetz Avenue Service Road at 22 Street

You may recall that Council approved the construction of bulbing at the above noted intersection under the Gaetz Crossing (Drummond Brewery site) Development Agreement last fall. The total cost of this intersection work is estimated to be \$330,000, of which The City and Developer are cost sharing on a 50/50 basis (i.e. \$165,000 each). Attached is a sketch of the intersection for your reference.

As indicated earlier in this report, the Wild Rose Development must extend the water and sanitary mains along the Gaetz Avenue Service Road south of 22 Street. The Developer is also responsible to repair the service road after the main are installed. Rather than reconstructing the service road in the original alignment, we have asked the Wild Rose Developer to reconstruct the road on the new bulbed alignment. This will require The City to reimburse the Developer for the extra "bulb" costs, as the Developer would normally only be required to restore the service road on its present straight alignment. The amount of the reimbursement will be based on actual costs and funded by the previously approved \$330,000 budget.

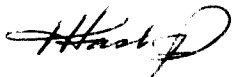
City Clerk
Page 3
April 1, 1998

RECOMMENDATIONS

Based on our negotiations to date with the Developer, we would respectfully recommend that Council consider

1. the initiation of a local improvement for water and sanitary main extensions, and the Gaetz Avenue auxiliary lane, having an estimated value of \$640,000;
2. reimbursement of \$80,000 to the Wild Rose Power Centre from storm off-site levies to be paid within the Development Agreement to off-set the cost of constructing an on-site detention pond; and
3. approving funding from the Capital Project Reserve Fund in the amount of \$60,000 as The City's 50% share of the cost of installing traffic signals at the intersection of Gaetz Avenue and 20 Street.

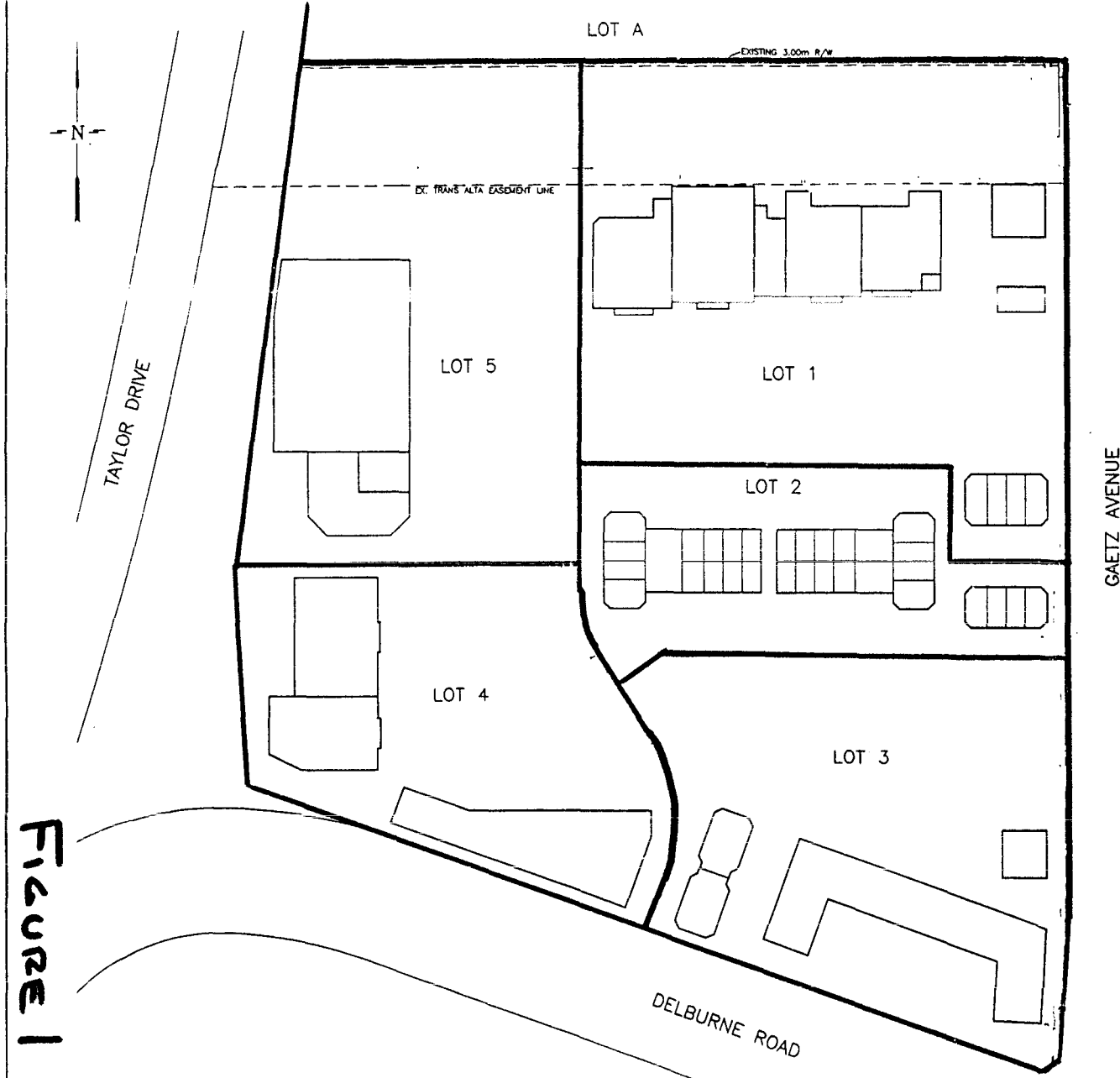
NOTE: Council has already approved funding for the Gaetz Avenue Service Road bulbing at 22 Street. We wish to advise Council that this funding will be redistributed between the two Development Agreements.



Ken G. Haslop, P. Eng.
Engineering Services Manager

TCW/emr
Att.

c. Subdivision Administrator
c. Martin Broks, Al-Terra



THE CITY OF RED DEER
WILD ROSE
SHOPPING CENTRE.
TENTATIVE PLAN OF
CITY OF RED DEER RIGHT OF WAYS
AFFECTING
LOTS 1 THROUGH 5 (INCLUSIVE), BLOCK 1
WITHIN
S.E. 1/4 SEC.5, TWP.38, RGE.27, W.4th. M
A L B E R T A

FOR: WILD ROSE POWER CENTRE INC.
BY: AL-TERRA ENGINEERING LTD.

SCALE: 1:1000 m.

PREPARED MARCH 17, 1998

AL-TERRA
ENGINEERING LTD.

EDMONTON

RED DEER

22 STREET

TAYLOR DRIVE

GAETZ AVENUE

WATER MAIN
SANITARY SEWER MAIN

19 STREET

WILD ROSE POWER CENTRE

PROPOSED AUXILLARY LANE, WATER MAIN
AND SANITARY MAIN CONSTRUCTION

FIGURE 2

SCALE 1"=3000
1 APRIL 1998



SERVICE ROAD CONSTRUCTION
INCLUDED IN GAETZ CROSSING
DEVELOPMENT AGREEMENT.



SERVICE ROAD CONSTRUCTION
TO BE INCLUDED IN WILD ROSE POWER
CENTRE DEVELOPMENT AGREEMENT.



CITY E.L.&P. TO RELOCATE EXISTING
POWER SERVICE TO CHRYSLER WAREHOUSE
AND TRAFFIC CONTROL INFRASTRUCTURE.



CITY PUBLIC WORKS TO INSTALL
NEW STORM SEWER.

GAETZ AVENUE

22 STREET

22 STREET INTERSECTION IMPROVEMENTS



SCALE 1:1000
25 MARCH 1998

FIGURE 3

Comments:

We concur with the recommendations of the Engineering Services Manager.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

FILE

Council Decision - April 6, 1998 Meeting

DATE: April 7, 1998
TO: Engineering Services Manager
FROM: City Clerk
RE: *Wild Rose Power Centre - Commercial Development West Side of Gaetz Avenue, North of Delburne Road*

Reference Report: Engineering Services Manager, dated April 1, 1998

Resolution:

“RESOLVED that Council of The City of Red Deer, having considered report from the Engineering Services Manager dated April 1, 1998, re: Wild Rose Power Centre - Commercial Development West Side of Gaetz Avenue, North of Delburne Road, hereby agrees:

1. that the City initiate a local improvement for water and sanitary main extensions, and the Gaetz Avenue auxiliary lane, having an estimated value of \$640,000;
2. to reimburse the Wild Rose Power Centre \$80,000 from storm off-site levies to be paid within the Development Agreement to offset the cost of constructing an on-site detention pond; and
3. to approve funding from the Capital Project Reserve Fund in the amount of \$60,000 as the City's 50% share of the cost of installing traffic signals at the intersection of Gaetz Avenue and 20th Street,

and as presented to Council April 6, 1998.”

Report Back to Council Required: No

Engineering Services Manager
April 6, 1998
Page 2

Comments/Further Action:

I trust that you will be advising Mr. Martin Broks of Al-Terra Engineering of Council's decision in this regard.



Kelly Kloss
City Clerk

/clr

c Director of Development Services
 Director of Corporate Services
 Subdivision Administrator

*The Council of Canadians
Red Deer Chapter*

85 Selkirk Boulevard
Red Deer, Alberta
T4N 0G6
March 11, 1998

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

Dear Sir:

The Red Deer Chapter of the Council of Canadians is participating in a nation-wide campaign to inform people about the Multinational Agreement on Investment, currently being negotiated among the OECD countries. We believe that there is clear evidence that the MAI, if adopted, will have very serious implications for democratic governance at all levels, and particularly for municipal governments.

We therefore would like an opportunity to make a brief presentation to City Council, to bring them information about the MAI and its implications for local governments. Similar presentations have been made to municipal councils across the country and in some instances the councils have chosen to pass resolutions demanding more information about the MAI, and more public participation in the negotiation process.

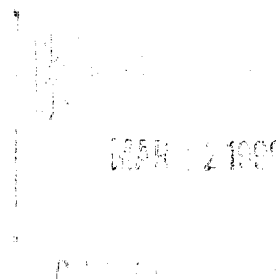
We would like an opportunity to speak to Council at their meeting on Monday, April 6th. Would you please place us on the agenda, and notify us of the time that we should be there.

Thank you very much.

Yours truly



Don Hepburn, Chairman





National Campaign

The MAI and your community: The issues

Right now the 29 richest countries in the world are in Paris quietly negotiating the Multilateral Agreement on Investment (MAI).

This proposed treaty extends the free trade provisions of the General Agreement on Tariffs and Trade (GATT) and the North American Free Trade Agreement (NAFTA) by prohibiting signatory nations from impeding the free flow of money and production facilities from one country to another. The treaty, in effect, subordinates the right of elected governments to set national economic policy to the right of transnational corporations and investors to conduct business—investing and divesting—however they see fit.

That sounds scary enough, but how would this international agreement affect your community?

First of all, under the MAI, international companies would be treated no differently than domestic ones. That means municipal governments could not favour local companies over international firms when awarding contracts.

Secondly, the treaty would prevent governments from requiring foreign companies to purchase goods and services locally, supply local markets, or maintain a given level of employment or production.

And thirdly, the MAI would stop municipalities from passing by-laws that limit the use of property by foreign companies. In other words, the MAI makes the definition of expropriation so broad that limits on the use of property may constitute expropriation and force local governments to compensate the owners.

More than that, the MAI would go far beyond NAFTA to allow transnational corporations to vie for control of our municipal services such as refuse collection, water and sewer services and public housing.

Under the MAI, once a government contracted out a public service, it would have to follow the rules for privatization. All municipal government service contracts

that required local hiring and content could be challenged for violating the MAI restrictions on performance requirements.

To avoid costly legal bills, municipal governments might be inclined to give preference to foreign companies over local ones. And once a service is privatized, a municipal government would be unable to reclaim it as a public service in better economic times without incurring penalties.

It would also be impossible, under the MAI, to introduce a new public service that would conflict with the disciplines of the MAI.

Take child care, for example. If a future federal government were to establish and deliver a publicly funded child care program through community-based non-profit facilities, it could be stopped in its tracks. Under the MAI, delivery of public services through non-profit agencies is considered a subsidy to the private sector and therefore subject to the national treatment rules. As long as there are transnational companies that make a business out of providing child care services, the new MAI would allow them to demand equal access to government subsidies.

Under the MAI, municipal leaders would be powerless to influence investment decisions that might benefit their communities. Right now, they can offer incentives to companies to locate in their town or city. That would be ruled as an unfair subsidy unless they offer the same incentive to foreign companies. This could create undue hardship on local firms and put a chill on regional development.

And the argument often used by local politicians that we need the MAI to attract foreign investment so that we can increase jobs and economic growth, holds no water.

There is no evidence that multinational corporations are holding back investment in Canada because of the lack of an investment agreement.

Foreign investors will come to Canada because we have quality infrastructure, natural resources, skilled workers and an attractive quality of life. We don't need the MAI to attract investment.

The Nation's Business



Peter C. Newman

MAI: a time bomb with a very short fuse

The inability of negotiators in Paris to finalize the proposed Multilateral Agreement on Investment gives Canada a welcome chance to stand back and consider the treaty's awesome consequences.

Ottawa has been virtually silent on the issue, presumably following the same advice as was given in a secret PMO memo, leaked in *Maclean's*

when the Canada-U.S. Free Trade Agreement was being negotiated in 1988. At the time, Brian Mulroney's advisers told their master: "It is likely that the higher the profile the issue attains, the lower the degree of public support will be. Benign neglect from a majority of Canadians may be the realistic outcome of a well-executed communications program."

That has certainly been Trade Minister Sergio Marchi's approach, and it has worked up to now. Considering that 29 countries, including Canada, have been negotiating the new trade accord since May, 1995, the proceedings have been kept amazingly secret. There has yet to be a full-scale parliamentary debate on the issue; it is as if the future of this country had surreptitiously been relegated to senior civil servants, apparently with a mandate to sign the country away. They have done virtually all the negotiations to date, and no one with any degree of public accountability has had much of a look in. This is not only wrong; it is stupid.

Nobody understands the likely impact of the MAI. Reading the draft treaty, I kept thinking it must be either a joke, or Tom d'Aquino's ultimate dream come true. To be fair, d'Aquino and the Business Council on National Issues that he heads, have been surprisingly quiet on the issue. When I talked to him about MAI, he would only say "the fundamentals of the Multilateral Agreement on Investment have been around for years. All that stuff about reciprocal access to each other's economies, none of it is really new."

"And yet MAI has been painted by the left as this great Satan. To say this is going to be the final screw-down, and that we're going to lose our sovereignty is madness, absolute madness. It's only through economic emancipation, only through being economically stronger, that we have the best chance of protecting our independence and our sovereignty."

His argument is valid, in terms of the notion that only the strong can survive in a global economy. But the question remains whether any self-respecting country can sign such an agreement. Unless it doesn't mean what it says, and is a statement of philosophy instead of intention, its provisions will rob national governments of the ability to impose sovereignty in-

side their own territory. Once that is gone, what is the point of pretending you're still a country?

If we sign the MAI as it is now written, the threat to Canada could far outweigh the potential harm of Quebec separation. The Supreme Court of Canada ought to be examining the legality of such a treaty, instead of the largely symbolic case of Quebec's possible unilateral declaration of independence.

The heart of the MAI is that there ought to be no difference between domestic and foreign investors in any of the 29 countries that make up the Organization for Economic Co-operation and Development. That could mean an end to protection for any cultural sector or parts of the economy currently covered by domestic

ownership rules. Everything would be wide open in such a Darwinian world, up for grabs to the highest bidder. In all likelihood that would be some U.S. transnational, which would treat our most treasured institutions with all the subtlety of a Genghis Khan. Carla Hills, the U.S. trade representative, recently gave cause for concern when she summed up American trade intentions this way: "We want corporations to be able to make investments overseas without being required to take local partners, to export a given percentage of their output, to use local parts, or to meet a dozen other domestic restrictions."

The MAI, if I read it correctly, goes even further than granting national treatment to foreign corporations. In effect, it endows privately owned corporations with the power—but not accountability—of nation-states. It is no coincidence that 488 of *Fortune's* 500 leading global corporations are domiciled in

OECD countries. (Only five Canadian companies—BCE Inc., CIBC, George Weston Ltd., Royal Bank of Canada and Seagram Co. Ltd.—make the grade.) The MAI would remove many barriers that now apply to these corporate giants, and the ability of the government to freely take action regarding environmental standards, labor laws and patent exclusions that adversely affect foreign investors would be compromised. This kind of sanction would not merely apply to big companies doing large transactions in high finance. Its effects run close to the ground, where we live and work. If Wal-Mart decided to build near a village square, and the locals won a referendum halting the superstore's construction, Wal-Mart could then sue under the MAI, and win.

As more and more Canadians realize the Multilateral Agreement on Investment's full implications, they will demand a national debate about its pros and cons. The Multilateral Agreement on Investment may become law, but it is my bet that its unforeseen consequences will be one of the defining issues in the general election of 2001.

The Supreme Court ought to be examining the legality of signing the MAI instead of Quebec's possible independence

Ten good reasons

to oppose the Multilateral Agreement on Investment (MAI)

1. The MAI would cripple our ability to create jobs.
2. It would give new rights to foreign investors and corporations.
3. The MAI would give corporations more power to fight environmental regulations.
4. It would leave our culture at the mercy of US entertainment mega-corporations.
5. The MAI would open up our health care and social programs to multinational corporations.
6. It would threaten our ownership of fisheries, forests, energy and other natural resources.
7. It would give corporations the right to sue our elected governments to protect their profits.
8. All disputes would be decided in secret by trade experts with no public input.
9. The MAI would impose tough, unfair rules on developing countries who aren't even part of negotiations.
10. We would be locked into a bad deal for 20 years!

Canada should not be part of any agreement that grants corporations the same status as democratically elected governments and favours the rights of corporations over citizens.

The MAI now being negotiated by Canada and the other 28 countries that form the Organization for Economic Cooperation and Development (OECD) does just that.

We oppose the MAI:

Please send your group's endorsement to the National Campaign by e-mail: mai@canadians.org or by fax: (613) 233-6776 before Monday, March 16th.

MAI 
It could crush Canada

The Multilateral Agreement on Investment

NATIONAL CAMPAIGN

The MAI and Municipal Government

By Matt Price, Coordinator, Progressive Ventures

The Multilateral Agreement on Investment (MAI) is presently being negotiated by the world's industrialized nations, including Canada. In a nutshell, the MAI will seek to make the world a 'safer' place for global investors through limiting restrictions that government bodies can place on persons and companies doing business overseas (or in our case, in Canada).

Leaving aside the debate as to whether global trade is beneficial or harmful, the MAI differs from past international trade agreements by implying that all governments, including federal, provincial, and municipal, are bound by the agreement. This is done by applying the MAI to the entire "land territory, internal waters, and the territorial sea of a Contracting Party," rather than areas of Federal jurisdiction, and also by specifically naming "sub-federal entities," "subnational governments," or "local governments" in various parts of the text.

Clearly, this fact raises the issue of due process and the rights of these governments to be consulted. The Government of BC recently came out against the MAI, pointing out that the provisions have profound implications for areas of provincial jurisdiction. Because local government is a function of provincial jurisdiction, BC's municipalities have the same concern about consultation before their powers are eroded by Federal actions.

Another way in which the MAI is different from other international trade agreements is that companies have as much standing as nation states in bringing grievances. In the past, a company which felt wronged had to convince its national government to bring a grievance against another government. The MAI, however, makes it easy for a company to do all of this itself, which will ensure that the MAI is invoked on a daily basis, becoming the most-used international trade agreement ever.

In conferring more powers to transnational investors, the MAI has three principle thrusts:

- 1) National Treatment. The MAI states that foreign companies can be treated no differently than domestic ones. While this appeals to our sense of fairness, this provision has the effect of precluding the favouring of 'local' companies in the case of awarding government contracts. It should be noted that requiring those applying for commercial fishing licenses be Canadian, for example, is favouring 'locals.'

- 2) Investor Rights. The MAI also talks about "performance requirements," which are limits placed on national, provincial, and municipal governments to take any actions which have an impact upon foreign companies. All governments are bound by a long list of "do nots," which include requirements that foreign companies purchase goods and services locally, supply local markets or value-added producers, or maintain a given level of employment or production. Under this provision, for example, a foreign logging company could not be bound to process wood regionally or even provincially.

3) Expropriation. Finally, the MAI prohibits government 'takings' (or expropriation) of assets of foreign companies without compensation. While this also appeals to our sense of fairness, the MAI actually goes beyond our common law provisions that have governed the issue of expropriation to date. Canadian courts have thus far held that property rights exist at the discretion of the Crown, and therefore that limiting the use of property does not necessarily constitute expropriation. The MAI, however, specifically makes the definition of expropriation so broad that any limits on the use of property may constitute expropriation, and that financial compensation is necessary.

These provisions have immediate implications for municipal governments all across Canada. The greatest impact concerns the measures to guard foreign companies against expropriation (broadly defined) and the impact this has on the practice of municipal zoning. In cases such as the *Village of Euclid et. al. v. Ambler Realty Company*, (1926) and *Regina Auto Court v. Regina (City)*, (1958), North American courts have ruled that municipalities can pass by-laws limiting the use of property in order to serve the public interest.

The MAI, however, defines expropriation very broadly with no relation to these decisions, and also binds all governments (federal, provincial, and municipal) to compensate accordingly. Under the MAI, municipalities must therefore consider the likelihood of having to award compensation to offshore property owners before passing by-laws. In effect, the Federal government is quietly signing away legal rights that municipalities have won over the past several decades.

Another immediate impact on municipalities concerns the awarding of contracts. Presently, a municipality is able to specify that local contractors, or at least contractors who hire locally, are eligible for municipal contracts. Under the MAI, a foreign contractor would be able to take the municipality to a tribunal to stop this 'national treatment.'

The indirect impacts on municipalities as elements of the more general rubric of 'local control' are numerous. The MAI will challenge such tools of local control as regional resource boards, joint ventures, regional development strategies, and more.

The Federal government is quietly negotiating this deal with the other nations of the OECD, and intends to ratify the MAI by May of 1998. A groundswell of opposition to this closed-door process is building, however, particularly among municipalities which view the MAI as an erosion of their powers and also of local control generally.

The District of Squamish recently passed a resolution calling for "the strongest possible representations" to the Federal government on behalf of municipalities, and also urging public hearings in every province. This resolution went a long way in expressing to the Federal government that municipalities have a right to be consulted before their powers are eroded.

In many ways the MAI is an affront to democracy itself. Not only is this sweeping agreement being negotiated with no consultation or public debate, but the principle effect of the MAI in Canada will be to 'protect' transnational corporations from democratically-elected governments. Whether this 'protection' is needed has not even been asked; indeed, many would counter that in this age of

lightening-fast global trade, that it is not transnational corporations that need protection from governments, but rather the other way around.

For more information contact Progressive Ventures at (250) 725-2152

APPENDIX: MUNICIPALITIES, EXPROPRIATION, AND THE MAI

The issue of the right of municipalities to pass zoning by-laws has been brought before North American courts since early this century. After all, the heart of property rights involves the right of property owners to enjoy the use of their property, and the heart of many municipal by-laws is to limit the use of the same property in the public interest.

Property owners sometimes claim that the effect of a by-law limiting the use of their property amounts to a government 'taking' or expropriation of their property. While it is recognized that governments do indeed have the right to 'take' property, if it is deemed to be expropriation then the owner does have a right to compensation. The issue, then, is whether limiting use of property amounts to expropriation requiring compensation.

At least two cases have set significant precedents with regard to balancing the rights of municipalities to pass by-laws and the rights of owners to enjoy the full use of their property.

The foundational case is an American one, the Village of Euclid et. al. v. Ambler Realty Company, (1926). In the case, a property owner challenged the right of the Village of Euclid to pass comprehensive zoning by-laws on the grounds that they infringed on his Fourteenth Amendment to the Constitution right to "liberty and property." The court ruled, however, that municipalities have the right to exercise "police powers" which are actions which bear "a rational relation to the health and safety of the community," and therefore said that compensation was not necessary.

The second case is Canadian, Regina Auto Court v. Regina (City), (1958). In this case, the City of Regina re-zoned an area from 'residential' to 'park,' including the land of a property owner who claimed that the City should have bought his land outright rather than limiting his use of it. The court, however, ruled that the City was within its rights to pass the by-law even though it was "to some extent confiscatory in nature," and referred to the necessity of all cities to do this to regulate development. Compensation was refused.

North American case law therefore upholds the rights of municipalities to pass zoning by-laws which limit the use of property, and in so doing, limits the potential claim of 'expropriation' that property owners may level at them.

Under the Multilateral Agreement on Investment (MAI), however, a much more sweeping definition of 'expropriation' is proposed, with the implication that federal, provincial, and municipal governments will be bound by it. It states that governments are bound to:

not expropriate or nationalise directly or indirectly an investment in its territory of an investor...or take any measure or measures having equivalent effect...except... accompanied by payment of prompt, adequate and effective compensation

In other words, under the MAI, a foreign property owner can claim that expropriation has taken place 'indirectly,' or that a municipal by-law has the 'equivalent effect.' The foreign property owner may not have success in Canadian courts, but could take the municipality to the tribunal established to enforce the MAI in order to claim compensation.

This will have the effect of putting a chill on the practice of municipal zoning by making municipal councils in passing by-laws consider whether they may be taken to the tribunal by a foreign property owner. So, the decades of case law which have established municipal zoning rights may be undermined in a couple of months by an agreement negotiated by the Federal government without consulting either municipalities or the general public.

904-251 Laurier Avenue West, Ottawa, Ontario, K1P 5J7

Who's Opposed to the MAI?

Proponents and supporters of the Multilateral Agreement on Investment like to suggest that opposition to the MAI is coming from a few groups and “professional complainers” who are always opposed to everything, the same people who opposed NAFTA. Terms such as “kooks” and “wingnuts” are used in an attempt to discredit, if not shoot, the messengers.

The truth is that opposition has come from many organizations who are concerned about our loss of sovereignty, our loss of democracy, and about the increase in social injustice that will follow the implementation of the MAI. These have included the Ecumenical Coalition for Economic Justice supported by the mainline Canadian churches, and the Canadian Council of Catholic Bishops. An increasing number of journalists are speaking out, such as Richard Gwyn and Peter C. Newman. The Association of Western Governors, representing state governors in the western United States, have issued a statement of their concerns. And there are many, many more.

Those who criticize the MAI are often referred to as “special interest groups” and therefore, presumably not to be trusted or even listened to. **The truth is these critics represent the COMMON interest, the interests of the vast majority of Canadians,** and we must ask ourselves who the real “special interest groups” are.

Some of those who oppose the MAI have chosen to participate in this **National Campaign: Speak Out! Against the MAI.** They include the following:

Association of Canadian Publishers, Alternatives, Canadian Autoworkers (CAW), Canadian Community Reinvestment Coalition, Canadian Environmental Law Association, Canadian Federation of Students (CFS), Canadian Health Coalition, Canadian Labour Congress (CLC) and its provincial affiliates, Canadian Magazine Publishers Association, Canadian Teachers Federation (CTF) and its provincial affiliates, Canadian Union of Postal Workers (CUPW), Canadian Conference of Catholic Bishops, Canadian Council for International Cooperation, Canadian Public Health Association, Canadian Union of Public Employees (CUPE), Centre for Social Justice, Common Front on the WTO, Communication, Energy and Paperworkers, CUSO, Ecumenical Coalition for Economic Justice, Endangered Species Coalition, Friends of Canadian Broadcasting, Global Network on Food Security, Greenpeace Canada, International Fund for Animal Welfare, National Action Committee on the Status of Women, National Anti-Poverty Organization, National Farmers Union, National Federation of Nurses Unions, National Union of Public and General Employees, Ottawa Public Interest Research Group (OPIRG), Oxfam Canada, Physicians for a Smoke Free Canada, Public Service Alliance of Canada (PSAC), Rural Dignity of Canada, Sierra Club of Canada, Sierra Youth Coalition, Task Force on Churches and Corporate Responsibility, Ten Days for World Development, The Council of Canadians, United Food and Commercial Workers (UFCW), United Steelworkers of America, Writers Union of Canada .

(Over)

The MAI is being negotiated by national governments, but its effects will be felt by governments at the sub-national level even though they have not been party to the negotiations. Some of these sub-national governments have expressed serious concerns about the proposed agreement.

The Association of Western Governors, representing state governors in the western United States, have issued a statement of their concerns. The Council of Canadians distributed copies of the executive summary of this report to municipal councillors throughout Central Alberta in December. In Canada, the provinces of Prince Edward Island and British Columbia are opposed to the agreement and, according to the *Edmonton Journal* on March 1, "even provinces which have supported the multilateral agreement in principle welcomed the extra time the failure of the Paris negotiations presented."

At the municipal level, a number of councils have studied the MAI and have concluded that it poses a serious threat to their ability to govern their municipalities in the interests of their constituents. In British Columbia, seven municipal councils (Squamish, Parksville, Duncan, North Cowichan, Tofino, Coquitlam and North Vancouver) have passed resolutions against the MAI or written letters of concern to the Union of B.C. Municipalities. The UBCM in turn prepared an analysis of the MAI as it affects municipal governments and concluded, "the Executive Council was not convinced of the benefits of the MAI and, based on information available, shares the concerns of the Province of B. C." The UBCM issued an 11-page report to its member municipal councils giving details of the concerns. The Red Deer Chapter of the Council of Canadians can provide copies of the UBCM report to those who are interested.

It is clear that many governing bodies at the sub-national level have examined the Multilateral Agreement on Investment and have found reasons to be very concerned about the impact it would have on municipal governance. Although one might not guess it from the general media coverage or from the statements of cabinet ministers and members of parliament, including members of the official opposition, there is in fact much opposition to the MAI.

The Red Deer Chapter of the Council of Canadians feel that it would be appropriate for Red Deer City Council to pass a motion condemning the MAI or, at least, send a letter the Prime Minister demanding that the federal government delay any further consideration of the MAI until there has been full public discussion of the agreement and its ramifications for sub-national governments.

Paul Hellyer, who formerly held senior cabinet posts in the governments of Louis St. Laurent, Lester Pearson and Pierre Trudeau, is an outspoken and articulate critic of the MAI and has been speaking across the country to warn Canadians of the dangers posed by the proposed agreement. The following passage from his most recent book, *The Evil Empire*, includes a very concise synopsis of the contents of the MAI, prepared by Professor John McMurtry of the Department of Philosophy, University of Guelph. On page 80 Hellyer writes:

The MAI is, in reality, a bill of rights for international banks and global corporations. Someone dubbed it "NAFTA on steroids". Its purpose is to provide risk-free and problem-free investment opportunities for international corporations --- benefits gained at the expense of national sovereignty and national advantage.

We are told that the idea originated with the U. S. Council for International Business, an organization whose members will be principal beneficiaries. The concept is consistent with the dogma of unregulated capitalism and is strongly supported by the world's most powerful industrial nations. Why Canada is one of the leading champions of the new treaty is a total mystery unless we want to play the role of water-boy to the U. S. Canada has little, if anything, to gain and virtually everything to lose.

The MAI grants to citizens and corporations of all 29 member countries of the OECD "citizen status" in host countries. Consequently, they can never be discriminated against by any government at any level, on any account, such as their contribution to the welfare of citizens of the host country. Serving the interests of the host country is deemed to be "protectionist" and consequently prohibited. . . .

Accordingly, the MAI has written into its detailed draft articles the rights of transnational corporations:

- to export their commodities or services across all borders to other societies' markets with no conditions attached;
- to unilaterally purchase and own any structure or productive capacity of any other signatory nation with no requirement to sustain its viability, employment level or location in the home country;
- to own any saleable natural resource of other countries and to have national right to any concession, license or authorization to extract its oil, forest, mineral or other resources with no obligation to sustain these resources, or to use them in the interest of the host society;
- to bid for and own any privatized public infrastructure, social good or cultural transmission without any limit of foreign control permitted by law;
- to have access to any domestic government grant, loan, tax incentive or subsidy with the same rights as any domestic firm, with no means test, locale requirement, or public-interest distinction permitted;
- to be free of any and all performance requirements of job creation, domestic purchase of goods, import/export reciprocity, and technology or knowledge transfer to the host society;
- to repel as illegal any national standards of human rights, labor rights or environmental protection on goods produced in and imported from other regions or nations.

"We will oppose," stated the President of the U. S. Council for International Business in a letter to U. S. officials on March 21, 1997. "any and all measures to create or even imply binding obligations for governments or business related to environment and labor."

This is one of the most significant features of unregulated capitalism. Corporations are undoing 100 years of social progress by moving their operations from countries that forbid child labor and enforce environmental protection laws, to countries that don't. And the MAI is designed to protect their rights to exploit children, maintain sweatshops and commit environmental atrocities without fear that their goods can be barred entry into any country for those reasons

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Bob Mills, MP
(Red Deer)

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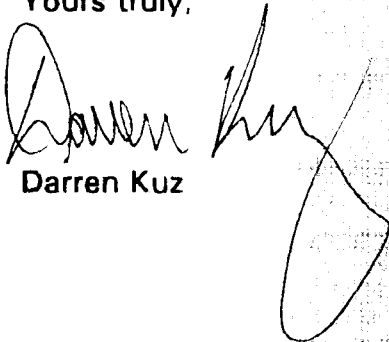
FAX TRANSMISSION SHEET

Total number of pages(including cover sheet) 10

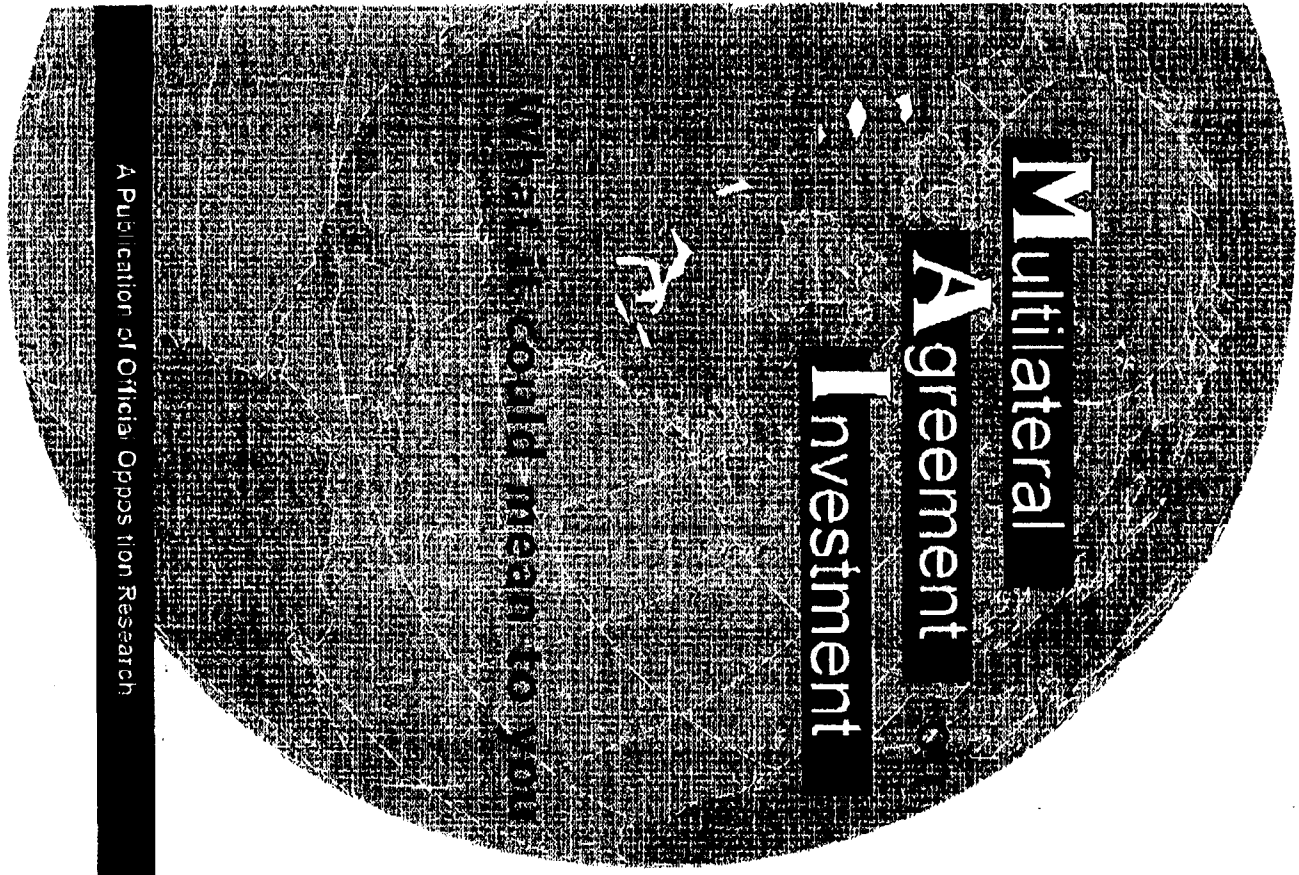
DATE: March 30, 1998
TO: Kelly Kloss 346-6195
FROM: Bob Mills, MP Office - Darren Kuz, Constituency Assistant
RE: MAI - April 6 Council Meeting

As discussed with you last week, please find attached the Reform Party's booklet in reference to the MAI. Bob looks forward to addressing Council in regard to this subject and if you have any questions or comments, please do not hesitate to contact me.

Yours truly,


Darren Kuz





A Publication of Official Opposition Research



What is the MAI?



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"... I see the MAI ... building on NAFTA as a win-win situation. On the one hand, Canada will not be losing any sovereignty in terms of our inward investment, but on the other hand, we will be gaining rules to deal with outward investment."

Alan Rugman
Management Professor
University of Toronto

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The Multilateral Agreement on Investment - or MAI - is a draft agreement being negotiated by the Liberal government with 28 other industrialized countries. The aim is to remove some of the obstacles companies face when establishing a physical presence (like a manufacturing facility, or sales office) in another country.

The agreement calls for countries to treat foreign companies the same way they treat their own. It also ensures that foreign assets will be protected in the event of unfair seizure by assuring prompt and adequate compensation.

There are other parts to the agreement. The free movement of key personnel will be permitted. There will be a mechanism to settle investment disputes when they arise. And all countries are working to exempt sensitive sectors from the agreement. Canada — just as we did in the NAFTA — will insist on exemptions for health care, social services, culture, and other sensitive sectors.

Where did it come from?

Prior to the mid-eighties, foreign investment in Canada was discouraged under the Foreign Investment Review Agency. Later, Investment Canada was formed to promote investment.

Since 1980, direct foreign investment in Canada has increased by almost 50 per cent, and Canada's investment abroad has tripled.

The Free Trade Agreement with the U.S. and the North American Free Trade Agreement contain investment agreements. These now govern 70 per cent of foreign investment in Canada.

In 1995, Canada, along with 28 other countries, agreed to negotiate a level playing field with respect to international investment. This is a natural step along the road to free trade with the world. Canada has already signed such agreements with 21 countries, and is in the midst of negotiating separate agreements with 20 more. Worldwide, a single agreement like the MAI would eventually replace most of the more than 1,500 similar agreements between nations.



If we are to move past our traditional role as hewers of wood and drawers of water, we need to promote trade and investment with the world.



The Liberals are mishandling the MAI

The government has followed a policy of secrecy, top-down decision-making, and lack of any real commitment to free trade.



The Liberal government has mishandled the entire process. It has failed to explain why it is negotiating the MAI. It has failed to explain the costs and benefits and it has failed to promote any real public discussion.

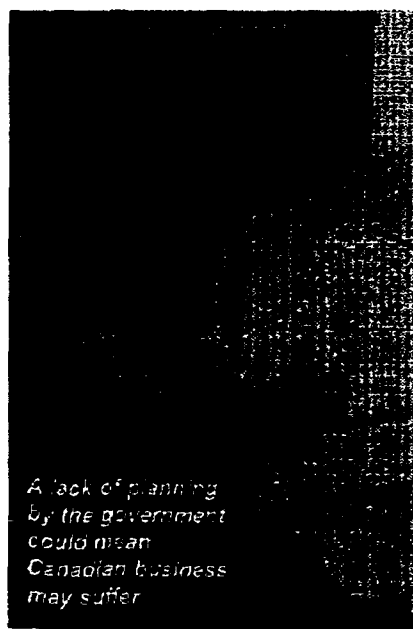
They've negotiated for over two years, yet the general public is only now becoming aware of the agreement.

The Trade Minister has not been seen by the general public. He has not appeared on any radio or television talk shows. He has not held any town halls on the MAI. In fact, not a single Liberal MP has been actively trying to explain the MAI. Why the total disregard for the public's right to know?

The House of Commons Sub-Committee was given only three weeks to study the MAI. It did not have time to travel to regions within Canada where concerns were being expressed. One of the chief recommendations of the committee was that the government increase its efforts to inform Canadians. Have the Liberals been informing you?

The target date for completion of the MAI agreement was extended to May 1998. Now it has been extended again, with no definite deadline.

The way the Liberals are handling the agreement, the cabinet can approve it, and the Prime Minister can sign it without any input from Parliament.

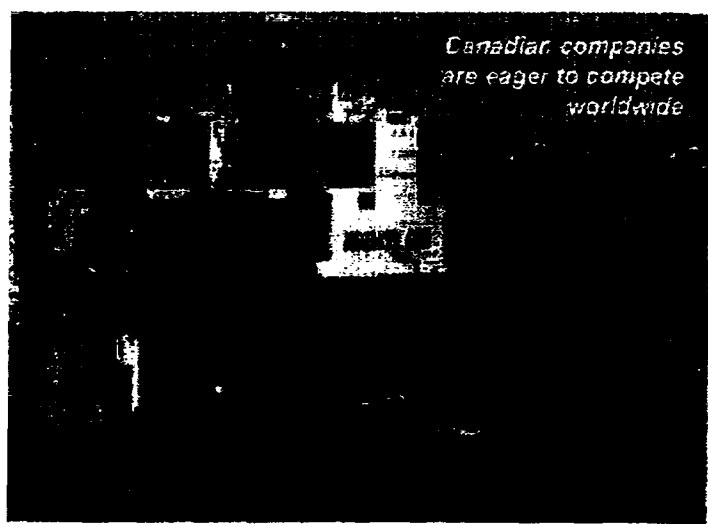


Stumbling blindly in the dark: the Liberal legacy

While the Liberal government keeps us all in the dark, one thing becomes clear. There is a pattern developing here. This government is clearly unable to handle anything resembling long-term planning. On the eve of a near disastrous referendum campaign in 1995, they scrambled to appease the separatists. They stumbled into the global warming negotiations in Kyoto with no plan and no idea what they might be committing the country to.

And now they're negotiating an investment deal that affects all Canadians, and they will not even tell us what is coming down the road. We say that is just not acceptable.

“If the Liberals bungle the MAI, it will cost Canadians jobs and income security.”
Charlie Penson, M.P.
Official Opposition
Trade Critic





What does all this really mean to you?

In the 21st Century the majority of jobs in Canada will depend on Canadian companies investing abroad and foreign companies investing in Canada. Every Canadian has a vested interest in the MAI. If you work for a multinational company you want its overseas investment protected.

How this deal could affect you directly

- The company you work for will be quickly compensated if its foreign holdings are expropriated
- Your company will have more confidence to expand abroad if the rules are clear
- If your company has a dispute over an investment abroad, it can get a quick hearing
- More jobs will be created as foreign investment in Canada increases

6

"We live and die by competing in international markets. Our standard of living depends on our ability to be competitive."

Mike Percy
 Dean, Faculty of Business
 University of Alberta

9



Wherever you work, the MAI will have a direct effect on your livelihood

Potential Benefits



Instead of negotiating separate agreements with numerous countries, it only makes sense to have one agreement. It also makes sense to have some control over the rules for international investment, rather than letting the rest of the world run roughshod over what we, as Canadians, consider to be fair play. This applies equally to foreign investment in Canada and Canadian investment abroad.

An ever-increasing percentage of Canada's jobs and wages will be provided by Canadian-based multinational companies operating abroad. Canadian-based companies currently have over \$194 billion invested in other countries. Not only will a properly designed MAI protect our business investments abroad, but

those companies tend to keep the high-end jobs — management, research, marketing — in Canada.

In Canada, as we set a course into the new millennium, we will become rich or poor based on our ability to compete in foreign markets. Our trading activities already account for one of every three jobs in Canada. It is a simple fact that our domestic population is too small to give Canadians the lifestyle they want.

We must trade, and to trade effectively, we must invest. Investing in facilities abroad will help us sell and distribute our products around the globe. Encouraging others to invest in Canada will help us access their new technologies and know-how.



The high end jobs tend to stay in Canada

...we would like to see

What negotiations
costs and

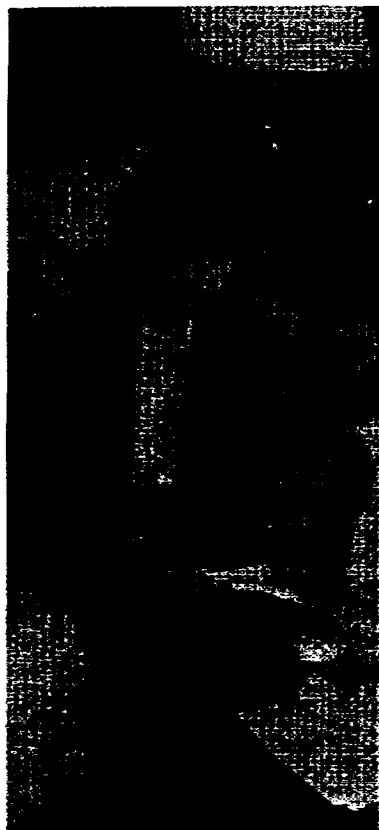
1. The United States will not
 2. support the SAH if
 3. it is unable to
 4. provide for the
 5. needs of the
 6. people of the
 7. country.

Canadian companies more than three-quarters of our large trading and investment partners need the multi-lateral rules-based framework of an MMT.



Dangers and Concerns . . .

Most people have only received information from the alarmists



The Council of Canadians says

- The MAI has chilling implications for Canadians
- It is a Charter of Rights and Freedoms for corporations
- It could crush Canada
- It would trample our social programs into the ground
- Parliament won't matter

The NDP says

- The MAI will be irreversible, and hurt social programs
- It promotes a global corporate agenda
- It gives special status to investors at the expense of workers and the environment
- It helps corporations wrest further control from governments

The conspiracy theorists say

- We're moving to one-world government

The Liberal government is negotiating the MAI, but have you heard anything from them? These critics are right about one thing: the government has done a terrible job of communicating what the MAI is and what it means for Canadians.

Are they justified?



These concerns would only be justified if the Liberal government drifts away from a NAFTA-style investment agreement. They would not be justified under Reform's approach to negotiating the MAI.

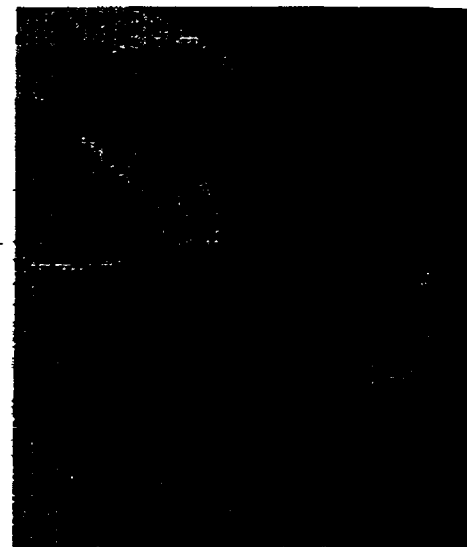
The key underlying principle would be to treat foreign companies the same way we treat domestic companies. It does not follow that Parliament will be weakened, that we will have a one-world government or that large corporations will receive some sort of Charter of Rights.

As in NAFTA, foreign companies in Canada will still be subject to Canadian laws just like any other Canadian company. They will not be above our environmental or labour laws.

The MAI is not some sort of global conspiracy. It simply provides for the principle of non-discrimination. This means that Canadian companies cannot be discriminated against abroad,

and Canada cannot ask more of foreign companies than it asks of domestic companies. We have lived under similar investment rules with the most powerful country in the world, the United States, for 10 years now. Parliament still matters and Canada has not been crushed.

Social programs and health care are exempted under NAFTA and the government assures us they will be exempted from the MAI





Questions the government must answer



Serious questions must be answered before anyone signs anything. Questions such as:

Q: How will the environment be protected?

A: Reform says the MAI must contain strong environmental protection. All governments must retain the right to pass any legislation that protects the environment, with the provision that domestic and foreign companies are equally subject to these laws.



Environmental controls must be respected

Q: What about international labour standards being imposed in Canada?

A: Reform says we should leave each country to develop and enforce its own standards, much the way we do in NAFTA.

Q: Won't this type of agreement mean more undermining of our Canadian culture?

A: Although we have a cultural exemption under NAFTA, the Americans can retaliate for any Canadian protectionist measures. Since it is the Americans that most protectionists worry about, that will remain unchanged in spite of an MAI.

Q: Will the government allow voting on the MAI before it is signed?

A: Reform says the final MAI agreement should be tabled in Parliament before the government takes binding action and that it must be debated and put to a vote.

Q: Why did the Liberals not mention the MAI during the election?

A: The government promised openness, but has not delivered. The MAI was not mentioned in the Red Book, in the election, or in the Throne Speech. Why?

Q: Will foreign companies receive compensation for expropriation more quickly than domestic companies?

A: Reform says the government needs to ensure that domestic dispute settlement is not costlier and lengthier than the panel system set up for foreign companies.

Canadians don't want governments telling them where, when, and what they can buy



The face of globalization



Some foreign companies investing in Canada

Chrysler
Coca-Cola
McDonald's
General Electric
Johnson & Johnson
General Motors
Husky Oil
Honda
IBM
Toyota
John Deere
Mercedes-Benz
Price Costco
Wal-Mart
Nabisco
Phillips
Sears
Shell
Safeway
Ford Motor Company

When foreign multinationals invest in Canada, they hire Canadians. Every \$1 billion invested creates 45,000 new jobs.

In 1995 alone, investments by Toyota led to 2,400 jobs in Ontario. Sweden's Ericsson Communications recently helped create 700 jobs in Quebec. The U.S. pharmaceuticals giant Merck-Frosst established a Research and Development centre directly responsible for 200 jobs in B.C. And another U.S. company, Greenbrier Rail Cars, helped create 900 jobs in Nova Scotia.

Canadians in foreign markets

There are now well over 2,000 Canadian companies that invest abroad on a regular basis, and thousands more that supply those companies.

For the first time in 1997, the amount of Canadian direct foreign investment abroad was greater than incoming foreign investment. Canadian multinationals have investments abroad totalling over \$194 billion.

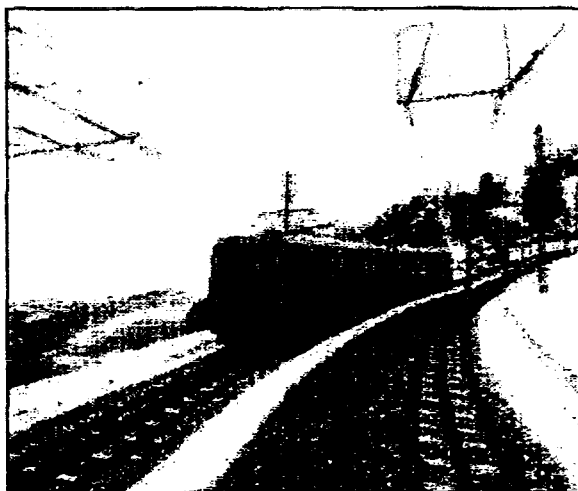
Increasingly, our companies are using outward investment to strengthen their operations, penetrate new markets, and acquire new technologies, resources and skills. These companies create high-end jobs in research, marketing and management in Canada.

Canadians want growth, and they deserve good jobs.

A properly designed MAI would go a long way towards achieving both of these objectives.

Some Canadian companies investing abroad

Bombardier
Alcan Aluminium
Bank of Nova Scotia
Dominion Textile
Cac Industries
Cominco
Finning
Inco
Laidlaw
Maclean Hunter
MacMillan Bloedel
Magna International
Moore Corporation
Vartiy Corporation
Northern Telecom
Placer Dome
Quebecor
Seagram
Western Star Trucks



A foreign transportation company helped create 900 jobs in Nova Scotia

“It is the establishment of a more predictable, secure environment for Canadian companies that really underlies our support for the MAI.”

David Hecnar
Canadian Council for
International Business

Please write to:



For more information on Reform policies
visit our interactive website at
www.reform.ca

A Publication of The Official Opposition

Comments:

Once the presentations have been heard, should Council wish to support the Council of Canadians Red Deer Chapter, the matter should be referred to the Administration for the drafting of a resolution for Council's consideration at a future meeting.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

FILE

Office of the City Clerk

April 7, 1998

Box 5008
Red Deer, Alberta
T4N 3T4

The Council of Canadians
Red Deer Chapter
85 Selkirk Boulevard
Red Deer, AB T4N 0G6

Att: Mr. Don Hepburn

RE: Nation Wide Campaign - Multilateral Agreement on Investment (MAI)

At the City of Red Deer's Council Meeting held Monday, April 6, 1989, consideration was given to your correspondence regarding the above. At that meeting, the following resolution was passed:

"WHEREAS, concern has been expressed regarding the Federal Government's development of a Multilateral Agreement on Investment; and

WHEREAS, the Multilateral Agreement on Investment will have an impact on municipalities of Canada; and

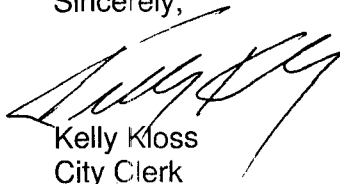
WHEREAS, more information is required prior to municipalities supporting or not supporting the Multilateral Agreement on Investment;

THEREFORE BE IT RESOLVED, that the Council of the City of Red Deer hereby requests the Federation of Canadian Municipalities and the Alberta Urban Municipalities Association to review the implications of the Multilateral Agreement on Investment on municipalities and determine a course of action to be taken to ensure the interests of Canadian municipalities are protected."

As directed by Council we will now be corresponding with the Federation of Canadian Municipalities and the Alberta Urban Municipalities Association and requesting that they review the implications of the Multilateral Agreement on Investment on municipalities and determine a course of action to be taken.

On behalf of Council, thank you for attending the Council Meeting and making a very informative presentation.

Sincerely,



Kelly Kloss
City Clerk

/clr

4914 - 48th Avenue, Red Deer, AB Canada T4N 3T4

Tel: (403) 342-8132 Fax: (403) 346-6195 E-mail: cityclerk@city.red-deer.ab.ca Web: <http://www.city.red-deer.ab.ca>

The City of Red Deer



*COPIED TO: K. KLOSS
MEMBERS OF COUNCIL
BOB MILLS, MP*



Federation of
Canadian
Municipalities

Fédération
canadienne des
municipalités

MEMBERS' ADVISORY

FCM CALLS FOR ANSWERS ON MUNICIPAL IMPACT OF THE MULTILATERAL AGREEMENT ON INVESTMENT (MAI)

(Ottawa) - April 2, 1998 - FCM, at its last two National Board of Directors' meetings, identified the Multilateral Agreement on Investment (MAI) as an issue of concern to municipal governments. At the March meeting of the Board of Directors in Ottawa, FCM invited William Dymond, Chief Negotiator for Canada to report on the MAI. Addressing FCM's Standing Committee on Economic Development, Dymond stated that a consultation period prior to the resumption of negotiations is envisaged.

Late last week, media reports confirmed that negotiators would not meet their April 27 deadline. It is expected that the 29 member countries of the Organization for Economic Cooperation and Development (OECD) will resume their negotiations on foreign investment at an unspecified date following the lapse of the current deadline.

"The delay is a favourable development", said FCM President and Deputy Mayor of Winnipeg Jae Eadie. "FCM will have a greater opportunity to deliver its message insisting that the federal government ensure municipal governments are not adversely effected by the MAI. However, until such time as we receive such assurance, FCM will seek a permanent and explicit exemption in the MAI, limiting its application to areas of federal jurisdiction."

In meetings with the Departments of Foreign Affairs and International Trade (DFAIT), Industry Canada and Finance, FCM insisted that government procurement, including municipal purchasing, and expropriation of property must not be subjected to the MAI. FCM is pleased to note that in a recent speech to the Centre for Trade, Policy & Law, Sergio Marchi, Minister for International Trade, took a very clear position on Canada's participation in the talks. "We have no intention of leaving the Government open to the prospect of being hauled before an international tribunal by companies or investors from any of the 28 or eventually 100 or more countries whenever it legislates to safeguard the interests of our people."

FCM's review and analysis of the MAI continues, focusing on the implications for municipal governments. Further information on the MAI will be published in the May/June issue of *Forum*.

-30-

For further information contact:
Fiona Deller, Policy Analyst
Tel. : (613) 241-5221, ext. 299
E-mail : fdeller@fcm.ca

Visit our website at www.fcm.ca



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

Office of the City Clerk

FILE

April 7, 1998

Mr. Bob Mills, M.P.
Reform Party
4921 - 47 Street
Red Deer, AB T4N 1R4

Faxed To: (403) 347-7423

Dear Mr. Mills:

RE: Nation Wide Campaign - Multilateral Agreement on Investment (MAI)

At the City of Red Deer's Council Meeting held Monday, April 6, 1989, consideration was given to correspondence from the Council of Canadians Red Deer Chapter, Mr. Don Hepburn, dated March 11, 1998, regarding the above. At that meeting, the following resolution was passed:

"WHEREAS, concern has been expressed regarding the Federal Government's development of a Multilateral Agreement on Investment; and

WHEREAS, the Multilateral Agreement on Investment will have an impact on municipalities of Canada; and

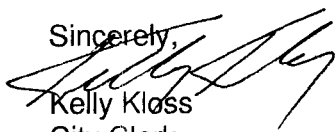
WHEREAS, more information is required prior to municipalities supporting or not supporting the Multilateral Agreement on Investment;

THEREFORE BE IT RESOLVED, that the Council of the City of Red Deer hereby requests the Federation of Canadian Municipalities and the Alberta Urban Municipalities Association to review the implications of the Multilateral Agreement on Investment on municipalities and determine a course of action to be taken to ensure the interests of Canadian municipalities are protected."

As directed by Council we will now be corresponding with the Federation of Canadian Municipalities and the Alberta Urban Municipalities Association and requesting that they review the implications of the Multilateral Agreement on Investment on municipalities and determine a course of action to be taken.

On behalf of Council, thank you for attending the Council Meeting and for the information you provided for the Council Agenda.

Sincerely,


Kelly Kloss
City Clerk

/clr



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

FILE

Office of the City Clerk

April 7, 1998

Alberta Urban Municipalities Association
8712 - 105 Street
Edmonton, AB T6E 5V9

Att: Mr. John McGowan,
Executive Director

RE: Multilateral Agreement On Investment

At the City of Red Deer's Council Meeting held Monday, April 6, 1998, consideration was given to the above. Subsequent to the presentation by the Council of Canadians Red Deer Chapter, the resolution as noted hereunder was passed by Council:

"WHEREAS, concern has been expressed regarding the Federal Government's development of a Multilateral Agreement on Investment; and

WHEREAS, the Multilateral Agreement on Investment will have an impact on municipalities of Canada; and

WHEREAS, more information is required prior to municipalities supporting or not supporting the Multilateral Agreement on Investment;

THEREFORE BE IT RESOLVED, that the Council of the City of Red Deer hereby requests the Federation of Canadian Municipalities and the Alberta Urban Municipalities Association to review the implications of the Multilateral Agreement on Investment on municipalities and determine a course of action to be taken to ensure the interests of Canadian municipalities are protected."

As noted above, Council of the City of Red Deer requests the AUMA to *review the implications* of the Multilateral Agreement on Investment on municipalities and determine what course of action should be taken to ensure that the interests of the municipalities are protected. For your reference, I have attached the reports that appeared before Council on April 6, 1998.

I look forward to your response in due course.

Sincerely,


Kelly Kloss
City Clerk

/clr
attchs.



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

FILE

Office of the City Clerk

March 26, 1998

**BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL**

The Council of Canadians
Red Deer Chapter
85 Selkirk Boulevard
Red Deer, AB T4N 0G6

Attention: Don Hepburn, Chairman

Dear Mr. Hepburn:

I am in receipt of your letter dated March 11, 1998 re: Multinational Agreement on Investment. Your letter will be placed on the Red Deer City Council Agenda of Monday, April 6, 1998.

Your request has been circulated to City Administration for comments. A copy of the administrative comments will be available to you prior to the Council Meeting and can be picked up at our office on the second floor of City Hall on Friday, April 3, 1998.

It is my understanding that someone on behalf of The Council of Canadians, Red Deer Chapter, will be in attendance at the Council Meeting to answer questions/speak to this item. As discussed with you, this matter is tentatively scheduled for Council's consideration at 7:10 p.m. at the Council Meeting of April 6th. Upon arrival at City Hall, please enter the park side entrance and proceed to the Council Chambers on the second floor.

Council Meetings are open to the general public and are televised live on Shaw Cable, Channel 3. Council Meetings commence at 4:30 p.m., adjourn for the supper hour at 6:00 p.m., and reconvene at 7:00 p.m. Council agendas are available to the public and media from the City Clerk's Department.

If you have any questions or require further assistance, please do not hesitate to contact me.

Sincerely,

Kelly Kloss
City Clerk

KK/fm

*The Council of Canadians
Red Deer Chapter*

85 Selkirk Boulevard
Red Deer, Alberta
T4N 0G6
April 13, 1998

Mayor Gail Surkan
City of Red Deer
City Hall
Red Deer, Alberta

Your Worship

On behalf of the Red Deer Chapter of the Council of Canadians I would like to express our appreciation to you and, through you, to the members of City Council for taking time at your April 6 meeting to hear our presentation about the Multilateral Agreement on Investment. We were pleased indeed that Council saw fit to pass the resolution it did, drawing the attention of AUMA and CFM to the issues raised by the MAI and placing the proposed agreement on their agendas.

Although Council was reassured by Member of Parliament Mills that the MAI is a dead issue and that Council need not be concerned about it at this time, the word we have received is somewhat different. Tony Clarke of the Canadian Centre for Policy Alternatives reports from Europe that it seems to be only in Canada that the agreement is being reported as dead. Elsewhere it is still alive. This would seem to be confirmed by the Reuters news report of March 26, included in the attached internet information received yesterday. In view of this information, we are convinced that Council's resolution is timely and important.

Yours truly

A handwritten signature in dark ink, appearing to read "Don Hepburn", followed by a horizontal line.

Don Hepburn
Chairman

X-Sender: bobolsen@arcos.org
Date: Sun, 12 Apr 1998 12:09:35 -0400
To: act-cuts-ent-1@netserver.web.net
From: Bob Olsen <bobolsen@arcos.org>
Subject: MAI Going Ahead April 27-28
Cc: hiz@islandnet.com
Return-Path: <bobolsen@arcos.org>

Dutch State secretary Van Dok will continue insisting on signing the MAI at the Ministerial Conference of the OECD in Paris 27-28th of April.

----- Forwarded Message Follows -----

Date: Sun, 5 Apr 1998 21:36:52 +0200 (MET DST)
From: paxaran@antenna.nl (Olivier Hoedeman)
Subject: Dutch gov. wants MAI in April

The Dutch government has not given up signing the MAI or parts of it at the OECD's Ministerial Conference in the end of April. That is clear from statements made by State Secretary Van Dok - responsible for the Dutch position in the MAI negotiations - at a consultation Friday April 3 with Dutch NGOs. Frans Engering - chair of the MAI negotiations - shared Van Dok's ambitions.

State secretary Van Dok will continue insisting on signing the MAI at the Ministerial Conference of the OECD 27-28th of April. If that turns out to be impossible (which she described as the most likely scenario) she will plead for signing a general political accord, which would lock in the main components of the MAI about which there is consensus.

According to Van Dok, the negotiations should then move to the World Trade Organisation (WTO). She announced that she would recommend this scenario at the OECD's Ministerial Conference. Frans Engering elaborated further: his goal is that the current negotiating text - which will be discussed further at the next negotiation session 14 - 17th of April - is signed at the Ministerial Conference. By doing so the OECD countries would commit themselves to all the points about which there is consensus, while at the same time indicate on which points negotiations need to continue.

The scenario outlined by Van Dok and Engering would seriously limit the possibilities of national parliaments to influence the negotiation process after April. Citizen's groups should use the next weeks to try to prevent this from happening, for instance by asking parliaments to limit the mandate with which ministers go to the OECD Ministerial Conference.

Her reaction to the critique from the European Parliament was that these things 'are luckily taken care of at the national level and that the EP has nothing to say about it'.

(this is a summary of a short report in Dutch on the debate during the NGO consultation, written by Erik Wesselius, Towards a Different Europe). For more information: erik225@knoware.nl

.....

MARCHI TO RENEW THE MAI NEGOTIATIONS, APRIL 27-28 PARIS

I expect that Canada's Trade Minister, Sergio Marchi, will commit Canada to renew it's efforts to negotiate an MAI and call upon other OECD members to do the same at the OECD meeting in Paris on April 27-28, 1998

PARIS, March 26 (Reuters) - An OECD treaty on investment liberalisation is not dead even if an initially hoped-for deal by end-April is no longer on the cards, OECD Deputy Secretary General Joanna Shelton said on Thursday.

Rather than go for broad political agreement on the treaty at the annual ministerial meeting on April 27-28, the OECD's Paris-based secretariat is now limiting its ambitions to securing a renewed political mandate. The April 27-28 meeting was expected to back this up with a fresh negotiating mandate.

((Brian Love, Paris newsroom, +33 1 4221 5452,
fax +33 1 4236 1072, paris.newsroom+reuters.com))

I urge you to write to your MP:

House of Commons
Parliament Buildings
Ottawa, Ontario
K1A 0A6 (no postage necessary)

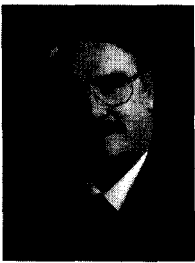
Dear, MP

I fear that Foreign Trade Minister, Sergio Marchi, intends to sign a general political accord, which would lock in the main components of the MAI, and commit Canada to renewing the MAI negotiating process at the OECD meeting in Paris April 27-28, without consulting Canadians on whether or not we want it.

Please let me know now what the Minister is planning to commit Canada to in Paris on April 27-28.

Signed (your name)

Bob Olsen Toronto bobolsen@arcos.org (:-)



Bob Mills, MP
(Red Deer)

Ottawa
653-D Centre Block
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(613) 995-0590
FAX: (613) 995-6831
Internet: millsb@parl.gc.ca

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Red Deer, Alberta T4N 1R4
(403) 347-7426
Fax: (403) 347-7423
1-800-667-0523
Internet: bmillsmp@telusplanet.net

April 14, 1998

Kelly Kloss, City Clerk
City of Red Deer
4914 - 48 Avenue
Red Deer, AB
T4N 3T4

Dear Kelly;

Thank you for your recent letter, informing me of City Council's recent resolution on the Multilateral Agreement on Investment. I appreciated having the opportunity to go before Council last Monday.

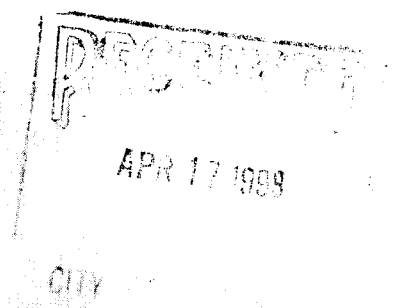
As a result of the presentations last Monday, City Council has requested that the Federation of Canadian Municipalities and the Alberta Urban Municipalities Association review the implications of the MAI on municipalities, to determine a course of action.

I would appreciate hearing the recommendations the AUMA and the FCM provide to the City of Red Deer in the future.

Thank you for keeping me informed on this matter. If any new information comes through my office on the MAI, I will forward it to you.

Yours truly,

Bob Mills, M.P.
Red Deer



Metro Hall
55 John Street
Stn. 1071, 7th Flr.
Toronto, ON
M5V 3C6
E-mail:
clerk@city.toronto.on.ca
Website:
<http://www.city.toronto.on.ca>
Phone: 416-392-8670
Fax: 416-392-2980

Novina Wong
City Clerk
City of Toronto

April 22, 1998

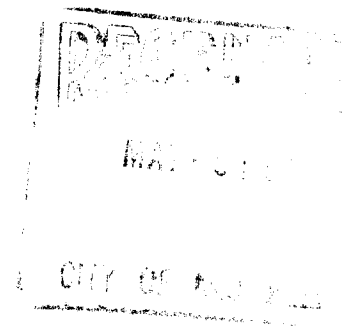
**ALL MUNICIPALITIES IN CANADA WITH
A POPULATION OF OVER 50,000:**

I am enclosing for your information and any attention deemed necessary, Clause No. 28 contained in Report No. 4 of The Strategic Policies and Priorities Committee, headed "Multilateral Agreement on Investment", which was adopted, without amendment, by the Council of the City of Toronto at its meeting held on April 16, 1998.

R. Brown
for City Clerk

R. Walton/csb

Encl.



Clause sent to:

- Prime Minister of Canada
- Minister of Finance, Government of Canada
- Minister for International Trade, Government of Canada
- Minister of Foreign Affairs, Government of Canada
- Minister of Industry, Government of Canada
- Mr. Preston Manning, Leader of the Official Opposition
- Mr. Michel Gauthier, Leader of the Bloc Quebecois
- Ms. Alexa McDonough, Leader of the New Democratic Party
- The Honourable Jean Charest, Leader, Progressive Conservative Party
- All MP's representing the City of Toronto
- All Municipalities in Canada with a population of over 50,000
- Consulates of Member Countries of the Organization for Economic Cooperation and Development (OECD)
- All Interested Parties

Clause embodied in Report No. 4 of the Strategic Policies and Priorities Committee, as adopted by the Council of the City of Toronto at its meeting held on April 16, 1998.

28

Multilateral Agreement on Investment

(City Council on April 16, 1998, adopted this Clause, without amendment.)

The Strategic Policies and Priorities Committee recommends:

- (1) the adoption of the following motion moved by Councillor Augimeri and seconded by Councillor Miller, which was referred to the Strategic Policies and Priorities Committee by City Council at its meeting held on March 4, 5 and 6, 1998:

“WHEREAS the federal government is in the process of negotiating the Multilateral Agreement on Investment (MAI) with the 29 member countries of the OECD, with the intention of having a signed agreement by September 1998; and

WHEREAS the citizens of the City of Toronto have had little access to information and informed debate on the Multilateral Agreement on Investment, and its implications at the federal, provincial and local levels; and

WHEREAS there are potential negative impacts of a Multilateral Agreement on Investment on the lives and livelihoods of the residents of the City of Toronto, especially small businesses; and

WHEREAS the draft of the MAI treaty further extends the provisions of the Free Trade Agreement and NAFTA in both the ‘National Treatment’ and ‘Performance Requirements’ provisions, which will impact on the entire Municipal, University, School and Hospital sector, and specifically on the City of Toronto’s ability to implement purchasing policies and practices that favour local Toronto based businesses and suppliers; and

WHEREAS the MAI treaty, as drafted, would stop municipalities from limiting the use of property by foreign companies, which could have the effect of restricting Council’s right to set planning By-laws;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto urge the Government of Canada to consult widely and in depth with the people of Canada, especially and including, the soliciting of detailed responses from municipal councils, before taking any further action on the Multilateral Agreement on Investment.”;

- (2) that the Government of Canada be advised that the City of Toronto is opposed to the Multilateral Agreement on Investment and requests that further negotiations cease and desist immediately; and**
- (3) that the City of Toronto endorse the position taken by the Federation of Canadian Municipalities that the Prime Minister of Canada be petitioned to have the chief negotiator for the Multilateral Agreement on Investment file a permanent and explicit exemption in the Agreement limiting its application to areas of federal jurisdiction, and that City Council’s action, together with the supporting material from the Federation of Canadian Municipalities be circulated to:**
 - (a) all municipalities in Canada with a population of over 50,000 and to the Association of Municipalities of Ontario for support;**
 - (b) all MPs representing the City of Toronto with the request that they endorse the City’s action and that their responses as to whether or not they endorse Council’s actions, and their respective names, be:**
 - (i) forwarded to the Federation of Canadian Municipalities annual meeting; and**
 - (ii) be made available to the public;**
 - (c) the Consulates of the other member countries of the OECD.**

The Strategic Policies and Priorities Committee submits the following communication (March 3, 1998) from Mr. R. W. Pritchard, General Manager of Corporate Services and City Clerk of the Corporation of the City of Kitchener:

This is to inform you that the Council of the Corporation of the City of Kitchener at its regular meeting held on Monday, March 2, 1998, passed the following resolution, namely:

“WHEREAS the federal government is in the process of negotiating the Multilateral Agreement on Investments with the 29 wealthiest countries in the world with the intention of having a signed agreement by September 1998; and

WHEREAS concerns about the agreement have already been raised by 565 organizations, with representatives in 70 countries around the world; and

WHEREAS the citizens of the City of Kitchener have had little access to information and informed debate on the Multilateral Agreement on Investments, from the federal government, and the mainstream media on its implications locally, provincially, federally and globally;

THEREFORE BE IT RESOLVED that the Corporation of the City of Kitchener urge the Government of Canada to suspend negotiations on the Multilateral Agreement on Investments until it has consulted more widely and in depth with the people of Canada, especially and including, the soliciting of detailed responses from municipal councils and their citizens; and further,

That the appropriate City staff be directed to discuss this issue with local MPs and to prepare a report on the implications of this Agreement on municipal government; and further,

That a copy of this resolution be sent to local MPs, the Federation of Canadian Municipalities, the Association of Municipalities of Ontario and Ontario cities having a population greater than 50,000."

The Strategic Policies and Priorities Committee also submits the following communication (April 1, 1998) from Mr. Denis Casey, Acting President, Canadian Union of Public Employees, Local 79:

A motion has been proposed which resolves that the City of Toronto urge the federal government to hold widespread consultation with Canadians on the Multilateral Agreement on Investment (MAI) before taking any further action.

The Multilateral Agreement on Investment is an international agreement, currently being negotiated with the member countries of the Organization for Economic Cooperation and Development (OECD). There is growing and widespread opposition to the treaty by many individuals and organizations. They fear that it will further expand the power of multi-national corporations, guaranteeing them an open market and access to all areas of the Canadian economy.

The MAI is an important issue for municipalities because it will have an impact on some policies and practices currently in effect. Under the MAI treaty, municipalities would not be able to favour local companies over international firms when awarding contracts. In the past, Toronto governments have always recognized the economic importance of supporting local business whenever possible. This is how we have built a strong community. In addition, the MAI would limit municipalities' rights to set some planning policies, and their ability to act in a wide range of other areas. Clearly municipal governmental concerns have not been an important factor in shaping the MAI.

City Councils in Kitchener, Windsor, Woodstock, Owen Sound and Tecumseh have all passed resolutions calling on the federal government to hold public hearings. We urge members of this Committee to join with these cities by supporting the proposed motion.

The Strategic Policies and Priorities Committee also had before it the following material respecting the Multilateral Agreement on Investment (MAI) which has been circulated to all Members of Council under separate cover on April 8, 1998, and copies thereof are on file in the office of the City Clerk:

- (i) (March 3, 1998) from Mr. R.W. Pritchard, General Manager of Corporate Services and City Clerk, City of Kitchener;
- (ii) (April 2, 1998) from Ms. Helen Hansen and Mr. Robert Hansen;
- (iii) (April 1, 1998) from Ms. Anne Hansen;
- (iv) (April 1, 1998) from Mr. Denis Casey, Acting President, C.U.P.E. Local 79;
- (v) (April 4, 1998) from Mr. Fred Roy, Willowdale Unitarian Fellowship, Social Action Committee;
- (vi) (April 7, 1998) from Dr. Rose Anne Dyson, Steering Committee Member, People Against the MAI (PAMAI);
- (vii) (April 7, 1998) from Ms. Linda Torney, President, Labour Council of Metropolitan Toronto and York Region;
- (viii) (April 7, 1998) from Mr. Robert Olsen;
- (ix) (undated) from Councillor Augimeri;
- (x) (April 6, 1998) from Mr. Morry Smith;
- (xi) (April 7, 1998) from Ms. Colleen Burke and Ms. Mary Roufail;
- (xii) (April 7, 1998) from Mr. Brent Patterson;
- (xiii) (April 7, 1998) from Mr. Richard Troy;
- (xiv) (April 7, 1998) from Mr. Brian Milani, Research Coordinator, Eco Materials Group; and
- (xv) (April 7, 1998) from Marjaleena Repo, obo Citizens Concerned About Free Trade, together with a copy of the Spring 1998, edition of a publication titled "True North".

The following persons appeared before the Strategic Policies and Priorities Committee at its meeting held on April 7, 1998, in connection with the foregoing matter:

- Mr. Brent Patterson
- Mr. Bob Olsen
- Dr. Rose Dysan, o.b.o. People concerned about the MAI (PAMAI)
- Mr. Terry Gardner, o.b.o. Science for Peace
- Mr. Morry Smith
- Mr. Richard Troy
- Ms. Sarah Dopp
- Ms. Mary Roufail, o.b.o. the Women's Task Group of Stop MAI - Toronto
- Ms. Colleen Burke, o.b.o. the Women's Task Group of Stop MAI - Toronto
- Mr. Paul Hellyer, President, Waterfront Ratepayers' Association
- Mr. Brian Milani
- Ms. Marjaleena Repo, o.b.o. Citizens concerned about Free Trade
- Mr. Michael Baxter, o.b.o. Regent Park United Church
- Mr. John Valleau
- Ms. Helen McNeill

The following members of Council also appeared before the Strategic Policies and Priorities Committee at its meeting held on April 7, 1998, in connection with the foregoing matter:

- Councillor Augimeri
- Councillor Layton

(City Council on April 16, 1998, had before it, during consideration of the foregoing Clause, a communication (April 7, 1998) from Ms. F. Deller, Policy Analyst, Federation of Canadian Municipalities, advising that the Multilateral Agreement on Investment (MAI) is on the agenda for the Big City Mayors Caucus to be held on April 24 and 25, 1998, in Toronto, and forwarding background material outlining concerns regarding the impact of the MAI on municipal governments.)

(City Council also had before it, during consideration of the foregoing Clause, a communication (April 1, 1998) from Ms. A. Hansen, Toronto, in support of the resolution to urge the Canadian government to consult widely with Canadians and with municipalities before taking any further action on the Multilateral Agreement on Investment.)



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

FILE

Office of the City Clerk

May 1, 1998

Mr. Bob Mills, M.P.
Reform Party
4921-47 Street
Red Deer, AB T4N 1R4

Dear Sir:

RE: Multilateral Agreement On Investment (MAI) - Background

Following the City of Red Deer's Council Meeting held April 6, 1998, the following resolution was submitted to the Federation of Canadian Municipalities in response to their call for resolutions:

"WHEREAS, concern has been expressed regarding the Federal Government's development of a Multilateral Agreement on Investment; and

WHEREAS, the Multilateral Agreement on Investment will have an impact on municipalities of Canada; and

WHEREAS, more information is required prior to municipalities supporting or not supporting the Multilateral Agreement on Investment;

THEREFORE BE IT RESOLVED, that the Council of the City of Red Deer hereby requests the Federation of Canadian Municipalities and the Alberta Urban Municipalities Association to review the implications of the Multilateral Agreement on Investment on municipalities and determine a course of action to be taken to ensure the interests of Canadian municipalities are protected."

For your information, I have attached a letter forwarded by this office to the FCM, dated April 7, 1998, and the response received from them, dated April 17, 1998. As well, attached is documentation we received via fax from Mr. Rick Mah, of the AUMA, that he had received from Mr. Ram Rajendra, Alberta Municipal Affairs. I have written to Mr. Ram Rajendra and requested that our office be kept apprised of this situation.

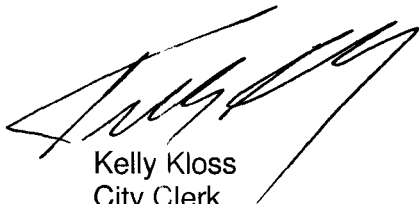
It would be appreciated if you would keep this office informed of future decisions or information regarding the MAI as The City has a vested interest in this issue as a municipality.

... / 2

Mr. Bob Mills. M.P.
May 1, 1998
Page 2

Thank you for your cooperation in this regard.

Sincerely,



Kelly Kloss
City Clerk

/clr
attchs.

c Mr. Don Hepburn, c/o
 The Council of Canadians
 Red Deer Chapter
 85 Selkirk Boulevard
 Red Deer, AB T4N 0G6

FILE

Office of the City Clerk

April 7, 1998

Federation of Canadian Municipalities
24 Clarence Street
Ottawa, ON K1N 5P3

Faxed To: (613) 241-7440

Att: Sheila Keating-Nause,
Policy and Resolutions

Dear Ms. Keating-Nause:

RE: FCM - CALL FOR RESOLUTIONS FROM MUNICIPALITIES

At the City of Red Deer's Council Meeting held Monday, April 6, 1998, the following resolution was passed and it was agreed that same be submitted to the Federation of Canadian Municipalities in response to their call for resolutions:

"WHEREAS, concern has been expressed regarding the Federal Government's development of a Multilateral Agreement on Investment; and

WHEREAS, the Multilateral Agreement on Investment will have an impact on municipalities of Canada; and

WHEREAS, more information is required prior to municipalities supporting or not supporting the Multilateral Agreement on Investment;

THEREFORE BE IT RESOLVED, that the Council of the City of Red Deer hereby requests the Federation of Canadian Municipalities and the Alberta Urban Municipalities Association to review the implications of the Multilateral Agreement on Investment on municipalities and determine a course of action to be taken to ensure the interests of Canadian municipalities are protected."

Please note that this resolution is being submitted past the deadline as The City of Red Deer just recently was provided with correspondence from FCM requesting the submission of resolutions.



Box 5008
Red Deer, Alberta
T4N 3T4


The City of Red Deer

Federation of Canadian Municipalities
April 7, 1998
Page 2

As noted above, it would be appreciated if the FCM would *review the implications* of the Multilateral Agreement on Investment on municipalities and determine what course of action should be taken to ensure that the interests of the municipalities are protected. For your information, I have included the information that was presented to Council April 6, 1998.

Please provide your response to this office.

Sincerely,



Kelly Kloss
City Clerk

/clr
attchs.



Federation of Canadian Municipalities
Fédération canadienne des municipalités

98.04.24.

CC: Mayor
Council
City manager
Director of Corporate Services
CR.

April 17, 1998

Deputy Mayor **Jae Eadie**
Winnipeg, Manitoba
President
Président

Maire suppléant **Claude Cantin**
Québec (Québec)
Premier vice-président
First Vice-President

Mayor **Léopold Belliveau**
Moncton, New Brunswick
Second Vice-President
Deuxième vice-président

Councillor **Joanne Monaghan**
Kitimat, British Columbia
Third Vice-President
Troisième vice-président

Deputy Mayor **Grant Hopcroft**
London, Ontario
Vice-President at Large
Vice-président hors-cadre

James W. Knight
Executive Director
Directeur général

Mr. Kelly Kloss
City Clerk
City of Red Deer
P.O. Box 5008
Red Deer, Alberta
T4N 3T4

Dear Mr. Kloss:

Thank you for sending FCM a copy of the City of Red Deer's resolution regarding the Multilateral Agreement on Investment (MAI).

The FCM National Board of Directors has identified the MAI as an issue of concern. At the December Board of Directors' meeting, staff were directed to "fully investigate and analyse the Multilateral Agreement on Investment with regard to its impact on municipal governments". At its March meeting, the Board adopted a resolution insisting that the federal government consult with municipalities and respect municipal jurisdiction in its negotiations regarding the MAI.

As part of FCM's assessment of the MAI, staff met with officials from the Departments of Foreign Affairs and International Trade, Industry and Finance to discuss the possible consequences of the MAI for municipalities.

We have also had conversations with representatives from the Council of Canadians, The Business Council on National Issues, as well as independent lawyers and researchers working on the MAI. Subsequently, we produced a memorandum outlining some of the main concerns for municipalities, which was presented to FCM's Standing Committee on Economic Development at the March Board meeting. There will be an article examining these concerns in the May/June issue of FCM's FORUM magazine.

.../2



Further, at FCM's request, William Dymond, Chief Negotiator of the MAI for Canada, met with the Standing Committee on Economic Development about some of the impacts of the MAI on municipalities. Mr. Dymond assured the Committee that the MAI would not be implemented soon, and he expects that there will be a consultation period before negotiations resume, probably in early 1999. As you may be aware, it was recently announced that the MAI will not be signed, as was planned, in late April.

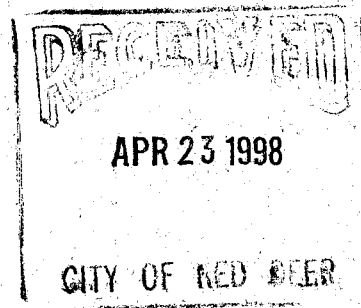
FCM will continue to pursue this issue with the federal government to ensure that the concerns of municipalities regarding the MAI are fully represented. Thank you again for forwarding this information.

Yours sincerely,



James W. Knight
Executive Director

JE/fd:mv



APR -09' 98 (THU) 16:05 LOCAL GOVT ADVISORY

TEL:403 422 9133

P.001

CC: Councillors
98-04-27.
K.

Alberta Municipal Affairs

FAX

Date: 04/09/98

Number of pages including cover sheet: 4

To:

Rick Mah

AUMA

Phone: 433 - 4431

Fax phone: 433 - 4454

CC:

From:

Ram Rajendra

Phone: 422-8094

Fax phone: 422-9133

REMARKS:

☐ Urgent☐ For your review☐ Reply ASAP☐ Please comment

Rick:

Municipal Advisory Division

I may be late in sharing this information but I did not forget about your request.

It took me a while to get the information.

Alberta municipal affairs

Well, here it is!

Ram

15 Floor, Commerce Place
10155 - 102 - Street
Edmonton
T5S 4L4

Post-it™ Fax Note

7671E

Date

14/04

of

pages 4

To

K. KLOSS

From

R. MAN.

Co./Dept.

RUB 1662

Co.

AUMA

Phone #

342-8132

Phone #

433-4431

Fax #

346-6195

Fax #

433-4454

June 1997

MULTILATERAL AGREEMENT ON INVESTMENT (MAI) -- BACKGROUND

ISSUE

After two years of preparatory work, the 1995 meeting of OECD Ministers endorsed the commencement of negotiations between OECD member countries leading to a *Multilateral Agreement on Investment* ("MAI"). There has been some negative commentary regarding the MAI recently in the press, and the MAI has also recently been raised in the Alberta Legislature by the provincial NDP as a potential threat to provincial jurisdiction.

BACKGROUND

Rules dealing with the treatment of investors and investments have emerged as an important support to the free flow of commerce between countries. The MAI is intended to be negotiated in the OECD in the hopes of achieving "high standards", but non-OECD countries will be allowed to join the agreement if they wish to take on its obligations and if they meet the minimum standards in the agreement.

Investment is already covered by the NAFTA

Canada already has a high standards investment agreement with the U.S. (the primary source of our foreign investment dollars) and Mexico in the NAFTA. Before the NAFTA, the Canada-U.S. FTA also had investment provisions. Contrary to the allegations that have been made, since the Canada-U.S. FTA came into effect in 1988 Canadian governments have been able to take, and have in fact taken, steps to protect the environment, manage our health care system and institute other public safety measures that have been deemed necessary. Overall, Alberta has benefited from the rules-based trade and investment system under the NAFTA and Canada-U.S. FTA, and an economic climate which welcomes foreign investment.

Rights and obligations under the MAI will go "both ways"

Canada and Alberta also have an interest in the investment regimes in other countries. The whole of the MAI will be undertaken by all parties to the negotiation and will, therefore, extend NAFTA-like obligations, as well as rights, to OECD countries and any other countries who are willing to accept the MAI. Thus, the agreement will benefit Canadians and Albertans by providing for greater security and stability for Canadian and Albertan investors and investments in these other countries.

Coverage of the province by the MAI

The coverage of states, provinces and other subnational entities has been and will continue to be a key issue in these negotiations from a provincial perspective. Currently, there is no agreement among countries involved in the negotiations on whether or how subnational governments will be covered by the MAI. Given the interest of a number of countries, it is likely that subnational governments will have obligations under the MAI, but this issue has not been settled yet.

Participation by the province with the federal government in the negotiations

Because there is the potential of the MAI affecting provincial measures, it will be important to ensure that provincial interests are accurately and fully reflected in the Canadian positions in the negotiation of the MAI and to ensure that there are no unintended effects on areas of provincial jurisdiction. Alberta has pressed for provincial participation with the federal government on the MAI, and, so far, the provinces have been extensively involved with the federal government during these negotiations. This involvement has included regular briefings following negotiating sessions and federal-provincial meetings to discuss the MAI. We expect that this involvement will continue until the conclusion of negotiations. FIGA is coordinating Alberta's input into these negotiations, involving regular contact with several other departments and the federal negotiating team.

Nothing is agreed until everything is agreed

The MAI is still under negotiation, and will likely not be concluded until May, 1998. It is premature to say that the MAI will absolutely include any specific provision. Canada and Alberta have not committed to anything in these negotiations yet, and will not do so until it is clear that there is a satisfactory balance of rights and obligations in the agreement.

Meaning of "national treatment"

The description of the "national treatment" obligation by some opponents of the MAI leaves the impression that it will be impossible to apply any domestic regulation to foreign investors or investments. In fact, it is only discriminatory measures that are prohibited through a "national treatment" clause. Any measure of general application which does not discriminate on the basis of the location of ownership or control of the investor or investment is consistent with national treatment obligations. "National treatment" simply means that regulations concerning investment must treat foreign investors and investments no less favourably than domestic investors or investments. Consistent with Alberta's long-standing support of an open provincial economy, the vast

APR. -09' 98 (THU) 16:06 LOCAL GOVT ADVISORY

TEL: 403 422 9133

P. 004

majority of provincial measures do not discriminate on the basis of the location of ownership or control of an investor or investment.

Exceptions are an integral part of the agreement

In addition, all countries, including Canada, are continually reviewing the agreement, as it develops, to ensure that the MAI does not have unintended effects in other policy areas. Like the NAFTA, there will be negotiations in the MAI on a range of general and specific exceptions to protect measures related to social services, health, culture, public order, national security and to safeguard other sensitive sectors, such as, perhaps, land.

SUGGESTED RESPONSE

There are many benefits to participating in multilateral negotiations on investment:

- ° Foreign investment has contributed and continues to contribute significantly to Canada's, and Alberta's, growth, prosperity and employment.
- ° Canada already extends investment rights and obligations to the U.S. and Mexico under NAFTA. Alberta has benefited from the rules-based trade and investment system with the U.S. under the Canada-U.S. FTA and the NAFTA.
- ° The MAI will provide greater access and protection for Alberta's and Canada's investors and their investments abroad by extending to other OECD countries (and any other countries willing to adhere to MAI rules) rights and obligations regarding investment which are similar to those contained in the NAFTA.
- ° In a world where countries fiercely compete to attract foreign investment, Canada's adherence to a satisfactory MAI will serve to maintain Canada's and Alberta's relative attractiveness as a destination for foreign investment.

At the same time, Alberta recognizes that the issues under discussion in the MAI negotiations do have the potential of affecting provincial laws, regulations, policies and procedures. Alberta and the other provinces are closely monitoring developments in the negotiations with a view to responding appropriately to any proposals which will have an effect on areas of provincial jurisdiction and responsibility.

If the agreement is concluded, as expected in 1998, and it is acceptable to Alberta from the perspective of jurisdiction and is beneficial in terms of facilitating investment, the province would consider approving it under the *Alberta International Trade and Investment Agreements Implementation Act*.

FILE

Office of the City Clerk

May 5, 1998

Mr. Ram Rajendra,
c/o Municipal Advisory Division
Alberta Municipal Affairs
15th Floor, Commerce Place
10155 - 102 Street
Edmonton, AB T5J 4L4

Dear Sir:

RE: Multilateral Agreement On Investment (MAI) - Background

Please find attached documentation regarding the above recently received from Alberta Urban Municipalities Association. For your information, Council passed the following resolution requesting the AUMA review this issue on behalf of municipalities:

"WHEREAS, concern has been expressed regarding the Federal Government's development of a Multilateral Agreement on Investment; and

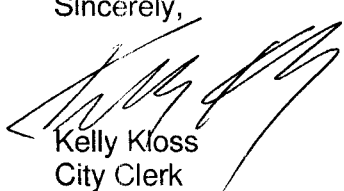
WHEREAS, the Multilateral Agreement on Investment will have an impact on municipalities of Canada; and

WHEREAS, more information is required prior to municipalities supporting or not supporting the Multilateral Agreement on Investment;

THEREFORE BE IT RESOLVED, that the Council of the City of Red Deer hereby requests the Federation of Canadian Municipalities and the Alberta Urban Municipalities Association to review the implications of the Multilateral Agreement on Investment on municipalities and determine a course of action to be taken to ensure the interests of Canadian municipalities are protected."

It would be appreciated if you would keep the City of Red Deer apprised of this situation as we have a vested interest in this issue as a municipality. Thank you for your cooperation in this regard.

Sincerely,



Kelly Kloss
City Clerk

/clr
attchs.



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer



Box 5008
Red Deer, Alberta
T4N 3T4

Office of the City Clerk

FILE

April 7, 1998

Federation of Canadian Municipalities
24 Clarence Street
Ottawa, ON K1N 5P3

Faxed To: (613) 241-7440

Att: Sheila Keating-Nause,
Policy and Resolutions

Dear Ms. Keating-Nause:

RE: FCM - CALL FOR RESOLUTIONS FROM MUNICIPALITIES

At the City of Red Deer's Council Meeting held Monday, April 6, 1998, the following resolution was passed and it was agreed that same be submitted to the Federation of Canadian Municipalities in response to their call for resolutions:

"WHEREAS, concern has been expressed regarding the Federal Government's development of a Multilateral Agreement on Investment; and

WHEREAS, the Multilateral Agreement on Investment will have an impact on municipalities of Canada; and

WHEREAS, more information is required prior to municipalities supporting or not supporting the Multilateral Agreement on Investment;

THEREFORE BE IT RESOLVED, that the Council of the City of Red Deer hereby requests the Federation of Canadian Municipalities and the Alberta Urban Municipalities Association to review the implications of the Multilateral Agreement on Investment on municipalities and determine a course of action to be taken to ensure the interests of Canadian municipalities are protected."

Please note that this resolution is being submitted past the deadline as The City of Red Deer just recently was provided with correspondence from FCM requesting the submission of resolutions.


The City of Red Deer

Federation of Canadian Municipalities
April 7, 1998
Page 2

As noted above, it would be appreciated if the FCM would *review the implications* of the Multilateral Agreement on Investment on municipalities and determine what course of action should be taken to ensure that the interests of the municipalities are protected. For your information, I have included the information that was presented to Council April 6, 1998.

Please provide your response to this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kelly Kloss', is written over a large, stylized, and somewhat abstract signature line that extends across the page.

Kelly Kloss
City Clerk

/clr
attchs.



Federation of Canadian Municipalities
Fédération canadienne des municipalités

98.04.24.

CC: Mayor

Council

City manager

Director of Corporate Services
CR.

April 17, 1998

Deputy Mayor **Jae Eadie**

Winnipeg, Manitoba

President

Président

Maire suppléant **Claude Cantin**

Québec (Québec)

Premier vice-président

First Vice-President

Mayor **Léopold Belliveau**

Moncton, New Brunswick

Second Vice-President

Deuxième vice-président

Councillor **Joanne Monaghan**

Kitimat, British Columbia

Third Vice-President

Troisième vice-président

Deputy Mayor **Grant Hopcroft**

London, Ontario

Vice-President at Large

Vice-président hors-cadre

James W. Knight

Executive Director

Directeur général

Mr. Kelly Kloss
City Clerk
City of Red Deer
P.O. Box 5008
Red Deer, Alberta
T4N 3T4

Dear Mr. Kloss:

Thank you for sending FCM a copy of the City of Red Deer's resolution regarding the Multilateral Agreement on Investment (MAI).

The FCM National Board of Directors has identified the MAI as an issue of concern. At the December Board of Directors' meeting, staff were directed to "fully investigate and analyse the Multilateral Agreement on Investment with regard to its impact on municipal governments". At its March meeting, the Board adopted a resolution insisting that the federal government consult with municipalities and respect municipal jurisdiction in its negotiations regarding the MAI.

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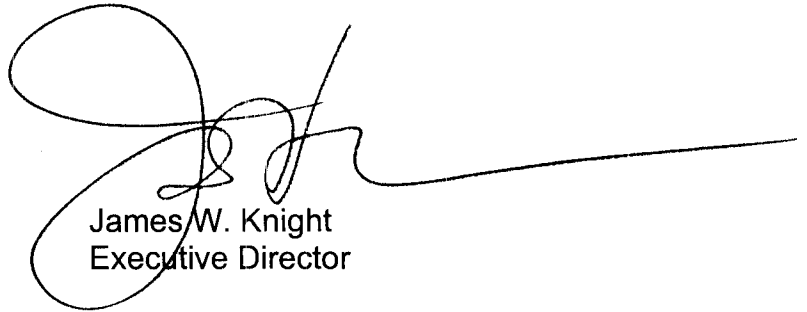
.../2



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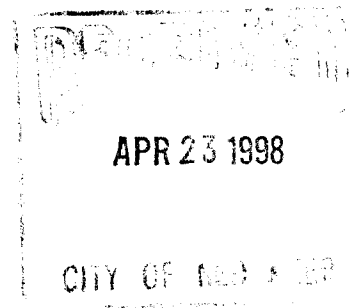
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Yours sincerely,

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James W. Knight
Executive Director

JE/fd:mv



APR -09' 98 (THU) 16:05 LOCAL GOVT ADVISORY

TEL: 403 422 9133

P. 001

CC: Councillors
98-04-27.
K.

Alberta Municipal Affairs

FAX

Date: 04/09/98

Number of pages including cover sheet: 4

To:

Rick Mah
AUMA

Phone: 433 - 4431

Fax phone: 433 - 4454

CC:

From:

Ram Rajendra

Phone: 422-8094

Fax phone: 422-9133

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☐ Urgent☐ For your review☐ Reply ASAP☐ Please comment

Rick:

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Alberta municipal affairs

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Ram

15 floor, Commerce Place
10155 - 102 - Street
Edmonton
755 444

Post-it™ Fax Note	7671E	Date	14/04	# of pages	4
To	K. KLOSS	From	R. MAH.		
Co./Dept.	RUB 166R	Co.	AUMA.		
Phone #	342-8132	Phone #	433-4431		
Fax #	346-6195	Fax #	433-4454		

June 1997

MULTILATERAL AGREEMENT ON INVESTMENT (MAI) -- BACKGROUND

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APR -05' 98 (THU) 16:05 LOCAL GOVT ADVISORY

TEL: 403 422 9133

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TEL: 403 422 9133

P. 004

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Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

FILE

Office of the City Clerk

May 14, 1998

Mr. Don Hepburn, c/o
The Council of Canadians
Red Deer Chapter
85 Selkirk Boulevard
Red Deer, AB T4N 0G6

Dear Sir:

RE: Request For Additional Information - MAI

Thank you for your letter of May 7, 1998.

With respect to your concerns and request for information regarding the current position of the AUMA regarding this issue, please contact Mr. Rick Mah.

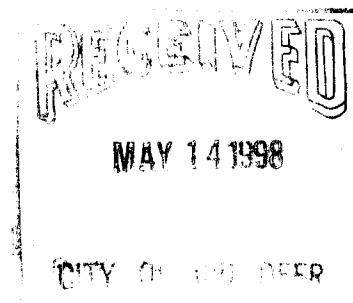
We have asked the AUMA to review this matter on behalf of municipalities and I am not aware that they have issued an official position.

Sincerely,

Kelly Kloss
City Clerk

/clr

*The Council of Canadians
Red Deer Chapter*



85 Selkirk Boulevard
Red Deer, Alberta
T4N 0G6
May 7, 1998

Mr. Kelly Kloss, City Clerk
City of Red Deer
Box 5008
Red Deer, Alberta
T4N 3T4

Dear Mr. Kloss:

Thank you for sending me the recent material about the MAI: the copy of City Council's resolution as well as the letter from the FCM and the material from AUMA. Regarding the last, it appears to be a copy of material sent by Ram Rajendra, Director of Municipal Advisory Services for Alberta Municipal Affairs, to Rick Mah of AUMA, some briefing notes which are dated June 1997. I wonder, do you know if that statement represents AUMA's current position, or is it simply information that AUMA has received from Alberta Municipal Affairs. Even if it is only the latter, it is a little disturbing to think that this would be the latest word from Municipal Affairs. The statement is a year old, released before much of the protest about the MAI had taken place and before many of the thoughtful and careful analyses by independent organizations had been done. One would hope that Municipal Affairs' current position would reflect at least some of the many concerns that have been raised.

I would appreciate it if you could give me a little more information about AUMA's current position.

Thank you.

Yours truly

Don Hepburn, Chairman

cc: Mayor/City Manager
Councillors
Directors

September 21st, 1998

FILE

9/24/98

KL

Dear Mayor and Council,

On behalf of the Council of Canadians, I would like to update you on key developments surrounding the Multilateral Agreement on Investment (MAI). As you are aware, a rising tide of public opposition in Canada and other countries stalled the MAI process this last spring. The overwhelming sentiment of Canadians was that the MAI would seriously erode social, economic, environmental and cultural rights and undermine key democratic processes from the municipal to the federal levels. Many city and town councils across Canada discussed the MAI, and adopted resolutions highlighting their concerns about the impact of the MAI on the exercising of civic government. These concerns included:

- **The Effect on Local Employment** - Attempts by local governments to ensure that foreign based corporations who invest in their area also provide a certain number of jobs could be ruled out of order by the MAI ban on performance requirements.

- **Business Incentives** - All subsidies, grants and loans used by local government to stimulate their economies could no longer be earmarked for local businesses without, at the same time, being made equally available to foreign companies.

- **Zoning Regulations** - The traditional authority of local governments to regulate land use through zoning bylaws could be effectively challenged under the proposed MAI rules as a form of expropriation requiring monetary compensation.

- **Municipal Procurement** - The MAI ban on performance requirements could be used to prevent local government from purchasing goods and services (the construction of roads and buildings or the purchase of fire trucks, police cars and school supplies) from domestic rather than foreign suppliers.

- **Environmental Safeguards** - If a local government, for example, were to shut down the operations of a local gas station owned by a foreign based oil corporation because its storage tanks were leaking into the community water supply, the city or municipality could be charged with violating the MAI rules and required to pay compensation for lost profit.

- **Privatized Services** - If a local government were to decide to privatize service such as municipal garbage collection and awards the contract to a local business or negotiate a community buy-out plan with its employees, such a move could be blocked and ruled out of order by the MAI.

- **Special Levies** - A city government that imposes a special levy on large buildings or real estate in the downtown core so as to provide additional funds to finance local park development, child care services or other public services could be prohibited from so doing under the MAI.

- **Community Projects** - Local governments that annually raise funds or provide grants for local community artists, cultural groups, or social services agencies as non-profit enterprises could be restricted in so doing under the proposed subsidies code of the MAI.

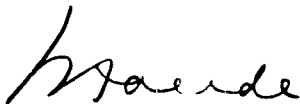
(These areas of the MAI's impact on municipal government are further elaborated in the attached enclosure by international trade lawyer Barry Appleton. Attached, you will find as well a letter by Steven Shrybman, Executive Director of the West Coast Environmental Law Association to James Knight, Executive Director of the Federation of Canadian Municipalities (FCM) that is an invitation to the FCM to join with others in calling upon provincial governments to take steps to make sure that NAFTA and MAI will not operate to limit municipal government authority.)

At its national conference in Regina last June, the Federation of Canadian Municipalities responded to these concerns by passing a resolution demanding that the Multilateral Agreement on Investment not limit municipal government in any way, and that municipalities be specially exempted from the MAI. We applaud the FCM for taking a strong stand on this important issue. And, we note the implementation of this stand in British Columbia where city and town councils are asking the BC provincial government to explore options to safeguard municipal and provincial governance against any erosion of rights and powers by the MAI.

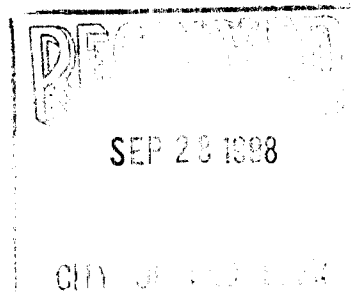
We are now writing to request that if your municipal government does enter into any consultations with the federal government on the impact of the MAI that you develop an inclusive consultation process which is open and accessible to the public. The MAI is already shrouded in too much secrecy and closed door discussions. The Council of Canadians and other national organizations concerned about the MAI such as the Canadian Labour Congress, Greenpeace Canada, the Sierra Club of Canada, the International Center for Human Rights and Democratic Development, CUSO, The National Action Committee - Status of Women, the Writers Union of Canada and many other organizations and groups across Canada would appreciate being informed about any consultations on the MAI.

I am convinced that if municipalities continue to voice concerns and hold the federal government accountable, the MAI will fail thereby allowing for an open negotiating process toward an international agreement which respects, supports, and upholds the rights of citizens and communities. In closing, I would like to thank you for the important role you have played in holding the federal government accountable for protecting municipal jurisdiction and governance.

Sincerely,



Maude Barlow
National Volunteer Chairperson
Council of Canadians
502-151 Slater Street
Ottawa, Canada
K1P 5H3 - Phone 1 800 387 7177

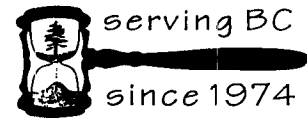


West Coast Environmental Law Association

1001-207 West Hastings St., Vancouver, BC V6B 1H7

Phone: (604) 684-7378; Fax: (604) 684-1312

admin@wcel.org http://vcn.bc.ca/wcel



Steven Shrybman
Linda Nowlan
Mark Haddock
Chris Rolfe
Kate Smallwood
David Clark, QC

Executive Director, LL.B.
Staff Counsel, LL.B.
Staff Counsel, LL.B.
Staff Counsel, LL.B.
Campaigner, LL.B., LL.M.
Director of Development

Direct line: 601-2506

Direct e-mail: sshrybman@wcel.org

September 14, 1998

Mr. James W. Knight
Executive Director
Federation of Canadian Municipalities
24 Clarence Street, 2nd floor
Ottawa, ON, K1N 5P3

By fax to 1-613-241-7440

Dear Mr. Knight:

Re: Provincial legislation to block implementation of the MAI

In the wake of recent challenges to Canadian environmental laws by US based corporations relying upon the investor-rights provisions of NAFTA, we are writing to share our concerns about the impact of rules which now also serve as the prototype for the MAI. We are particularly concerned about the effect of such investment agreements on the capacity of Canadian governments, at all levels, to respond to the environmental challenges before us.

We are aware that the FCM and many municipalities across Canada have called upon the federal government to ensure that the authority of municipal governments remain unconstrained by the MAI. While federal officials have offered such assurances, the negotiating text of the MAI does not support these claims and it would be imprudent, in our view, to rely upon largely unsupported assertions

Accordingly, we wanted to alert you to a course of action that would allow provincial governments to create a shield against the direct application of the most troubling elements of these investment treaties. We believe that this can be achieved by amending provincial laws that recognize the validity of international arbitration awards arising from the investor-state suit provisions of NAFTA and the MAI.

The challenge by Ethyl Corporation to federal regulations concerning the use of controversial fuel additives has recently brought to light the powerful enforcement provisions of NAFTA. Under these unprecedented rules, a foreign investor from another NAFTA country can invoke binding international arbitration to directly enforce the broadly worded investor rights created by this treaty. While Ethyl Corporation is the first foreign investor to make use of this potent remedy to challenge government regulation, it is already clear that it won't be the last.

While federal officials publicly discounted Ethyl's claim, according to newspaper accounts, internal memoranda offered a more sober assessment. In fact, Canada ultimately agreed to settle with Ethyl on terms that can only be described as complete capitulation by agreeing to rescind its

regulations, pay Ethyl in excess of \$19 million, and take the unprecedented step of issuing a statement that MMT was neither an environmental nor a health risk.

This settlement of Ethyl's claim, which equated government regulation with expropriation and asserted that Ethyl was the subject of unfair treatment, now casts a long shadow across a wide variety of federal government measures that may, even indirectly, affect the profitability of foreign investments. These constraints will, in our view, apply with equal force to provincial and municipal government initiatives. However, the effectiveness of investor-state remedies depends upon federal and provincial laws recognizing the validity, and providing for the enforcement of these international arbitration awards. It is in this regard that a provincial response is possible, and we argue, necessary.

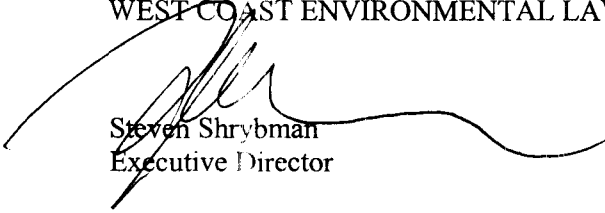
It is also important to point out that Canadian laws, upon which investor-state suits rely, preceded by several years the incorporation of such remedies into international agreements such as NAFTA. In our view, both federal and provincial statutes giving effect to investor-state arbitration awards should now be amended to limit their application to those matters for which these laws were originally intended. That is, commercial disputes arising between parties to legal and commercial contracts. To remove any doubt, Canadian law must clearly state that it will have no application to disputes arising under the investor-state suit provisions of NAFTA, or any other international treaty. Moreover, given the clear constitutional authority of provincial governments with respect to such matters, provincial reforms should prove effective even in the face of federal inaction. While such reforms would still allow state-to-state dispute resolution, this is far less problematic than the unlimited exposure to investor initiated complaints that these investment agreements currently engender.

In light of the concerns that have been raised by many Canadian municipal governments, we thought your members might be interested in this opportunity for a proactive response by provincial governments. Therefore, this is to invite the FCM and its members to join with us in calling upon provincial governments to take steps to ensure that neither NAFTA, nor the MAI will operate to limit provincial and municipal government authority to achieve environmental or other societal goals.

We appreciate that these matters are somewhat technical and complex and would be happy to respond to any questions you may have.

Sincerely,

WEST COAST ENVIRONMENTAL LAW ASSOCIATION



Steven Shrybman
Executive Director

SS/alm

Municipalities and the MAI

Barry Appleton LL.B., LL.M.
Appleton & Associates International Lawyers(1)

Over thirty years ago, Marshall McLuhan used the term "global village" to describe a new trend(2). McLuhan's global village referred to how modern technology, like jet air travel, television and satellite-based long distance telephones, linked remote areas of the world together in new ways. Decisions made thousands of miles away could have an impact at home and local actions could have immediate impact abroad.

As we enter a new millennium, few knew then how correct Professor McLuhan would be. We find ourselves constantly coping with the impact of change. New technology has resulted in shorter time frames and has extended a global reach for business. We need no better proof of this development than to see how financial issues half a world away in Asia have had a direct effect on our domestic stock markets and interest rates. Our new reality is defined by CNN, the internet and corporations which operate on a global basis. As a result, today local issues can immediately have international effect and many types of local issues are now the stuff of global agreements.

Thus, it should not be surprising to find that today the most local of our institutions, civic government, is now the subject of international agreements. This paper will look at how global investment treaties can have an impact on the municipal government. Part I looks at how this change has occurred, Part II examines the key instrument of this change, Part III gives examples of this change; and Part IV deals with general conclusions.

I. How this change occurred

The impact of international law on local government has not occurred overnight but has been influenced by a number of factors over the last fifty years.

The shift away from tariffs

From the late 1940's and onwards, international agreements were pre-occupied with the issue of reducing tariffs. Since the reduction of tariffs resulted in lower protection for domestic industries, it took a considerable effort to achieve meaningful agreements. At first, the focus of international agreements was to local customs duties. By the late 1970's, most duties had been reduced or removed and the focus of attention shifted to new areas: non-tariff barriers(3). The first international agreements were concerned with issues such as product standards or government procurement. However, developed states, like Canada and the United States, continued to push for controls on a new area: foreign investment.

The creation of investment treaties

After the Second World War, American negotiators began to include clauses in American treaties that gave protection to the investments owned by Americans abroad. These clauses usually permitted the U.S. Government to bring a claim before an international tribunal in order to seek restitution for lost property. Eventually, these investment protection clauses became codified into a form of treaty known as a Bilateral Investment Treaty (BIT). The BITs were generally negotiated with developing states and they guaranteed compensation to American investors in the case of expropriation or a failure to provide fair and equitable treatment⁽⁴⁾. The World Bank's International Center for the Settlement of Investment Disputes (ICSID) reports that since 1987 more than eight-hundred BITs have been concluded.⁽⁵⁾

The successful negotiation of the North American Free Trade Agreement (NAFTA) in 1994 created the first broad investment agreement between developed and developing states. While this agreement also looked at trade issues, it marked the first time that two developed states ever agreed between themselves to accept the onerous provisions of a bilateral investment agreement. The NAFTA contains a broad set of investment obligations. While these obligations applied to all levels of government in Canada, most of the obligations did not apply to municipalities because of technical exceptions and reservations. However, some NAFTA obligations still applied to the actions of municipalities--a fact that the federal government failed to clearly convey to municipalities across Canada.

The NAFTA was the first multilateral agreement to contain a controversial process that permitted individuals themselves, rather than governments, to police these agreements. If a government action violated an obligation in the NAFTA's Investment Chapter, an individual from another NAFTA Party or its investment could directly challenge that measure before a fast-track international tribunal without the agreement of its home government ⁽⁶⁾ The "investor-state" dispute settlement process provides for a fast and effective means of settling disputes between investors and governments by bypassing domestic courts completely. The Investor-State dispute settlement process established in the NAFTA has been described as "an untapped source of extensive private investor rights, including guaranteed access to a NAFTA panel for a private party." ⁽⁷⁾ Designed to provide protection for foreign investors in developing countries, the investor-state dispute settlement process focuses strictly on settling investment disputes between individuals and governments.

While the NAFTA was the first step in this process of creating international responsibility for municipal governments, the most significant development in this process is currently at hand--the Multilateral Agreement on Investment.

II. The Instruments of Change

The Multilateral Agreement on Investment,(8) known as the MAI, is an international investment agreement currently under negotiation by the twenty-nine member countries of the Organization for Economic Cooperation and Development in Paris. The goal of the MAI is to establish international standards on how governments treat foreign investors and their investments. The MAI is built upon the framework of the NAFTA's Investment Chapter. The MAI, in distinction to the NAFTA, is a much broader agreement in that its terms apply to all levels of government without exception(9). As currently negotiated, the MAI's obligations will directly apply to the acts of all levels of government, including municipal governments.

Like the NAFTA, the MAI includes a special process to protect the "rights" of foreign investors by allowing them and their companies to challenge local measures that violate their international rights. The Investor-State dispute settlement process allows a foreign investor from an MAI country (both individuals and corporations) to directly bring a compensation claim against another MAI government. These claims are heard before a special international arbitration panel that can award financial compensation to investors that have been harmed by governmental action which infringes the MAI's investment obligations. The panels cannot strike down MAI-infringing measures but the threat of paying enforceable damage awards can be chastening to government policy initiatives.

MAI investors are entitled to dispute government measures. These measures are not limited to legislation but extend to all acts attributable to governments, including regulations, governmental policies and practices. Not only are the national governments covered by this Agreement, but so are state, provincial, territorial and local governments. An example of the scope of application of the Investor-State process is described by American trade lawyers, Gary Horlick and Alicia Marti as follows:

If Arlington County, Virginia was to deny a zoning variation to Goldstar U.S., while granting a similar one to Micron (or Sony U.S.), could Goldstar Mexico bring the U.S. to an arbitration panel under Chapter 11B? An important issue would be whether Goldstar Mexico had incurred loss or damage by reason of the denial(10).

The MAI requires that there be some international participant involved in an investment dispute. Any individual resident in an MAI country, or a business owned by that individual, can launch a claim against the government of another MAI country. For example, Canadian investors are not eligible to bring disputes against the Government of Canada; however, American or Japanese investors can. A major exception to this rule is that Canadian corporations "owned or controlled directly or indirectly" by a citizen of another MAI country can bring a claim against Canada.

This results in the situation foreign investors and their investments in Canada have access to the investor -state dispute process while other Canadians may not. In essence, foreign investors are provided with a better legal remedy than Canadians under these rules.

MAI "Rights"

The MAI deals with a number of important government obligations. Among these obligations are the following:

National Treatment

The concept of national treatment is one of the cornerstones of the MAI. It requires governments to treat all investors the same, irrespective of their nationality. This obligation ends government policies that favour local business. For example, national treatment prohibits the imposition of differential fees based on the residency of an investor, such as out-of-district levies for services such as garbage pick-up or education.

Performance Requirements

The MAI restricts the ability of governments to impose a wide variety of practices known as performance requirements. For example, governments cannot require a foreign investor to purchase local goods or services. Governments may also not require an investor to hire local residents as a condition for receiving any benefit, such as a tax concession. Thus, common investment incentives provided by municipalities on the condition that a foreign business locate in the area are effectively removed by the MAI.

Minimum Standards of Treatment

This obligation requires governments to provide due process to foreign investors and their investments. Even if a country treats foreigners as well as locals, this obligation sets a minimum standard of conduct that no country can fall below.

Expropriation

The expropriation provisions of the MAI are perhaps the agreement's most controversial element. The MAI forces governments to pay compensation whenever there is an expropriation or "a measure equivalent to an expropriation." (11) Under international law, the term "expropriation" is very broad and it applies to any act where a governmental authority denies a person or company some benefit of property. (12) The government does not need to take

title to the property; all it has to do is deny the benefit of the investment to the investor.(13). This international definition of expropriation is not the same as the definition of expropriation under Canadian law--it is far wider.

The MAI is a very generous treaty when dealing with quantifying investor compensation. An investor must receive fair market value for its expropriated property(14) . This valuation basis provides compensation at levels that could be higher than those established under Canadian domestic law. This generous compensation standard augments the broad definition of what constitutes an expropriation under the MAI.

The impact of these MAI obligations is made greater on account of the absence of key limitations in the MAI that are found in other international investment agreements, like the NAFTA. For example, the MAI applies to all advantages granted by governments. The term "advantage" is a broad term which may cover any government subsidy, concession or incentive. The NAFTA specifically exempted subsidies from the application of several parts of the Investment Chapter(15). Provincial and municipal government subsidies that discriminate on the basis of residency or that require local residency could be maintained under the NAFTA, but may be prohibited by the MAI

A similar expansion of the MAI occurs because of the broad definition of the term "investment" Under the MAI, the term "investment" encompasses every kind of asset owned or controlled, directly or indirectly, by an investor.(16) This term is more broadly defined in the MAI than in the NAFTA or the Canada-U.S. Free Trade Agreement.

III. Examples

While municipalities are not "parties" to the MAI, they are subject to the full extent of the obligations in the MAI although they have absolutely no right to participate in any investor-state dispute hearings that would question their actions.

Public Health and Safety

The MAI contains no public policy exception to the requirement to pay compensation in the event of an expropriation. Thus, if a civic government takes an action to shut down a local business for dumping harmful waste into the local water supply, this action would not relieve the civic government from liability for compensation. The federal government has not included any wording in the MAI that would permit actions to conserve and protect the Canadian environment, public health or safety. Except for a very specific exemption from the performance requirements obligations, the MAI does not have any environmental exceptions. This single limited environmental exemption in the MAI only permits governments to require domestic content or provide a preference to local goods or services only if:

- the measure is not arbitrary or unjustifiable;
- is not a disguised restriction on investment; and
- is necessary to protect human, animal or plant life or is necessary for the conservation of living or non-living exhaustible natural resources.

Without the inclusion of broad easily accessed environmental or public health and safety exceptions or reservations, the MAI's broad investment rules may result in new limits on the ability of governments to freely meet environmental challenges.

Municipal Licenses

The MAI's obligations extend to the governmental allocation of concessions and licenses. Thus, issues regarding the awarding of licenses can be the basis of an investor-state dispute. Indeed, the refusal of a municipal government in Mexico to issue a civic license for a waste facility is currently the basis of a \$90 million NAFTA expropriation action.

Land Use Regulation

Municipal policies respecting land use regulation regularly impose costs upon investors. Changes in zoning that could restrict the use of land, even including historic designation, could result in effective claims under international law definitions of expropriation. While under domestic law, there can be no compensation for losses caused by changes in land use regulation; this is not true under international agreements such as the NAFTA or the MAI.

Subsidies and Investment Incentives

The MAI national treatment obligation applies to all government measures⁽¹⁷⁾ including subsidy programs and other "advantages" provided by the government. This is a significant expansion of the national treatment requirement in the NAFTA. Because of the national treatment requirement, any advantage provided by a civic government must be offered to any other foreign investor. The only discrimination that is permitted is against Canadian citizens.

The MAI requires that any investment incentives offered to local persons must be made equally available to foreign persons⁽¹⁸⁾. These incentives cannot be based on performing specified requirements. Since small businesses are predominately local programs that assist them must be equally available to foreign investments, even if they are larger.

Municipal Procurement

The MAI, as currently drafted, contains no exemption for municipal government procurement policies. At a minimum, the MAI performance requirements

obligations would severely restrict procurement policies at all levels of government. This could harm the ability of governments to assist community-based suppliers. As currently drafted, the MAI could require municipal governments to provide "transparent" procurement procedures for procurement bids. These bids could be subjected to potential investor claims alleging a violation of national treatment or minimum standards of treatment. The coverage of municipal procurement into the obligations of the MAI would result in increased paperwork and cost for municipal procurement.

In summary, a broad range of municipal functions would be affected by the MAI. In addition, there are existing implications of the NAFTA for the municipal sector. While the NAFTA does not apply to subsidies or to municipal government procurement, it applies to new expropriation, national treatment and performance requirement measures applied made after January 1, 1994.

Reservations

Reservations are special forms of exceptions to international agreements which permit a member to be excused from meeting a specific obligation in a specific way. Because a reservation is a deviation from the objectives of the international agreement, reservations are interpreted very narrowly by international tribunals.

In a document entitled "CANADA: DRAFT RESERVATIONS,"(19) the federal government proposed to make a number of reservations to the MAI. These reservations appear to be identical to reservations made by Canada under the NAFTA(20). No reservations were taken to exempt municipal governments from the obligations of the MAI. In addition, no exceptions were included in the text of the MAI to otherwise exempt municipalities.

Even if reservations were to be made to the MAI for municipalities, it must be pointed out that under the "rollback" provisions of the MAI, these reservations could become subject to eventual negotiation for elimination.

IV. Conclusions

Canadian businesses claim that their investments abroad will be able to obtain advantages from the strong investment protections provided by the MAI(21). Canadian governments, at all levels, will be forced to comply with these protections in Canada. Canada has shown itself to be an attractive place for foreign investors to do business. As a result, Canada has become the host state to a significant amount of foreign investment. With the country's existing base of foreign investors from the United States, Japan and Europe, the implications of the MAI will immediately have effect throughout the country.

The MAI creates an entirely new multilateral dispute process, vastly different from the GATT or WTO. The ability to allow individuals to directly bring cases against governments (even without the consent of their home government) will have in unpredictable results. What is clear is that the MAI creates a speedy and enforceable process to settle disputes with governments. This is likely to result in investors carefully scrutinizing government practices to find a MAI provision on which they can base a claim. Thus, policing of the MAI will move from governmental channels over to businesses with enforcement done through the use of international tribunals.

With the expansion of Investor-State dispute settlement system throughout the world's most-developed nations, this trend will only continue to grow.

The MAI investment provisions have quietly created a looming economic constitution that protects the rights of foreign MAI investors investing in each MAI country. The need to take policies that are consistent with these rights will have a number of implications for civic governments:

1. **The rules of the game are changing.** Municipal governments will find that the rules that apply to them have changed. Appreciating these changes will be even more difficult for municipalities as they traditionally do not have experience interpreting international investment agreements.
2. **"Governments would rather switch than pay."** Faced with budget restraints and lacking expertise in international investment law, civic governments will need to modify their policies to avoid the high damage awards that panels could assess. However, the simple fact that large damage awards can be assessed for internationally-inappropriate behaviour could leave municipalities unwilling to take actions that could leave them susceptible to later international tribunal review.
3. If a government persists in its goal of implementing MAI-inconsistent actions, that government may be forced **rent back jurisdiction**. Governments are able to function freely, however, they may have to pay compensation to do what they were elected to do.

Clearly municipal governmental concerns have not been an important factor in shaping the MAI. Instead, the desire of investors to obtain protection from municipal regulation has been reflected. While there is still time to change the MAI, the basic structure and content of this Agreement appears to be complete. There is little doubt that this MAI and its investor-state dispute system will play a major role in how business will be done in North America over the next decade. Municipalities are directly affected by this proposed agreement and it appears that there has been little thought by national governments in finding ways to exempt them. Indeed, some participants in the MAI

negotiations have made it clear that they are opposed to any blanket reservations or exceptions for "sub-national" governments as they fear that they will be used as a loophole to provide local preferences for local business.

Agreements like the MAI can be helpful in assuring foreign investors that their investment is safe in Canada. However, at the same time, this Agreement will impose significant restraints on all levels of governments. These restraints include the costs of paying compensation awards of foreign investors and new limits on how civic governments can operate respecting foreign businesses. Change is here whether municipalities are ready or not. Professor McLuhan's global village has come to your village, leaving municipalities with the burden of coping with the change that is before them.

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NOTES

1. Barry Appleton is the Managing Partner of Appleton & Associates in Toronto and New York City. He is the author of *Navigating NAFTA: A Concise User's Guide to the North American Free Trade Agreement*. This short paper is based on an address made to the Annual Civic Night Dinner for the Simcoe County Kiwana's Club on January 19, 1998.
2. Marshall McLuhan, *Understanding Media: The Extensions of Man* (1964).
3. See John Jackson, *The World Trading System: Law and Policy of International Economic Relations* (Cambridge, MA., MIT Press; 1989) at 52-57 .
4. A full examination of BITs can be seen in Rudolf Dolzer & Margrete Stevens, *Bilateral Investment Treaties* (International Centre for the Settlement of Investment Disputes: Washington D.C., 1995).
5. *Bilateral Investment Treaties 1959 - 1996: Chronological and Country Data Bibliography* (International Centre for the Settlement of Investment Disputes, Washington D.C., 1997) Doc. ICSID/17 at p. v.
6. This process is contained in Section B of NAFTA Chapter 11.
7. Gary Horlick & Alicia Marti, "NAFTA Chapter 11B, A Private Right of Action to Enforce Market Access Through Investments," *Journal of International Arbitration*, Vol. 14 No.1, March 1997, at 54.
8. All references in this submission are to the May 14, 1997 text. DAF/MAI (97) 1/REV 2 unless otherwise noted.

9. Governments are currently negotiating country-specific reservations to the MAI but the scope and impact of these reservations is still under negotiation.

10. Gary Horlick & Alicia Marti, "NAFTA Chapter 11B" at 53.

11. Any direct or indirect expropriation of an investment must satisfy all of the following requirements. The MAI provision requires that it must be:

for a purpose which is in the public interest; on a non-discriminatory basis; in accordance with due process of law; and accompanied by payment of prompt, adequate and effective compensation.

12. The expropriating government need not take formal title to the property in order for there to be an expropriation. The Iran-U.S. Claims Tribunal gave the following definition of expropriation:

It is well settled in the practice of the Tribunal, as elsewhere, that property may be taken under international law through interference by a State in the use of that property or the enjoyment of its benefits amounting to a deprivation of the fundamental rights of ownership.

Sola Tiles Inc. v. Iran (1987), 14 Iran-U.S. C.T.R. 223 at 231-232, par. 29.

13. For example, see Harza Engineering Co. v. Iran, (1982) 1 Iran-U.S. C.T.R. 499 at 504.

14. MAI Part IV: Investment Protection: Expropriation Articles 2.2 - 2.5.

15. NAFTA art. 1108(7)(b).

16. This description includes, but is not limited to, enterprises, debt, equity, contract rights, claims to money, intellectual property, rights granted by laws, such as licenses, and any other tangible or intangible property, whether real or personal, and any related property rights.

17. The national treatment obligation does not apply to revenue taxes (such as income taxes), but it does apply to other taxes such as capital taxes.

18. MAI: III: Treatment of Investors and Investments: Special Topics: Investment Incentives, page 44.

19. DAFE/MAI/RES(97)15 dated February 24, 1997.

20. It is important to note that there are significant differences in the effect of the MAI reservations because of the difference in wording between the obligations in the MAI and the NAFTA.

21. For example, see the Press Release of the Canadian Alliance of Manufacturers and Exporters of December 5, 1997 endorsing the MAI.

HIGHLAND GREEN COMMUNITY ASSOCIATION

20 March 1998

Mayor Gail Surkan and
Members of City Council
City of Red Deer
Box 5008
Red Deer, Alberta T4N 3T4

Your Worship and Members of Council:

Re: Lot 26, Blk 21, Plan 174 HW – 6018 - 53 Avenue

Background

During the public meetings, prior to final approval by Council, of the Outline Plan for Highland Green Estates our Development Committee raised the question several times as to what was to happen to the above-noted piece of land should it ever become available for sale. It was indicated to us that, if it became available, because of its location on the escarpment (below St. Joseph's Convent on the hill), the City would likely pursue acquisition of the land. We understand that this land is not serviced by City water nor sewer, and that the City's Engineering Department had indicated that the *road* leading to this parcel of land would not be upgraded. In fact, it is closed off except for access to the property only.

Discussion

It was brought to our attention last summer that the property owner of the above-noted land was deceased, and that the property was, therefore, up for sale. I notified Mr. Meyette of Parkland Community Planning of this situation whereupon he approached the appropriate City authorities. We have since learned that the City did, in fact, put in an offer for the land but that the offer was refused.

Apparently, several enquiries have been directed to Parkland Community Planning Services regarding development possibilities on this location, those enquiries ranging from high density development to single family development.

A motion was presented to Council by Councillor Flewwelling, and adopted March 24, 1997, whereby the Highland Green Estates Outline Plan was amended to read that: "...no further R2 or R3 sites be designated in Highland Green Estates, except where permitted through the Highland Green Estates Outline Plan". This certainly rules out any high density rezoning/development on this land which is presented zoned A1. Further, we realize that the possibility exists to build another single-family dwelling or even a duplex on this land, but that the high cost of servicing would likely prohibit any such development.

.....2/

City Council
March 20, 1998
Page 2

Our understanding, while not documented, was that the City would pursue the purchase of this land because it is clearly on the escarpment, that the City's policy is to preserve such natural areas, and thus any future development would not be likely there.

Recommendation

We hereby request the City to pursue the purchase of the subject land in order that the escarpment may be returned to its natural state.

Respectfully submitted,



Ellen J. Geddes
Secretary

11 Hallgren Avenue
Red Deer, Alberta T4N 6P1

TOWN OF RED DEER
CITY CLERK

TIME	12:45 P.M.
DATE	98.03.24.
BY	QR

Consideration was given to a Notice of Motion submitted by Councillor Flewwelling on March 12, 1997 **re: Restriction to Prevent Additional Multiple Family Sites in Highland Green Estates**. Following discussion, the Notice of Motion as set out hereunder was introduced and passed:

Moved by Councillor Flewwelling, seconded by Councillor Moffat

"WHEREAS, the Highland Green Estates neighbourhood will have one of the highest densities in the City; and

WHEREAS, the neighbourhood has expressed concerns regarding density; and

WHEREAS, the City seeks to have a balance of housing types in all City neighbourhoods; and

WHEREAS, Council has passed a motion which would restrict any rezoning to R2 or R3 in other City neighbourhoods including Parkvale, Eastview and Woodlea neighbourhoods;

NOW THEREFORE BE IT RESOLVED that Council of the City of Red Deer hereby agrees that the Highland Green Estates Outline Plan be amended by stipulating that no further R2 or R3 sites be designated in Highland Green Estates, except where permitted through the Highland Green Estates Outline Plan."

MOTION CARRIED

Consideration was given to a Notice of Motion submitted by Councillor Dawson on March 18, 1997 **re: Red Deer College Music Program**. Following discussion, the Notice of Motion as set out hereunder was introduced and defeated:

Moved by Councillor Dawson, seconded by Councillor Watkinson-Zimmer

"WHEREAS, the Red Deer College will be making a decision on the matter of a music program at Red Deer College very soon; and

WHEREAS, Council has been formally requested to make a comment in regards to this Program;

DATE: March 27, 1998

TO: KELLY KLOSS
City Clerk

FROM: LOWELL R. HODGSON, Director of Community Services
DON BATCHELOR, Recreation, Parks & Culture Manager

RE: HIGHLAND GREEN COMMUNITY ASSOCIATION
PURCHASE OF 6018 -53 AVENUE

This property is located half way up the Highland Green escarpment. Ideally, this property would be beneficial to the City if it was purchased and consolidated with adjoining parkland to the north, south and west. In addition, the purchase of this property would enable the City to close a portion of 53 Avenue and then consolidate it with the balance of the escarpment. This road has a very steep gradient, does not conform to typical engineering standards and is a maintenance burden.

The Recreation, Parks & Culture Department has been negotiating for the purchase of this property since February 1998, but has been unable to reach an agreeable price with the owner. Over the past month, the owner and the City have not pursued negotiations, but a number of citizens have inquired about the property.

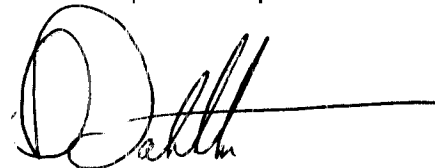
The City recently re-opened negotiations for this property in an attempt to reach agreeable terms by both parties. If the City was successful in the purchase of the property, the existing house would be demolished and the site reclaimed with native vegetation to incorporate it with the surrounding natural escarpment.

RECOMMENDATION

That City Council support the Recreation, Parks & Culture and Land and Economic Development Department's ongoing negotiations for the possible purchase of 6018 - 53 Avenue.



LOWELL R. HODGSON



DON BATCHELOR

:ad

Comments:

Subsequent to the receipt of the letter from the Highland Green Community Association, the Administration was successful in negotiating the purchase of this property. We now recommend that Council approve the purchase of Lot 26, Block 21, Plan 174 HW (6018-53 Avenue) for the sum of \$70,000, to be funded by the Public Reserve Trust Fund.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager



Box 5008

Red Deer, Alberta

T4N 3T4

The City of Red Deer

FILE

Office of the City Clerk

March 24, 1998

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Highland Green Community Association
11 Hallgren Avenue
Red Deer, AB T4N 6P1

Attention: Ellen J. Geddes, Secretary

Dear Ms. Geddes:

I am in receipt of your letter dated March 20, 1998 re: Lot 26, Blk 21, Plan 174 HW - 6018 - 53 Avenue. Your letter will be placed on the Red Deer City Council Agenda of Monday, April 6, 1998.

Your request has been circulated to City Administration for comments. A copy of the administrative comments will be available to you prior to the Council Meeting and can be picked up at our office on the second floor of City Hall on Friday, April 3, 1998.

If you wish to be present and/or speak at the Council Meeting, please telephone our office on Friday, April 3rd and we will advise you of the approximate time that Council will be discussing this item. Upon arrival at City Hall, please enter the park side entrance and proceed to the Council Chambers on the second floor.

Council Meetings are open to the general public and are televised live on Shaw Cable, Channel 3. Council Meetings commence at 4:30 p.m., adjourn for the supper hour at 6:00 p.m., and reconvene at 7:00 p.m. Council agendas are available to the public and media from the City Clerk's Department.

If you have any questions or require further assistance, please do not hesitate to contact me.

Sincerely,

Kelly Kloss
City Clerk

KK/fm

DATE: March 24, 1998

TO: X DIRECTOR OF COMMUNITY SERVICES
DIRECTOR OF CORPORATE SERVICES
X DIRECTOR OF DEVELOPMENT SERVICES
CITY ASSESSOR
E. L. & P. MANAGER
ENGINEERING DEPARTMENT MANAGER
FIRE CHIEF/MANAGER EMERGENCY SERVICES
INFORMATION TECHNOLOGY SERVICES MANAGER
X INSPECTIONS AND LICENSING MANAGER
X LAND AND ECONOMIC DEVELOPMENT MANAGER
PERSONNEL MANAGER
PUBLIC WORKS MANAGER
R.C.M.P. INSPECTOR - C/O: WENDY
X RECREATION, PARKS & CULTURE MANAGER
SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
X PRINCIPAL PLANNER
CITY SOLICITOR

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

FROM: CITY CLERK

RE: Highland Green Community Association
Purchase of 6018 - 53 Avenue

Please submit comments on the attached to this office by March 30, 1998 for the Council Agenda of Monday, April 6, 1998.

"Kelly Kloss
City Clerk

FILE

Council Decision - April 6, 1998 Meeting

DATE: April 7, 1998
TO: Land and Economic Development Manager
FROM: City Clerk
RE: *Highland Green Community Association - Request for City to Purchase Lot 26, Block 21, Plan 174 HW*

Reference Report:

Correspondence from the Highland Green Community Association dated March 20, 1998.

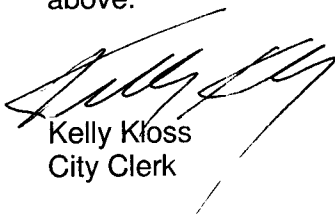
Resolution:

"RESOLVED that Council of The City of Red Deer, having considered correspondence from the Highland Green Community Association dated March 20, 1998, re: Request City to Purchase Lot 26, Block 21, Plan 174 HW (6018 - 53 Avenue), hereby approves the purchase of the noted property for the sum of \$70,000 to be funded from the Public Reserve Trust Fund."

Report Back to Council Required: No

Comments/Further Action:

It would now be appropriate to proceed with the purchase of the noted property as directed above.



Kelly Kloss
City Clerk

/clr

c Director of Community Services
 Director of Corporate Services
 Director of Development Services
 Principal Planner



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

Office of the City Clerk

FILE

April 7, 1998

Highland Green Community Association
c/o Ellen Geddes
11 Halgren Avenue
Red Deer, AB T4N 6P1

Dear Mrs. *Ellen* Geddes:

**Re: Request for City to Purchase Lot 26, Block 21, Plan 174 HW
(6018 - 53 Avenue)**

At the City of Red Deer's Council Meeting held Monday, April 7, 1998, consideration was given to your correspondence dated March 20, 1998 regarding the above. At that meeting, Council passed the following resolution:

"RESOLVED that Council of The City of Red Deer, having considered correspondence from the Highland Green Community Association dated March 20, 1998, re: Request City to Purchase Lot 26, Block 21, Plan 174 HW (6018 - 53 Avenue), hereby approves the purchase of the noted property for the sum of \$70,000 to be funded from the Public Reserve Trust Fund."

Thank you for attending the Council Meeting. Please do not hesitate to contact myself or Mr. Alan Scott, Land and Economic Development Manager, should you require any further clarification regarding Council's decision in this regard.

Sincerely,


Kelly Kloss
City Clerk

/clr

c Director of Community Services
 Director of Corporate Services
 Director of Development Services
 Land and Economic Development Manager

#209, 10830 Jasper Ave., Edmonton, Alberta T5J 2B3
Phone: (403) 424-9555 Fax: (403) 424-1386

KO BOXING PROMOTIONS

Fax

To: City Clerk - Red Deer

From: Mark Sinclair

Fax: 1-403-346-6195

Pages: 9

Phone:

Date: March 24, 1998

Re: THE RUMBLE IN RED DEER

CC:

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

• **Comments:**

As per my recent telephone conversation with your office, we require the City of Red Deer to request The City of Edmonton Boxing & Wrestling Commission to supervise a boxing event on the City's behalf.

The Event is being held May 8th, 1998 at the Capri Centre. The promoter is KO Boxing Promotions (a division of Jaguar Properties Inc.).

The Edmonton Boxing & Wrestling Commission can be reached at 403-487-9999. Ron Hayter is the contact.

The following is the information sent for a show held in 1993 in Red Deer as well as a resolution the council in High Prairie passed for a show there in 1997, either way is OK with the commission in Edmonton.

If you have questions please call me

THX

KO BOXING PROMOTIONS

#209, 10830 - Jasper Avenue
Edmonton, Alberta, Canada T5J 2B3
Tel: (403) 428-9537 Fax: (403) 424-1386

March 27, 1998

**City of Red Deer
Mayors Office**

Attn: Gail Surkan - Mayor

RE: RUMBLE IN RED DEER

Dear Ms. Surkan;

On May 8th, 1998 at the Capri Centre in Red Deer KO Boxing Promotions of Edmonton is planning to present a professional boxing show. This show, which will be a dinner event, will feature some of the best boxers in Canada including Canadian Olympic Silver Medalist David Deflagbon of Nova Scotia.

I have sent a request to The City of Red Deer, through the City Clerk's office, asking the City of Red Deer to pass a bylaw or a resolution requesting that the City of Edmonton Boxing & Wrestling Commission supervise this event on behalf of the City of Red Deer.

I have attached the letter that I have received in response from the Red Deer City Clerk.

In my discussions with Mr. Kloss he has indicated that changes to the Municipality Act no longer require cities to make these requests and that there is some concern as to liabilities etc. As he indicates in his letter, he has circulated my request to City Administration for comments.

What I don't think Mr. Kloss understands however is the following:

- A professional boxing show must be supervised by an appointed commission or government body in order to be legal under the Criminal Code.
- The City of Red Deer does not have a Boxing Commission appointed to supervise such events.
- The City of Edmonton, the City of Calgary and for that matter almost all other city appointed boxing commissions will not supervise an event outside of their jurisdiction without a formal request from the city by way of bylaw or council resolution.

There have been boxing shows promoted in the City of Red Deer in the past, we promoted two shows ourselves in 1990, and in all cases in the past the City passed a bylaw requesting an outside commission. My understanding is that with the changes to the Municipality Act a council resolution is now all that is required.

I am sending you this letter so that you are aware of the situation. I would appreciate any assistance you can provide. We look forward to bringing this world class event to the City of Red Deer.

Sincerely



**Mark Sinclair
KO Boxing Promotions**

**THE CITY OF RED DEER**

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

FAX: (403) 346-6195

City Clerk's Department 342-6132

June 8, 1993

GLEN
HERE IS THE MATERIAL
FROM RED DEER. I'M ALSO
ENCLOSING A COPY OF THE
RESOLUTION PASSED BY THE TOWN
COUNCIL IN HIGH PRAIRIE. RED
DEER USED A BYLAW, HIGH
PRAIRIE A RESOLUTION. EITHER IS
ACCEPTABLE TO US.

Ron Hayter

The City of Edmonton Boxing and Wrestling Commission
Second Floor, City Hall
#1 Sir Winston Churchill Square
Edmonton, Alberta
T5J 2R7

ATTENTION: ALDERMAN HAYER - EXECUTIVE DIRECTOR

Dear Sir,

RE: PROFESSIONAL BOXING SHOW AT THE RED DEER CENTRIUM - JUNE 12/93

At the Council Meeting of June 7, 1993, the enclosed Bylaw 3093/93, was passed authorizing The City of Edmonton Boxing and Wrestling Commission to supervise the professional boxing show to be held in Red Deer in the Centrium on Saturday, June 12, 1993.

I am also enclosing herewith, an agreement indemnifying The City of Edmonton Boxing and Wrestling Commission, the Westerner and The City of Red Deer, which is required to be signed by Wayne Barry of Stargazer Productions. By way of a copy of this letter we are requesting Glen Carriere of KO Boxing Promotions to ensure that said agreement is signed and returned to this office prior to the event.

Confirmation, in writing, from The City of Edmonton Boxing and Wrestling Commission, is required by no later than Friday, June 11, 1993, indicating that it is prepared to supervise this show. We would appreciate you sending us a fax (346-6195) in addition to the original by ordinary mail.

**RED DEER**

*a delight
to discover!*

The City of Edmonton Boxing and Wrestling Commission
Page 2
June 8, 1993

Your assistance in this matter is greatly appreciated.

Sincerely,



C. SEVCIK
City Clerk

CS/ojd
Encl.

cc: KO Boxing Promotions
The Westerner
Director of Community Services
Recreation and Culture Manager

THIS AGREEMENT MADE THIS _____ day of _____, 1993.

BETWEEN:

WAYNE BARRY
 carrying on business under the firm name
 and style STARGAZER PRODUCTIONS, of The
 City of Edmonton, in The Province of Alberta
 (herein called "the Promoters")

OF THE FIRST PART

-and-

THE CITY OF RED DEER
 a Municipal Corporation
 (herein called "The City")

OF THE SECOND PART

-and-

THE WESTERNER EXPOSITION ASSOCIATION
 a body corporate incorporated under the
 laws of The Province of Alberta
 (hereafter referred to as "the Westerner")

OF THE THIRD PART

-and-

THE CITY OF EDMONTON BOXING
 & WRESTLING COMMISSION
 Edmonton, Alberta
 (herein called "the Commission")

OF THE FOURTH PART

WHEREAS the Promoters desire to present a professional boxing show at the CENTRIUM, situate in The City of Red Deer, in The Province of Alberta, on the 12th day of June, 1993;

AND WHEREAS the Commission is prepared to supervise the professional show on behalf of The City;

AND WHEREAS the Municipal Council at its meeting held on the 7th day of June 1992, passed the bylaw annexed as Schedule "A" to this agreement;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants, conditions and agreements herein contained, in consideration of The City passing the bylaw annexed hereto and in consideration of The City requesting the Commission to supervise the professional boxing show in order that the event may be held by the Promoters at the CENTRIUM on June 12, 1993, the parties hereto agree together as follows:

1. The Promoters and each of them jointly and severally hereby undertake and agree to indemnify and hold harmless The City of Edmonton Boxing and Wrestling Commission, The City of Red Deer and the Westerner of and from all claims or damages of every nature or kind including, without limiting the generality of the foregoing, personal injury, death, and property damage of every nature or kind whatsoever arising out of or relating either directly or indirectly to the event of any accident, emergency, or legal action of any kind or judgment granted thereunder which may result or arise out of or in any way be related to the hosting or presentation of the professional boxing show aforesaid.

IN WITNESS WHEREOF the Promoters have executed this agreement the day and year above written.

STARGAZER PRODUCTIONS

Per: _____
WAYNE BARRY

BYLAW NO. 3093/93

Being a Bylaw to appoint a Boxing Commission to supervise a boxing match in the City of Red Deer, Province of Alberta.

WHEREAS pursuant to Section 238 of the Municipal Government Act, R.S.A., 1980, and amendments thereto, a municipality may appoint a board or commission to control and regulate boxing, wrestling, and similar matches in the City;

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

1 That the City of Edmonton Boxing and Wrestling Commission is hereby authorized, on behalf of The City of Red Deer to supervise, control and regulate a professional boxing show to be held at Red Deer, Alberta in the Centrum on Saturday, the 12 day of June 1993, and, in the event of postponement, such other date or place as may be established, subject to the promoters, Wayne Barry of Stargazer Productions of Edmonton, entering into an agreement satisfactory to the City Solicitor to indemnify and hold harmless the City of Edmonton Boxing and Wrestling Commission, the City of Red Deer, and the Westerner of and from all judgments or claims for damages of every nature and kind including, without limiting the generality of the foregoing, personal injury, death, and property damage of every nature or kind whatsoever, arising out of or relating either directly or indirectly to the event of any accident, emergency or legal action of any kind or judgment granted thereunder which may result or arise out of or in any way be related to the holding, conduct, hosting or presentation of the said professional boxing show.

-2-

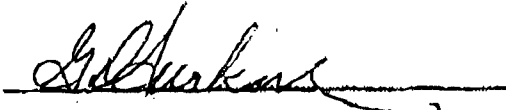
Bylaw No. 3093/93

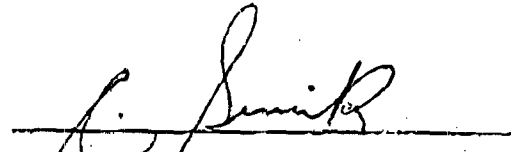
2 This Bylaw shall come into full force and effect on the date of its passage.

READ A FIRST TIME IN OPEN COUNCIL this 7th day of June A.D. 1993.

READ A SECOND TIME IN OPEN COUNCIL this 7th day of June A.D. 1993.

READ A THIRD TIME IN OPEN COUNCIL this 7th day of June A.D. 1993.


MAYOR


CITY CLERK

AFFIDAVIT OF EXECUTION

CANADA)
)
PROVINCE OF ALBERTA)
)
TO WIT)

I, _____ of The City of _____,
in The Province of Alberta, MAKE OATH AND SAY:

1. THAT I was personally present and did see WAYNE BARRY, named in the within instrument, who is personally known to me to be the person named therein, duly sign and execute the same for the purposes named therein.

2. THAT the same was executed at _____ in the Province of Alberta and I am the subscribing witness thereto.

3. THAT I know the said WAYNE BARRY and he is in my belief of the full age of eighteen years.

SWORN BEFORE ME at The City of _____)
_____ in The Province of _____)
Alberta, this _____ day of _____)
_____ A.D. 1993.)
)
)

A COMMISSIONER FOR OATHS in
and for The Province of Alberta

RESOLUTION

The City of Edmonton Boxing and Wrestling Commission is authorized, on behalf of the Town of High Prairie, to supervise, control and regulate a professional-amateur boxing show to be held at High Prairie, Alberta in the Sports Palace on August 28, 1997 and, in the event of postponement, such other date or place as may be established, subject to the promoters, The Alberta Amateur Boxing Association, operating under the name Boxing Alberta, entering into an agreement satisfactory to the Town Solicitor to indemnify and hold harmless the City of Edmonton Boxing and Wrestling Commission, the Town of High Prairie and the Sports Palace of and from all judgments or claims for damages of every nature and kind including, without limiting the generality of the foregoing, personal injury, death and property damage of every nature or kind whatsoever, arising out of or relating either directly or indirectly to the event of any accident, emergency or legal action of any kind or judgment granted thereunder which may result or arise out of or in any way be ~~related~~^{RELATED} to the holding, conduct, hosting or presentation of the said professional-amateur boxing show.

NOTE: In conjunction with the agreement, the promoters should be required to obtain liability insurance for the event.

COMMENTS:

Prior to 1995, Section 238 the Municipal Government Act provided that a municipality may appoint a board or commission to control and regulate boxing, wrestling, and similar matches in the city. Subsequent to this, amendments were made to the Municipal Government Act that excluded the above clause. Section 83 of the Criminal Code makes it an offense for anyone to participate in or to promote a “prize-fight” unless:

- a) the fight is between amateurs who wear boxing gloves of at least 140 grams; or
- b) the fight (amateur or otherwise) is supervised by a provincial athletic body.

It would be our understanding that as it is the responsibility of a duly accredited provincial body to supervise a prize-fight, the requirement for a municipality to be involved, as referred to in Section 238 of the MGA, was no longer required and as such deleted.

It would appear that the City of Edmonton Boxing & Wrestling Commission is an accredited provincial body and as such can supervise such events. The Commission has advised however that their internal policy is to supervise events in other municipalities only if that Council has authorized them to do so.

We therefore recommend that although Council has no legal requirement to sanction, approve or control such events, as it is a policy of the Edmonton Commission to obtain municipal permission, Council pass a resolution to generally authorize the City of Edmonton Boxing & Wrestling Commission to supervise boxing, wrestling and similar matches within the city of Red Deer provided that such events meet all legislative and legal requirements.

We further recommend that in accordance with requirement of the Criminal Code, the Provincial Government be requested to appoint a sanctioning body for such events so municipalities are not required to participate in this process as contemplated when the MGA was changed in 1995. We would have no problem with the City of Edmonton Boxing & Wrestling Commission being so designated by the Province should The City of Edmonton so agree.

“G. D. Surkan”
Mayor

“N. Van Wyk”
City Manager

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

CHAPMAN RIEBEEK

Barristers & Solicitors

THOMAS H. CHAPMAN, Q.C.*
NICK P. W. RIEBEEK*
DONALD J. SIMPSON
T. KENT CHAPMAN*
GARY W. WANLESS*
LORNE E. GODDARD
GERI M. CHRISTMAN
NANCY BERGSTROM

* Denotes Professional Corporation

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

208 - 4808 Ross Street
Red Deer, Alberta T4N 1X5
TELEPHONE (403) 346-6603
TELECOPIER (403) 340-1280

5020 - 50 A Street
Sylvan Lake, Alberta T0M 1Z0
TELEPHONE (403) 887-2024
TELECOPIER (403) 887-2036

PLEASE REPLY TO RED DEER

Your file:
Our file: CITY GENERAL

MARCH 29, 1998

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

DELIVERED

Attention: KELLY KLOSS, City Clerk

Dear Sir:

Re: KO Boxing Promotions

Section 83 of the Criminal Code (copy attached) makes it an offence for anyone to participate in or to promote a "prize-fight" unless:

- a) the fight is between amateurs who wear boxing gloves of at least 140 grams; or
- b) the fight (amateur or otherwise) is supervised by a **provincial** athletic body.

What is required for the proposed prize-fight is the supervision of a duly accredited provincial body and the promoter should be seeking this directly.

However, the City has authority to pass bylaws for the health and safety of its citizens and to control public events [M.G.A. Section 7 (a) and (b)]. The City therefore could pass a Bylaw asking the provincial body to supervise the proposed sporting event, if it appeared that such a bylaw was required by the provincial body before they would agree to supervise the event.

A decision to have a duly qualified body supervise a sporting event like this would not likely attract any particular legal liability for the City.

Yours truly,

Donald J. Simpson

cuse. No breach of any duty of care need be shown, as for example under s. 80, nor any ulterior *mental element* and/or specific use, as is required under s. 81.

Authorization to intercept private communications may be given in respect of this offence under Part VI. D may elect mode of trial under s. 536(2).

Other related provisions are described in the corresponding note to s. 79, *supra*. For an offence under s. 82(2), additional sentencing provisions are found in s. 82.1.

82.1 Sentences to be served consecutively — A sentence imposed on a person for an offence under subsection 82(2) shall be served consecutively to any other punishment imposed on the person for an offence arising out of the same event or series of events and to any other sentences to which the person is subject at the time the sentence is imposed on the person for an offence under subsection 82(2).

1997, c. 23, s. 2.

Prize Fights

83. (1) Engaging in prize fight — Every one who

- (a) engages as a principal in a prize fight,
- (b) advises, encourages or promotes a prize fight, or
- (c) is present at a prize fight as an aid, second, surgeon, umpire, backer or reporter,

is guilty of an offence punishable on summary conviction.

(2) Definition of "prize fight" — In this section, "prize fight" means an encounter or fight with fists or hands between two persons who have met for that purpose by previous arrangement made by or for them, but a boxing contest between amateur sportsmen, where the contestants wear boxing gloves of not less than one hundred and forty grams each in mass, or any boxing contest held with the permission or under the authority of an athletic board or commission or similar body established by or under the authority of the legislature of a province for the control of sport within the province, shall be deemed not to be a prize fight.

R.S., c. C-34, s. 81; R.S. 1985, c. 27 (1st Supp.), s. 186.

Case Law: See cases under s. 41.

Commentary: The section defines "prize fight" and prohibits certain types of participation therein.

The offences of s. 83(1) are crimes which require proof of no *mental element* beyond the intention to cause the external circumstances. Under s. 83(1)(a) the *external circumstances* require proof that D engaged as a principal in a prize fight. In other words the actual participants, the fighters are criminally liable. Section 83(1)(b) attaches liability to anyone who advises, encourages or promotes a prize fight, arguably enlarging the traditional basis of accessory liability of ss. 21 and 22. Finally, s. 83(1)(c) requires proof of actual presence at a prize fight in a designated capacity.

The definition of "prize fight" in s. 83(2) excludes bouts sanctioned by provincial athletic bodies and amateur bouts, sanctioned or otherwise, where the fighters wear boxing gloves of not less than 140 g each in mass.

Related Provisions: The offence is tried under Part XXVII and punished in accordance with s. 787(1).

Part III — Firearms and Other Offensive Weapons

[Please note: Section 139 of 1995, c. 39 (Bill C-68), which received Royal Assent on December 5, 1995, replaces Part III of the Criminal Code. The proposed Part is reproduced in its entirety following section 117 of the currently in force Part III. The proposed parts will be in force on a date to be fixed by order of the Governor General.]

Interpretation

84. (1) Definitions — For the purposes of this Part,

"antique firearm" means any firearm manufactured before 1898 that was not designed to use rim-fire or centre-fire ammunition and that has not been redesigned to use such ammunition, or, if so designed or redesigned, is capable only of using rim-fire or centre-fire ammunition that is not commonly available in Canada;

"chief provincial firearms officer" means a person who has been designated in writing by the Attorney General of a province as the chief provincial firearms officer for that province;

"Commissioner" means the Commissioner of the Royal Canadian Mounted Police;

"firearm" means any barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barrelled weapon and anything that can be adapted for use as a firearm;

"firearms acquisition certificate" means a firearms acquisition certificate issued by a firearms officer under section 106 or 107;

"firearms officer" means any person who has been designated in writing as a firearms officer by the Commissioner or the Attorney General of a province or who is a member of a class of persons that has been so designated;

"genuine gun collector" means an individual who possesses or seeks to acquire one or more restricted weapons that are related or distinguished by historical, technological or scientific characteristics, has knowledge of those characteristics, has consented to the periodic inspection, conducted in a reasonable manner and in accordance with the regulations, of the premises in which the restricted weapons are to be kept and has complied with such other requirements as are prescribed by regulation respecting knowledge, secure storage and the keeping of records in respect of the restricted weapons;

"large-capacity cartridge magazine" means any device or container from which ammunition may be fed into the firing chamber of a firearm;


DATE: March 30, 1998
TO: KELLY KLOSS
City Clerk
FROM: LOWELL R. HODGSON
Director of Community Services
RE: KO BOXING PROMOTIONS

The "Rumble in Red Deer" is being presented May 8th at the Capri Centre by KO Boxing Promotions. These events require a boxing and wrestling commission to supervise the event. Thus, KO Boxing Promotions is requesting The City of Red Deer to ask The City of Edmonton Boxing and Wrestling Commission to supervise this event.

A similar event was held in June 1993, with Council making a similar request to the Edmonton Boxing and Wrestling Commission. I would recommend support for this again, subject to appropriate legal documents being completed to the satisfaction of our City Solicitor.

RECOMMENDATION

That Council of The City of Red Deer support the request of KO Boxing Promotions that the Edmonton Boxing and Wrestling Commission supervise a boxing event in Red Deer, May 8, 1998. at the Capri Centre, with appropriate documentation indemnifying The City of Red Deer and to the satisfaction of our City Solicitor.



LOWELL R. HODGSON

:ad

DATE: March 25, 1998

TO: X DIRECTOR OF COMMUNITY SERVICES
DIRECTOR OF CORPORATE SERVICES
DIRECTOR OF DEVELOPMENT SERVICES
CITY ASSESSOR
E. L. & P. MANAGER
ENGINEERING DEPARTMENT MANAGER
FIRE CHIEF/MANAGER EMERGENCY SERVICES
INFORMATION TECHNOLOGY SERVICES MANAGER
INSPECTIONS AND LICENSING MANAGER
LAND AND ECONOMIC DEVELOPMENT MANAGER
PERSONNEL MANAGER
PUBLIC WORKS MANAGER

X R.C.M.P. INSPECTOR - C/O: WENDY Fax: 346-1365
RECREATION, PARKS & CULTURE MANAGER
SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
PRINCIPAL PLANNER

X CITY SOLICITOR Fax: 340-1280

NOTE: I have spoken with Ron Hayter who indicated that although the Municipal Government Act no longer specifically requires a bylaw to authorize the Commission to supervise a boxing event on the City's behalf, it is a policy of the Commission, as per their legal advice, that before the Commission will supervise such an event a resolution must be passed by the municipality authorizing the Commission to do so. Mr. Hayter indicated that the Criminal Code governs this area.

FROM: CITY CLERK
RE: KO BOXING PROMOTIONS

Please submit comments on the attached to this office by March 30, 1998 for the Council Agenda of Monday, April 6, 1998.

"Kelly Kloss"
City Clerk
attch.

*Province
Lloyd Bentz
415-0263*

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

DATE: March 27, 1998

TO: X DIRECTOR OF COMMUNITY SERVICES
DIRECTOR OF CORPORATE SERVICES
DIRECTOR OF DEVELOPMENT SERVICES
CITY ASSESSOR
E. L. & P. MANAGER
ENGINEERING DEPARTMENT MANAGER
FIRE CHIEF/MANAGER EMERGENCY SERVICES
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X R.C.M.P. INSPECTOR - C/O: WENDY FAX: 346-1365
RECREATION, PARKS & CULTURE MANAGER
SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
PRINCIPAL PLANNER
X CITY SOLICITOR FAX: 340-1280

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

L

FROM: CITY CLERK

RE: KO Boxing Promotions - attachment to original submission

Please submit comments on the attached to this office by March 30, 1998 for the Council Agenda of Monday, April 6, 1998.

"Kelly Kloss


City Clerk

DATE: JUNE 9, 1993
TO: CITY SOLICITOR
FROM: CITY CLERK
RE: REGULATION OF BOXING, WRESTLING AND SIMILAR EVENTS

You will recall that at the Council Meeting of June, 7, 1993, Council passed the bylaw appointing The City of Edmonton Boxing and Wrestling Commission to supervise a boxing match at the Centrium, June 12, 1993.

When I was discussing this item with the Commissioners, in preparation of the said agenda, the Commissioners suggested that we pursue with the Solicitor the preparation of a "generic bylaw" which would not require that this issue be brought to Council each and every time there is an application for a boxing match. Is it possible to have such a bylaw passed by Council appointing The City of Edmonton Boxing and Wrestling Commission to act on our behalf for all future events until further notice, or must such a bylaw be passed for each specific event?

Your comments and assistance in this matter would be appreciated.


C. SEVCIK
City Clerk

CS/cjd

*Hold in Council File
for future reference.*

CHAPMAN RIEBEEK SIMPSON CHAPMAN WANLESS
Barristers & Solicitors

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

208 Professional Building
4808 Ross Street
Red Deer, Alberta T4N 1X5
TELEPHONE (403) 346-6603
TELECOPIER (403) 340-1280

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

* Denotes Professional Corporation

** Denotes Student-At-Law

Your file:

Our file: 17,295 THC

June 7, 1990

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

ATTENTION: Charles Sevcik
City Clerk

Dear Sir:

RE: Regulation of Professional Boxing Shows

I enclose revised form of by-law amended as requested.

Yours truly,



THOMAS H. CHAPMAN, Q.C.
THC/vjh
Enclosure

• Bylaw passed at
Council Meeting of June 7/93
Bylaw No 3093/93 (attached)

BY-LAW #____/____

Being a by-law to appoint a Boxing Commission to supervise a boxing match in the City of Red Deer, Province of Alberta.

WHEREAS pursuant to Section 238 of the Municipal Government Act, R.S.A., 1980, and amendments thereto, a Municipality may appoint a Board or Commission to control and regulate boxing, wrestling, and similar matches in the City;

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

1. That the City of Edmonton Boxing and Wrestling Commission is hereby authorized, on behalf of the City of Red Deer to supervise, control and regulate a professional boxing show to be held at Red Deer, Alberta, on the ____ day of _____, 1990, and, in the event of postponement, such other date or place as may be established, subject to the promoters _____ entering into an agreement satisfactory to the City Solicitor to indemnify and hold harmless the City of Edmonton Boxing and Wrestling Commission, the City of Red Deer, and the (name of association ie. Westerner) of and from all judgments or claims for damages of every nature and kind including, without limiting the generality of the foregoing, personal injury, death, and property damage of every nature or kind whatsoever, arising out of or relating either directly or indirectly to the event of any accident, emergency or legal action of any kind or judgment granted thereunder which may result or arise out of or in any way be related to the holding, conduct, hosting or presentation of the said professional boxing show.

2. This By-law shall come into full force and effect on the date of its passage.

READ A FIRST TIME IN OPEN COUNCIL this _____ day of _____, A.D. 1989.

READ A SECOND TIME IN OPEN COUNCIL this _____ day of _____, A.D. 1989.

READ A THIRD TIME IN OPEN COUNCIL this _____ day of _____, A.D. 1989.

MAYOR

CITY CLERK

DATE: June 6, 1990

TO: City Solicitor

FROM: City Clerk

RE: REGULATION OF PROFESSIONAL BOXING SHOWS / DRAFT BYLAW

I wish to acknowledge with thanks the draft form of bylaw respecting the holding of boxing events.

As requested, I have reviewed the bylaw and the only comments I have refer to the eventuality of a change in the place or date of the scheduled event after Council has dealt with the item, as we have experienced in the past. Is it possible to include after the third line in paragraph 1 the words similar to the following:

"and in the event of postponement, such other date or place
as may be established."

Your assistance in this matter is appreciated.



C. SEVCIK
City Clerk

CS/jt

CHAPMAN RIEBEEK SIMPSON CHAPMAN WANLESS

Barristers & Solicitors

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

208 Professional Building
4808 Ross Street
Red Deer, Alberta T4N 1X5
TELEPHONE (403) 346-6603
TELECOPIER (403) 340-1280

* Denotes Professional Corporation

** Denotes Student-At-Law

Your file:

Our file: 17,295 THC

June 6, 1990

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

ATTENTION: Charles Sevcik
City Clerk

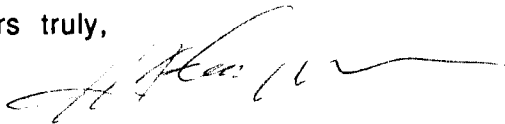
Dear Sir:

RE: Regulation of Professional Boxing Shows

I enclose for your reference draft form of by-law respecting the holding of boxing events.

I would appreciate your review and any comments you have respecting the same.

Yours truly,



THOMAS H. CHAPMAN, Q.C.
THC/vjh
Enclosure

See Revised Bylaw

BY-LAW #____/____

Being a by-law to appoint a Boxing Commission to supervise a boxing match in the City of Red Deer, Province of Alberta.

WHEREAS pursuant to Section 238 of the Municipal Government Act, R.S.A., 1980, and amendments thereto, a Municipality may appoint a Board or Commission to control and regulate boxing, wrestling, and similar matches in the City;

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

1. That the City of Edmonton Boxing and Wrestling Commission is hereby authorized to supervise on behalf of the City of Red Deer a professional boxing show to be held at _____, on the ____ day of _____, 1990, *under the event of postponement* subject to the promoters entering into an agreement satisfactory to the City Solicitor to indemnify and hold harmless the City of Edmonton Boxing and Wrestling Commission, the City of Red Deer, and the (name of association) of and from all claims or damages of every nature and kind, including, without limiting the generality of the foregoing, personal injury, death, and property damage of every nature or kind whatsoever, arising out of or relating either directly or indirectly to the event of any accident, emergency or legal action of any kind or judgment granted thereunder which may result or arise out of or in any way be related to the holding, conduct, hosting or presentation of the said professional boxing show.

2. This By-law shall come into full force and effect on the date of its passage.

READ A FIRST TIME IN OPEN COUNCIL this _____ day of _____, A.D. 1989.

READ A SECOND TIME IN OPEN COUNCIL this _____ day of _____, A.D. 1989.

READ A THIRD TIME IN OPEN COUNCIL this _____ day of _____, A.D. 1989.

MAYOR

CITY CLERK

DATE: May 31, 1990

TO: City Solicitor

FROM: City Clerk

RE: REGULATION OF PROFESSIONAL BOXING SHOWS

On two previous occasions The City of Red Deer, by resolution, has appointed the City of Edmonton Boxing and Wrestling Commission to supervise on behalf of The City of Red Deer a Professional Boxing Show.

I have come across the attached Information Bulletin Number 2/88 from the Department of Municipal Affairs re: Regulation of Boxing, Wrestling and Similar Events, which suggests that whenever we appoint the Boxing Commission of another municipality to supervise matches in Red Deer, that such appointment must be made by bylaw under authority of Section 238 of the Municipal Government Act.

Your comments on this matter would be appreciated. If you concur, perhaps you might prepare a draft bylaw which we could keep on file for the next request, as it seems we don't usually have that much time to prepare the bylaw for the agenda because there is always such a rush.

Your attention to this matter is appreciated.



E. SEVCIK
City Clerk

CS/jt

Att.

c.c. Recreation & Culture Manager

CHAPMAN RIEBEEK SIMPSON CHAPMAN WANLESS

Barristers & Solicitors

THOMAS H. CHAPMAN, Q.C.*
NICK P. W. RIEBEEK*
DONALD J. SIMPSON
T. KENT CHAPMAN*
GARY W. WANLESS*
LORNE E. GODDARD
GERI M. CHRISTMAN
ROBERT J. MILLAR

208 Professional Building
4808 Ross Street
Red Deer, Alberta T4N 1X5
TELEPHONE (403) 346-6603
TELECOPIER (403) 340-1280

* Denotes Professional Corporation

Your file:
Our file: GEN 06/93 THC

June 14, 1993

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

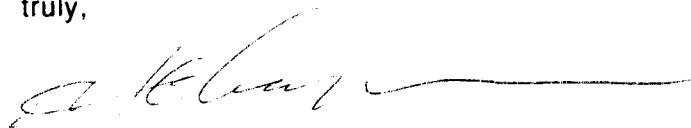
ATTENTION: Charles Sevcik,
City Clerk

Dear Sir:

RE: Regulation of Boxing Events

In response to your memorandum of June 9, 1993, I believe it would be possible to draft a "generic" bylaw appointing the Edmonton Boxing and Wrestling Commission to supervise boxing events in Red Deer. It may be possible for the bylaw to authorize any commission created under the appropriate Provincial Legislation to supervise boxing events, which would give an alternative to the Edmonton Boxing and Wrestling Commission.

Yours truly,



THOMAS H. CHAPMAN, Q.C.
THC/vjh

Tom - please proceed with preparation of a "generic" bylaw appointing the Edmonton Boxing and Wrestling Commission. This has been discussed with Mike and he has asked that we proceed as above. Thanks.

As. 93 06 24



MEMORANDUM NOTE DE SERVICE

To
À

Mr. Kelly KLOSS
City Clerk

From
De


S/Sgt. D. G. Derouin
R.C.M. Police
Red Deer City Det.

Subject
Objet

Re: KO Boxing Promotions - Attachments To Original Submission

Security Classification - Classification de sécurité
Unclassified
Our File - Notre référence
Your File - Votre référence
Date
1998-04-01

Red Deer City detachment has no objection to this event taking place. As a policing issue, we would not anticipate having problems with the event or our ability to handle anything that may arise.


(D.G. Derouin) S/Sgt.
A/OIC Red Deer City Det.

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL



Office of the City Clerk

**BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL**

April 1, 1998

Box 5008

Red Deer, Alberta

T4N 3T4

KO Boxing Promotions

Att: Mr. Mark Sinclair

Dear Mr. Sinclair:

Further to our conversations earlier this week, please find attached hereto page 107A of the Council Agenda for April 6, 1998, outlining the comments of Mayor Surkan and the City Manager, Mr. N. Van Wyk, regarding your item. These comments will appear in conjunction with your correspondence on the Council Agenda.

Please note that I have also attached hereto the proposed resolutions that Council will be considering at that meeting, in lieu of the bylaw which was previously drafted for your consideration. The Mayor and City Manager feel that a bylaw is not appropriate in this instance and that the passing of the noted resolutions will suffice.

I will be away from my office until Monday, April 6th. Should you wish to contact me, I will be returning at 8:30 a.m. that day.

Sincerely,

Kelly Kloss
City Clerk

/clr
attchs.

The City of Red Deer

THE CITY OF RED DEER

Date: April 6, 1998

No. 11 p. 98

Moved by Councillor

Seconded by Councillor

"RESOLVED that Council of The City of Red Deer hereby authorizes The City of Edmonton Boxing and Wrestling Commission to supervise boxing, wrestling and similar matches within the city of Red Deer provided that such events meet all legislative and legal requirements."

Hughes	Watkinson- Zimmer	Dawson	Hull	Flewwelling	Schnell	Volk	Moffat	Surkan
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Carried	Defeated	Withdrawn	Tabled					

☐

For

☐

Against

A

Absent

THE CITY OF RED DEER

Date: April 6, 1998

No. 12 p. 98

Moved by Councillor

Seconded by Councillor

"RESOLVED that Council of The City of Red Deer hereby agrees that, in accordance with requirements of the Criminal Code, the Provincial Government be requested to appoint a sanctioning body for the supervising of boxing, wrestling and other similar matches in order that municipalities would no longer be required to participate in this process."

Hughes	Watkinson- Zimmer	Dawson	Hull	Flewwelling	Schnell	Volk	Moffat	Surkan
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Carried	Defeated	Withdrawn	Tabled					

☐

For

☐

Against

A

Absent

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO	0088
CONNECTION TEL	14034241386
SUB-ADDRESS	
CONNECTION ID	
ST. TIME	04/01 15:36
USAGE T	01'25
PGS.	4
RESULT	OK

Office of the City Clerk

April 1, 1998

KO Boxing Promotions
Att: Mr. Mark Sinclair

Dear Mr. Sinclair:

Further to our conversations earlier this week, please find attached hereto page 107A of the Council Agenda for April 6, 1998, outlining the comments of Mayor Surkan and the City Manager, Mr. N. Van Wyk, regarding your item. These comments will appear in conjunction with your correspondence on the Council Agenda.

Please note that I have also attached hereto the proposed resolutions that Council will be considering at that meeting, in lieu of the bylaw which was previously drafted for your consideration. The Mayor and City Manager feel that a bylaw is not appropriate in this instance and that the passing of the noted resolutions will suffice.

I will be away from my office until Monday, April 6th. Should you wish to contact me, I will be returning at 8:30 a.m. that day.

Sincerely,

Kelly Kloss
City Clerk

/clr
attchs.



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

FILE

Office of the City Clerk

April 7, 1998

Box 5008
Red Deer, Alberta
T4N 3T4

Edmonton Boxing & Wrestling Commission
Box 33006
Glenwood Post Office
Edmonton, AB T5P 4V8

Faxed To: (403) 487-9999

Att: Mr. Ron Hayter

Dear Sir:

RE: Request for City of Red Deer to Approve Supervision by the Edmonton Boxing & Wrestling Commission for Boxing Event - Red Deer

We recently received a request from KO Boxing Promotions, to authorize the Edmonton Boxing and Wrestling Commission to supervise a boxing event which is to be held in Red Deer at the Capri Centre on May 8th, 1998.

As you are aware, Section 83 of the Criminal Code states that it is an offence for anyone to participate in or to promote a "prize fight" unless:

- (a) the fight is between amateurs who wear boxing gloves of at least 140 grams; or
- (b) the fight (amateur or otherwise) is supervised by a *provincial* athletic body.

It is our understanding that a duly accredited provincial body is still required to supervise a prize fight, however, the legislative requirement for a municipality to be involved no longer exists. We understand the policy of the City of Edmonton is that unless requested by a municipal council, the Commission cannot supervise an event outside the boundaries of Edmonton. As a result of this, Council of the City of Red Deer passed the following resolution Monday, April 6, 1998 at its meeting:

"RESOLVED that Council of The City of Red Deer hereby authorizes The City of Edmonton Boxing and Wrestling Commission to supervise boxing, wrestling and similar matches within the city of Red Deer provided that such events meet all legislative and legal requirements."

Council passed a further resolution, noted below, requesting the Provincial Government to appoint a provincial athletic body to supervise events taking place in municipalities who do not have their own boxing/wrestling commission:

The City of Red Deer

Edmonton Boxing and Wrestling Commission
April 7, 1998
Page 2

"RESOLVED that Council of The City of Red Deer hereby agrees that, in accordance with requirements of the Criminal Code, the Provincial Government be requested to appoint a sanctioning body for the supervising of boxing, wrestling and other similar matches in order that municipalities would no longer be required to participate in this process."

Council of the City of Red Deer would not be opposed to the City of Edmonton Boxing and Wrestling Commission being so designated by the Province should The City of Edmonton so agree.

If you have any questions or require additional clarification with the above, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kelly Kloss', written over a horizontal line.

Kelly Kloss
City Clerk

/clr

c Mr. Mark Sinclair, c/o
 KO Boxing Promotions
 Faxed To: (403) 424-1386

FILE

Office of the City Clerk

April 8, 1998

Alberta Community Development
Alberta Sports, Recreation, Parks & Wildlife
905 Standard Life Centre
10405 Jasper Avenue
Edmonton, AB T5J 4R7

Att: Mr. Lloyd Bentz,
Acting Director

Dear Sir:

Re: Supervision of Boxing & Wrestling Events - Municipalities

Recently the City of Red Deer received a request from KO Boxing Promotions to authorize the Edmonton Boxing and Wrestling Commission to supervise an event in Red Deer on behalf of the City of Red Deer.

Prior to 1995, Section 238 the Municipal Government Act stated that a municipality could appoint a board or commission to control and regulate boxing, wrestling, and similar matches in the city. Subsequent to this, amendments were made to the Municipal Government Act that excluded the above clause. Section 83 of the Criminal Code makes it an offence for anyone to participate in or to promote a "prize fight" unless:

- (a) the fight is between amateurs who wear boxing gloves of at least 140 grams; or
- (b) the fight (amateur or otherwise) is supervised by a *provincial* athletic body.

It is our understanding that as it is the responsibility of a duly accredited provincial body to supervise a prize fight, the requirement for a municipality to be involved, as referred to in Section 238 of the Municipal Government Act, was no longer required and as such deleted.

It appears that the City of Edmonton Boxing & Wrestling Commission is an accredited provincial body and, as such, can supervise such events. The Commission has advised however that their internal policy is to supervise events in other municipalities only if that Council has authorized them to do so.

As a result of the Commission's policy, Council passed a resolution to authorize the City of Edmonton Boxing & Wrestling Commission to supervise boxing, wrestling and similar matches within Red Deer, provided that such events meet all legislative and legal requirements.

Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

As the Municipal Government Act does not provide for councils to sanction such events and as the Criminal Code refers to a provincial athletic body, our Council believes that it is within the jurisdiction of the Province to give all approvals regarding the events held in municipalities and that the municipalities should in no way be involved in the process. As a result, the following resolution was passed:

“RESOLVED that Council of The City of Red Deer hereby agrees that, in accordance with requirements of the Criminal Code, the Provincial Government be requested to appoint a sanctioning body for the supervising of boxing, wrestling and other similar matches in order that municipalities would no longer be required to participate in this process.”

The City of Red Deer would appreciate you reviewing this matter and advising us of the outcome of your findings.

Thanking you in advance.

Sincerely,



Kelly Kloss
City Clerk

/clr

c Alberta Urban Municipalities Association
Faxed To: (403) 433-4454

BYLAW NO. 3156/E-98

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

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

- 1 The "Use District Map L9" contained in "Schedule B" of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map No. 4/98 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 9 day of March A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1998.

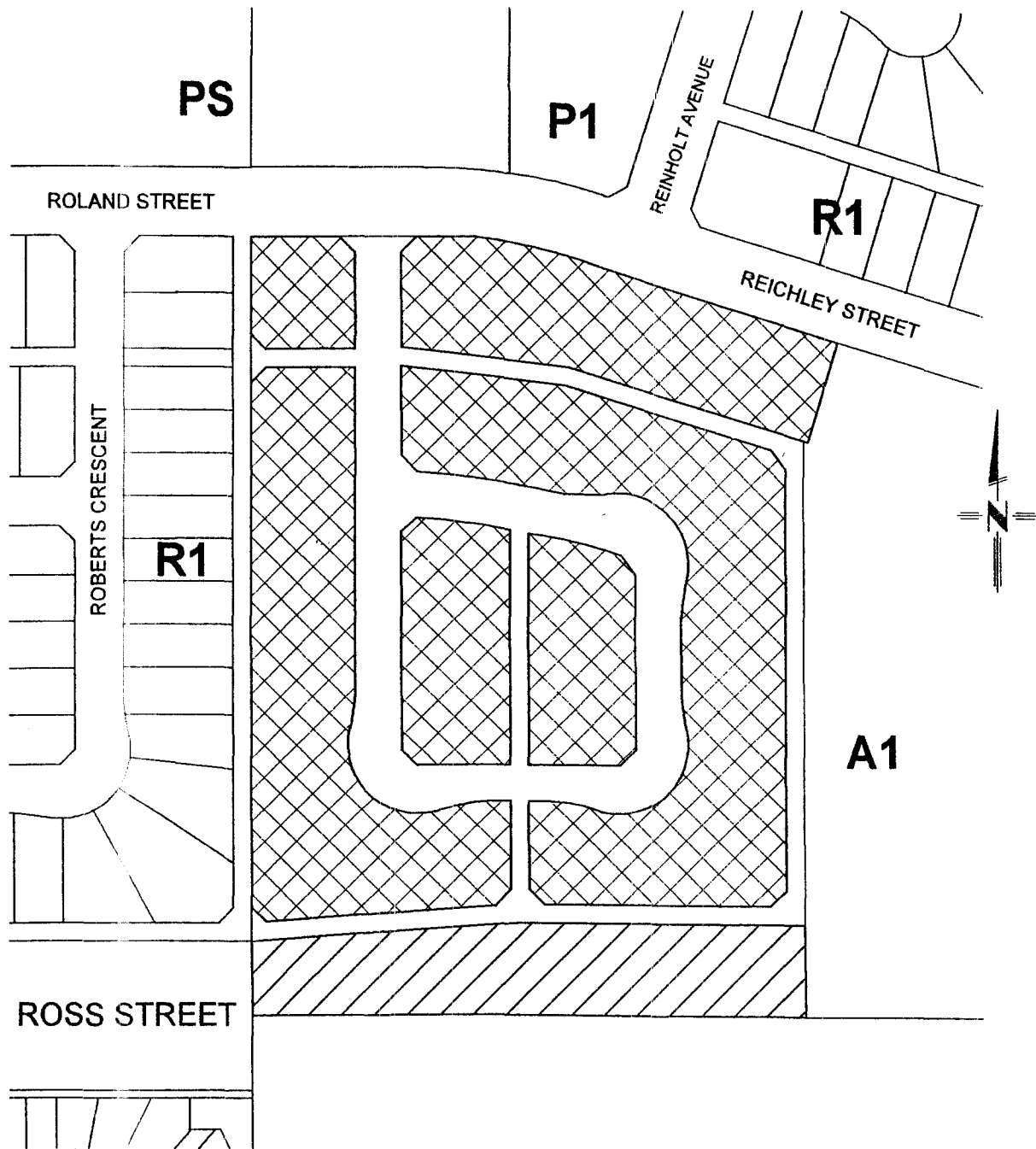
AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1998.

MAYOR

CITY CLERK

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



Change from: A1 to R1



A1 to road



AFFECTED DISTRICTS:

A1 - Future Urban Development

R1 - Residential (Low Density)

MAP NO. 4 / 98
BYLAW NO. 3156 / E - 98

BYLAW NO. 3156/F-98

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of The City of Red Deer.

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

- 1 Section 55 "Exceptions Respecting Land Use" is hereby amended by adding the following new subsection:

"5 (g) commercial entertainment facility on:

(i) Lot 9, Block A, Plan 922-1625 (2210 - 50 Avenue)"

READ A FIRST TIME IN OPEN COUNCIL this 9 day of March A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1998.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1998.

MAYOR

CITY CLERK

BYLAW NO. 3156/J-98

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

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

- 1 The "Use District Map J6" contained in "Schedule B" of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map No. 8/98 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1998.

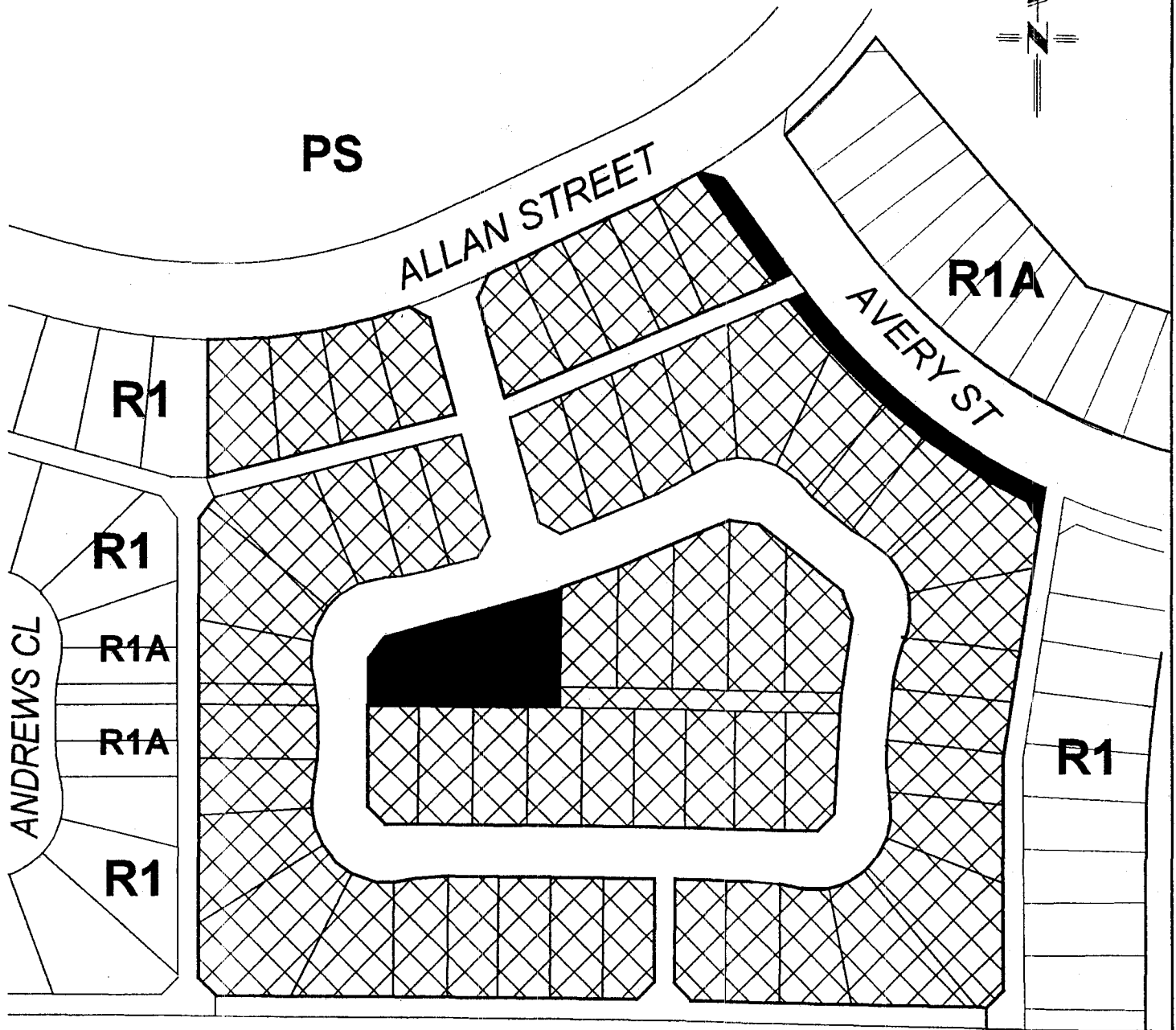
AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1998.

MAYOR

CITY CLERK

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



N.E. 1/4 SEC. 3-38-27--

Change from: A1 to R1



A1 to P1



AFFECTED DISTRICTS:

A1 - Future Urban Development

R1 - Residential (Low Density)

P1 - Parks & Recreation

MAP No. 8 / 98

BYLAW NO. 3156 / J - 98

BYLAW NO. 3156/K-98

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

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

- 1 The "Use District Map F14" contained in "Schedule B" of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map No. 9/98 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1998.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1998.

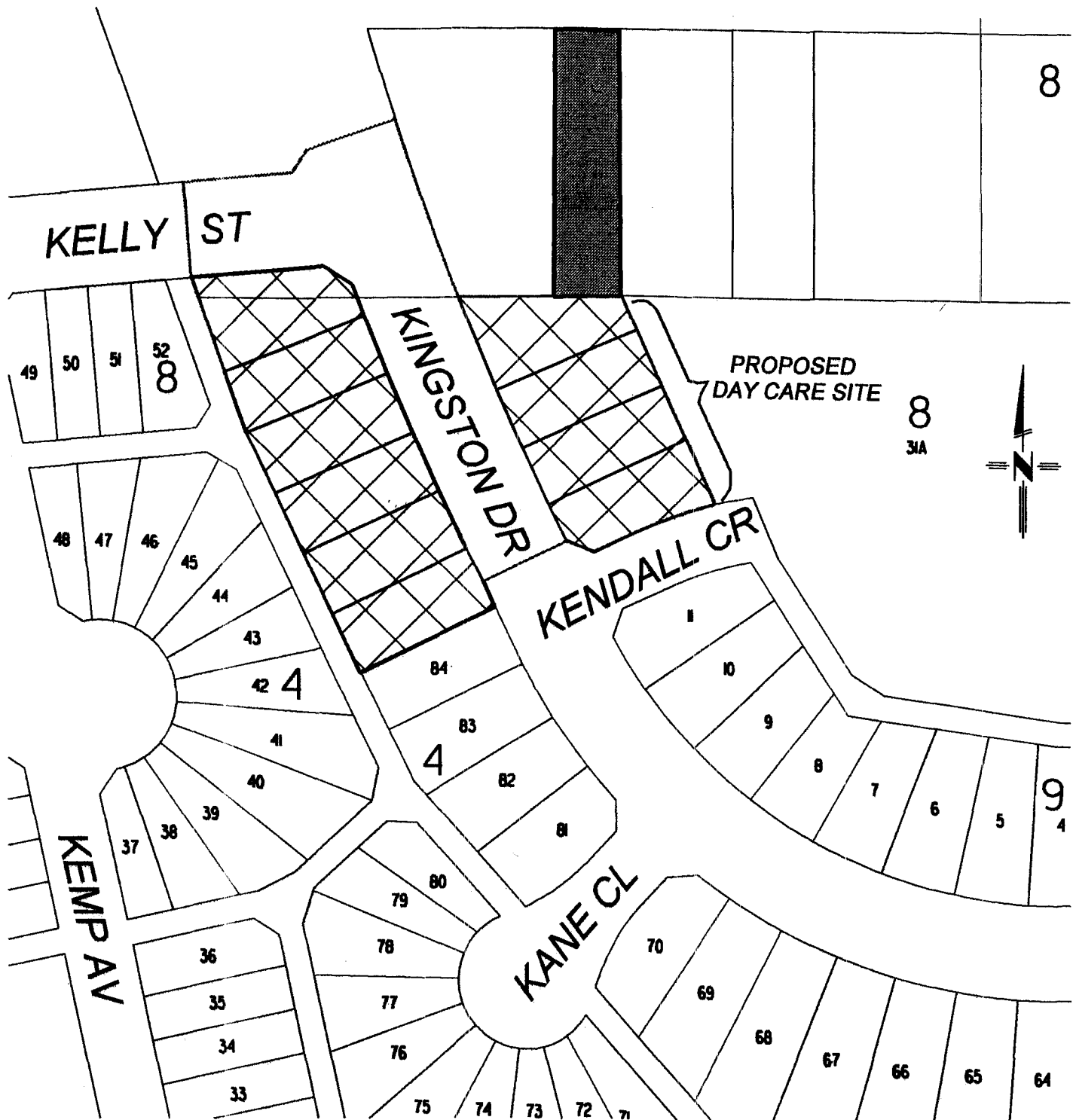
MAYOR

CITY CLERK

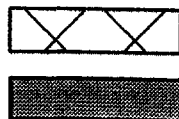
The City of Red Deer

114

PROPOSED LAND USE BYLAW AMENDMENT



Change from: A1 to R1
A1 to P1



AFFECTED DISTRICTS:

- A1 - Future Urban Development
- R1 - Residential (Low Density)
- P1 - Parks & Recreation

MAP No. 9 / 98
BYLAW No. 3156 / K - 98

BYLAW NO. 3194/98

Being a bylaw of the City of Red Deer, in the Province of Alberta, to regulate and control alarm systems and to require permits therefor;

WHEREAS Council of the City has the authority under section 7(a) of the *Municipal Government Act* to enact bylaws respecting the health and welfare of people and the protection of people and property;

WHEREAS Council of the City deems it desirable and necessary in order to protect and preserve the safety and welfare of its citizens that alarm systems be regulated and controlled so as to minimize false alarms;

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

SHORT TITLE

1 This bylaw may be called the "Alarm Bylaw".

INTERPRETATION

2 In this bylaw:

 "alarm signal" means a telephone request for emergency police services;

 "alarm installation company" means a person or corporation engaged in the business of installing alarms for a fee or financial reward;

 "alarm system" includes a device or devices designed to activate an alarm signal but excludes a device that is installed in a vehicle;

“excessive false alarms” means more than three false alarms in any six month period;

“false alarm” means an alarm signal which results in a response by the R.C.M.P. where unauthorized entry to the alarmed premises has not occurred and no police emergency exists, but does not include:

- (i) any false alarm which the permittee can demonstrate was caused by a storm, lightning, fire, earthquake or act of God;
or
- (ii) any false alarm which the permittee can demonstrate was actually caused by the act of some person other than the permittee, including the permittee’s officers, agents, employees, independent contractors or any other person subject to the direct or indirect control of the permittee;

“keyholder” means a person who does not live at the premises protected by an alarm but who is capable of providing entry to such premises;

“Manager” means the Chief of Police of the Red Deer Detachment of the Royal Canadian Mounted Police (R.C.M.P.), or his designate;

“permit” means a permit or license issued under this bylaw;

“response fee” means the fee payable by the permittee for each false alarm at the permittee’s premises.

REQUIREMENT TO HOLD A PERMIT

- 3 No person shall install, keep, use or permit the installation, keeping or use of an alarm system in any building without being the holder of a valid alarm permit.
- 4 No person shall operate an alarm monitoring service company in the City without being the holder of a valid alarm monitoring service license.
- 5 No alarm installation company and no person employed by an alarm installation company shall install an alarm system in a building unless the owner or occupant of the building is the holder of a valid alarm permit.

ISSUE OF PERMIT

- 6 The Manager shall issue an alarm system permit upon receipt of a completed application and payment of the permit fee.
- 7 (1) Subject to section 7(2), the Manager shall issue an alarm monitoring service license upon receipt of a completed application and payment of the license fee.

 (2) The Manager may, after providing an opportunity for the affected person to be heard, refuse to issue an alarm monitoring service license where the applicant, or one of the partners, managers, directors, or shareholders of the applicant:
 - (a) is convicted of any criminal offence which, in the opinion of the Manager, makes that person unfit to hold the license;

- (b) refuses to produce to the Manager any information required to determine eligibility for a license under this bylaw.

8 The Manager shall maintain a register of the names and addresses of all permit and license holders together with the details of such permits and licenses.

9 An alarm system permit is not transferable. A new application must be made and the applicable fee paid after each location change for an existing alarm system.

PERMIT FEE

10 The fee to be paid by the applicant shall be:

- (a) \$25.00 for a permit for an alarm system located in a residential building;
- (b) \$25.00 for a permit for an alarm system installed in any other type of building; and
- (c) \$50.00 for an alarm monitoring service license.

AUDIBLE ALARM SYSTEMS

- 11 (1) No person shall install, maintain or use an alarm system which is capable of generating an audible alarm continuously for a period of greater than fifteen (15) minutes after each activation.
- (2) This section shall not apply to an alarm system installed in a residential building.
- 12 (1) Every person maintaining an audible alarm shall keep posted a notice in a form approved by the Chief of Police containing such information as the Chief of Police may, from time to time, require.
- (2) Such notice shall be posted near the audible alarm in such a position as to be legible from the ground level adjacent to the premises where the audible alarm system is located.

KEYHOLDERS

- 13 (1) Every person maintaining an audible alarm shall keep the Chief of Police informed, by notice in writing, of the names and telephone numbers of the persons to be contacted in the event that the audible alarm is activated.
- (2) Every person providing an alarm monitoring service shall maintain a list of keyholders.
- (3) The keyholder:

- (a) shall be available to receive telephone calls made in respect of the audible alarms;
- (b) shall be capable of affording access to the premises where the audible alarm is located; and
- (c) shall attend at the premises where the audible alarm is located within 20 minutes of being requested to do so by the alarm monitoring service or a member of the R.C.M.P.

MONITORING OF ALARM SYSTEM

- 14 A person who monitors an alarm system and who informs any member of the R.C.M.P. that the monitored alarm has been activated, shall cause a person capable of affording access to the premises where the alarm is located to attend at such premises within twenty (20) minutes of such notice.
- 15 No person shall use, maintain or install, or permit the use, maintenance or installation of any alarm system which transmits a message to any telephone number assigned to the R.C.M.P.

RESPONSE FEE

- 16 Where a false alarm is activated, the permittee shall on demand pay a response fee to the City;
 - (a) in the sum of \$20.00 for a false alarm at a residential building;

- (b) in the sum of \$40.00 for a false alarm at a business having a gross floor area of 500 square metres or less;
- (c) in the sum of \$60.00 for a false alarm at a business having a gross floor area greater than 500 square metres.

REVOCATION OF PERMIT

17 The Manager may, after providing the affected party an opportunity to be heard:

- (a) revoke and refuse to reinstate any alarm system permit if:
 - (i) the permittee has contravened any of the provisions of this bylaw; or
 - (ii) the alarm system activates excessive false alarms; or
 - (iii) the permittee has failed to pay the response fee within 30 days of demand for payment;
- (b) revoke any alarm monitoring service license if:
 - (i) the Licensee has contravened any provision of this bylaw; or
 - (ii) the Licensee or any one of the partners, managers, directors, or shareholders of the Licensee is convicted of

any criminal offence which, in the opinion of the Manager, makes that person unfit to hold the license.

- 18 The Manager may revoke an alarm system permit where the alarm system ceases to be actively used and there is no further need for a permit.

NOTIFICATION OF REVOCATION

- 19 Upon revoking a permit, the Manager shall notify the permittee of the revocation by notice in writing delivered or sent by registered mail addressed to the permittee at the permittee's last known address. The notice of revocation shall contain a description of the appeal process available to the permittee. A copy of the notice of revocation of an alarm system permit shall be sent to the alarm monitoring service company.

REINSTATEMENT OF PERMIT

- 20 (1) Where a permit has been revoked, the Manager shall not reinstate such permit without further application and payment of a fee of \$200.00 and payment of any other sums payable under this bylaw.
- (2) Notwithstanding the foregoing, where an alarm system permit or alarm monitoring service company license is revoked in error, the Manager shall reinstate such permit without fee or charge.

APPEAL OF REVOCATION OF PERMIT

- 21 A permittee whose permit has been revoked has the right to appeal that decision to the Red Deer Policing Committee within 30 days of the date of revocation. The appeal must be in writing and shall state in summary form the reasons for the appeal and shall be accompanied by an appeal fee of \$20.00.

OFFENCES AND PENALTIES

- 22 Any person who breaches any provision of this bylaw is guilty of an offence and shall pay a specified penalty of:
- (i) \$50.00 for a first offence; and
 - (ii) \$250.00 for a second or subsequent offence.

VIOLATION TICKETS

- 23 Where a Peace Officer or Bylaw Enforcement Officer has reasonable grounds to believe a person has contravened any provision of this bylaw, he may serve upon such person an offence ticket allowing payment of the specified penalty to the City.

MISCELLANEOUS

24 Should any provision of this bylaw be found void or unenforceable, then it is the express intention of Council of the City that such void or unenforceable sections be severed from this bylaw and the balance remain in full force and effect.

25 Bylaw No. 3017/90 is repealed.

READ A FIRST TIME IN OPEN COUNCIL this 9 day of ~~February~~ A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this 9 day of ~~February~~ A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1998.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1998.

MAYOR

CITY CLERK

BYLAW NO. 3199/98

Being a bylaw to close a portion of road in the City of Red Deer as described herein.

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

1 The following portion of roadway in the City of Red Deer is hereby closed:

"All that portion of Golden West Avenue, Plan 812-0210,
Lying within Subdivision Plan _____,
Containing 0.388 ha (0.96 ac) more or less."

READ A FIRST TIME IN OPEN COUNCIL this	9	day of March	A.D. 1998.
READ A SECOND TIME IN OPEN COUNCIL this		day of	A.D. 1998.
READ A THIRD TIME IN OPEN COUNCIL this		day of	A.D. 1998.
AND SIGNED BY THE MAYOR AND CITY CLERK this		day of	A.D. 1998.

MAYOR

CITY CLERK

BYLAW NO. 3200/98

Being a bylaw to close a portion of road in the City of Red Deer as described herein.

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

1 The following portion of roadway in the City of Red Deer is hereby closed:

"All that portion of Road Plan 3626 J. within Plan _____, Containing 0.647 ha (1.60 ac) more or less."

READ A FIRST TIME IN OPEN COUNCIL this 9 day of March A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1998.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1998.

MAYOR

CITY CLERK

BYLAW NO. 3201/98

Being a bylaw to close a portion of road in the City of Red Deer as described herein.

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

1 The following portion of roadway in the City of Red Deer is hereby closed:

"All that portion of Plan 256 E.T. within Plan _____,
Containing 0.342 ha (0.845 ac) more or less."

READ A FIRST TIME IN OPEN COUNCIL this 9 day of March A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1998.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1998.

MAYOR

CITY CLERK

BYLAW NO. 3202/98

Being a bylaw to close a portion of road in the City of Red Deer as described herein.

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

1 The following portion of roadway in the City of Red Deer is hereby closed:

"All that portion of Plan 4175 M.C. within Plan _____,
Containing 0.077 ha (0.19 ac) more or less."

READ A FIRST TIME IN OPEN COUNCIL this 9 day of March A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1998.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1998.

MAYOR

CITY CLERK

BYLAW NO. 3203/98

Being a bylaw to close a portion of road in the City of Red Deer as described herein.

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

1 The following portion of roadway in the City of Red Deer is hereby closed:

"All that portion of Plan 892-2209 within Plan _____,
Containing 0.120 ha (0.30 ac) more or less."

READ A FIRST TIME IN OPEN COUNCIL this 9 day of March A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1998.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1998.

MAYOR

CITY CLERK

BYLAW NO. 3204/98

Being a bylaw to close a portion of road in the City of Red Deer as described herein.

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

1 The following portion of roadway in the City of Red Deer is hereby closed:

"All that portion of Plan 1339 A.J. within Plan _____,
Containing 0.351 ha (0.87 ac) more or less."

READ A FIRST TIME IN OPEN COUNCIL this 9 day of March A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1998.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1998.

MAYOR

CITY CLERK

BYLAW NO. 3205/98

Being a bylaw to close a portion of road in the City of Red Deer as described herein.

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

1 The following portion of roadway in the City of Red Deer is hereby closed:

"All that portion of Plan 802-0305 within Plan _____,
Containing 0.373 ha (0.92 ac) more or less."

READ A FIRST TIME IN OPEN COUNCIL this 9 day of March A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1998.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1998.

MAYOR

CITY CLERK

BYLAW NO. 3206/98

Being a bylaw to close a portion of road in the City of Red Deer as described herein.

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

1 The following portion of roadway in the City of Red Deer is hereby closed:

"All that portion of the Road Allowance within Plan _____, Containing 0.40 ha (1.0 ac) more or less."

READ A FIRST TIME IN OPEN COUNCIL this 9 day of March A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1998.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1998.

MAYOR

CITY CLERK

BYLAW NO. 3209/98

Being a bylaw to close a portion of road in the City of Red Deer as described herein.

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

1 The following portion of roadway in the City of Red Deer is hereby closed:

“Part of Lot 1 MR, Block 11, Plan 892-2465, containing 18.50 m²“.

READ A FIRST TIME IN OPEN COUNCIL this	day of	A.D. 1998.
READ A SECOND TIME IN OPEN COUNCIL this	day of	A.D. 1998.
READ A THIRD TIME IN OPEN COUNCIL this	day of	A.D. 1998.
AND SIGNED BY THE MAYOR AND CITY CLERK this	day of	A.D. 1998.

MAYOR

CITY CLERK

Submitted To City Council

Date: April 6, 1998

DATE: April 3, 1998


TO: City Clerk

FROM: Director of Corporate Services

**RE: APPOINTMENT OF CITY REPRESENTATIVE TO
THE ALBERTA MUNICIPAL FINANCING CORPORATION
ANNUAL MEETING - APRIL 24, 1998**

In previous years City Council has designated the Director of Corporate Services as the City's representative to the above noted meeting. If Council agrees to continue to do so, the following resolution is required:

"That Alan Wilcock, or designee, be appointed to represent and vote the shares of The City of Red Deer at the Annual General Meeting of the Alberta Municipal Financing Corporation to be held on April 24, 1998 in Edmonton."



A. Wilcock, B. Comm., C.A.
Director of Corporate Services

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FILE

Council Decision - April 6, 1998 Meeting

DATE: April 7, 1998
TO: Director of Corporate Services
FROM: Deputy City Clerk
RE: *Appointment of City Representative to the Alberta Municipal Financing Corporation's Annual Meeting - April 24, 1998*


Reference Report: Director of Corporate Services, dated April 3, 1998

Resolution:

"RESOLVED that Council of The City of Red Deer, having considered report from the Director of Corporate Services dated April 3, 1998, re: Appointment of City Representative to the Alberta Municipal Financing Corporation's Annual Meeting - April 24, 1998, hereby agrees to appoint the Director of Corporate Services, Mr. Alan Wilcock, or his designee, to represent and vote the shares of The City of Red Deer at the Annual General Meeting of the Alberta Municipal Financing Corporation to be held on April 24, 1998 in Edmonton, and at all future annual meetings of the Alberta Municipal Financing Corporation."

Report Back to Council Required: No

Comments/Further Action:


Jeff Graves
Deputy City Clerk

/clr

FILE

Council Decision - April 6, 1998 Meeting

DATE: April 7, 1998

TO: Director of Community Services
Director of Corporate Services
Transit Manager

FROM: City Clerk

RE: Additional Agenda Item: Bid To Purchase Transit Buses

Reference Report:

Report from Director of Community Services, Director of Corporate Services and the Transit Manager dated March 25, 1998, re: Purchase of Transit Buses

Resolution:

"RESOLVED that Council of The City of Red Deer, having considered report from the Community Services Director, the Corporate Services Director and the Transit Manager dated March 25, 1998, re: Purchase of Transit Buses, hereby:

1. authorizes the submission of a bid to the City of Owen Sound for four Transit buses;
2. agrees that, should the City's bid be successful, funding for the purchase of the four Transit buses be provided from the Equipment Fund,

and as presented to Council April 6, 1998."

Report Back to Council Required: No

Comments/Further Action:

It would now be appropriate, as directed above, to proceed with the submission of the City's bid for the purchase of the four Transit buses.


Kelly Kloss
City Clerk

/clr

COPY

DATE: April 7, 1998
TO: City Council
FROM: City Clerk
RE: *Notice of Motion: Councillor Dawson - Proclaiming "Gay Pride Day",
City of Red Deer*

At the Council Meeting of April 6, 1998, Councillor Dawson submitted the following Notice of Motion, which will be placed on the Council Agenda of April 20, 1998:

"WHEREAS, the City of Red Deer may receive a request to proclaim "Gay Pride Day"; and

WHEREAS, the Mayor currently decides which items are warranted for proclamation by the City of Red Deer; and

WHEREAS, a Human Rights Commission in Ontario has ordered City Council of the City of London to declare its appreciation of homosexuals; and

WHEREAS, the entire Council should have an opportunity to debate an issue such as proclaiming "Gay Pride Day" in the City of Red Deer;

THEREFORE BE IT RESOLVED, that Council of the City of Red Deer hereby agrees to suspend any proclamation capabilities of the Mayor as it pertains to "Gay Pride Day" or any other appreciation of homosexual activities;

AND FURTHER, any requests of this nature are to be directed to the next scheduled Council meeting to permit appropriate debate."

Submitted for your information.

Kelly Kloss
City Clerk

/clr