

1972 Bill Pr. 7

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First Session, 17th Legislature, 21 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL Pr. 7**

**An Act to Terminate Certain Agreements Between the Canadian  
Pacific Railway Company and the City of Calgary**

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MR. FARRAN

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First Reading .....

Second Reading .....

Third Reading .....

# BILL Pr. 7

1972

## AN ACT TO TERMINATE CERTAIN AGREEMENTS BETWEEN THE CANADIAN PACIFIC RAILWAY COMPANY AND THE CITY OF CALGARY

(Assented to \_\_\_\_\_, 1972)

Preamble

WHEREAS The Canadian Pacific Railway Company entered into an Agreement with the City of Calgary dated the 10th day of March, A.D. 1911; and

WHEREAS by such Agreement the City of Calgary waived and released any or all claims it then had or might thereafter make or have to tax for any purpose (including local improvements, water, sewer, and other frontage taxation) any hotel property that may be constructed by The Canadian Pacific Railway Company on its station grounds in the City of Calgary; and

WHEREAS such waiver and release by the City of Calgary was purported to be in perpetuity and as such is against public interest; and

WHEREAS The Canadian Pacific Railway Company built a hotel on its station grounds in the City of Calgary; and

WHEREAS The Canadian Pacific Railway Company and the City of Calgary entered into a further agreement dated the 2nd day of March, A.D. 1954 whereby, inter alia, the Agreement of the 10th day of March A.D. 1911 was suspended during the effective period of the Agreement dated the 2nd day of March A.D. 1954; and

WHEREAS the Agreement dated the 2nd day of March A.D. 1954 was ratified, validated and confirmed and declared to be legally binding upon each of the parties thereto by *The Calgary Taxing Agreement Act, 1954*, being chapter 8 of the Statutes of Alberta, 1954; and

WHEREAS The Canadian Pacific Railway Company is no longer the operator of the hotel referred to in the said Agreements; and

WHEREAS economic conditions have so changed since 1911 and since 1954 that the terms of the Agreements give the present owners and operators of the hotel an unfair economic advantage over other citizens of the City of Calgary who are the owners of competing hotels and who pay full tax assessments on such hotels; and

WHEREAS the terms of such Agreements constitute a perpetual economic burden on the taxpayers of the City of Calgary:

THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

Short title       **1.** This Act may be cited as *The C.P.R. - Calgary Agreements Termination Act*.

Agreements null and terminated       **2.** Those certain Agreements, one dated the 10th day of March, A.D. 1911 and the other dated the 2nd day of March 1954, and any further Agreements made in consequence thereof, between The Canadian Pacific Railway Company, of the First Part, and the City of Calgary, a municipal corporation in the Province of Alberta, of the Second Part are hereby terminated and discharged and declared to be of no further force or effect.

Repeal           **3.** *The Calgary Taxing Agreement Act, 1954*, being chapter 8 of the Statutes of Alberta, 1954, is hereby repealed.

Coming into force       **4.** This Act comes into force on the day upon which it is assented to and upon so coming into force shall be deemed to have been in force at all times on and after January 1, 1972.