

Council Chambers
City Hall, Saskatoon, Sask.
Monday, March 22, 2004
at 7:00 p.m.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

PRESENT: His Worship the Mayor, in the Chair;
Councillors Alm, Birkmaier, Dubois, Fortosky, Heidt, Hnatyshyn,
Neault, Paulsen, and Wyant;
City Manager Richards;
General Manager, Community Services Gauthier;
General Manager, Corporate Services Veltkamp;
General Manager, Infrastructure Services Uzelman;
General Manager, Fire and Protective Services Bentley;
General Manager, Utility Services Hewitt;
City Solicitor Dust;
City Clerk Mann;
Councillors' Assistant Long.

Moved by Councillor Heidt, Seconded by Councillor Paulsen,

THAT the minutes of the regular meeting of City Council held on March 8, 2004 be approved.

CARRIED.

HEARINGS

- 2a) Proposed Development Plan Amendment
Boundary Alterations to DCD3 Area and Site Definition
University of Saskatchewan – Preston Crossing
Applicant: Mr. David Miner on Behalf of the University of Saskatchewan and
Rencor
Proposed Bylaw No. 8291
(File No. CK. 4351-1)**
-

Report of the City Clerk:

“The purpose of this hearing is to consider proposed Bylaw No. 8291, a copy of which is attached.

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Attached is a report of the Community Services Department dated February 13, 2004, recommending that City Council approve the proposed amendments to the City of Saskatoon Development Plan to:

- 1) alter the boundary of the DCD3; and
- 2) alter the term 'site' as used in the DCD3 guidelines.

Also attached is a copy of a letter from the Secretary of the Municipal Planning Commission dated March 2, 2004, advising that the Commission supports the above-noted recommendation, along with a copy of Notice which appeared in the local press under dates of February 28, and March 6, 2004.”

His Worship the Mayor opened the hearing.

Mr. Lorne Sully, Community Services Department, explained the reasons for the proposed Development Plan amendment, and indicated the Department's support.

Mr. John Waddington, Chair, Municipal Planning Commission, indicated the Commission's support of the proposed Development Plan amendment.

Mr. Ron Renaud, Preston Crossing Properties Inc., requested that Council approve the Development Plan amendment.

Moved by Councillor Heidt, Seconded by Councillor Dubois,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Wyant, Seconded Councillor Hnatyshyn,

THAT Council consider Bylaw No. 8291.

CARRIED.

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- 2b) Proposed Zoning Bylaw Amendment
Boundary Alteration
University of Saskatchewan – Preston Crossing
Applicant: Mr. David Miner on Behalf of the University of Saskatchewan and
Rencor
Proposed Bylaw No. 8292
(File No. CK. 4351-1)**
-

Report of the City Clerk:

“The purpose of this hearing is to consider proposed Bylaw No. 8292, a copy of which is attached.

Attached is a report of the Community Services Department dated February 13, 2004, recommending that the City approve the proposed amendments to the City of Saskatoon Zoning Bylaw to alter the boundary of the DCD3 guidelines. **(See Attachments 2a)**

Also attached is a copy of a letter from the Secretary of the Municipal Planning Commission dated March 2, 2004, advising that the Commission supports the above-noted recommendation **(See Attachments 2a)**, along with a copy of Notice which appeared in the local press under dates of February 28, and March 6, 2004.”

His Worship the Mayor opened the hearing.

Mr. Lorne Sully, Community Services Department, indicated the Department’s support of the proposed Zoning Bylaw Amendment.

Mr. John Waddington, Chair, Municipal Planning Commission, indicated the Commission’s support of the proposed Zoning Bylaw amendment.

Mr. Ron Renaud, Preston Crossing Properties Inc., requested that Council approve the Zoning Bylaw amendment.

Moved by Councillor Birkmaier, Seconded by Councillor Alm,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Paulsen, Seconded by Councillor Heidt

THAT Council consider Bylaw No. 8292.

CARRIED.

Moved by Councillor Wyant, Seconded by Councillor Hnatyshyn,

THAT the regular order of business be suspended, and that Council consider Bylaws No. 8291 and 8292.

CARRIED.

“INTRODUCTION AND CONSIDERATION OF BYLAWS

Bylaw No. 8291

Moved by Councillor Wyant, Seconded by Councillor Hnatyshyn,

THAT permission be granted to introduce Bylaw No. 8291, being “The Development Plan Amendment Bylaw, 2004 (No. 3)” and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Wyant, Seconded by Councillor Neault,

THAT Bylaw No. 8291 be now read a second time.

CARRIED.

The bylaw was then read a second time.

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Moved by Councillor Wyant, Seconded by Councillor Fortosky,

THAT Council go into Committee of the Whole to consider Bylaw No. 8291.

CARRIED.

Council went into Committee of the Whole with Councillor Wyant in the Chair.

Committee arose.

Councillor Wyant, Chair of the Committee of the Whole, made the following report:

That while in Committee of the Whole, Bylaw No. 8291 was considered clause by clause and approved.

Moved by Councillor Wyant, Seconded by Councillor Paulsen,

THAT the report of the Committee of the Whole be adopted.

CARRIED.

Moved by Councillor Wyant, Seconded by Councillor Heidt,

THAT permission be granted to have Bylaw No. 8291 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Wyant, Seconded by Councillor Dubois,

THAT Bylaw No. 8291 be now read a third time, that the bylaw be passed and the Mayor and the City Clerk be authorized to sign same and attach the corporate seal thereto.

CARRIED.

The bylaw was then read a third time and passed.

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Bylaw No. 8292

Moved by Councillor Wyant, Seconded by Councillor Hnatyshyn,

THAT permission be granted to introduce Bylaw No. 8292, being “The Zoning Amendment Bylaw, 2004 (No. 18)” and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Wyant, Seconded by Councillor Neault,

THAT Bylaw No. 8292 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Wyant, Seconded by Councillor Fortosky,

THAT Council go into Committee of the Whole to consider Bylaw No. 8292.

CARRIED.

Council went into Committee of the Whole with Councillor Wyant in the Chair.

Committee arose.

Councillor Wyant, Chair of the Committee of the Whole, made the following report:

That while in Committee of the Whole, Bylaw No. 8292 was considered clause by clause and approved.

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Moved by Councillor Wyant, Seconded by Councillor Paulsen,

THAT the report of the Committee of the Whole be adopted.

CARRIED.

Moved by Councillor Wyant, Seconded by Councillor Heidt,

THAT permission be granted to have Bylaw No. 8292 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Wyant, Seconded by Councillor Dubois,

THAT Bylaw No. 8292 be now read a third time, that the bylaw be passed and the Mayor and the City Clerk be authorized to sign same and attach the corporate seal thereto.

CARRIED.

The bylaw was then read a third time and passed.”

Moved by Councillor Wyant, Seconded by Councillor Hnatyshyn,

THAT Clause 1, Report No. 3-2004 of the Municipal Planning Commission and Items A7), A12) and A13) of Communications be brought forward and considered, and that the speakers be heard.

CARRIED.

“REPORT NO. 3-2004 OF THE MUNICIPAL PLANNING COMMISSION”

- 1. Phase II – University of Saskatchewan Regional Retail Complex
Part of the SW Sec2 – 37 – 5 – W3
715 Preston Avenue – University of Saskatchewan Management Area
Applicant: Rencor Developments Inc. on behalf of the University of Saskatchewan
(File No. CK. 4125-1)**
-

- RECOMMENDATION:**
- 1) that the concept plan for Phase II of the University of Saskatchewan Regional Retail Complex, as outlined on Attachment 3 to the report of the Community Services Department dated February 16, 2004, be approved subject to the following conditions:
 - a) the development conforming to all requirements of the Direct Control District 3 regulations as contained in the Development Plan;
 - b) the review and approval by the Infrastructure Services Department of detailed site plans showing all necessary dimensions indicating the location and grades of access and egress points, intersections, turn bays and driveways, with the overall site design grades matching the existing grades of Preston Avenue;
 - c) the review and approval by the Infrastructure Services Department of design plans for all necessary water mains, sanitary and storm sewer mains, and lift stations, both on and off-site;
 - d) the provision of a truck and loading access and routing plan to the satisfaction of the Infrastructure Services Department;
 - e) that the required off-site service levies be calculated to include the Phase II development area;
 - f) that an agreement be completed between the University and the City of Saskatoon for all land exchanges necessary to facilitate the 2004 construction for the upgrading of Preston Avenue and realignment of 108th Street;

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- g) the provision, by the University, of final landscaping and lighting details to the satisfaction of the Community Services Department;
 - h) the approval by the Community Services Department of a subdivision application delineating both Phase I and Phase II of the Regional Retail development;
 - i) that all remaining commitments and conditions from the Phase I approval that are outstanding be fulfilled to the satisfaction of the Infrastructure Services Department, including the dedication of roadway linkages along the western boundary of the property;
- 2) that the General Manager, Community Services Department be authorized to issue development permits, which are in substantial conformance with the approved Phase II concept plan, subject to the conditions outlined in recommendation 1 above;
 - 3) that the Transit Services Branch enter into discussions to begin working with the developer with regard to the planning of a transit mall at Preston Crossing; and
 - 4) that the DCD3 guidelines be reviewed for Phase III of Preston Crossing with respect to entertainment uses.

Your Commission has considered the attached report of the Community Services Department dated February 16, 2004, with respect to the concept plan for Phase II of the University of Saskatchewan Regional Retail Complex.

Following review of this matter with the Administration and representatives of the University, your Commission is supporting the recommendations of the Administration with respect to the concept plan, subject to the conditions put forward by the Administration.

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Your Commission's consideration of this matter also included discussions about the access into this site with the one main access point, the current situation relating to traffic flow, and the impact of further development on this site in relation to increased traffic. There was also discussion of the pedestrian access in relation to the portion of the development north of Preston Avenue. Comments in the Administrative report about the possibility of looking at a transit terminal on the Preston Crossing property at some future point were referred to. Your Commission believes that this possibility should be looked at now rather than later to encourage use of the transit service and to reduce vehicular traffic to this location.

Your Commission has also received clarification from the Administration that the requirement for 62.5% of the total retail floor space to be comprised of large format anchor store space will be met with the completion of Phase III. The possibility of having some type of entertainment use on this site was also brought forward. Your Commission is recommending that the guidelines for DCD3 be reviewed in relation to Phase III of Preston Crossing to look at this possibility.

A7) Ron Renaud
Preston Crossing Properties Inc., dated March 16

Requesting permission to address Council with respect to Phase II – University of Saskatchewan Regional Retail Complex. (File No. CK. 4125-1)

RECOMMENDATION: that Clause 1, Report No. 3-2004 of the Municipal Planning Commission and Items A12 and A13 of Communications be brought forward and considered and that the speakers be heard.

A12) Judy Yungwirth, C.A., Director, Corporate Administration
University of Saskatchewan, dated March 18

Requesting permission for Tony Whitworth, Vice-President, Finance and Resources, University of Saskatchewan, to address Council with respect to Preston Crossing, Phase II.

A13) Terry Scaddan, Executive Director
The Partnership, dated March 22

Requesting permission to address Council with respect to Preston Crossing, Phase II. (File No. CK. 4125-1)''

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Mr. Ron Renaud, Preston Crossing Properties Inc., spoke in support of Phase II of Preston Crossing, and asked that Council support the recommendations of the Municipal Planning Commission.

Mr. Tony Whitworth, Vice-President, Corporate Administration, University of Saskatchewan, spoke in support of Phase II of Preston Crossing, and asked that Council support the recommendations of the Municipal Planning Commission.

Mr. Terry Scaddan, Executive Director, The Partnership, expressed concerns regarding Recommendation No. 4, the DCD3 guidelines being reviewed for Phase III of Preston Crossing with respect to entertainment uses, and asked that it be removed from the recommendations at this time.

Moved by Councillor Wyant, Seconded by Councillor Birkmaier,

- 1) that the concept plan for Phase II of the University of Saskatchewan Regional Retail Complex, as outlined on Attachment 3 to the report of the Community Services Department dated February 16, 2004, be approved subject to the following conditions:*
 - a) the development conforming to all requirements of the Direct Control District 3 regulations as contained in the Development Plan;*
 - b) the review and approval by the Infrastructure Services Department of detailed site plans showing all necessary dimensions indicating the location and grades of access and egress points, intersections, turn bays and driveways, with the overall site design grades matching the existing grades of Preston Avenue;*
 - c) the review and approval by the Infrastructure Services Department of design plans for all necessary water mains, sanitary and storm sewer mains, and lift stations, both on and off-site;*
 - d) the provision of a truck and loading access and routing plan to the satisfaction of the Infrastructure Services Department;*
 - e) that the required off-site service levies be calculated to include the Phase II development area;*
 - f) that an agreement be completed between the University and the City of Saskatoon for all land exchanges necessary to facilitate the 2004 construction for the upgrading of Preston Avenue and realignment of 108th Street;*

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- g) *the provision, by the University, of final landscaping and lighting details to the satisfaction of the Community Services Department;*
 - h) *the approval by the Community Services Department of a subdivision application delineating both Phase I and Phase II of the Regional Retail development;*
 - i) *that all remaining commitments and conditions from the Phase I approval that are outstanding be fulfilled to the satisfaction of the Infrastructure Services Department, including the dedication of roadway linkages along the western boundary of the property;*
- 2) *that the General Manager, Community Services Department be authorized to issue development permits, which are in substantial conformance with the approved Phase II concept plan, subject to the conditions outlined in recommendation labove; and*
 - 3) *that the Transit Services Branch enter into discussions to begin working with the developer with regard to the planning of a transit mall at Preston Crossing;*

CARRIED.

Moved by Councillor Alm, Seconded by Councillor Wyant,

THAT the DCD3 guidelines be reviewed for Phase III of Preston Crossing with respect to entertainment uses.

IN AMENDMENT

Moved by Councillor Birkmaier, Seconded by Councillor Alm,

THAT the motion be amended to read as follows:

THAT the DCD3 guidelines for Phase III of Preston Crossing with respect to entertainment uses be referred to the Executive Committee for review.

THE AMENDMENT WAS PUT AND CARRIED.

THE MOTION AS AMENDED WAS PUT AND LOST ON A TIE VOTE.

| | |
|---|----------|
| <i>YEAS: Councillors Alm, Birkmaier, Dubois, Paulsen and Wyant</i> | <i>5</i> |
| <i>NAYS: His Worship the Mayor, Councillors Fortosky, Heidt, Hnatyshyn and Neault</i> | <i>5</i> |

COMMUNICATIONS TO COUNCIL

The following communications were submitted and dealt with as stated:

A. REQUESTS TO SPEAK TO COUNCIL

**1) Rob Jones, Executive Director
Saskatoon Centennial Auditorium and Convention Centre, dated February 27**

Requesting permission to address Council and give a presentation with respect to the expansion proposal for the Centennial Auditorium. (File No. CK. 1870-1)

RECOMMENDATION: that Item AA27) of Communications be brought forward and considered and that Rob Jones be heard.

Moved by Councillor Birkmaier, Seconded by Councillor Wyant,

THAT Item AA27) of Communications be brought forward and considered and that Rob Jones be heard.

CARRIED.

“AA27)Brenda Wendling, dated March 19

Expressing concerns with respect to the possible expansion of the Centennial Auditorium. (File No. CK. 620-3)”

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Mr. Rob Jones, Executive Director, Saskatoon Centennial Auditorium, gave a presentation with respect to plans for the proposed expansion of the Centennial Auditorium.

Moved by Councillor Birkmaier, Seconded by Councillor Heidt,

THAT the request from the Saskatoon Centennial Auditorium for expansion of the Centennial Auditorium be approved in principle, and that the matter be referred to the Administration for a report regarding financing.

CARRIED.

2) Joan Greyeyes, President, Saskatchewan Indian Institute of Technologies and Dr. Robert G. McCulloch, President and CEO, SIAST, dated March 8

Requesting permission to address Council with respect the role of colleges in technical institutes, and requesting that Council proclaim May 30 to June 5, 2004 as College Week in Saskatoon.

- RECOMMENDATION:**
- 1) that representatives from the Saskatchewan Indian Institute of Technologies and Saskatchewan Institute of Applied Science and Technology be heard;
 - 2) that Council proclaim May 30 to June 5, 2004 as College Week in Saskatoon; and
 - 3) that the City Clerk be authorized to sign the proclamation on behalf of City Council.

Moved by Councillor Birkmaier, Seconded by Councillor Paulsen,

THAT representatives from the Saskatchewan Indian Institute of Technologies and Saskatchewan Institute of Applied Science and Technology (SIAST) be heard.

CARRIED.

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Dr. Robert McCulloch, President, and CEO, Saskatchewan Institute of Applied Science and Technologies, and Ms. Joan Greyeyes, President, Saskatchewan Indian Institute of Technologies, introduced colleagues and members of the Association of Canadian Colleges from Ottawa who were present in the gallery. They explained the importance of the colleges in the community, and asked that Council proclaim May 30 to June 5, 2004 as College Week in Saskatoon.

Moved by Councillor Birkmaier, Seconded by Councillor Dubois,

- 1) that Council proclaim May 30 to June 5, 2004 as College Week in Saskatoon; and*
- 2) that the City Clerk be authorized to sign the proclamation on behalf of City Council.*

CARRIED.

3) J.L. Grover, dated March 9

Requesting permission to address Council with respect to a proposal for a halfway house for homeless teenagers. (File No. CK. 4131-1)

RECOMMENDATION: that Item AA30) of Communications be brought forward and considered and that J.L. Grover be heard.

Moved by Councillor Heidt, Seconded by Councillor Dubois,

THAT Item AA30) of Communications be brought forward and considered, and that J.L. Grover be heard.

CARRIED.

“AA30)Jack Grover, dated March 17

Submitting information to be included with his presentation with respect to a proposal for a halfway house for homeless teenagers. (File No. CK. 4131-1)”

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Mr. J.L. Grover presented a proposal for a halfway house for homeless teenagers.

Moved by Councillor Heidt, Seconded by Councillor Wyant,

THAT the information be received and that Mr. Grover be encouraged to prepare a Business Plan and make application under the Affordable Housing Program.

CARRIED.

REQUESTS TO SPEAK TO COUNCIL – CONTINUED

**4) Bill Thibodeau, Executive Director
Saskatoon Downtown Youth Centre Inc. (Egadz), dated March 8**

Requesting permission to address Council with respect to the Saskatoon Downtown Youth Centre Inc. (EGADZ) Annual Report 2002/03. (File No. CK. 425-1)

RECOMMENDATION: that Bill Thibodeau be heard.

Moved by Councillor Heidt, Seconded by Councillor Dubois,

THAT Bill Thibodeau be heard.

CARRIED.

Mr. Bill Thibodeau, Saskatoon Downtown Youth Centre Inc., outlined the Saskatoon Downtown Youth Centre's 2002/03 Annual Report, and invited Council members to their Open House on April 29, 2004 at 2:00 p.m.

Moved by Councillor Paulsen, Seconded by Councillor Dubois,

THAT the information be received.

CARRIED.

5) **Colleen Wilson, LL.B., Director of Legal Affairs**
Mid-West Development (2000) Corp., dated March 9

Requesting permission to address Council with respect to animal control and poundkeeping services. (File No. CK. 151-1)

RECOMMENDATION: that Clause 1, Report No. 5-2004 of the Executive Committee and Items A9) to A11), AA13), AA25) and AA26) of Communications be brought forward and considered, and that the speakers be heard.

Moved by Councillor Birkmaier, Seconded by Councillor Dubois,

THAT Clause 1, Report No. 5-2004 of the Executive Committee and Items A9) to A11), AA13), AA25) and AA26) of Communications be brought forward and considered and that the speakers be heard.

CARRIED.

“REPORT NO. 5-2004 OF EXECUTIVE COMMITTEE

1. **Animal Control and Poundkeeping Services**
(File No. 151-1)

RECOMMENDATION:

- 1) that City Council award the Animal Control Services contract to the Saskatoon Animal Control Agency, at a cost of \$340,000 per year, for a period of five years, commencing May 1, 2004;
- 2) that City Council award the Poundkeeping Services contract to the Saskatoon S.P.C.A., at a cost of \$313,300, for a period of one year, commencing May 1, 2004;
- 3) that City Council provide the Saskatoon S.P.C.A. with a grant for humane services in the amount of \$120,000, for the period of May 1, 2004 to April 30, 2005;
- 4) that as a condition of the contract for Poundkeeping Services, the S.P.C.A. be required to provide City Council, on or before October 4, 2004, with a detailed business plan that will address the following:

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- a) Capital and operating deficiencies inherent in the current building.
 - b) Council's objective to enter into a long term contract for Poundkeeping Services at a cost equal to the current one year contract.
 - c) Council's objective of reducing its grant for humane services.
- 5) that His Worship the Mayor and the City Clerk be authorized to execute, on behalf of the City of Saskatoon under the Corporate Seal, the contract documents as prepared by the City Solicitor.

City Council, at its meeting held on March 8, 2004, referred the matter of the award of contracts for Poundkeeping and Animal Control Services to the Executive Committee for further consideration. At its meeting, Council had expressed its concern about the impact on the Saskatoon S.P.C.A. should it no longer be the service provider for the two contracts.

Animal Control Services

Your Committee supports the recommendation originally put forward by the Administration to accept the proposal by the Saskatoon Animal Control Agency for the provision of animal control services, at an annual cost of \$340,000, for a total cost of \$1,700,000 for five years.

Pound Services

During its discussion of this matter, your Committee concluded that there was a substantial benefit to the S.P.C.A. to continue to operate the Pound Service because of the efficiency gains of operating similar programs (e.g. care of unwanted animals and pound services) in one facility with shared staff. The Committee understood that, with the elimination of funding provided through the pound services contract, the S.P.C.A. would not be able to respond with a full offsetting saving for both facility and staffing costs. For this reason, the Committee was willing to provide the S.P.C.A. with the Poundkeeping contract for one year at the current rate of \$313,300.

Your Committee also recognizes that the S.P.C.A. provides humane services that have primarily been funded through donations and fund raising initiatives. In recent years, possibly as a result of its contract for Animal Control Services, these revenues have not kept pace with the programming being offered by the S.P.C.A. For a period of one year, the Committee is willing to recommend that City Council assist the S.P.C.A.'s humane services role by providing a grant of \$120,000 for the period May 1, 2004 to May 31, 2005.

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Integral to the discussions of the Committee is its request that the S.P.C.A. prepare a business plan that acknowledges the following:

- a) The Committee's objective of extending the one-year contract at a rate equal to that offered to May 31, 2005.
- b) The Committee's objective of limiting its financial support for the S.P.C.A.'s human service programs.
- c) The manner in which the S.P.C.A. plans to address the deficiencies inherent in the current building.

Awarding the Poundkeeping contract to the S.P.C.A. also provides Council with an assurance that the legislative requirement for the City to maintain a pound will be fulfilled in the coming year. The proposal for pound services submitted by Barry and Kathy Gay was specific to the Buena Vista Kennels facility. The closing date for proposals was February 5, 2004. Section 16.1 of the Request for Proposals requires that proposals comply with all laws, regulations or requirements imposed by any lawful authority with respect to the poundkeeping services.

By letter dated March 5, 2004, Council was notified by the R.M. of Corman Park that there was a serious question, in the R.M.'s view, as to whether or not operating a pound at the Buena Vista Kennels would be permitted under the Saskatoon District Zoning Bylaw and *The Planning and Development Act, 1983*. That issue has not been resolved.

The risk to the City is that there is a potential that, during the term of a contract, the R.M. could successfully prosecute and shut down the pound operation at this location. Suing for damages would not be an adequate remedy for the City. The City must have a pound at all times.

A9) Ari Avivi, dated March 18

Requesting permission to address Council with respect to animal control and poundkeeping services. (File No. CK. 151-1)

A10) David Dodds, dated March 22

Requesting permission to address Council with respect to animal control and poundkeeping services. (File No. CK. 151-1)

A11) Eva Alexandrovici, dated March 22

Requesting permission to address Council with respect to animal control and poundkeeping services. (File No. CK. 151-1)

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**AA13) Barry Gay, President
Buena Vista Kennels Inc., dated March 10**

Requesting that Council delay discussion regarding awarding of the contract for City Pound Services as he will not be present to speak to the motion or answer questions. (File No. CK. 151-1)

**AA25) Grant J. Scharfstein
Scharfstein Gibbings Walen and Fisher LLP, dated March 19**

Expressing concerns with respect to awarding of the Animal Control and Poundkeeping Services contract. (File No. CK. 151-1)

**AA26) Grant J. Scharfstein
Scharfstein Gibbings Walen and Fisher LLP, dated March 22**

Advising that Buena Vista Kennels, if awarded the Poundkeeping contract, will take whatever steps are necessary to ensure fulfillment of the contract so that the City need not be concerned that it may be without poundkeeping services, if they are awarded the contract. (File No. CK. 151-1)”

Ms. Colleen Wilson expressed the importance of an effective adoption program in poundkeeping, and questioned whether a private operator would be able to do the job as well as the SPCA, and have the support of the media to advertise for adoptions.

Mr. Ari Avivi expressed concerns regarding the handling of negotiations, and asked questions with respect to awarding the contract for poundkeeping services to the SPCA.

Mr. David Dodds spoke in support of Buena Vista Kennels being awarded the poundkeeping contract.

Ms. Eva Alexandrovici, Saskatoon Animal Control Agency, thanked the Executive Committee that recommending her organization be awarded the Animal Control contract, and indicated that they are looking forward to working with the SPCA

IN DEFERRAL

Moved by Councillor Fortosky, Seconded by Councillor Birkmaier,

THAT Recommendations 2 to 6 be deferred for two weeks.

THE DEFERRAL MOTION WAS PUT AND LOST.

Moved by Councillor Birkmaier, Seconded by Councillor Paulsen,

- 1) *that City Council award the Animal Control Services contract to the Saskatoon Animal Control Agency, at a cost of \$340,000 per year, for a period of five years, commencing May 1, 2004;*

CARRIED.

Moved by Councillor Wyant, Seconded by Councillor Heidt,

- 2) *that City Council reject the proposal for poundkeeping submitted by the SPCA as being beyond budget and reject the proposal for poundkeeping submitted by Buena Vista Kennels for uncertainty as to legality as set out in this report (i.e. Clause 1, Report No. 5-2004 of the Executive Committee);*

CARRIED.

Moved by Councillor Wyant, Seconded by Councillor Heidt,

- 3) *that City Council award the Poundkeeping Services contract to the Saskatoon S.P.C.A., at a cost of \$313,300, for a period of one year, commencing May 1, 2004;*

CARRIED.

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Moved by Councillor Wyant, Seconded by Councillor Heidt,

- 4) *that City Council provide the Saskatoon S.P.C.A. with a grant for humane services in the amount of \$120,000, for the period of May 1, 2004 to April 30, 2005;*

YEAS: His Worship the Mayor, Councillors Birkmaier, Dubois, Fortosky, Heidt, Hnatyshyn, Neault, Paulsen and Wyant 9

NAYS: Councillor Alm 1

Moved by Councillor Wyant, Seconded by Councillor Heidt,

- 5) *that as a condition of the contract for Poundkeeping Services, the S.P.C.A. be required to provide City Council, on or before October 4, 2004, with a detailed business plan that will address the following:*

- a) Capital and operating deficiencies inherent in the current building.*
- b) Council's objective to enter into a long term contract for Poundkeeping Services at a cost equal to the current one year contract.*
- c) Council's objective of reducing its grant for humane services;*

CARRIED.

Moved by Councillor Hnatyshyn, Seconded by Councillor Wyant,

- 6) *that the Administration explore alternatives for poundkeeping,, including the possibility of City-owned facilities, for a report back before October 4, 2004;*

CARRIED.

Moved by Councillor Hnatyshyn, Seconded by Councillor Wyant,

- 7) *that the Audit Committee be requested to establish the terms of reference for an audit of the SPCA.*

CARRIED.

Moved by Councillor Wyant, Seconded by Councillor Heidt,

- 8) *that His Worship the Mayor and the City Clerk be authorized to execute, on behalf of the City of Saskatoon under the Corporate Seal, the contract documents as prepared by the City Solicitor.*

CARRIED.

Moved by Councillor Wyant, Seconded by Councillor Heidt,

THAT Clause 2, Report No. 5-2004 of the Executive Committee be brought forward and considered.

CARRIED.

“REPORT NO. 5-2004 OF THE EXECUTIVE COMMITTEE

**2. Animal Control Liaison Coordinator
(File No. CK. 4560-1)**

- RECOMMENDATION:**
- 1) that the Administration be authorized to create the position of Animal Services Liaison Coordinator; and
 - 2) that the matter be referred to the Budget Committee.

Your Committee has considered and supports the following report of the General Manager, Corporate Services Department, dated January 28, 2004:

“BACKGROUND

The City of Saskatoon’s Animal Services Program consists of Animal Control Services and Pound Services. *The Cities Act* empowers the City to provide these services. The provision of Pound Services has been contracted to the Saskatoon SPCA since 1971 and the delivery of Animal Control Services has been contracted to the Saskatoon SPCA since 1999.

Funding for Pound Services is mainly derived from the mill rate (\$291,200) and partially funded through revenues from Pound fees (\$22,000). Animal Control Services are partially funded from the mill rate (\$200,400) and partially funded through revenues from animal license sales (\$150,000).

REPORT

The City does not have a specific administrative position designated to plan and coordinate the animal services program and to manage contracts related to the delivery of Animal Control and Pound Services. A new position would greatly enhance the Animal Control and Pound Services programs and would provide a focus on generating revenue in order to reduce the mill rate contribution to the Animal Control Program and increase the level of services to pet owners.

In 2002, City Council adopted a goal to include, as part of its service strategy, the following new service levels:

1. An enhancement to staff levels during the night-time hours
2. A new park patrol service
3. A new cat trap service
4. A new spay/neuter initiative to assist in the control of the local animal population
5. Additional off-leash areas

None of these new services will be added until additional revenues can be generated by way of having pet owners comply with existing licensing requirements.

Based on the 1998 Pet Survey that was conducted in Saskatoon, there were 22,000 cats and 25,000 dogs in Saskatoon. At that time, the human population of Saskatoon was estimated at 207,053. The estimated human population for 2003 (based on information at June 30, 2003) in Saskatoon is 211,779. Based on this population, it is estimated that there are now 23,300 cats and 25,400 dogs in Saskatoon for a total of 48,700 cats and dogs. In 2003, there were 7,858 dogs and 2,432 cats licensed in Saskatoon for a total of 10,290 licensed cats and dogs. This represents a licensing compliance rate of only 21%.

In 2003, the fine for unlicensed cats and dogs was increased from \$50 to \$250 for the first offence. This significantly contributed to an increase in license sales from 7,600 licenses in 2002 to 10,290 licenses in 2003, or an increase in licensing compliance from 16% in 2002 to 21% in 2003. The City of Calgary has a licensing compliance rate of 86% for dogs (cats are not required to be licensed). This level of compliance was initially achieved with an aggressive door-to-door campaign to identify households with unlicensed dogs. With some concentrated effort and attention, it is reasonable to believe that we can substantially increase licensing compliance in Saskatoon. Even if only a 50% compliance rate was achieved, the increase of 29% equates to an increase in revenue of at least \$210,000.

JUSTIFICATION

If a new position to plan and coordinate the animal services program is created, more concentrated effort and attention to increasing revenue generation through licensing compliance can be achieved. A conservative estimate regarding the increase in revenue is \$210,000. This would be achieved by concentrating on a door-to-door campaign to identify unlicensed cats and dogs in the City. According to the City of Calgary's experience in this area, considerable ongoing effort is required to maintain pet licensing compliance. It is estimated that a new position would cost \$34,200 in 2004 and \$54,200 in 2005. The cost of this new position would be covered by the increase in licensing revenue and would still leave at least \$150,000 for other program expenses such as increased contract costs or enhancements to the animal services program.

OPTIONS

Continue to plan and coordinate the animal services program with the current administrative complement. Concentrated effort and attention to increasing revenue generation through licensing compliance will not be achieved, and very limited contract management will occur.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPACT

There is an opportunity to increase licensing revenues, reduce reliance on the mill rate, and increase service levels of the Animal Services Program.”””

Moved by Councillor Wyant, Seconded by Councillor Heidt,

- 1) that the Administration be authorized to create the position of Animal Services Liaison Coordinator; and*
- 2) that the matter be referred to the Budget Committee.*

CARRIED.

REQUESTS TO SPEAK TO COUNCIL – CONTINUED

- 6) **Daniel Neves**
Saskatoon Centre of the Royal Astronomical Society of Canada, dated March 12

Requesting permission to address Council to introduce an energy efficient street lighting fixture.
(File No. CK. 6300-1)

RECOMMENDATION: that Daniel Neves be heard.

Moved by Councillor Wyant, Seconded by Councillor Heidt,

THAT Daniel Neves be heard.

CARRIED.

Mr. Daniel Neves, Saskatoon Centre of the Royal Astronomical Society of Canada, introduced an energy efficient street lighting fixture, and asked that the City adopt the new lighting.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT the matter be referred to the Planning and Operations Committee for further discussion.

CARRIED.

- 7) **Ron Renaud**
Preston Crossing Properties Inc., dated March 16

DEALT WITH EARLIER. SEE PAGE NO. 7.

- 8) **Raoul Granger**
La Troupe du Jour, dated March 17

Requesting permission to address Council with respect to La Troupe du Jour being designated as a major arts institution. (File No. CK. 1870-1)

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RECOMMENDATION: that Raoul Granger be heard.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT Raoul Granger be heard.

CARRIED.

Mr. Raoul Granger, La Troupe du Jour, requested a review of the third eligibility requirement of the Cultural Grant Program, being that there be a minimum audience of 10,000 in Saskatoon in the previous year. He expressed the opinion that it is unreasonable to expect La Troupe du Jour to have the minimum audience as they are a language based art form and their presentations are in French. He provided Council with a copy of his presentation.

Moved by Councillor Paulsen, Seconded by Councillor Neault,

THAT the matter be referred to the Administration for a report to the Planning and Operations Committee.

CARRIED.

9) Ari Avivi, dated March 18

DEALT WITH EARLIER. SEE PAGE NO. 17.

10) David Dodds, dated March 22

DEALT WITH EARLIER. SEE PAGE NO. 17.

11) Eva Alexandrovici, dated March 22

DEALT WITH EARLIER. SEE PAGE NO. 17.

**12) Judy Yungwirth, C.A., Director, Corporate Administration
University of Saskatchewan, dated March 18**

DEALT WITH EARLIER. SEE PAGE NO. 7.

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**13) Terry Scaddan, Executive Director
The Partnership, dated March 22**

DEALT WITH EARLIER. SEE PAGE NO. 7.

**14) Shirley Ryan, Executive Director
North Saskatoon Business Association, dated March 22**

Requesting permission to address Council with respect to the Gathercole Centre contract. (File No. CK. 4130-2-11)

RECOMMENDATION: that Item D8, Administrative Report No. 6-2004 be brought forward and considered and that Shirley Ryan be heard.

Moved by Councillor Wyant, Seconded by Councillor Dubois,

THAT Clause D8, Administrative Report No. 6-2004 be brought forward and considered and that Shirley Ryan be heard.

CARRIED.

“ADMINISTRATIVE REPORT NO. 6-2004

**D8) Gathercole Centre
Removal of Hazardous Materials
Contract No. 4-0049, Award of Tender
(File No. 606-2)**

- RECOMMENDATION:**
- 1) that City Council approve the bid submitted by McColman & Sons Demolition for the Gathercole Centre, Removal of Hazardous Material tender, at a bid of \$105,395 including G.S.T.; and
 - 2) that the City Solicitor be requested to prepare the appropriate contract, and that His Worship the Mayor and the City Clerk be authorized to execute the contract documents under the Corporate Seal.

This work consists of the removal of the existing hazardous (high and medium) materials such as asbestos, mercury, and PCBs from the Gathercole Centre building. The removal conforms to the requirements for adaptive re-use of the building.

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Four (4) valid bids were received on Tuesday, March 16, 2004. Exclusive of the Goods and Services Tax, the bids are as follows:

| BIDDER | TOTAL BID |
|-------------------------------|-----------|
| McColman & Sons Demolition | \$ 98,500 |
| Hub City Contracting Services | \$133,855 |
| Saskcon Repair Services Ltd. | \$148,300 |
| Sealtech Restorations Inc. | \$174,560 |

Bids were reviewed by the Project Consultant firm of AMEC, as well as by the Project Coordinator from the Facilities Branch. The low bid is within the funded budget for the Removal of Hazardous Materials scope of work. The low bid submission from McColman & Sons Demolition is acceptable to the City of Saskatoon.

The net cost to the City of Saskatoon is:

| | |
|-----------------------------|------------------|
| Base Bid | \$ 98,500 |
| G.S.T. | <u>6,895</u> |
| Subtotal | \$105,395 |
| Rebated G.S.T. @ 100% | <u>(6,895)</u> |
| Net Cost to the City | \$ 98,500 |

There are sufficient funds to carry out this work.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy is not required.”

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Ms. Shirley Ryan, North Saskatoon Business Association, spoke in support of the recommendations of the Administration.

Moved by Councillor Wyant, Seconded by Councillor Dubois,

- 1) that City Council approve the bid submitted by McColman & Sons Demolition for the Gathercole Centre, Removal of Hazardous Material tender, at a bid of \$105,395 including G.S.T.; and*
- 2) that the City Solicitor be requested to prepare the appropriate contract, and that His Worship the Mayor and the City Clerk be authorized to execute the contract documents under the Corporate Seal.*

CARRIED.

REQUESTS TO SPEAK TO COUNCIL - CONTINUED

15) Peggy Sarjeant, dated March 22

Requesting permission to address Council with respect to the Gathercole Building artifacts. (File No. CK. 4130-2-11)

RECOMMENDATION: that Clause F1, Administrative Report No. 6-2004 be brought forward and considered and that Peggy Sarjeant be heard.

Moved by Councillor Heidt, Seconded by Councillor Wyant,

THAT Clause F1, Administrative Report No. 6-2004 be brought forward and considered and that Peggy Sarjeant be heard.

CARRIED.

“ADMINISTRATIVE REPORT NO. 6-2004

**F1) Gathercole Building - Artifacts
(File No. CK. 4130-2-11)**

RECOMMENDATION: 1) that City Council approve the disposition of the interior artifacts as outlined in the recommendations of the report; and,

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- 2) that the direction of City Council issue with respect to the amount of exterior to be salvaged.

At its special meeting of December 8, 2003, City Council resolved:

“that the Administration identify any historical artifacts in the Gathercole building which should be saved, including the façade, and that prospective developers of the property be encouraged to include same in their developments.”

Further, on February 23, 2004, City Council resolved, in part:

- “3) that the Board of Education be given the opportunity to retain the façade and decorate brick work if they so wish.”

Based on these two recommendations, your Administration retained Stantec Architecture Ltd. to complete the artifact evaluation. Their report is attached for your information. On Page 17 of the report is a summary of the recommendations.

With respect to recommendations 1) and 2), either the City or the School Board will take these elements and attempt to incorporate them into a display or a new development.

Recommendations 3) to 5) deal with the disposition of the bricks and the façade. The following questions need to be answered:

- Recommendation 3):
Does City Council wish to retain the patterned brick? The estimated cost of removing, cleaning and hauling the bricks off site, and including drawings and photographs, is \$19,000 to \$39,000.
- Recommendation 4):
Does City Council wish to retain for future use the Indiana lime stone east entry façade? The estimated cost is \$15,000 to \$30,000 for labelling, removal, palletizing, and appropriate drawings and photographs.
- Recommendation 5):
How much of the additional brick face does City Council wish to retain? The cost ranges from \$38,000 to \$76,000 for salvaging the bricks on the parapets, and from \$120,000 to \$240,000 for salvaging the remainder of the brick face.

Based on the above decisions, your Administration will incorporate these requirements into the demolition project.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

ATTACHMENT

1. Report dated February 24, 2004, entitled "Gathercole Building Historical Elements", prepared by Stantec Architecture Ltd."

Ms. Peggy Sarjeant indicated that she was present representing the Saskatoon Heritage Society, and to speak in support of the recommendations to preserve the artifacts. She urged Council to ensure that salvaged material be left on site to be incorporated in any new development.

Moved by Councillor Hnatyshyn, Seconded by Councillor Wyant,

- 1) *THAT Council approve the disposition of the interior artifacts outlined in the report entitled "Gathercole Building Historical Elements"; and*
- 2) *that Council approve the removal, cleaning, palletizing and off-site storage of the exterior brickwork as follows:*
 - *patterned brickwork from three exterior walls at an estimated cost of \$19,000 to \$39,000;*
 - *Indiana Lime Stones from east façade of central tower at an estimated cost of \$15,000 to \$30,000; and*
 - *face brick from Parapets at an estimated cost of \$38,000 to \$76,000.*

CARRIED.

Moved by Councillor Paulsen, Seconded by Councillor Fortosky,

THAT the issue of the demolition of the Gathercole building be referred to the Saskatoon Environmental Advisory Committee for any comments it may wish to make on the matter of disposing of the material in an environmentally-friendly manner.

CARRIED.

Moved by Councillor Birkmaier,

THAT the meeting be extended beyond the hour of 11:00 p.m.

CARRIED.

REQUESTS TO SPEAK TO COUNCIL – CONTINUED

**16) Randy Pshebylo, President
Riversdale Business Improvement District, dated March 22**

Requesting permission to address Council with respect to the Treaty Land Entitlement for One Arrow First Nation. (File No. CK. 4000-4)

RECOMMENDATION: that Items AA6 and AA31 of Communications and Clause B1, Legislative Report No. 6-2004 be brought forward and considered and that Randy Pshebylo be heard.

Moved by Councillor Wyant, Seconded by Councillor Dubois,

THAT Items AA6 and AA31 of Communications and Clause B1, Legislative Report No. 6-2004 be brought forward and considered and that Randy Pshebylo be heard.

CARRIED.

**“AA6) Doug Whitehead
Meadowgreen Confectionery, dated February 20**

Submitting comments with respect to the impact urban reserves have on businesses and the community. (File No. CK. 4000-4)

**AA31) Irv Rusnak
Night Owl Grocery and Confectionary, dated March 21**

Expressing concerns with respect to the creation of an urban reserve on the corner of Avenue P and 20th Street. (File No. CK. 4000-4)

LEGISLATIVE REPORT NO. 6-2004

**B1) Treaty Land Entitlement - One Arrow First Nation
(File No.)**

RECOMMENDATION: that Council authorize the Mayor and City Clerk to execute the Municipal Services and Compatibility Agreement and Protocol Agreement.

On July 31, 2003, the One Arrow First Nation advised The City of Saskatoon Administration of its purchase of property located at 1601-1605 - 20th Street West (the south west corner of Avenue P and 20th Street). This property is currently a vacant lot used for parking.

One Arrow advised that it wished to construct a convenience store and gas bar on the property. One Arrow also wished to transfer the land to reserve status and to negotiate a Municipal Services and Compatibility Agreement with the City for that purpose.

Negotiations have now been completed and a Municipal Services and Compatibility Agreement is attached for Council's consideration. This Agreement is almost exactly the same as the Agreement for Canterbury Towers which Council signed with the Yellow Quill First Nation. Other than for updated wording, it is the same as the Muskeg Lake Agreement.

The two key terms of the Agreement are:

- (a) that One Arrow will pay the same amount in fees for service as a similar non-reserve business would pay in municipal property tax, and will, in turn, receive the same municipal services; and
- (b) that One Arrow will "mirror" City bylaws so as to ensure compatibility in regard to land use, building and fire standards, public health and safety and business regulation.

A Protocol Agreement is also attached. The purpose of this Agreement is to add One Arrow to the Saskatoon City and First Nations Committee which was formed as a consultative group of all First Nations with urban reserves in Saskatoon. It has not been active to date, as only the Muskeg Lake First Nation has completed the process of bringing their land into reserve status.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

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ATTACHMENTS

1. Municipal Services and Compatibility Agreement as between the One Arrow First Nation and The City of Saskatoon; and
2. Protocol Agreement as between the One Arrow First Nation and The City of Saskatoon.”

Mr. Randy Pshebylo, President, Riversdale Business Improvement District, introduced Ms. Sharlene Haig, Economic Development Officer, One Arrow First Nation, who was present in the gallery, and advised that she was present to answer any questions. He spoke in support of the development of the Urban Reserve, and the importance of development in the area, however, he expressed concerns with respect to the process and that the Riversdale Business Improvement District wasn't informed or consulted beforehand.

Moved by Councillor Wyant, Seconded by Councillor Dubois,

THAT Council authorize the Mayor and City Clerk to execute the Municipal Services and Compatibility Agreement and Protocol Agreement.

CARRIED.

Moved by Councillor Dubois, Seconded by Councillor Birkmaier,

THAT 7a) Unfinished Business and Item B1, Administrative Report No. 6-2004 be brought forward and considered and that the speakers be heard.

CARRIED.

“UNFINISHED BUSINESS

**7a) Tax Abatements/Tax Exemptions
(File No. CK. 1965-1)**

Report of the City Clerk:

“Attached is an excerpt from the minutes of meeting of City Council held on March 8, 2004 at which time Council resolved:

- ‘1) that consideration of the matter be deferred until the next regular meeting of City Council;

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- 2) that all interested parties be notified that the matter will be dealt with at the meeting of City Council to be held on March 22, 2004; and
- 3) that the Administration prepare a report regarding the history of the tax abatements for the next regular meeting of City Council.’

The following is a report of the General Manager, Corporate Services Department, dated March 10, 2004 in response to Recommendation No. 3:

‘RECOMMENDATION: that the information be received.

At its meeting of March 8, 2004, when considering a report from the Executive Committee containing recommendations regarding the phase out of tax exemptions, City Council resolved:

“that the Administration prepare a report regarding the history of tax abatements for the next regular meeting of City Council.”

Your Administration has conducted a search of files going back to 1995, and provides the following summary (not inclusive) of issues that have been before City Council on this matter:

- November 20, 1995 – Administration and Finance Committee considered the impact on existing tax abatements if a change in policy were implemented resulting in an overall reduction in the amount of tax abatement.
- December 4, 1995 – Council recommends that all new applicants for tax abatements for 1996 be denied.
- December 4 1995 – Administration and Finance Committee requested by City Council to undertake an overall review of tax abatements for 1997, and that letters be sent to all 1996 applicants advising that a review is being undertaken with a view to a change in policy which would impact the amount of tax abatement for each applicant.
- January 22, 1996 - Administration and Finance Committee recommends that the tax exempt list remain as is, but that any future change in location or size of the building would not be tax exempt, and that the annual maximum provision for tax exemptions be \$1 million. The latter becomes a mute point as reassessment reduces the value of abatements.
- August 10, 1998 – Council directs that a freeze be placed on all future applications for tax abatements.

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- December 14, 1998 – Council directs that all abatements of taxes for 1999 be approved on a “grandfather” basis for all former applications and that these applications be phased out upon a move from the current premises and/or ceasing operations.
- March 19, 2002 – City Council recommends that the issue of tax abatements be referred to the Committee on Economic Growth and the Social Policy Development Round Table for discussion.
- August 12, 2002 – City Council requests Administration to explore a change in current property tax abatement program whereby tax abatements will be combined with cash grant assistance through a modified “Assistance to Community Groups – Social Services Program”.
- November 20, 2002 – Council provides support resources to the City of Saskatoon Social Services Sub-Committee to allow them to proceed with their work to seek alternative methods to accommodate tax rebates.
- February 16, 2004 – Administration and Finance Committee receives two reports on this matter – one dealing with organizations whose rebates will be considered, commencing in 2005, as part of the Assistance to Community Groups grant process, and the second dealing with those organizations that are anomalies to the grant criteria. Both reports are forwarded to City Council, along with the Administrative recommendations, as well as a further recommendation that any reductions resulting from reduced tax abatements be transferred to the Assistance to Community Groups – Social Services Program.
- February 23, 2004 – Council adopts recommendation pertaining to the amalgamation of listed organizations currently receiving tax abatements, to be considered in the future as part of the Assistance to Community Groups program. The report containing recommendations for the phasing out, from the tax abatement benefits, of a group of listed organizations was referred to the Executive Committee.

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March 8, 2004 – Executive Committee report, confirming the original recommendation considered at the Council meeting of February 23, 2004, is considered by City Council and deferred for two weeks. Council is advised that no criteria can be developed that would encompass the diverse services provided by each organization on the list without needing to expand the list to consider all organizations in Saskatoon that would benefit from similar criteria. While each organization will be encouraged to apply for grants for any qualifying programs that they may deliver within their organizational structure, the only other way to ensure that they continue to benefit from the property tax abatement would be to continue to grandfather their existing benefit.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.’

A letter was sent to all interested parties on March 10, 2004 advising that Council would be considering the matter at this meeting.

Attached are copies of the following letters:

- Mr. John H. Pringle, McKercher McKercher & Whitmore, dated March 8, 2004, requesting permission for Dan Konkin to address Council on behalf of the Missionary Oblates of the St. Mary’s Province (Queen’s House) and the Episcopal Corporation of Saskatoon;
- Paul Fchet, OMI, Saskatchewan Local Community, OMI Lacombe Province, Queen House, requesting permission to address Council.
- Chriss Gates, Region Director, Canadian Red Cross North/Central Saskatchewan, requesting permission to address Council.

ADMINISTRATIVE REPORT NO. 6-2004

**B1) Corporate Services Review – Property Tax Abatements
(File No. CK. 1965-1)**

RECOMMENDATION: that the information be received.

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As City Council is aware, certain organizations currently enjoying property tax abatements will, subject to Council's final decision on this matter, have that exemption phased out over a period of ten years. As part of the property tax rebate review process, your Administration proposed to undertake a detailed review of any properties that, while no longer qualifying for tax abatements, may qualify for statutory exemptions. Many of these properties have not been re-inspected for many years and, since an abatement was in place, there was no motivation for the organizations to bring any changes in use of their properties to the attention of the City Assessor and seek a statutory exemption.

Of the list of organizations whose tax abatement status is proposed to be phased out, only those properties listed in Sections A, B, & C of the City Assessor's Abatement List meet the criteria for consideration for statutory exemptions under Section 262(1)e of *The Cities Act* (properties that are owned and used by religious organizations).

Over the past two weeks, the City Assessor has inspected all the properties listed in Sections A, B, and C contained in the annual report on abatements made by the City Assessor. As well as the inspections, discussions with the property owners were held.

To maintain fairness and equity with similar properties receiving a statutory exemption, this review was a necessity at this time. The purpose of the inspections was to ensure the areas being abated were still in fact being used as stated in the annual report; and secondly, to determine if these areas should fall under the statutory exemption rather than the annual abatement list.

As referenced above, only those properties included in the 2003 abatement list under Sections A, B, and C were reviewed in this process, as it is these properties where a statutory exemption under Section 262(1)(e) of *The Cities Act* may be applicable. It is understood that Section 262(1)(e)(iii) of *The Cities Act* states "the exemption does not apply to any portion of that place or land that is used as a residence or for any other purpose other than a place of public worship." This review specifically will not exempt any portion of the building or land used as a residence. However, the vast majority of churches have offices, meeting rooms, etc. that are used in conjunction with the place of public worship and which are currently treated as exempt under this section of the *Act*. Treating these differently would not be treating these few properties equitably.

The properties contained in other sections covered by the report from Corporate Services were not inspected at this time by your Administration, as there are no statutory provisions that would provide a legislated exemption for them.

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SECTION A

Parish Parking

Property # 1 – 3488 Fairlight Drive: This property was receiving an abatement for additional land over and above that allowed in legislation. In fact, this property had an addition to it in 1997/98 that now brings the total land area into the amount allowed under legislation. This abatement will be removed for 2004 and the entire property will now be exempt by legislation.

This removes an amount of taxes abated from the abatement list but places the same amount under statutory exemption. The amount of taxes being moved from abatement to statutory, based on the 2003 abatement list, is **\$519.51**.

SECTION B

Parish Activities – Residential Manse

Property #1 – St Paul's Cathedral – 720 Spadina Cres. East: This abatement was being given for areas in the rectory being used by the church as offices, etc. that are directly related to the portion of the property being used as a place of public worship. These areas are required and many of the areas are used as meeting rooms for priests and parishioners in the daily operation of the church and their worship services. This abatement will now be removed for 2004 and the portion of the property used in relation to the place of public worship, but not used as a residence, will now be exempt by legislation.

This removes an amount of taxes abated from the abatement list but places the same amount under statutory exemption. The amount of taxes being moved from abatement to statutory, based on the 2003 abatement list, is **\$3,057.98**

Property #2 – St. Mary's Parish – 211 Ave. O South: This abatement was being given for areas in the rectory being used by the church as offices, etc. that are directly related to the portion of the property being used as a place of public worship. These areas are required and many of the areas are used as meeting rooms for priests and parishioners in the daily operation of the church and their worship services. This abatement will now be removed for 2004 and the portion of the property used in relation to the place of public worship, but not used as a residence, will now be exempt by legislation.

This removes an amount of taxes abated from the abatement list but places the same amount under statutory exemption. The amount of taxes being moved from abatement to statutory, based on the 2003 abatement list, is **\$2,313.88**.

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Property #3 – Holy Family Parish – 110 104th Street: This abatement was being given for areas in the rectory being used by the church as offices, etc. that are directly related to the portion of the property being used as a place of public worship. These areas are required and many of the areas are used as meeting rooms for priests and parishioners in the daily operation of the church and their worship services. This abatement will now be removed for 2004 and the portion of the property used in relation to the place of public worship but not used as a residence will now be exempt by legislation.

This removes an amount of taxes abated from the abatement list but places the same amount under statutory exemption. The amount of taxes being moved from abatement to statutory, based on the 2003 abatement list, is **\$758.86**

Property #4 – Ukrainian Catholic Parish of St. George – 214 Avenue M South: This abatement was being given for areas in the rectory being used by the church as offices, etc. that are directly related to the portion of the property being used as a place of public worship. These areas are required and many of the areas are used as meeting rooms for priests and parishioners in the daily operation of the church and their worship services. This abatement will now be removed for 2004 and the portion of the property used in relation to the place of public worship but not used as a residence will now be exempt by legislation.

This removes an amount of taxes abated from the abatement list but places the same amount under statutory exemption. The amount of taxes being moved from abatement to statutory, based on the 2003 abatement list, is **\$2,748.31**.

Property #5 – St. John Bosco Parish – 1202 Avenue O South: This abatement was being given for areas in the rectory being used by the church as offices, etc. that are directly related to the portion of the property being used as a place of public worship. These areas are required and many of the areas are used as meeting rooms for priests and parishioners in the daily operation of the church and their worship services. This abatement will now be removed for 2004 and entire property will be exempt by statute as the entire property now is used in conjunction with a place of public worship and contains no residence.

This removes an amount of taxes abated from the abatement list but places the same amount under statutory exemption. The amount of taxes being moved from abatement to statutory, based on the 2003 abatement list, is **\$2,121.83**.

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SECTION C

Religious (Worship) / Educational Purposes

Property #1 - The Catholic Centre – 106 5th Avenue North: This portion of the property is attached to the church and is used as offices for this church, for meeting rooms, as a library for the church, and as the central office the Chancellery. This entire office is used in conjunction with the place of public worship and contains no residences. As with those properties above, the place of public worship requires these offices and meeting rooms to operate effectively in their religious and worship activities. Similar offices in other churches, where the offices are located directly in the church building, are currently treated as exempt by statute. To maintain equity this should be treated no differently than those other properties and should, therefore, be exempt by statute. This abatement will now be removed for 2004 and entire property will be exempt by statute as the entire property now is used in conjunction with a place of public worship and contains no residence.

This removes an amount of taxes abated from the abatement list but places the same amount under statutory exemption. The amount of taxes being moved from abatement to statutory, based on the 2003 abatement list, is **\$28,581.79**.

Property # 2 - Missionary Oblates of St. Mary's Parish (Queen's House of Retreats) – 601 Taylor Street West: This property includes large areas for public worship and were, as such, exempt by statute. In addition, the remainder of the property is used in conjunction with religious retreats where public worship is the primary focus. Based on Queen's House own literature however, portions of this property are also made available, for a fee, for private functions (both business and personal) and they advertise as such. In addition, there are a few small areas of this property that are used as a residence and, therefore, are not eligible for a legislative exemption. The determination made by the Office of the City Assessor, based on the use of the property, is that the entire area considered chapel is exempt by statute. Of the remaining portion of the building it has been determined based on use that 75% of this property will be exempt under legislation with 25% remaining taxable for which an abatement or grant would need to be applied for. This portion of the abatement where a statutory exemption will apply will be removed from the abatement list for 2004 with the remainder being considered taxable and for which an amount will be included on the 2004 abatement list when completed.

This removes a portion of the taxes abated from the abatement list but places the same amount under statutory exemption. The total amount of taxes shown on the 2003 abatement list is **\$63,830.22**. The amount of taxes being moved from abatement to statutory, based on the 2003 abatement list, is **\$52,250.72** with the remainder, approximately **\$11,579.50** (based on the 2003 mill rate), remaining on the abatement list for 2004.

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Property #3 - Knox United Church – 539 24th Street East (Life Lines Library and Book Room): This was a former residence that is used by Knox United Church for church use and the Christian education through books in aid of public worship. It is also used at times for small church gatherings. Materials are provided to churches for use in public worship either through library services or material can also be purchased (baptism and confirmation resources, Sunday school and vacation bible school materials. This space is required in this property as there is no room in the cathedral style church proper. It sits directly adjacent to the church proper. If this service could be located within the church proper, it would receive the statutory exemption (as is the case in other instances). This abatement will now be removed for 2004 and entire property will be exempt by statute as the entire property now is used in conjunction with places of public worship and contains no residence.

This removes an amount of taxes abated from the abatement list but places the same amount under statutory exemption. The amount of taxes being moved from abatement to statutory, based on the 2003 abatement list, is **\$6,629.80**.

Property #4 - Formerly known as the Guadalupe House – now known as Guadalupe R.C. Aboriginal Parish – 426 Avenue J South: This property is used to provide pastoral ministries to aboriginal people and others who chose to use their services. It acts as a place for public worship, bible studies, etc. and contains no residence. This abatement will now be removed for 2004 and the entire property will be exempt by statute as it is now used in conjunction with a place of public worship and contains no residence.

This removes an amount of taxes abated from the abatement list but places the same amount under statutory exemption. The amount of taxes being moved from abatement to statutory, based on the 2003 abatement list, is **\$4,575.86**.

The changes being made by your Administration, as stated above, will create equity and will treat these properties similar to others receiving a statutory exemption under Section 262(1)(e) of *The Cities Act*.

The total property taxes abated, based on the 2003 City Assessor's Abatement list for those properties that would not be eligible for grants, totalled \$245,371.78 (from Clause 9, Report No. 3-2004 of the Administration and Finance Committee). Based on the changes noted in this report, the total property taxes being moved from the abatement report to a statutory exemption, based on the 2003 abatement list is \$103,558.54. The remaining property taxes being abated, based on the 2003 abatement list, is \$141,813.24 for those properties currently on the abatement list (seniors groups, miscellaneous properties such as the Red Cross) that will continue to be abated in 2004 and which are not currently eligible for grants under the current guidelines for that program.

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PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.”

Mr. Dan Konkin was not present in the gallery.

Mr. Paul Fachet, OMI, Saskatchewan Local Community, OMI Lacombe Province, Queens House, expressed concerns with respect to the criteria for cash grants.

Ms. Chriss Gates, Region Director, Canadian Red Cross North/Centre Saskatchewan, expressed concerns with respect to the criteria for cash grants.

Moved by Councillor Heidt, Seconded by Councillor Birkmaier,

- 1) that the organizations listed in Attachment 1, with the exception of those properties now qualifying for provincial exemption, be maintained for 2004;*
- 2) that the Red Cross be transferred, in 2005, to the social services component of the Assistance to Community Groups - Cash Grants Program;*
- 3) that the tax exemptions for the following organizations be phased out beginning in 2005:*
 - Missionary Oblates of St. Mary's Province (Queen's House of Retreats)*
 - Pentecostal Assemblies of Canada and Central Pentecostal College*
 - J. Brady Ives (Saskatoon Bus Stop Refreshment)*
 - Canadian Blood Services*
 - Ukrainian Catholic Parish of St. George (Old Hall used as Museum of Ukrainian Culture)*
 - Seniors' Organizations listed in Section H*
- 4) that the phase-out period be ten years; and*
- 5) that the Administration report by mid October on the issue of whether to utilize the reductions in tax abatements to provide additional funding for the tax exemption component of the Assistance to Community Groups – Cash Grant Program.*

YEAS: His Worship the Mayor, Councillors Alm, Birkmaier, Dubois, Fortosky, Heidt, Neault, Paulsen and Wyant *9*

NAYS: Councillor Hnatyshyn *1*

COMMUNICATIONS TO COUNCIL – CONTINUED

AA. ITEMS WHICH REQUIRE THE DIRECTION OF CITY COUNCIL

1) D.B. Learmonth, dated March 4

Submitting a copy of a letter addressed to the StarPhoenix with respect to the Gathercole Initiative Group's petition. (File No. CK. 4130-2-11)

RECOMMENDATION: that the information be received.

Moved by Councillor Hnatyshyn, Seconded by Councillor Paulsen,

THAT the information be received.

CARRIED.

**2) Audrey Wiberg
Nutana Legion, dated March 4**

Requesting that Council reconsider allowing smoking in veterans clubs. (File No. CK. 185-3)

RECOMMENDATION: that the information be received.

Moved by Councillor Hnatyshyn, Seconded by Councillor Paulsen,

THAT the information be received.

CARRIED.

3) Joseph Kuchta, dated March 4

Submitting a copy of a letter addressed to the City Manager with respect to the South Downtown. (File No. CK. 4130-2-11)

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RECOMMENDATION: that the information be received.

Moved by Councillor Hnatyshyn, Seconded by Councillor Paulsen,

THAT the information be received.

CARRIED.

4) Stew Edelman, dated March 4

Expressing concerns with respect to the location being considered for the south bridge. (File No. CK. 6050-1)

RECOMMENDATION: that the letter be considered with Clause 3, Report No. 5-2004 of the Executive Committee.

Moved by Councillor Birkmaier, Seconded by Councillor Dubois,

THAT the letter be considered with Clause 3, Report No. 5-2004 of the Executive Committee.

CARRIED.

5) Daniel Lanouette, dated March 4

Submitting comments with respect to the recycling program. (File No. CK. 7830-5)

RECOMMENDATION: that the information be received.

Moved by Councillor Hnatyshyn, Seconded by Councillor Paulsen,

THAT the information be received.

CARRIED.

**6) Doug Whitehead
Meadowgreen Confectionery, dated February 20**

DEALT WITH EARLIER. SEE PAGE NO. 33.

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7) Phil Haughn, dated March 4

Expressing concerns with respect to accesses to the boat launch during construction of the Gathercole site. (File No. CK. 4130-2-11)

RECOMMENDATION: that the matter be referred to the Administration.

Moved by Councillor Heidt, Seconded by Councillor Hnatyshyn,

THAT the matter be referred to the Administration.

CARRIED.

8) Robert McGratten, dated March 5

Expressing the opinion that funding be withdrawn from Shakespeare on the Saskatchewan until the Gathercole Initiative Group distance themselves from any publicly funded organizations. (File No. CK. 1870-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Hnatyshyn, Seconded by Councillor Paulsen,

THAT the information be received.

CARRIED.

**9) Jennifer L. Gohlke
Indian and Northern Affairs Canada, Saskatchewan Region, dated March 8**

Requesting that the City make a donation towards Urban Treaty Days. (File No. CK. 1870-1)

RECOMMENDATION: that the direction of Council issue.

Moved by Councillor Heidt, Seconded by Councillor Dubois,

THAT the information be received.

CARRIED.

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10) Patty Paillé, dated March 8

Expressing concerns with respect to snow removal and special needs transportation. (File No. CK. 7305-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Hnatyshyn, Seconded by Councillor Paulsen,

THAT the information be received.

CARRIED.

11) Louise Buhler, dated March 10

Requesting information with respect to the development of the south downtown. (File No. CK. 4130-2-11)

RECOMMENDATION: that the information be received.

Moved by Councillor Hnatyshyn, Seconded by Councillor Paulsen,

THAT the information be received.

CARRIED.

12) Jamie McKenzie, dated March 9

Submitting comments with respect to special needs transportation. (File No. CK. 7305-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Hnatyshyn, Seconded by Councillor Paulsen,

THAT the information be received.

CARRIED.

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**13) Barry Gay, President
Buena Vista Kennels Inc., dated March 10**

DEALT WITH EARLIER. SEE PAGE NO. 17.

14) Jim Holtlander, dated March 9

Requesting that the City hire as many FirstBus drivers as possible when the City takes over the special needs transportation service. (File No. CK. 7305-1)

RECOMMENDATION: that the matter be referred to the Administration.

Moved by Councillor Wyant, Seconded by Councillor Heidt,

THAT the matter be referred to the Administration.

CARRIED.

15) Nicole Rusick, dated March 12

Submitting comments with respect to the Gathercole building. (File No. CK. 4130-2-11)

RECOMMENDATION: that the information be received.

Moved by Councillor Hnatyshyn, Seconded by Councillor Paulsen,

THAT the information be received.

CARRIED.

16) David Bendig, dated March 12

Submitting comments with respect to the smoking bylaw. (File No. CK. 185-3)

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RECOMMENDATION: that the information be received.

Moved by Councillor Hnatyshyn, Seconded by Councillor Paulsen,

THAT the information be received.

CARRIED.

17) Venessa Chesters, dated March 15

Expressing concerns with respect to graduates from the firefighting training course in Martensville not being recognized in Saskatoon. (File No. CK. 4500-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Birkmaier, Seconded by Councillor Alm,

THAT the matter be referred to the Administration to review with the Martensville Institute ways in which it could meet the City's requirements, and report to the Planning and Operations Committee for further discussion.

CARRIED.

18) Robert Doell, dated March 1

Expressing concerns with respect to the police response times. (File No. CK. 5000-1)

RECOMMENDATION: that the matter be referred to the Board of Police Commissioners.

Moved by Councillor Heidt, Seconded by Councillor Paulsen,

THAT the matter be referred to the Board of Police Commissioners.

CARRIED.

19) Christina Breker, dated March 15

Submitting comments with respect to recycling. (File No. CK. 7930-5)

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RECOMMENDATION: that the matter be referred to the Administration to respond to the writer.

Moved by Councillor Paulsen, Seconded by Councillor Heidt,

THAT the matter be referred to the Administration to respond to the writer and provide a copy of the response to the Planning and Operations Committee.

CARRIED.

20) Darrell Broughton, dated March 16

Expressing concerns with respect to upgrading the intersection of Circle Drive and 11th Street. (File No. CK. 6001-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Hnatyshyn, Seconded by Councillor Paulsen,

THAT the information be received.

CARRIED.

21) JoAnne Moorhead, dated March 17

Requesting permission for temporary closure of Melrose Street between Hilliard and Willow Streets from 7:00 a.m. to 4:00 p.m. on June 5, 2004, in connection with a car trunk-street sale for St. Francis Xavier Church. (File No. CK. 205-1)

RECOMMENDATION: that the request be approved subject to administrative conditions.

Moved by Councillor Heidt, Seconded by Councillor Paulsen,

THAT the request be approved subject to administrative conditions.

CARRIED.

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**22) Joanne Sproule, Secretary
Saskatoon Development Appeals Board, dated March 4**

Submitting notice of Development Appeal Board hearing for property located at 4018 Taylor Street East. (File No. CK. 4352-1)

**23) Joanne Sproule, Secretary
Saskatoon Development Appeals Board, dated March 4**

Submitting notice of Development Appeal Board hearing for property located at 1320 College Drive. (File No. CK. 4352-1)

**24) Joanne Sproule Secretary
Saskatoon Development Appeals Board, dated March 16**

Submitting notice of Development Appeal Board Hearing for property located at 122/126 Cardinal Crescent. (File No. CK. 4352-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Hnatyshyn, Seconded by Councillor Paulsen,

THAT the information be received.

CARRIED.

**25) Grant J. Scharfstein
Scharfstein Gibbings Walen and Fisher LLP, dated March 19**

DEALT WITH EARLIER. SEE PAGE NO. 17.

**26) Grant J. Scharfstein
Scharfstein Gibbings Walen and Fisher LLP, dated March 22**

DEALT WITH EARLIER. SEE PAGE NO. 17.

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27) Brenda Wendling, dated March 19

DEALT WITH EARLIER. SEE PAGE NO. 13.

28) Ken Rochelle, dated March 19

Expressing support for proposed speed restrictions on private lots. (File No. CK. 5300-1)

RECOMMENDATION: that the letter be considered with Clause 1, Report No. 5-2004 of the Planning and Operations Committee.

Moved by Councillor Wyant, Seconded by Councillor Heidt,

THAT the letter be considered with Clause 1, Report No. 5-2004 of the Planning and Operations Committee.

CARRIED.

**29) Janice Mann, Secretary
The Board of Police Commissioners, dated March 19**

Requesting that Council grant approval for the expenditure of \$25,000 to replace the Cyanoacrylate Fuming Chamber in Identification. (File No. CK. 1000-1)

RECOMMENDATION: that approval be granted for \$25,000, to be funded from the Police Operational Equipment and Technology Reserve, to replace the Cyanoacrylate Fuming Chamber in Identification.

Moved by Councillor Heidt, Seconded by Councillor Paulsen,

THAT approval be granted for \$25,000, to be funded from the Police Operational Equipment and Technology Reserve, to replace the Cyanoacrylate Fuming Chamber in Identification.

CARRIED.

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30) Jack Grover, dated March 17

DEALT WITH EARLIER. SEE PAGE NO. 15.

**31) Irv Rusnak
Night Owl Grocery and Confectionary, dated March 21**

DEALT WITH EARLIER. SEE PAGE NO. 33.

32) Brian Cross, dated March 22

Submitting comments with respect to traffic control on Avenue H South. (File No. CK. 5200-5)

RECOMMENDATION: that the letter be considered with Clause D1, Administrative Report No. 6-2004.

Moved by Councillor Alm, Seconded by Councillor Dubois,

THAT the letter be considered with Clause D1, Administrative Report No. 6-2004.

CARRIED.

**33) Heather Larson, Executive Director
Broadway Business Improvement District, dated March 22**

Expressing opposition to an increase in parking fines. (File No. CK. 6120-1)

RECOMMENDATION: that the letter be considered with Clause 2, Report No. 5-2004 of the Planning and Operations Committee.

Moved by Councillor Alm, Seconded by Councillor Heidt,

THAT the letter be considered with Clause 2, Report No. 5-2004 of the Planning and Operations Committee.

CARRIED.

B. ITEMS WHICH HAVE BEEN REFERRED FOR APPROPRIATE ACTION

1) Linda Stenger, dated March 7

Submitting comments with respect to the Animal Control and Poundkeeping Services contracts.
(File No. CK. 151-1) **(Referred to the Executive Committee.)**

2) Donna Ell Thomas, dated March 8

Submitting comments with respect to the Animal Control and Poundkeeping Services contracts.
(File No. CK. 151-1) **(Referred to the Executive Committee.)**

3) Daryl Halliwell, dated March 9

Submitting comments with respect to the Animal Control and Poundkeeping Services contracts.
(File No. CK. 151-1) **(Referred to the Executive Committee.)**

**4) April Sampson, Co-Founder
Weyburn Humane Society, dated March 7**

Submitting comments with respect to the Animal Control and Poundkeeping Services contracts.
(File No. CK. 151-1) **(Referred to the Executive Committee.)**

5) Michelle Roberts, dated March 9

Submitting comments with respect to the Animal Control and Poundkeeping Services contracts.
(File No. CK. 151-1) **(Referred to the Executive Committee.)**

6) Lillian Kazakoff, dated March 6

Submitting comments with respect to the Animal Control and Poundkeeping Services contracts.
(File No. CK. 151-1) **(Referred to the Executive Committee.)**

7) Lynne Babiuk, dated March 10

Submitting comments with respect to the Animal Control and Poundkeeping Services contracts.
(File No. CK. 151-1) **(Referred to the Executive Committee.)**

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**8) Don Funk
Canadian Tire Store #133, dated March 8**

Expressing concerns with respect to the letter from Jubilee Ford regarding Tender No. 4-0191 – Police Service Vehicles. (File No. CK. 1390-1) **(Referred to the Board of Police Commissioners.)**

**9) Sheila Gamble, Chief Executive Officer
Wanuskewin Heritage Park, dated March 8**

Requesting Council's support for an annual grant of \$184,000. (File No. CK. 1870-1) **(Referred to the Budget Committee.)**

**10) Tribal Chief Glenn Johnstone
Saskatoon Tribal Council, dated February 27**

Expressing support for Wanuskewin Heritage Park's request for an annual grant. (File No. CK. 1870-1) **(Referred to the Budget Committee.)**

**11) Chief Alphonse Bird
Federation of Saskatchewan Indian Nations, dated March 1**

Expressing support for Wanuskewin Heritage Park's request for an annual grant. (File No. CK. 1870-1) **(Referred to the Budget Committee.)**

12) Fred J. Sutter, dated March 16

Submitting comments with respect to the location of the south bridge. (File No. CK. 6000-1) **(Referred to the Executive Committee.)**

RECOMMENDATION: that the information be received.

Moved by Councillor Paulsen, Seconded by Councillor Heidt,

THAT the information be received.

CARRIED.

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C. PROCLAMATIONS

**1) Paul Gauthier, General Manager
Community Services Department, dated March 10**

Requesting that Council proclaim April 18 to 24, 2004 as National Volunteer Week in Saskatoon. (File No. CK. 205-5)

- RECOMMENDATION:**
- 1) that City Council approve all proclamations as set out in Section C; and
 - 2) that the City Clerk be authorized to sign the proclamations on behalf of City Council.

Moved by Councillor Paulsen, Seconded by Councillor Birkmaier,

- 1) that City Council approve all proclamations as set out in Section C; and*
- 2) that the City Clerk be authorized to sign the proclamations on behalf of City Council.*

CARRIED.

REPORTS

Councillor Dubois, Member, presented Report No. 3-2004 of the Municipal Planning Commission;

General Manager, Community Services Gauthier presented Section A, Administrative Report No. 6-2004;

General Manager, Corporate Services Veltkamp presented Section B, Administrative Report No. 6-2004;

General Manager, Infrastructure Services Uzelman presented Section D, Administrative Report No. 6-2004;

General Manager, Utility Services Hewitt presented Section E, Administrative Report No. 6-2004;

City Manager Richards presented Section F, Administrative Report No. 6-2004;

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City Solicitor Dust presented Section B, Legislative Report No. 6-2004;

Councillor Fortosky, Chair, presented Report No. 5-2004 of the Planning and Operations Committee;

Councillor Heidt, Member, presented Report No. 5-2004 of the Administration and Finance Committee;

Councillor Birkmaier, Chair, presented Report No. 2-2004 of the Land Bank Committee; and

His Worship the Mayor, Chair, presented Report No. 5-2004 of the Executive Committee.

Moved by Councillor Heidt, Seconded by Councillor Dubois,

THAT Council go into Committee of the Whole to consider the following reports:

- a) Report No. 3-2004 of the Municipal Planning Commission;*
- b) Administrative Report No. 6-2004;*
- c) Legislative Report No.6-2004;*
- d) Report No. 5-2004 of the Planning and Operations Committee;*
- e) Report No. 5-2004 of the Administration and Finance Committee;*
- f) Report No. 2-2004 of the Land Bank Committee; and*
- g) Report No. 5-2004 of the Executive Committee.*

His Worship the Mayor appointed Councillor Wyant as Chair of the Committee of the Whole.

Council went into Committee of the Whole with Councillor Wyant in the Chair.

Committee arose.

Councillor Wyant Chair of the Committee of the Whole, made the following report:

THAT while in Committee of the Whole, the following matters were considered and dealt with as stated:

“REPORT NO. 3-2004 OF THE MUNICIPAL PLANNING COMMISSION”

Composition of Commission

Mr. John Waddington, Chair
Mr. Jack Billinton, Vice Chair
Councillor Bev Dubois
Mr. Dieter André
Mr. Gord Androsoff
Mr. Roy Ball
Mr. Michael Chyzowski
Mr. Lloyd Hedemann
Mr. Brad Sylvester
Ms. Karen Thogersen
Mr. Vern Waldherr
Mr. Randy Warick
Mr. Jim Zimmer

- 1. Phase II – University of Saskatchewan Regional Retail Complex
Part of the SW Sec2 – 37 – 5 – W3
715 Preston Avenue – University of Saskatchewan Management Area
Applicant: Rencor Developments Inc. on behalf of the University of Saskatchewan
(File No. CK. 4125-1)**

DEALT WITH EARLIER. SEE PAGE NO. 7.

- 2. Zoning Bylaw Text Amendment – Revised Definition of Grade Level
Applicants: City of Saskatoon, Dundee Development Corporation and
Boyчук Construction
(File No. CK. 4350-1)**

RECOMMENDATION:

- 1) that City Council approve the advertising respecting the proposal to amend the Zoning Bylaw to revise the definition of “grade level”;
- 2) that the General Manager, Community Services Department, be requested to prepare the required notice for advertising the proposed amendment;

- 3) that the City Solicitor be requested to prepare the required Bylaw; and
- 4) that at the time of the public hearing, City Council consider the Municipal Planning Commission's recommendation that the Zoning Bylaw amendment be approved.

ADOPTED.

Your Commission has reviewed the attached report of the Community Services Department dated February 23, 2004 and supports the recommendations relating to the proposed amendment to the definition of "grade level" in the Zoning Bylaw. As noted in the submitted report, this amendment will allow for the "grade level" of one-unit dwellings, two-unit dwellings and semi-detached dwellings with walkout basements to be measured from the average elevation of the front walls of the building rather than the average elevation of sidewalls.

ADMINISTRATIVE REPORT NO. 6-2004

Section A – COMMUNITY SERVICES

- A1) Application for Registration of Condominium Plan
1121 McKercher Drive (RM4 Zoning District)
Parcel B, Registered Plan 79S27667
Applicant: 618619 Saskatchewan Ltd.
(File No. CK. 4132-1)**

- RECOMMENDATION:**
- 1) that the application submitted by 618619 Saskatchewan Ltd. to convert the existing apartment complex at 1121 McKercher Drive (Parcel B, Registered Plan No. 79S27667) to a condominium be approved subject to the following conditions:
 - i) completion of the necessary building repairs/modifications to correct building code variances as noted in the architects report submitted and any other variances that may be identified during the plan review and building inspection process;
 - ii) confirmation that the proposal conforms with the Zoning Bylaw, based on a surveyed Condominium Plan to be submitted by the applicant;

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- iii) confirmation that an Option to Purchase is offered to each tenant in occupancy as of the date of the application, as required by Section 3.4 of City of Saskatoon Policy No. C09-004 (Condominium Approvals); and
- 2) that final approval of the application be granted to the applicant once the above-noted conditions are fulfilled to the satisfaction of the General Manager, Community Services Department.

ADOPTED.

REPORT

An application has been submitted by 618619 Saskatchewan Ltd., requesting approval for the registration of a condominium plan through the conversion of an apartment complex comprised of eight apartment buildings containing two hundred and four residential units and a recreation/administration office. This complex is located at 1121 McKercher Drive, (Parcel B, Registered Plan No. 79S27667) within the Wildwood Neighbourhood.

The applicant wishes to convert the existing apartment complex, which contains two hundred and four units in eight buildings, to condominium ownership. In support of the conversion, the applicant has provided the attached letter dated February 23, 2004. Briefly, the applicant has been experiencing difficulty in renting the apartment suites over the past few years and feels that the conversion will allow them to better compete for both the rental and ownership markets for these types of units.

The Community Services Department has reviewed the application within the context of City of Saskatoon Policy No. C09-004 (Condominium Approvals), as follows:

1. Section 3.2 Vacancy Rates

Applications for conversions in excess of one hundred units are to be the subject of the appropriate report and recommendations for consideration by City Council. In addition, City Council is required to consider the impact on the rental market if a conversion involves more than one hundred units and the vacancy rate is less than 3%.

This application involves more than one hundred units; however, the vacancy rate is currently greater than 3%. Canadian Mortgage and Housing (CMHC), as a result of their annual survey of the local rental market, has reported the 2003 vacancy rate at 4.5%, the highest vacancy rate recorded since 1991 and up almost a full percentage point from the 3.7 % reported for 2002.

It is the opinion of the Community Services Department, that the conversion of this apartment complex will not negatively affect the availability of rental accommodations. The high vacancy rate for Saskatoon is anticipated to remain for a few years. In addition, the condominium status of the units does not necessarily mean the units will be lost to the rental market. The demand for owner-occupied condominiums, while high, is not sufficient to warrant the absorption of approximately two hundred units at one time. Therefore, while tenants and individuals looking to occupy the units they purchase will have an opportunity to do so, we anticipate that a number of units will continue to be rentals. Furthermore, the conversion creates the possibility for the current owner to market units to smaller investors looking for the opportunity to realize rental income without having to acquire an entire building or group of buildings.

2. Section 3.3 Written Notice

At least 3 months prior to making application for conversion, the applicant is required to provide written notice to tenants. The applicant has provided a list of the names of the tenants that received the written notice dated December 1, 2003. To date, the applicant has not received any written comments from the tenants.

It should be noted that the applicant was requested to advise the University Students Union of the pending application for conversion, on the basis that the Union might have concerns from a student housing perspective. To date the applicant has not received a written response from the Union.

3. Section 3.4 Option to Purchase

Under this section, each tenant in occupancy as of the date of the application for conversion will have the first right to purchase the unit they occupy through a 30-day Option to Purchase presented to them by the owner. The price of the unit in the Option to Purchase is not to exceed the price of the unit when and if the unit is offered to the public.

The applicant is prepared to present the tenants with the necessary option to purchase once City Council has approved the application and any necessary building modifications have been completed.

4. Section 3.7 and 3.8 National Building Code and Professional Review of Building

In accordance with this section, the applicant has submitted an engineer/architect report addressing the building's critical life safety conditions. The engineer/architect report includes an assessment of the mechanical and electrical systems along with suggested repairs and upgrades as well as an assessment of the structural elements of the building. All upgrades required by the 1995 National Building Code will be identified at the time of the plan review for the new building permit. In the meantime, the Building Standards Branch has reviewed the engineer/architect report, and has no objection to this application going to City Council for approval at this time.

5. Compliance with the Zoning Bylaw

The site is zoned RM4 District in the City of Saskatoon Zoning Bylaw. Based on previous building permit applications to alter interiors and construct the recreation centre, it appears that parking and building setback requirements are adequate. However, compliance with the Zoning Bylaw can only be confirmed with the submission of a site plan based on the current proposal.

The applicant will hire a surveyor to produce the required Condominium Plan, which also includes the required site plan information, once City Council approval to the conversion is granted.

JUSTIFICATION

It is the opinion of the Community Services Department that the proposal to convert the existing apartment complex at 1121 McKercher Drive to a condominium will not negatively affect the availability of rental accommodations or put undue hardship on the existing tenants. In accordance with the issues identified in our review, we recommend approval subject to the following conditions:

- i) completion of necessary building repairs/modifications;
- ii) confirmation that the proposal conforms with the Zoning Bylaw, based on a surveyed Condominium Plan; and
- iii) confirmation that tenants have been presented with the required Option to Purchase.

Once the above-noted conditions have been fulfilled, to the satisfaction of the General Manager, Community Services Department, the applicant will be granted the appropriate approval documents for registration.

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PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

ATTACHMENTS

1. Letter from 618619 Saskatchewan Ltd., dated February 23, 2004
2. City of Saskatoon Policy No. C09-004 (Condominium Approvals)
3. Preliminary Site Plan

**A2) Land-Use Applications Received by the Community Services Department
For the Period Between February 26, 2004 and March 15, 2004
(For Information Only)
(File Nos. PL 4132, 4355)**

RECOMMENDATION: that the information be received.

ADOPTED.

The following applications have been received and are being processed:

Condominium

- Application No. 3/04: 302 Nelson Road
Applicant: Webb Surveys for North Prairie Developments Ltd.
Legal Description: Lot 1, Block 438, Plan 01SA04536
Current Zoning: M3
Neighbourhood: University Heights Suburban Centre
Date Received: March 3, 2004

Discretionary Use

- Application No. D2/04: 603 Rutherford Way
Applicant: 50015 Saskatchewan Ltd.
Legal Description: Lot 1, Block 443, Plan 101817604
Current Zoning: R1B
Proposed Use: Personal Care Home
Neighbourhood: Sutherland
Date Received: March 3, 2004

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Discretionary Use

- Application No. D3/04: 318 Maguire Crescent
Applicant: Brian Daku
Legal Description: Lot 1, Block 506, Plan 101749248
Current Zoning: R1A
Proposed Use: Personal Care Home – Type II
Neighbourhood: Willowgrove
Date Received: March 5, 2004

Discretionary Use

- Application No. D4/04: 322 Maguire Crescent
Applicant: Julie Elliott
Legal Description: Lot 2, Block 506, Plan 101749248
Current Zoning: R1A
Proposed Use: Personal Care Home – Type II
Neighbourhood: Willowgrove
Date Received: March 5, 2004

Discretionary Use

- Application No. D5/04: 326 Maguire Crescent
Applicant: Rick Libke
Legal Description: Lot 2, Block 506, Plan 101749248
Current Zoning: R1A
Proposed Use: Personal Care Home – Type II
Neighbourhood: Willowgrove
Date Received: March 5, 2004

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of Policy No. C01-021 (Public Notice Policy), is not required.

ATTACHMENTS

1. Plan of Proposed Condominium No. 3/04
2. Plan of Proposed Discretionary Use No. D2/04
3. Plan of Proposed Discretionary Use No. D3/04
4. Plan of Proposed Discretionary Use No. D4/04
5. Plan of Proposed Discretionary Use No. D5/04

Section B – CORPORATE SERVICES

**B1) Corporate Services Review – Property Tax Abatements
(File No. CK. 1965-1)**

DEALT WITH EARLIER. SEE PAGE NO. 35.

**B2) 2004 Operating Budget
(File No. CK. 1704-1)**

RECOMMENDATION: that the information be received and forwarded to the Budget Committee.

ADOPTED.

Attached, for City Council's review and approval, is the City of Saskatoon 2004 Operating Budget.

The Budget Committee (a committee of the whole Council) has set March 29 and March 30 as its budget review dates. The meetings are scheduled to start each day at 5:00 p.m. This budget document should be referred to that Committee for review. The Committee's agenda will also include several other referrals that have been forwarded to that Committee since its last meeting.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

ATTACHMENT

1. 2004 City of Saskatoon Operating Budget.

Section D – INFRASTRUCTURE SERVICES

**D1) Enquiry – Councillor O. Fortosky (May 20, 2003)
Traffic Calming – Avenue H South, between 11th Street West and 17th Street West
and
Communications to Council
From: Brian Cross
805 Avenue H South
Date: July 24, 2003
Subject: City Gardener’s Residence and
Traffic Control – Avenue H South & 15th Street
(File No. CK. 5200-5)**

RECOMMENDATION: that the information be received.

Councillor Fortosky made the following enquiry at the meeting of City Council held on May 20, 2003:

“Re: Traffic Calming – Avenue H South, between 11th Street West and 17th Street West

Would the Administration please report on the possibility of traffic calming initiatives on Avenue H South between 11th Street West and 17th Street West. The residents are concerned at the speed and volume of traffic on this street.”

City Council, at its meeting held on August 11, 2003, when considering the above noted communication from Mr. Brian Cross resolved:

“that the above-noted matter be referred to Administration for a report.”

In response to the King George Local Area Plan Recommendation 5.3: Avenue H South and 16th Street West Intersection and Recommendation 5.6: Pedestrian Crossing at Avenue H and 15th Street, Municipal Engineering has recently completed an investigation of the traffic characteristics along Avenue H between 11th Street and 17th Street. As a result of this investigation, a pedestrian refuge island has been installed on Avenue H at 15th Street.

Avenue H is classified as an arterial roadway, where traffic movement is a major consideration. The investigation indicated that the Annual Average Daily Traffic (AADT) along Avenue H is 9,000 vehicles per day. A minor arterial roadway typically has up to 12,000 vehicles per day, indicating that the traffic levels along Avenue H are well within the typical guidelines.

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The intersection at Avenue H and 15th Street is a T-intersection with free flow traffic along Avenue H and a stop sign for eastbound vehicles on 15th Street. Victoria Park, which houses several recreation areas, is located on the east side of the intersection.

Pedestrian counts were also performed during all peak pedestrian periods to observe the characteristics for those pedestrians crossing Avenue H at 15th Street. Of the 40 pedestrians using the intersection in the peak hour, almost 95 percent of the pedestrians crossed Avenue H on the south side of the intersection.

The posted speed on Avenue H is 50 km/h. The operating traffic speed on Avenue H, however, was found to be somewhat higher than the posted speed limit. The average vehicle speed is 51 km/h while the 85th percentile speed is 58 km/h. The 85th percentile speed is the speed at or below which 85 percent of the motorists drive. It reflects the general behavior of the drivers and is typically used as an indicator of driver compliance with the posted speed limit. A significant percentage of traffic is exceeding the posted limit (31% of traffic is traveling in the 50 to 55 km/h speed range and 16% in the 55 to 60 km/h range). No time of day or day of week trends were observed for the speeding. Due to the nature of the roadway, with open park space on the east side and parking typically only on the west side of the roadway, motorists feel more comfortable traveling at higher speeds. Recognizing the presence of pedestrian activity at a number of crossing points along Avenue H, this excessive speed poses a safety concern. The results of this speed study have been sent to the Saskatoon Police Service for enforcement.

As a result of the investigation, a centre median pedestrian refuge island was installed near the pedestrian crossing at 15th Street to create more awareness of the pedestrian crossing and aid in enhancing the safety for pedestrians. The existing pedestrian crossing pavement markings on the north side of the intersection will be abandoned to encourage pedestrians to use the enhanced crossing on the south side. Initial feedback from the community is that the centre median is effective in creating awareness of the pedestrian crossing on Avenue H, although concern remains regarding the higher than expected speeds along Avenue H.

In conjunction with the proposed expansion of the Water Treatment Plant at Avenue H and 11th Street, the function of Avenue H from 11th Street to 17th Street is being reviewed. A traffic impact plan will be completed and will involve public consultation. Any proposed modifications to the neighborhood traffic will be presented to City Council at that time.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

Pursuant to earlier resolution, Item AA32 of Communications was brought forward and considered.

IT WAS RESOLVED: *that the information be received.*

**D2) Enquiry – Councillor O. Fortosky (October 6, 2003)
Traffic Calming Measures – Elevator Road
(File No. CK. 5200-5)**

RECOMMENDATION: that the information be received.

Councillor Fortosky made the following enquiry at the meeting of City Council held on October 6, 2003:

“Would the Administration please report on traffic calming measures on Elevator Road. The recent repaving of Elevator Road has resurrected fears of speeding. Also, the corner of Elevator Road and Dieppe Street is being used as a launch pad for speeders.”

Infrastructure Services has completed an investigation regarding vehicle speeds and volumes on Elevator Road, a local residential roadway in the Montgomery area. The results of the investigation are included in this report.

As a result of previous concerns of speeding on Elevator Road, a traffic study was conducted in October 2002. The location of the study was on the 1200 block near 11th Street. The results of that study indicated that the average daily traffic volume on Elevator Road was 1,500 vehicles per day. The speed data indicated that the 85th percentile speed, which is the speed at which 85 percent of the vehicles are travelling at or above, was 53 kilometres per hour. Traffic calming measures were not pursued at that time.

Elevator Road was repaved in September 2003, which resurrected fears of speeding on Elevator Road, particularly near the corner at Dieppe Street. A second traffic study was therefore conducted in October 2003 over a one-week period. This second study was located on Elevator Road, near the corner at Dieppe Street. The data indicates that the volumes on Elevator Road at this location were approximately 850 vehicles a day. This data, combined with the volume data from the previous study, indicates that a significant portion of the vehicles using Elevator Road are doing so to access other roadways in the neighbourhood.

The vehicle speeds were measured and recorded in both directions, along with the time of day. In the southbound direction, the 85th percentile speed was 43 kilometres per hour, while in the northbound direction; the 85th percentile speed was 39 kilometres per hour. The speed data is not indicative of non-compliance with the posted speed limit of 50 kilometres per hour. The data further indicates that there were a few vehicles (less than 1 percent of the vehicles) that were travelling above the speed limit, most which occurred late at night/early morning on the weekends. The Saskatoon Police Service has been notified for speed enforcement.

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Inspection of the roadway, combined with the speed data, indicated that southbound vehicles on Elevator Road may not be aware of the upcoming curve at Dieppe Street. Therefore, in order to enhance the awareness of the upcoming curve, Infrastructure Services has installed a curve warning sign, with the accompanying 30 kilometres per hour advisory speed tab, prior to the curve for southbound vehicles. (Attachment 1)

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

ATTACHMENT

1. Plan No. 210-0015-005r001B

IT WAS RESOLVED: that the matter be referred back to the Administration.

**D3) Enquiry – Councillor M. Heidt (June 23, 2003)
Signage – Use of Engine Retarder (Jake) Brakes
(File No. CK. 6280-1)**

RECOMMENDATION: that the information be received.

Councillor Heidt made the following enquiry at the meeting of City Council held on June 23, 2003:

“Re: Use of Engine Retarder Brakes by large tractor units in City limits.

Would the Administration please look at the signage we presently have. It appears it is only at the City entrances.

Would the Administration look at sign locations on Circle Drive as listed below or as required:

- 1) Circle Drive and 8th Street to College Drive;
- 2) Circle Drive from Airport Drive to 33rd Street and Laurier Drive; and
- 3) Circle Drive – Preston Avenue and Lorne Avenue.

Also would the Administration please report back on increasing the fine to \$1,000 and putting the amount of the fine on the sign.”

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Infrastructure Services has completed an investigation of the current signing regarding the use of engine retarder brakes. Bylaw 8244: The Noise Bylaw indicates that the use of an engine brake on any motor vehicle driven within the City of Saskatoon, except in cases of emergency, is a violation.

Signing to inform heavy trucks of the restricted use of engine retarder brakes within City limits is currently posted at the City's main entrances, a practice similar to that of other municipalities. Similarly, signing only at the City's entrances is currently used for other citywide restrictions such as Dutch Elm firewood and Dangerous Goods Routes.

Discussions with members of the trucking industry have indicated that the majority of truckers are fully aware of the City's bylaw regarding the restricted use of engine retarder brakes within City limits.

The existing bylaw regarding truck routing is currently being reviewed and modified. The resulting modifications, as well as the Noise Bylaw, have been discussed with the Saskatchewan Trucking Association to ensure awareness by the membership. A reference to the existing Noise Bylaw pertaining to the use of engine brakes will be included in the modifications.

As signing currently exists at the City's entrances and the majority of truck drivers are aware of the Noise Bylaw, Infrastructure Services does not recommend the installation of additional signs throughout the City. Furthermore, additional signing of this nature throughout the City will only add to the visual clutter currently on the City's right-of-way.

According to Bylaw 8244: Noise Bylaw, a person who uses engine brakes within city limits is guilty of an offense and liable on summary conviction. In the case of a person who contravenes the Bylaw for the first time, a peace officer may issue a notice of violation to that person. The notice of violation provides that, if the person pays the City a sum of \$100 within 14 calendar days, the person shall not be prosecuted for the violation. Failure to pay the fine within 14 days will result in the person being liable for summary conviction. In the case of an individual, the person will be subject to a fine not exceeding \$10,000. In the case of a corporation, the maximum fine will not exceed \$25,000.

Infrastructure Services is not recommending any modifications to the Noise Bylaw regarding the use of engine brakes.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

IT WAS RESOLVED: 1) that the City Solicitor be requested to prepare the appropriate bylaw amendment to provide for a minimum fine of \$250.00 for the use of engine retarder (jake) brakes in the City; and

2) *that the matter be referred to the Board of Police Commissioners.*

**D4) Design Services Agreement
Sask Water Corporation
Saskatoon East Supply Line Upgrade
(File No. CK. 7500-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

At its meeting of May 21, 2002, City Council adopted the following recommendations with respect to the design and construction of proposed Sask Water Saskatoon East Supply Line Upgrade.

- “1) that the City Solicitor be instructed to prepare the necessary agreement between Sask Water Corporation and the City of Saskatoon for the detailed design of the proposed Sask Water Saskatoon East Supply Line Upgrade as presented in this report; and
- 2) that upon finalization of the agreement with Sask Water, it be brought forward to City Council for final approval and execution by His Worship the Mayor and the City Clerk.”

Following approval of the recommendations, the City Solicitor prepared the necessary agreement, which was then forwarded by the Administration to Sask Water. After reviewing the draft agreement for several months and suggesting a number of amendments, Sask Water informed the Administration in May 2003 that the project would be put on hold and that they would not be signing the agreement at that time.

In March 2004, Sask Water informed the Administration that they did not wish to proceed with the design as proposed. The Administration will therefore not be entering into a design agreement with Sask Water at this time. Discussions are underway with Sask Water examining options to increase water supply to their south Saskatoon customers. A report will be brought forward to City Council should a new agreement be reached.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required

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ATTACHMENT

1. Administrative Report No. 10-2002 which was adopted by City Council at its meeting held on May 21, 2002.

**D5) Proposed Parking Prohibitions
Central Avenue between Gray Avenue and 115th Street
(File No. CK. 6120-1)**

RECOMMENDATION: that parking be prohibited on both sides of Central Avenue between Gray Avenue and 115th Street.

ADOPTED.

Infrastructure Services has received a request to prohibit parking on either side of Central Avenue between Gray Avenue and 115th Street.

Being a major arterial roadway, the traffic volume on Central Avenue exceeds 16,000 vehicles a day near the CP Rail tracks. While the majority of Central Avenue is a four-lane roadway, with one travel lane and one parking lane in either direction, parking is currently restricted in the outer lanes near the CP Rail tracks south of Gray Avenue to accommodate traffic queues when there is a train crossing.

For northbound traffic, this extra travel lane extends to Gray Avenue, where the parking lane currently resumes. There are two residential properties on this block of Central Avenue that front the roadway, both of which have off-street parking and rear access in the back lane. As a result, there are typically no vehicles parked in the parking lane on this block.

The majority of northbound vehicles turning right at 115th Street currently travel in this parking lane in anticipation of the right turn. On occasion when a vehicle is parked in the parking lane, vehicles travelling in the parking lane over the rail tracks must merge into the travel lane and back into the parking lane to turn right at 115th Street. Extending the current parking restriction to 115th Street on the east side of the roadway would eliminate this awkward weaving movement.

Southbound traffic on Central Avenue north of the CP rail tracks to 115th Street currently has one travel lane and one parking lane. There is a transit stop just south of 115th Street, where parking is prohibited. The two residential properties on this portion of Central Avenue both have off-street parking. Although parking is currently permitted from the bus stop south to the rail crossing, vehicles typically do not park on this portion of Central Avenue. As a result, when traffic is stopped for a train crossing, vehicles queue into both lanes. Restricting parking on the west side of Central Avenue from 115th Street to the CP rail crossing will ensure 2 through lanes of traffic and enhance the efficiency of the roadway near the rail crossing.

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Infrastructure Services is therefore recommending that parking restrictions be installed on both sides of Central Avenue from the CP Rail tracks to 115th Street, as shown on Plan No. 210-0045-002r008B (Attachment 1). These restrictions will improve the efficiency of Central Avenue and help to avoid awkward weaving movements. A letter outlining the proposed parking prohibition was sent out to property owners on this portion of Central Avenue on March 2, 2004. No comments or concerns have been received to date.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

ATTACHMENT

1. Plan No. 210-0045-002r008B

**D6) Proposed Disabled Person's Loading Zone
(File No. CK. 6145-1)**

RECOMMENDATION: that a Disabled Person's Loading Zone be installed in front of 712 Avenue F North.

ADOPTED.

Infrastructure Services has received a request from the resident of 712 Avenue F North for the installation of a Disabled Person's Loading Zone in front of the residence, as shown on Plan No. 210-0038-013r001 (Attachment 1). The resident has a physical impairment such that direct access to the front of their home is required.

The loading zone conforms to City guidelines with respect to Disabled Person's Loading Zones, and no fee is assessed for its installation.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

ATTACHMENT

1. Plan No. 210-0038-013r001

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D7) Communications to Council

**From: James D. Wachniak
1037 Aird Street
Date: May 10, 2003
Subject: Residential Parking Program
(File No. 6120-6)**

RECOMMENDATION: that the information be received.

ADOPTED.

BACKGROUND

At its meeting on May 20, 2003, City Council considered the above-noted letter with respect to abuse of visitor's parking permits purchased under the Residential Parking Program (Attachment 1), and referred the matter to the Administration for a report.

REPORT

The issue of abuse of the Visitor Parking Permit referred to in Mr. Wachniak's letter is not a common occurrence, however, there have been instances of abuse regarding Residential Permits and Visitor Permits in both Varsity View and City Park.

Parking Services does not actively seek out those who abuse the Residential Parking Program, but does act on information received from residents and landlords in the Residential Parking Permit (RPP) zones in addition to issues noted by enforcement staff during the course of their daily duties.

When information is received regarding a potential case of abuse, Parking Enforcement staff will obtain the permit number, vehicle description, license plate information and other relevant information and monitor the activity of the vehicle. If the case of abuse is verified, the permit holder is contacted and informed that a complaint has been noted concerning the abuse of their permit. Depending on the severity, Parking Services may cancel the permit.

In the particular case noted in the letter, an investigation was undertaken regarding misuse of a Visitor Permit. It was determined that an individual, who did not reside at the address to which the permit was issued, was using the Visitors Permit to park their vehicle on Aird Street and attend classes at the University of Saskatchewan. As a result of this investigation, the Visitors Permit was cancelled and a note placed on file restricting the original applicant from purchasing a Visitor Permit for 2004. The permit holder as well as Mr. Wachniak have been informed of the results of the investigation.

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PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

ATTACHMENT

1. Letter dated May 10, 2003 from James D. Wachniak

**D8) Gathercole Centre
Removal of Hazardous Materials
Contract No. 4-0049, Award of Tender
(File No. 606-2)**

DEALT WITH EARLIER. SEE PAGE NO. 28.

Section E – UTILITY SERVICES DEPARTMENT

**E1) 2002 Capital Project #500-2-24
Contaminated Site Remediation - Former Inland Steel Site
(Riversdale Park Remediation)
Additional Consulting Funds
(File No. 7970-20)**

- | | | |
|------------------------------|----|--|
| <u>RECOMMENDATION</u> | 1) | that the funding allocated for consulting services provided by Pinter and Associates for the remediation of the former Inland Steel site be increased to \$154,336.45 plus taxes; and, |
| | 2) | that the City Solicitor be instructed to make the appropriate Contract adjustment. |

ADOPTED.

REPORT

The original approved upset fee for the consulting work submitted by Pinter and Associates was \$42,476.00 plus taxes. Pinter's revised upset fee to the end of the project is \$154,336.45 plus taxes. This is an increase of 119,690.68, and all increases of over \$100,000 require council approval.

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Since the award of this contract in 2002, the scope has altered substantially, and Pinter and Associates have been asked to include many additional tasks for the City of Saskatoon. The original construction tendering process resulted in remediation costs beyond the budget; therefore, Pinter had to rewrite and retender the project, adding considerable time and expense. Additional expenses were also incurred for additional site testing, analysing different methods of lead disposal, rush testing of on-site samples, and providing additional on-site safety testing during construction. As well, Pinter was asked to calculate and make cost estimates for various remediation levels (residential versus commercial) for our solicitors department.

During the final stage of the site remediation, a vertical disposal well was discovered in the northeast corner of the site. The remediation cost of \$37,383.00 for this well extraction is included in Pinter's consulting fees.

| | |
|---|---------------------|
| Original Consulting Upset Fee | \$42,476.00 |
| Charges for Additional Work | \$111,860.45 |
| Subtotal | \$154,336.45 |
| GST (7%) | \$10,803.55 |
| Total | \$165,140.00 |
| GST Rebate (4%) | \$6,173.46 |
| Total Contract Cost to the City | \$158,966.54 |
| Total Additional Contract Cost to City (including GST and before rebate) | \$119,690.68 |

The funding for this project is from the Tax Enforcement Reserve.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

ATTACHMENTS

1. Report to City Council "Request to Purchase Land for Development of Grocery/Dry Goods Store", July 14, 2003.

Section F – CITY MANAGER

**F1) Gathercole Building - Artifacts
(File No. CK. 4130-2-11)**

DEALT WITH EARLIER. SEE PAGE NO. 30.

LEGISLATIVE REPORT NO. 6-2004

Section B – OFFICE OF THE CITY SOLICITOR

**B1) Treaty Land Entitlement - One Arrow First Nation
(File No.)**

DEALT WITH EARLIER. SEE PAGE NO. 33.

REPORT NO. 5-2004 OF THE PLANNING AND OPERATIONS COMMITTEE

Composition of Committee

Councillor O. Fortosky, Chair
Councillor T. Alm
Councillor D. L. Birkmaier
Councillor E. Hnatyshyn
Councillor M. Neault

**1. Traffic Restrictions on Private Parking Lots
(File No. CK. 5300-1)**

RECOMMENDATION: that the City Solicitor be requested to prepare the required amendments to the Traffic Bylaw to provide for a maximum speed of 20 km/hr on all privately-owned surface parking lots in the City and 10 km/hr for all parking structures.

Your Committee has received a request from the Saskatoon Prairieland Park Corporation for an amendment to the Traffic Bylaw to provide for the establishment and enforcement of a maximum speed limit on the Prairieland Park property. The matter was referred to the City Solicitor for a report.

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Your Committee has received a report of the City Solicitor dated July 8, 2003, indicating that there is sufficient authority under *The Cities Act* to allow the City to create such a bylaw. In consulting some of the owners of large parking surfaces at the malls at that time, there was support for implementing speed restrictions on their parking lots but there was no consensus on an appropriate speed limit. The City Solicitor's Office was asked to provide a further report with respect to a bylaw to regulate the speed of vehicles on private parking lots and the possibility of some allowance for speeds to be adjusted depending on the situation.

Your Committee considered a further report of the City Solicitor dated October 8, 2003 and requested that there be further consultation with private parking lot owners, including those at the shopping centers, to deal with special exemptions that might be necessary to accommodate special events.

The attached report of the City Solicitor dated February 27, 2004 was provided to your Committee for consideration at its March 16, 2004 meeting. The report indicated that there was agreement by representatives of Circle Park, Confederation, Grosvenor, Lawson Heights, Market and Midtown malls that they would like to have speeding restrictions in place and that the appropriate speed for surface parking facilities would be 20 km/hr and for parking structures, either at, above or below grade, a slower speed of 10 km/hr. Your Committee received presentations from representatives of the Saskatoon Prairieland Park Corporation and the Grosvenor Park Shopping Centre, who confirmed their support for this proposal.

Your Committee was further advised that the hosting of special events on many of the malls parking surfaces has occurred in the past and there have been no issues of concern by either mall owners or the Police Service. Portions of the parking surface used for the special events are simply closed to the public and Police Service is notified of the event.

Your Committee has received clarification on the recommendation in the October 8, 2003 report for a 40 km/hour rate in certain circumstances. While the mall operators had asked to have the option to post higher speed limits where appropriate, the City is not able to delegate to mall owners the power to set optional speed limits on mall property. This power could be delegated to the Infrastructure Services Department. The Department has indicated that it does not wish to be involved in setting, posting or supplying signs for optional limits on private parking lots.

Following review of this matter, your Committee is recommending that the Traffic Bylaw be amended to provide for a maximum speed of 20 km/hr on all privately-owned surface parking lots in the City and 10 km/hr for all parking structures, without allowing for any variance in speeds.

Attached, as background information, are copies of the October 8 and July 8, 2003 reports of the City Solicitor, as well as a copy of the April 15, 2003 letter from Mr. Mark R. Regier, Saskatoon Prairieland Park Corporation.

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Pursuant to earlier resolution, Item AA28 of Communications was brought forward and considered.

IT WAS RESOLVED: that the City Solicitor be requested to prepare the required amendments to the Traffic Bylaw to provide for a maximum speed of 20 km/hr on all privately-owned surface parking lots in the City and 10 km/hr for all parking structures.

2. Saskatoon Downtown Parking Study – Stantec Consulting Ltd.

And

Proposal to Increase Discounted Penalty for Parking Tickets

Parking Enforcement Audit Report

And

Parking Permits

And

Provision of Parking for People with Disabilities

And Communication to Council

From: Larry Fogg, President

Saskatchewan Government Insurance

Date: July 16, 2002

Subject: Parking Program for People with Disabilities

(File No. CK. 6120-1)

- RECOMMENDATION:**
- 1) that the report entitled “Saskatoon Downtown Parking Study”, as prepared by Stantec Consulting Ltd. dated March 2004, be tabled with City Council; and
 - 2) that the Administration report further on the following study recommendations:
 - a) that a market-based rate structure be utilized in setting rates for all on-street and off-street parking facilities;
 - b) that all City of Saskatoon metered parking permits be discontinued;
 - c) that general loading zones be metered at a rate twice that of the remainder of the block and all other types of loading zones in metered areas be assessed an appropriate fee for their installation; and

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- d) that the current program of provision of parking permits for people with disabilities be replaced with a new program that provides for designated metered parking stalls in the City's business districts.

Your Committee has reviewed the attached report of the General Manager, Infrastructure Services Department dated March 9, 2004, on the Saskatoon Downtown Parking Study, with the Administration.

In addition, your Committee received a presentation from Ms. Sandy Preston, Chair, Special Needs Transportation Advisory Committee and member of the Placard Ad Hoc Committee. Ms. Preston expressed support for the proposed parking changes for people with disabilities and suggested that a member of the Ad Hoc Committee should be allowed to provide input on the location of the designated metered parking stalls.

Further presentations were provided by Ms. Heather Larson, Broadway Business Improvement District, and Mr. Terry Scaddan, The Partnership, expressing opposition to the proposed increase in the discounted penalty from \$6 to \$10. Attached is a copy of Mr. Scaddan's presentation.

Following review of this matter, your Committee is forwarding the above recommendations for consideration by City Council. There was discussion by your Committee on the matter of the proposed increase in the discounted penalty. A motion to refer to the Budget Committee the matter of increasing the discounted penalty from \$6 to \$10 was lost on a tie vote. Your Committee has requested the Administration to report on the impact of increasing the penalty from \$40 to \$50.

City Council members have already received copies of the "Saskatoon Downtown Parking Study" as prepared by Stantec Consulting Ltd. A copy is available for review in the City Clerk's Office.

IN DEFERRAL

Moved by Councillor Hnatyshyn,

THAT the matter be deferred to the next regular meeting of City Council.

CARRIED.

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**3. 2003 Annual Report
Leisure Services Advisory Board
(File No. CK. 430-40)**

RECOMMENDATION: that the information be received.

ADOPTED.

Your Committee has received the 2003 Annual Report of the Leisure Services Advisory Board, copy attached, and is forwarding the report to City Council as information.

**4. Community Development Branch
2003 Program Delivery Annual Report
(File No. CK. 430-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

Your Committee has considered the attached report of the General Manager, Community Services Department dated March 5, 2004, on the above matter, and is forwarding the report to City Council for information.

**5. Community Development Branch
2003 Neighbourhood Services Section Annual Report
(File No. CK. 430-28)**

RECOMMENDATION: that the information be received.

ADOPTED.

Your Committee has considered the attached report of the General Manager, Community Services Department dated March 5, 2004, on the above matter, and is forwarding the report to City Council for information.

**6. Urban Design Committee – 2003 Annual Report
(File No. CK. 430-28)**

RECOMMENDATION: that the information be received.

ADOPTED.

Your Committee has considered the attached report of the Chair, Urban Design Committee dated March 2, 2004, submitting the 2003 Annual Report of the Urban Design Committee. The report is being forwarded to City Council as information.

City Council members have already received copies of the 2003 Annual Report of the Urban Design Committee. A copy is available for review in the City Clerk's Office.

**7. Building Inspection Program
(File No. CK. 530-1)**

- RECOMMENDATION:**
- 1) that City Council adopt the revised Inspection Frequency Standards for all building permit categories as outlined in Attachment 4 to the report of the General Manager, Community Services Department dated March 9, 2004; and
 - 2) that City Council authorize the Community Services Department to retain the current level of funding in City of Saskatoon Policy No. C03-003 (Community Services Department Plan Review and Inspection Service Stabilization Reserve) for future use as outlined in Attachment 6 to the March 9, 2004 report, and that this be reviewed in one year.

Your Committee has reviewed the attached report of the General Manager, Community Services Department dated March 9, 2004, with the Administration. Your Committee is forwarding the above recommendations to City Council for consideration. The recommendation from the Administration that City Council authorize the Community Services Department to convert one existing temporary Building Inspector position to a permanent position and to create one additional permanent Building Inspector position has been forwarded to the Budget Committee.

IT WAS RESOLVED: that the matter be referred to the Budget Committee.

REPORT NO. 5-2004 OF THE ADMINISTRATION AND FINANCE COMMITTEE

Composition of Committee

Councillor, G. Penner, Chair
Councillor B. Dubois
Councillor M. Heidt
Councillor T. Paulsen
Councillor G. Wyant

**1. Applications for Funding
City of Saskatoon Policy C03-007 (Special Events)
(File No. CK. 1720-3-1)**

- RECOMMENDATION:**
- 1) that the Saskatoon Speed Skating Club receive a grant of up to \$2,750 from the unexpended Youth Sports Subsidy funds to assist the Club in hosting the Provincial Short Track Championship March 20 and 21, 2004;
 - 2) that the Saskatoon Figure Skating Club receive a grant of up to \$4,742 from the unexpended Youth Sports Subsidy funds to assist the Club in hosting Jean Norman Provincial Open Skate and Dance Championship February 26 to 29, 2004;
 - 3) that the Saskatoon Goldfins Swim Club receive a grant of up to \$7,108 from the unexpended Youth Sports Subsidy funds to assist the Club in hosting the Manitoba/Saskatchewan Provincial Short Course Championship February 5, to 8, 2004;
 - 4) that the Saskatoon Dive Club receive a grant of up to \$2,246 from the unexpended Youth Sports Subsidy funds to assist the Club in hosting the 2004 Provincial Diving Championship April 15 to 18, 2004; and
 - 5) that Curl Saskatoon receive a grant of up to \$1,646 from the unexpended Youth Sports Subsidy funds to assist the Club in hosting the 2004 Provincial Junior Men's and Women's Provincial Play-downs in Saskatoon from January 9 to 12, 2004.

ADOPTED.

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Attached is a copy of the report of the General Manager, Community Services Department, dated February 23, 2004, containing information regarding the results of the first adjudication process by the Special Event Grant Adjudication Committee for applications received for the unexpended Youth Sports Subsidy funds. Your Committee is pleased with the adjudication process and supports the recommendations of the Adjudication Committee.

**2. Saskatoon Zoo and Forestry Farm Park
Visual Identity and Communications Plan
(File No. CK. 4205-8)**

RECOMMENDATION: 1) that a provision of \$10,000 be included in the 2004 Saskatoon Zoo and Forestry Farm Park operating estimates for the development and ongoing support of a Visual Identity and Communications Plan; and

2) that, if approved, a Capital Budget of \$46,000 be approved and funded through internal borrowing over a period of four years, starting in 2005.

ADOPTED.

Attached is a copy of the report of the General Manager, Community Services Department, dated March 3, 2004, regarding a communication strategy for the Saskatoon Zoo and Forestry Farm Park. Your Committee has reviewed this proposal with the Administration and supports the strategy outlined in the report.

**3. 2003 Operating Revenues Year-End Report
(File No. CK. 1704-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

Attached is a copy of the report of the General Manager, Community Services Department, dated March 3, 2004, containing an overall report on the 2003 Operating Revenues. Your Committee has reviewed this report with the Administration, and it is submitted to City Council as information.

REPORT NO. 3-2004 OF THE LAND BANK COMMITTEE

Composition of Committee

Councillor M. Heidt, Chair
Councillor E. Hnatyshyn
Councillor G. Penner
Councillor M. Neault
Councillor G. Wyant

**1. Request to amend Building Restriction Controls
For 802 Heritage Crescent
(File No. CK. 4132-1)**

- RECOMMENDATION:**
- 1) that approval be granted for a request by North Ridge Development Corporation to have the building restriction caveat amended for 802 Heritage Crescent from a minimum required roof pitch of 8-in-12 to 6-in-12; and
 - 2) that the City Solicitor be instructed to amend the existing building restriction caveat accordingly.

ADOPTED.

Attached is a copy of the report of the General Manager, Community Services Department dated February 27, 2004, with respect to a request from North Ridge Development Corporation to amend the building restriction controls for 802 Heritage Crescent in terms of the minimum required roof pitch. Your Committee has reviewed this report with the Administration, and supports this proposal.

**2. Request to Sell City-Owned Property
Proposed Parcel X – High School Site
Nelson Road – University Heights Suburban Centre
(File No. CK. 4215-1)**

- RECOMMENDATION:**
- 1) that the Land Branch Manager be authorized to sell Proposed Parcel X, as shown on the design plan (Attachment No. 1) to Saskatoon Public Division for the sum of \$2,556,273.00 plus GST, and under the terms and conditions outlined in the attached report; and

- 2) that the City Solicitor be authorized to prepare the necessary documentation for execution by His Worship the Mayor and the City Clerk under the Corporate Seal.

ADOPTED.

Attached is a copy of the report of the General Manager, Community Services Department dated February 25, 2004 recommending the sale of Proposed Parcel X on Nelson Road, University Heights Suburban Centre to the Saskatoon Public School Division. Your Committee has reviewed this report with the Administration, and supports the sale of this property under the terms and conditions listed in the report.

3. Land Bank Operations – Land Development
Annual Report for Year Ending December 31, 2003
(File No. CK. 430-33)

RECOMMENDATION: that the information be received.

ADOPTED.

Attached is a copy of the report of the General Manager, Community Services Department dated February 25, 2004, containing the Annual Report for the Land Bank Operations. Your Committee has reviewed this report with the Administration and it is submitted to Council as information.

REPORT NO. 5-2004 OF THE EXECUTIVE COMMITTEE

Composition of Committee

His Worship Mayor D. Atchison, Chair
Councillor T. Alm
Councillor D.L. Birkmaier
Councillor B. Dubois
Councillor O. Fortosky
Councillor M. Heidt
Councillor E. Hnatyshyn
Councillor M. Neault
Councillor T. Paulsen
Councillor G. Penner
Councillor G. Wyant

1. Animal Control and Poundkeeping Services
(File No. 151-1)

DEALT WITH EARLIER. SEE PAGE NO. 17.

2. Animal Control Liaison Coordinator
(File No. CK. 4560-1)

DEALT WITH EARLIER. SEE PAGE NO. 23.

3. Location of South Bridge
(File No. CK. 6050-1)

RECOMMENDATION: that the Administration include a grade separation at Circle Drive and 11th Street, including the lowering of Circle Drive, as part of the South Circle Drive Bridge Project.

City Council, at its meeting held on March 8, 2004, adopted a motion that the resolutions of Council dealing with the location of a south bridge be reviewed.

Your Committee has reviewed the matter and supports the resolution of City Council of July 15, 2002, to reaffirm approval in principle of the proposed river crossing in the vicinity of the Grand Trunk Bridge.

Pursuant to earlier resolution, Item AA4 of Communications was brought forward and considered.

IT WAS RESOLVED: that the Administration include a grade separation at Circle Drive and 11th Street, including the lowering of Circle Drive, as part of the South Circle Drive Bridge Project.

**4. University Heights Multi-District Park
Memorandum of Understanding
(File No. CK. 4110-30)**

- RECOMMENDATION:**
- 1) that the Memorandum of Understanding respecting “The Centre of Community” in Saskatoon University Heights be adopted as the basis for collaborative development of the site, as per Attachment 1; and
 - 2) that the Vision and Values Statements (contained in Schedule A of the Memorandum of Understanding) be approved as the foundation for the development of programs, activities, and services designed and offered at the site in response to community needs and desires.

ADOPTED.

Your Committee has reviewed and supports the following report of the General Manager, Community Services Department, dated March 1, 2004:

“BACKGROUND

University Heights Multi-District Park involves the development of a multi-district park on City-owned land in the University Heights suburban area. Throughout 2003, the City of Saskatoon has been meeting with representatives from education (Saskatoon Public School Division, St. Paul’s Roman Catholic Separate Schools), Saskatoon Public Library, recreation and sport (YMCA, Saskatoon Soccer Centre Inc.), and health (Saskatoon Health Region). The parties have been working together in a collaborative process, in which land, facilities constructed and operated, and programs, activities, and services designed and offered are in response to community needs.

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The University Heights Multi-District site will primarily serve as the “centre of community” for residents living in the University Heights suburban area and be available to all residents of Saskatoon and surrounding area. The estimated population of the University Heights suburban area is expected to be in excess of 50,000 people once all the neighbourhoods planned for the North East Sector are developed. The concept plan, subject to available funding from the various sectors, is a five to ten-year development for the construction of integrated facilities that will provide community recreation programs (e.g. walking, wellness/fitness, classroom activity space, gymnasium, and water), soccer, education, a library, and health services.

The City of Saskatoon, in collaboration with the parties, has developed a Memorandum of Understanding (memorandum) through which programs, activities, and services will be offered at existing buildings (St Joseph High School and Alice Turner Library), newly constructed buildings, and outdoor facilities at “Centre of Community (Centre)” in Saskatoon University Heights.

This report provides a summary of the key elements of the memorandum that the seven parties are recommending become the basis for the development of a variety of legal agreements between and among the parties. The purpose of the memorandum is to record the understanding among the parties identifying how each agency will work together at the site. The memorandum allows the project to continue to move forward while legal agreements are under development. Attachment 1 is the draft memorandum that collectively each of the parties is taking forward to their respective governing body for approval. As legal agreements between the parties are developed regarding the construction and operation of new indoor and outdoor facilities, these agreements shall supersede this memorandum.

JUSTIFICATION

Memorandum of Understanding Respecting “The Centre of Community” in Saskatoon University Heights

The City of Saskatoon is mandated to plan, develop, and maintain the city in ways that will ensure a vibrant community and high quality life for its citizens. Concern over increasing costs and the sustainability of conventional development practises have led many cities to look at alternative innovative approaches to meet the needs of developing communities. Saskatoon’s continued growth, changing demographics, and increased expectations by the public for a wide range of services requires a new integrated development strategy between agencies that provides opportunity for enhanced services to the community. The Centre project reflects a partnership approach to providing programs, activities, and services for the community utilizing existing facilities and developing new facilities while taking advantage of the strengths and resources of each agency.

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The Centre, as envisioned, consists of three components: land, buildings, and program of which program is the primary focus. Seven community agencies will collaborate to offer the citizens of Saskatoon an evolving range of programming services in lifelong learning, recreation and sport, community services, health service, and arts and culture. The facilities in which the programs will be offered include the following:

- existing buildings (St. Joseph High School, Alice Turner Branch Library)
- newly constructed buildings (soccer centre, public high school, and future leisure services facilities and specialized service areas)
- additions to existing buildings (Alice Turner Branch Library)
- outdoor facilities (artificial-turf playing fields, natural-turf playing fields, spectator facilities, services, parking, access routes, parks, and landscaping)

All parties have committed to the Vision and Values Statements found in Appendix A of Attachment 1. The vision shared by all parties is “A centre for people, built on partnerships and community values, offering programs, activities, and services in a setting of diversity”. All parties are committed to participate in a programming function for the project in order to meet the needs of the community. The memorandum records the spirit of the partnership and outlines the responsibility of each party. The highlights are as follows:

A. Governance

There shall be five governance bodies to which each party appoints a representative to some or all five as described on page 3 of the memorandum. Each governance body shall establish terms of reference and a method of operation that is consistent with the Vision and Values Statements contained in Schedule A of Attachment 1. The governance structure is designed to:

- Ensure the vision and values are upheld, agreements honoured, and stakeholders kept informed.
- Ensure programs and services offered meet the needs of the community and mandate of each of the parties.
- Resolve issues related to location, design, servicing, and construction of new buildings, playing fields, roadways, and other above-grade amenities.
- Provide leadership and policy direction to ensure the viability of the facility and appropriate and consented support for program delivery.
- Resolve issues related to land acquisition, sale and lease.

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B. Rights, Obligations, and Limitations of Parties

The City of Saskatoon, the Public School Division #13, and St. Paul's Roman Catholic Separate School Division #20 are the registered owners of the land for the Centre and this land has been designated as Municipal and School Reserve land for which statutory powers apply. However, due to the highly integrated nature of this site, this section asks each of the parties to self impose restrictions and limitations related to those statutory powers for the mutual benefit and protection of all signatories to this agreement. **What is significant to this section (page 4 of the memorandum) is that no party can act unilaterally, beyond the initial concept plan, to develop, lease, dispose of their assets without consultation with, and approval of, all landowners and building owners.**

C. Site Development

In summary, the City of Saskatoon is responsible for the cost of development, construction, and maintenance of the Nelson Road, the traffic calming measures, the two natural-turf soccer fields, associated open space, parking, and servicing north of Nelson Road. They are also responsible for one natural-turf multi-use field located south of Nelson Road on the Saskatoon Public School Division property and the public open space within the area enclosed by Attridge Drive and Nelson Road attributable to the City of Saskatoon (location of the public open space is yet to be determined). The cost of bringing storm sewer, sanitary sewer, water supply, and electrical power access to the outside boundary of the site is the responsibility of the City. Parking and internal roadways within the development shall be provided by the landowners and building owners for their respective areas.

D. Dispute Resolution

The significance of this section, found on page 6 and 7 of the Memorandum, is that the parties have committed to make every effort to resolve disputes and only after exhausting all avenues for resolution will the parties proceed to arbitration.

The City of Saskatoon's Contribution to Indoor Joint Facility Development

In 2004, the Saskatoon Soccer Centre Inc. will construct two artificial grass fields, field lightings, and portable spectator stands at an estimated cost of \$2.5 million. The City of Saskatoon approved, as part of the 2004 capital budget, \$625,000 to support construction of these fields. They are also proposing to construct an indoor soccer facility (opening in 2005). The indoor facility capital construction cost is \$9 million. The Saskatoon Soccer Centre Inc. is requesting in the 2005 capital budget \$2.25 million from the City of Saskatoon to support development of this facility.

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The YMCA has expressed an interest in providing programs at the site. The YMCA has also indicated an interest in being a building owner/operator of the community centre. They are currently preparing a business plan that will identify the potential for their involvement on the integrated site and a financing strategy required to pursue building and operating a community centre. The functional program space the YMCA has identified to meet their program needs is a small teach pool, childcare area, youth centre area, multi-purpose room, fitness room, and gymnasium (approximately 30,000 square feet at a cost of \$4.5 to 5 million). In discussion with the YMCA, they have identified that they will require the City of Saskatoon to fund at least 50 percent of the cost of construction of the facility should they become owner/operator. They do not have the capacity to borrow the funds needed to build the new facility. They propose fundraising in the community for the remaining capital dollars; however, they identified that research would be required to assess the community's capacity and willingness to finance a capital campaign for construction of the facility.

In January 2004, a leisure/recreation survey was conducted of a representative sample of 850 University Heights residents who identified the following results that relate to program space:

- The majority of households surveyed indicate they are likely to use an indoor walking track, cardiovascular equipment, free weights/weight machines, fitness classes, public/family swim, and aquafitness classes.
- At least three-quarters of all households indicate that they support all of the proposed sports (basketball, volleyball, indoor soccer, climbing wall) and water activity programs (lessons, lane swim, public/family swim, fitness classes).
- Most households support having a drop-in youth centre in the facility.
- Of the respondents that have children under the age of 13, under half indicate that it is likely they would use drop-in childcare services.
- Almost two-thirds of respondents with preschool-aged children indicate it is not likely that they would use a licensed preschool childcare service if it were offered at the facility.
- The majority of respondents are supportive of having computer facilities and services and multi-purpose rooms available at the facility.
- The majority of all respondents are supportive of having YMCA programs and services provided in the University Heights area.
- Approximately 76 percent of children aged 0 to 5, 92 percent of children aged 6 to 12, 89 percent of teens between the ages of 13 and 19, and 87 percent of all respondents might be interested in participating in programs and activities offered at the facility.

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Using the information from the survey, the type of program spaces anticipated being constructed for public use in the joint facility are a gymnasium, walk/jog track, multi-purpose room, meeting room, weight training area, and aquatic leisure pool. An estimated order of magnitude for the capital construction cost for facilities to support the range or expectations listed above is as follows:

- Lakewood Civic Centre replica (includes gymnasium, aquatic leisure pool, meeting space, multipurpose room, and weight training) estimated at \$11,000,000. (Attachment 3 provides the 2003 operating costs for Lakewood Civic Centre, Lawson Civic Centre, Harry Bailey Aquatic Centre, and the Saskatoon Field House.)
- YMCA small teach pool, childcare area, youth centre area, multi-purpose room, fitness room, and gymnasium estimated at \$5,000,000. (Note: small teach pool is not a vision shared by the community as they are interested in a leisure pool similar to Lakewood/Lawson.)
- Suspended 200 metre, 6 lane walk/jog track estimated at \$1,000,000
- In addition, the Saskatoon Soccer Centre Inc. is requesting \$2.25 million

During their February 9, 2004 meeting, City Council received correspondence from Carson Zering regarding a recreation centre on the west side of Saskatoon. (See Attachment 2.) This item was referred to the Administration. A preliminary estimate of the cost of a community centre on the west site of the city is \$12,000,000 using Lakewood Civic Centre as the model. The Saskatoon Public School Division and St. Paul's Roman Catholic Separate School Division have approached the City of Saskatoon and identified their land requirements for two new collegiates on the west side of the city. Both the Public School Division and the Catholic Separate School Division have identified a commitment to 2006 as a goal for construction of their respective facilities. They have expressed a desire to apply the integrated services model developed at the University Heights Multi-District Park to a west sector project.

During 2004, construction will begin on the site with the completion of Nelson Road, the artificial turf fields, and the two natural grass fields. It is anticipated the community's enthusiasm and expectations will continue to grow with each new development that is proposed for the site. Currently, there is no funding source available for construction of an indoor community centre at University Heights.

OPTIONS

The purpose of this report is to determine the role of the City regarding recreation facilities located on municipal reserve.

POLICY IMPLICATIONS

The direction provided by City Council and/or options pursued to achieve identified objectives may require changes, or exceptions, to existing policy. The integration site concept is very new and all parties have expressed a willingness to remain open-minded to new approaches.

FINANCIAL IMPACT

The purpose of this report is to determine the financial contribution the City will make to the joint facility.

ATTACHMENTS

1. Memorandum of Understanding
2. Correspondence Downtown West Side Development
3. Leisure Centre - 2003 Operating Budget"

**5. Appointment – Social Services Subcommittee
(File No. CK. 225-2-4)**

RECOMMENDATION: that Ms. Sharon Procyshen be appointed to the Social Services Subcommittee to the end of 2004, to replace Mr. Robb Watts.

ADOPTED.

Saskatchewan Community Resources and Employment has requested that Ms. Sharon Procyshen be appointed as its representative on the Social Services Subcommittee, to replace Mr. Robb Watts.

**6. Appointments – Board of Trustees for the
Saskatoon Gallery and Conservatory Corporation Board of Trustees
(File No. CK. 175-27)**

RECOMMENDATION: that the City's representative be instructed to vote the City's proxy at the 2004 Annual Meeting for the appointment of Joan Emigh and Mark A. Hanley to the Saskatoon Gallery and Conservatory Corporation Board of Trustees to the end of 2005:

ADOPTED.

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There are two vacancies on the Board of Trustees for the Saskatoon Gallery and Conservatory Corporation Board of Trustees.

Moved by Councillor Wyant, Seconded by Councillor Birkmaier,

THAT the report of the Committee of the Whole be adopted.

CARRIED.

ENQUIRIES

**Councillor E. Hnatyshyn
Residential Parking Program
(File No. CK. 6120-4-2)**

In neighbourhoods covered by Residential Parking Program (Bylaw 7862) would the Administration please advise on the possibility of exempting resident permit holders from the 36-hour vehicle parking violations.

**Councillor M. Heidt
Treaty Land Entitlement – City of Saskatoon
(File No. CK. 4000-4)**

Would the Administration please report back on a recommendation on a process where we can make the public aware of requests for urban reserves. Also use this opportunity to education the public on all the issues.

**Councillor B. Dubois
Feasibility of Left-Turn Arrow – 115th & Central
(File No. CK. 6320-1)**

Would the Administration please report on the feasibility of a left-turn arrow for west bound 115th Street traffic at the current lights at 115th Street & Central Avenue with the elimination of left turns from Gray Avenue onto Central Avenue. The volume of traffic on 115th Street has increased to the point where a left arrow is required.

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**Councillor B. Dubois
Pedestrian Crossing – Kenderdine & Epp
(File No. CK. 5200-1)**

Would the Administration please investigate the pedestrian crossing at Kenderdine and Epp. What would be involved in making this crosswalk a safer place for the many children and adults that cross there.

UNFINISHED BUSINESS

**7a) Tax Abatements/Tax Exemptions
(File No. CK. 1965-1)**

DEALT WITH EARLIER. SEE PAGE NO. 35.

INTRODUCTION AND CONSIDERATION OF BYLAWS

DEALT WITH EARLIER. SEE PAGE NO. 4.

Moved by Councillor Hnatyshyn,

THAT the meeting stand adjourned.

CARRIED.

The meeting adjourned at 1:15 a.m.

Mayor

City Clerk