

Council Chambers
City Hall, Saskatoon, Sask.
Monday, April 21, 2008
at 6:00 p.m.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

PRESENT: His Worship the Mayor, in the Chair;
Councillors Clark, Dubois, Heidt, Hill, Lorje, Neault, Paulsen
Penner, Pringle, and Wyant;
City Manager Richards;
City Solicitor Dust;
General Manager, Corporate Services Bilanski;
General Manager, Community Services Gauthier;
General Manager, Fire and Protective Services Bentley;
General Manager, Infrastructure Services Totland;
General Manager, Utility Services Wandzura;
City Clerk Mann; and
Council Assistant Mitchener

Moved by Councillor Penner, Seconded by Councillor Dubois,

THAT the minutes of meeting of City Council held on April 7, 2008, be approved.

CARRIED.

Moved by Councillor Heidt, Seconded by Councillor Dubois,

THAT Council go into Committee of the Whole to consider the reports of the Administration and Committees.

CARRIED.

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

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

Committee arose.

Councillor Heidt, 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. 3-2008 OF THE MUNICIPAL PLANNING COMMISSION

Composition of Commission

Mr. Brad Sylvester, Chair
Mr. Kurt Soucy, Vice Chair
Mr. Gord Androsoff
Councillor Bev Dubois
Ms. Carole Beitel
Mr. Bruce Waldron
Ms. Debbie Marcoux
Mr. Art Evoy
Mr. Randy Warick
Mr. Fred Sutter
Mr. Bruce Cory
Ms. Leanne DeLong
Mr. Stan Laba

**1. Development Plan Text Amendment
Addition of the Principles of Crime Prevention
Through Environmental Design
(File No. CK. 4110-08-2)**

RECOMMENDATION:

- 1) that City Council approve the required advertising to amend the City of Saskatoon Development Plan Bylaw No. 7799, as described in the March 19, 2008 report of the General Manager, Community Services Department;
- 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 proposed amendments to add safety and Crime Prevention through Environmental Design principles, as described in the March 19, 2008, report of the General Manager, Community Services Department, be approved.

ADOPTED.

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Attached is a report of the General Manager, Community Services Department dated March 13, 2008, with respect to the above proposed amendment to the Development Plan.

Your Commission has reviewed the report with the Administration and supports the recommendations of the Administration, as outlined above.

**2. Zoning Bylaw Text Amendment
Proposed New B4A Zoning District
(File No. CK. 4350-08-1)**

- RECOMMENDATION:**
- 1) that City Council approve the advertising respecting the proposal to add the proposed new B4A district to the Zoning Bylaw;
 - 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 Commission's recommendation that the Zoning Bylaw amendment be approved.

ADOPTED.

Attached is a report of the General Manager, Community Services Department dated April 1, 2008, with respect to the above matter.

Your Commission has reviewed the proposed new zoning district with the Administration, including the intent of the new district, areas where it might be applicable, differences between this proposed new zoning district and other existing commercial zoning districts, and the provision to reduce the required parking spaces for shopping centres where a transit terminal is located on a shopping centre site. Your Commission also received clarification that any residential development would have an accompanying commercial use.

Your Commission supports the recommendations of the Administration, as outlined above.

ADMINISTRATIVE REPORT NO. 7-2008

Section A – COMMUNITY SERVICES

**A1) Land-Use Applications Received by the Community Services Department
For the Period Between March 20, 2008 and April 9, 2008
(For Information Only)
(File Nos. PL. 4132, PL. 4350, PL. 4300, CK. 4000-5)**

RECOMMENDATION: that the information be received.

ADOPTED.

The following applications have been received and are being processed:

Condominium Conversion (59 Units)

- Application No. 8/08: 537 4th Avenue North
Applicant: 10110307 Saskatchewan Ltd.
Legal Description: Lot 51, Block Par 184, Plan 99SA2455
Current Zoning: RM5
Neighbourhood: City Park
Date Received: April 7, 2008

Rezoning

- Application No. Z22/08: Willis Crescent/Cornish Road
Applicant: 101099047 Saskatchewan Ltd.
Legal Description: Part of the S.E. ¼ Sec. 15-35-5-W3M
Current Zoning: R1A
Proposed Zoning: M2 and M3
Neighbourhood: Stonebridge
Date Received: April 1, 2008

Subdivision

- Application No. 28/08: 3107 and 3115 Faithfull Avenue
Applicant: Larson Surveys Ltd. for Tara Properties Inc. and
Handyman Rentals
Legal Description: Part of Lot 6, Block 866, Plan No. 01SA15097, and
Lot 21, Block 866, Plan 191859059
Current Zoning: IL1
Neighbourhood: Hudson Bay Industrial
Date Received: April 2, 2008
- Application No. 29/08: 277/279 Carleton Drive
Applicant: Webb Surveys for 101065965 Saskatchewan Ltd.

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Legal Description: Lot 39, Block 609A, Plan 66S19767
Current Zoning: R2
Neighbourhood: College Park
Date Received: April 3, 2008

- Application No. 30/08: 203 Galloway Road
Applicant: Webb Surveys for Ehrenburg Homes Ltd.
Legal Description: Lot 66, Block 101, Plan 101875877
Current Zoning: RMTN
Neighbourhood: Stonebridge
Date Received: April 3, 2008
- Application No. 31/08: 2834 Millar Avenue
Applicant: Webb Surveys for North Prairie Developments Ltd.
Legal Description: Lot 21, Block 919, Plan 01SA03688
Current Zoning: IL1
Neighbourhood: Hudson Bay Industrial
Date Received: April 4, 2008

PUBLIC NOTICE

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

ATTACHMENTS

1. Plan of Proposed Condo Conversion No. 8/08
2. Plan of Proposed Rezoning No. Z22/08
3. Plan of Proposed Subdivision No. 28/08
4. Plan of Proposed Subdivision No. 29/08
5. Plan of Proposed Subdivision No. 30/08
6. Plan of Proposed Subdivision No. 31/08

**A2) Request For Encroachment Agreement
229 Avenue I South
Lots 24, 25, and 26, Block 9, Plan GP (I774)
(File No. PL. 4090-2 CK. 4090-2)**

- RECOMMENDATION:**
- 1) that City Council recognize the encroachment at 229 Avenue I South (Lots 24, 25, and 26, Block 9, Plan GP (I774));
 - 2) that the City Solicitor be instructed to prepare the appropriate Encroachment Agreement making provision to collect the applicable fees; and

- 3) that His Worship the Mayor and the City Clerk be authorized to execute, on behalf of the City of Saskatoon under the Corporate Seal and in a form that is satisfactory to the City Solicitor, the Agreement with respect to this encroachment.

ADOPTED.

The purchaser of the property located at 229 Avenue I South, has requested to enter into an Encroachment Agreement with the City of Saskatoon. As shown on the attached Real Property Report, portions of the building foundation and roof trim encroach onto City of Saskatoon property on the lane side. The encroaching areas probably came into existence over the years during various additions and alterations to the building in the years 1946, 1953, and 1968. The total area of encroachment is approximately 2.1 square metres and will, therefore, be subject to an annual charge of \$50.

PUBLIC NOTICE

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

ATTACHMENTS

1. Copy of letter from the purchaser of the property, received April 3, 2008
2. Copy of the Real Property Report dated March 4, 2008

A3) Marquis Industrial Land Sales and Commercial Vacancy Rates
(FILE NO: CK. 4020-1)

RECOMMENDATION: that the information be received.

ADOPTED.

BACKGROUND

At its meeting held March 14, 2008, the Land Bank Committee requested the Land Manager prepare an information report to be submitted to City Council respecting the status of land sales within the Marquis Industrial Area and recently received information on commercial vacancy rates and retail sales in Saskatoon.

REPORT

1. Marquis Industrial Land Sales and Industrial Space Vacancy Rates

The Marquis Industrial area has an estimated 1,008 net developable acres of land (1200 acres of gross land area). Since 2005, the Land Branch has proceeded to service and offer for sale a total of 177 acres (net developable area) within Marquis Phase 1, 2 and 3A, and several other parcels including 18.6 acres for the Maple Leaf Distribution Centre, 20.3 acres for Prairie Pride and 25.4 acres along the west side of Wanuskewin Drive south of 71st Street. To date the Land Branch has been successful in selling 84 percent of these lands totaling 149.4 acres. Attachment 1 identifies the current status of properties within the Marquis Industrial Area developed by the City's Land Bank over the past several years.

Marquis Phase 1

Industrial properties in Marquis Industrial Phase 1 were offered for direct sale in August 2005 to kick start development within this area. Subsequently, the balance of properties located on Kinnear Place, Kinnear Street, and the eastern portion of Wheeler Street, were tendered for sale in November 2005 with the remainder in early 2006. Phase 1 consisted of 25 parcels encompassing 43.45 acres of which 18 sites have now been sold or entered into a long term lease, with the remaining seven sites currently being held with options to purchase.

Marquis Phase 2

Industrial properties within Phase 2, along the western portion of Wheeler Place and Arthur Rose Avenue, as well as industrial properties within Phase 3A, were offered for sale by public tender in March 2008. Phase 2 consisted of 17 parcels totaling 27.84 acres. No tenders were received for this phase and are all currently available for sale. Parcels in this phase were tendered at an average price of \$274,850 per acre.

Marquis Phase 3A

Industrial properties within Phase 3A consisted of lots on Millar Avenue from just south of 64th Street to 71st Street. These properties were offered for sale through the public tender process in March 2008, with the exception of those reserved for possible direct sale. Phase 3A successfully received bids on 14 of a possible 19 lots (41.6 acres), with the remaining either having sales pending, an option or on hold. An additional four lots within this phase are in the process of being offered through a direct sale, subject to Council approval. Total sales revenue for those properties offered by public tender in Phase 3A was an average of \$293,804, 6.8 percent higher than reserve pricing.

Marquis Phase 3B (2008) and Marquis Phase 4 (2009)

Underground servicing of Phase 3B (32 properties totaling 68.5 acres) commenced in 2007 and it is hopeful that roadwork to the gravel base stage will be completed by the fall of 2008 for subsequent sale. Servicing of 20 properties within Phase 4 along Arthur Rose Avenue north of Wanuskewin Road is identified to commence in 2009.

The sale of lands within Phase 3A through the public tender process and the balance over the counter within two weeks was very successful and unprecedented. The sale of lands within Phase 2 (IL3-Limited Light Industrial) will likely follow the same three to four year timeframe experienced with Phase 1. It should be noted that the Phase 3A properties are situated within both IL1-Light Industrial and IH-Heavy Industrial zoning districts and are located on a major south to north industrial collector roadway (Millar Avenue) in closer proximity to the Hudson Bay and North Industrial Area. The prospect for sale of land within Phase 2 and subsequent phases planned for 2009 east of the CNR rail line will improve following the construction of Marquis Drive from Wanuskewin to Millar Avenue and to Idylwyld Drive. This arterial road construction project is currently identified in the Capital Plan for 2010 subject to further study and a financial commitment from the Department of Highways for the construction of the Marquis and Idylwyld Drive Interchange.

Industrial Land Values

Colliers McClocklin, in their 2007 Review and 2008 Forecast, identified industrial land prices increasing in Saskatoon from \$180,000 in 2006 to \$285,000 in 2007. (Refer to Attachment 2 for Canada wide comparisons). In their First Quarter of 2008 Industrial Market Review and Forecast, they also identified Saskatoon's Industrial property vacancy rate dropping to 1.94 percent, below 2 percent for the first time in their recorded history and following Western Canadian trends.

The current demand exhibited in the positive response shown for Phase 1 and Phase 3A and the dropping vacancy rate combine to provide positive expectations for the upcoming sale of Marquis Industrial lands within Marquis Phase 2, Marquis Phase 3B and Marquis Phase 4 over the next several years.

2. Commercial Vacancy Rates and Retail Sales

A recently released annual report by ICR Commercial states "Overall there has been a steady five year trend in declining vacancies in the City. During this time 1,600,000 square feet, an approximate 11 percent increase in inventory, was added to the market while Saskatoon's metro area population increased by 2.3 percent. This leads to one of two conclusions: either Saskatoon was grossly under retailed or Saskatoon's growth has far exceeded expectations." Refer to Attachment 3 – Retail Vacancy in Saskatoon 2000 to 2007.

Saskatoon has also witnessed significant retail sales growth between 2004 and 2007 relative to retail sales growth in Canada. A recent report released by Colliers International, using data from the Conference Board of Canada, indicates that retail sales growth in Saskatoon has been extremely strong noting a rate of over 10 percent in 2007. This data is illustrated on Attachment 4 and includes a forecast on continued retail sales growth between 5 to 6 percent in 2008 and 2009. This report states:

- Saskatoon's retail sales continue to lead the country;
- Saskatoon is in the middle of a 1.3 million square foot retail construction boom which should continue for the next 2 to 3 years;

- Continued high demand from national retailers; and
- Despite the added new supply, overall vacancy rates continue to decrease.

ATTACHMENTS

1. Marquis Industrial Area sales map
2. Average National Industrial Land Sales (source: www.colliers.com/saskatoon)
3. Retail Vacancy in Saskatoon 2000-2007 (source: www.icrcommercial)
4. Retail Sales Growth (source: www.colliers.com/saskatoon)

**A4) Direct Sale – Spurline
North Industrial Area – North of 48th Street, between Wentz Avenue
and Millar Avenue
(File No. 4214-08-1 CK. 4215-1)**

RECOMMENDATION

- 1) that City Council approve the direct sale of a former railway spurline between 48th and 50th Street to various adjacent land owners, as outlined within this report; and
- 2) that the City Solicitor be requested to prepare the necessary Sales Agreements and that His Worship, the Mayor and City Clerk be authorized to execute the agreements.

ADOPTED.

BACKGROUND

In February 2006, all land owners with property adjacent to an abandoned railway spurline on Block 468 between 48th Street East and 50th Street East in the North Industrial area, were approached regarding their potential interest in purchasing a portion of the former spurline. Following the initial response, enough adjacent owners were interested to proceed with addressing the current condition of the property and identifying specific conditions of sale. Following the expression of interest, CN removed the existing railway rails and ties. All 17 prospective purchasers have been advised of all conditions of sale and required easements and are agreeable to same.

REPORT

The direct sale of this surplus property in the North Industrial area would comply with the City of Saskatoon's Sale of Serviced City-Owned Lands Policy (Policy No. C09-033). Section 3.2 f) of this policy states as follows:

“3.2 The Administration may pursue or entertain direct sale, or long-term leases under the City’s Industrial Land Incentives Program, of civic lands when one or more of the following conditions are present:

- f) A situation where a remnant parcel is not needed by the City and could be sold to an adjacent property owner”

The terms and conditions of the offer for direct sale include the following:

1. Purchase Price:
Total purchase price is \$151,433 plus G.S.T. for all 17 properties. Payment will be due for each in advance of subdivision.
2. Conditions Precedent:
 - a) The City having received all necessary and final approvals, including City Council;
 - b) Completion of subdivision and registration of the Land subject to this agreement; and
 - c) Subject to each prospective owner’s acceptance to bring grade levels of the property to City of Saskatoon guidelines.
3. Condition of Land:
As is.
4. Possession date:
Upon completion of the subdivision and registration.

OPTIONS

The only other option would be to deny the request for sale.

POLICY IMPLICATIONS

There are no Policy implications.

FINANCIAL IMPACT

The proceeds from the sale of this land will be deposited into the Property Realized Reserve.

PUBLIC NOTICE

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

ATTACHMENT

1. Plan Showing Direct Sale Sites

A5) Direct Sale – Willowgrove School Sites
File No. LA. 4222-8 CK. 4215-1

- RECOMMENDATION:**
- 1) that City Council approve the granting of a 12 month option to purchase 3.5 acres of the designated school sites within the Willowgrove neighbourhood area to the Saskatoon Public School Board;
 - 2) that City Council approve the direct sale of 3.5 acres of the designated school sites within the Willowgrove neighbourhood area to the Greater Saskatoon Separate School Board; and
 - 3) that the City Solicitor be requested to prepare the necessary sales agreements and that His Worship, the Mayor and City Clerk be authorized to execute the agreements.

ADOPTED.

BACKGROUND

Due to demand in the market, the Willowgrove neighbourhood development has exceeded sales expectations with City developed residential lots expected to be fully serviced in 2009. As part of the Willowgrove neighbourhood concept plan, a 7.0 acre site was designated for possible school use along with a community center. Following significant interest by the Saskatoon Public School Board and the Greater Saskatoon Separate School Boards, as well as the City for the community center development, an offer letter was distributed to each party regarding the potential purchase of this designated site.

REPORT

The terms and conditions of the offer for direct sale include the following:

1. **Purchase Price:**
 - a) Total purchase price for the Saskatoon Public School Board is \$1,295,000.00 plus GST for 3.5 acres (\$370,000.00 per acre); and
 - b) Total purchase price for the Greater Saskatoon Separate School Board is \$1,295,000.00 plus GST for 3.5 acres (\$370,000.00 per acre);

2. Conditions Precedent:
 - a) The City having received all necessary and final approvals, including City Council's;
 - b) Price includes all direct and offsite levies. Each purchaser is responsible for their own service connections to street mains and other shallow buried utilities (e.g. gas, power and telephone); and
 - c) The City and all other utility agencies will register all necessary easements within the Parcel for existing utilities.
3. Condition of Land:

"As is".
4. Possession date:

Upon title transfer which will occur after payment in full is received.
5. Options to Purchase:

Twelve month Option: An option of four percent (\$51,800) of the selling price, plus GST, locked in for 12 months from the date the cheque is received. The option fee will be credited to the purchase price if the option is exercised within the option period. The option fee will be forfeited if not exercised within the option period.

JUSTIFICATION

The direct sale of this property in the Willowgrove neighbourhood area would comply with the City of Saskatoon's Sale of Serviced City-Owned Lands Policy (Policy No. C09-033). Section 3.2 i) of this policy states as follows:

"3.2 The Administration may pursue or entertain direct sale, or long-term leases under the City's Industrial Land Incentives Program, of civic lands when one or more of the following conditions are present:

- i) A situation where a utility company or government agency requires a site for a specific purpose."

OPTIONS

The only other option would be to deny the request for sale.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPACT

The proceeds from the sale of this land will be deposited into the Willowgrove Neighbourhood Land Development Fund.

PUBLIC NOTICE

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

ATTACHMENTS

1. Willowgrove neighbourhood plan
2. Willowgrove proposed school site plan

**A6) Application for Condominium Conversion
3113 7th Street East – Darrel Epp Architect Ltd. for 1305944 Alberta Ltd.
(File No. PL. 4132 – 25/07 CK. 4132-1)**

- RECOMMENDATION:**
- 1) that the direction of City Council issue, with respect to the application submitted by Darrel Epp Architect Ltd. for 1305944 Alberta Ltd., to convert the existing apartment at 3113 - 7th Street East to a condominium; and
 - 2) that in the event that City Council approves the application for conversion, it be approved subject to the following conditions:
 - a) completion of the necessary building repairs/modifications as required by City Council Policy C09-004 (Condominium Approvals), and as noted in the professional review reports submitted, including any other pertinent repairs/modifications that may be identified during the building permit plan review and building inspection process;
 - b) submission of a Condominium Plan prepared by a Saskatchewan Land Surveyor;
 - c) confirmation that enforceable Lease Agreements have been offered to all tenants who, as of April 21, 2008, are residents and have not given notice, and that the Lease Agreements contain the following terms:
 - i) tenant to have right to a lease for two years from the effective date of the application (three months after written notice to the tenant of proposed conversion), with the

tenant to have the right to terminate the lease after 30 days notice;

- ii) the rent charged under the lease to not exceed the rent charged for comparable residential premises in the same general area in which the converted property is located;
- iii) any dispute between the landlord and the tenant as to the rent charged under the lease to be resolved through arbitration under *The Arbitration Act*; and
- d) that final approval be granted to the applicant once conditions a), b), and c) are fulfilled to the satisfaction of the General Manager, Community Services Department.

BACKGROUND

An application has been submitted by Darrel Epp Architect Ltd. for 1305944 Alberta Ltd. requesting approval for a condominium conversion involving an apartment building containing 12 residential units. This building is located at 3113 - 7th Street East in the Brevoort Park neighbourhood.

The Legislative framework for condominium conversions is contained in *The Condominium Property Act, 1993*, which provides that the local authority may approve an application for a condominium conversion if it is satisfied that:

- 1) the proposal complies with the requirements of the Zoning Bylaw;
- 2) the conversion will not significantly reduce the availability of rental accommodation in the area;
- 3) the conversion will not create significant hardship for any or all of the tenants of the existing premises; and
- 4) the building and the parcel have the physical characteristics considered necessary by the local authority to make the premises suitable for conversion.

The following information, which is attached, is also relevant to Council in the consideration of this matter:

- 1. Background Information Common to Condominium Conversion Applications
- 2. City of Saskatoon Council Policy C09-004 (Condominium Approvals) September 5, 2000
- 3. City of Saskatoon Council Policy C09-004 (Condominium Approvals) November 19, 2007
- 4. CMHC (Canada Mortgage and Housing Corporation) – Saskatoon CMA (Saskatoon Census Metropolitan) Rental Market Report – 2007;

5. Clause A4 – Administrative Report No. 1-2008 – Rental Units
6. City of Saskatoon – Housing Business Plan – 2008

REPORT

Compliance with the Zoning Bylaw

The site is zoned RM4 District in the City of Saskatoon Zoning Bylaw. Based on a preliminary site plan submitted by the applicant, it appears that the zoning requirements are satisfied, with the exception of the current parking requirements. However, because the apartment building met the Zoning Bylaw requirements at the time it was constructed, the current parking arrangement is considered to be legal Non-Conforming.

Submission of a surveyed Condominium Plan which shows conformance with the Zoning Bylaw is a condition of approval in the event City Council approves the conversion.

Availability of Rental Accommodation

The most recent CMHC Rental Market Report for Saskatoon identifies a city-wide vacancy rate of 0.6 percent and a vacancy rate in the area where this apartment building is located of 0.2 percent. In addition, this Report identifies a city-wide availability rate of 1.8 percent and an availability rate in the area where this apartment building is located of 1.2 percent. (A rental unit is considered vacant if, at the time of the survey, it is physically unoccupied and available for immediate rental. A rental unit is considered available if the existing tenant has given or received notice to move, and a new tenant has not signed a lease, or the unit is vacant.)

The 2006 Census reported that there were 30,405 rental units, of all types, in Saskatoon including 7,980 units in the area where this apartment building is located. The above noted CMHC Report identifies a primary rental market of 13,474 units including 3,365 units in the area where this apartment building is located. (The primary rental market is defined as privately initiated structures with at least three rental units, which have been on the market for at least three months.)

This application involves the conversion of 12 units. Since January 1, 2007, 1,318 units have been approved for conversion city wide and 389 units have been approved in the area where this apartment building is located.

Tenant Hardship

This application has been made in accordance with City Council Policy C09-004 (Condominium Approvals), prior to the recent amendments to the Policy made on November 19, 2007. The applicant provided three months written notice to tenants on June 1, 2007, at which time the tenants were advised of their right under the Policy to continue in occupancy of the premises occupied on the date of application for conversion for a period of two years after the date of the application.

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 the unit is offered publicly.

Each tenant has been provided with this Option to Purchase.

National Building Code and Professional Review of Building

The applicant has submitted a Professional Review Report addressing the critical life safety conditions for the building. The Building Standards Branch has reviewed the report and has no objections to the application subject to the critical life safety deficiencies noted in the Report being addressed, including any other pertinent repairs/modifications that may be identified during the building permit plan review and building inspection process.

COMMUNICATIONS PLAN

Notice that City Council will be considering this application on April 21, 2008, has been posted in the subject building.

PUBLIC NOTICE

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

ATTACHMENTS

1. Background Information Common to Condominium Conversion Applications
2. City of Saskatoon Council Policy C09-004 (Condominium Approvals) September 5, 2000
3. City of Saskatoon Council Policy C09-004 (Condominium Approvals) November 19, 2007
4. CMHC – Saskatoon CMA Rental Market Report – 2007
5. Clause A4 – Administrative Report No. 1-2008 – Rental Units
6. City of Saskatoon – Housing Business Plan – 2008

Item B7 of Communications to Council was brought forward.

“B7) Jeremy LaCoste, dated April 11

Commenting on proposed condominium application for 3113 7th Street East. (File No. CK. 4132-1)”

IT WAS RESOLVED: that City Council approve the application submitted by Darrel Epp Architect Limited for 1305944 Alberta Limited to convert the existing apartment at 3113 7th Street to a condominium subject to the following conditions:

- a) *completion of the necessary building repairs/modifications as required by City Council Policy C09-004 (Condominium Approvals), and as noted in the professional review reports submitted, including any other pertinent repairs/modifications that may be identified during the building permit plan review and building inspection process;*
- b) *submission of a Condominium Plan prepared by a Saskatchewan Land Surveyor; and*
- c) *confirmation that enforceable Lease Agreements have been offered to all tenants who, as of April 21, 2008, are residents and have not given notice, and that the Lease Agreements contain the following terms:*
 - i) *tenant to have right to a lease for two years from the effective date of the application (three months after written notice to the tenant of proposed conversion), with the tenant to have the right to terminate the lease after 30 days notice;*
 - ii) *the rent charged under the lease to not exceed the rent charged for comparable residential premises in the same general area in which the converted property is located;*
 - iii) *any dispute between the landlord and the tenant as to the rent charged under the lease to be resolved through arbitration under The Arbitration Act; and*
- d) *that final approval be granted to the applicant once conditions a), b), and c) are fulfilled to the satisfaction of the General Manager, Community Services Department.*

A7) Application for Condominium Conversion
605 Wilson Crescent – Mike McNinch for Atlantic International Ltd.
(File No. PL 4132 – 53/07 CK. 4132-1)

- RECOMMENDATION:**
- 1) that the direction of City Council issue, with respect to the application submitted by Mike McNinch for Atlantic International Ltd., to convert the existing apartment at 605 Wilson Crescent to a condominium; and
 - 2) that in the event that City Council approves the application for conversion, it be approved subject to the following conditions:

- a) completion of the necessary building repairs/modifications as required by City Council Policy C09-004 (Condominium Approvals), and as noted in the professional review reports submitted, including any other pertinent repairs/modifications that may be identified during the building permit plan review and building inspection process;
- b) submission of a Condominium Plan prepared by a Saskatchewan Land Surveyor; and
- c) confirmation that enforceable Lease Agreements have been offered to all tenants who, as of April 21, 2008, are residents and have not given notice, and that the Lease Agreements contain the following terms:
 - i) tenant to have right to a lease for two years from the effective date of the application (three months after written notice to the tenant of proposed conversion), with the tenant to have the right to terminate the lease after 30 days notice;
 - ii) the rent charged under the lease to not exceed the rent charged for comparable residential premises in the same general area in which the converted property is located;
 - iii) any dispute between the landlord and the tenant as to the rent charged under the lease to be resolved through arbitration under *The Arbitration Act*; and
- d) that final approval be granted to the applicant once conditions a), b), and c) are fulfilled to the satisfaction of the General Manager, Community Services Department.

BACKGROUND

An application has been submitted by Mike McNinch for Atlantic International Ltd. requesting approval for a condominium conversion involving an apartment building containing 11 residential units. This building is located at 605 Wilson Crescent in the Avalon neighbourhood.

The Legislative framework for condominium conversions is contained in *The Condominium Property Act, 1993*, which provides that the local authority may approve an application for a condominium conversion if it is satisfied that:

- 1) the proposal complies with the requirements of the Zoning Bylaw;
- 2) the conversion will not significantly reduce the availability of rental accommodation in the area;
- 3) the conversion will not create significant hardship for any or all of the tenants of the existing premises; and
- 4) the building and the parcel have the physical characteristics considered necessary by the local authority to make the premises suitable for conversion.

The following information, which is attached (see Attachments to Clause A6), is also relevant to Council in the consideration of this matter:

1. Background Information Common to Condominium Conversion Applications
2. City of Saskatoon Council Policy C09-004 (Condominium Approvals) September 5, 2000
3. City of Saskatoon Council Policy C09-004 (Condominium Approvals) November 19, 2007
4. CMHC (Canada Mortgage and Housing Corporation) – Saskatoon CMA (Saskatoon Census Metropolitan) Rental Market Report – 2007;
5. Clause A4 – Administrative Report No. 1-2008 – Rental Units
6. City of Saskatoon – Housing Business Plan – 2008

REPORT

Compliance with the Zoning Bylaw

The site is zoned RM4 District in the City of Saskatoon Zoning Bylaw. Based on a preliminary site plan submitted by the applicant, it appears that the zoning requirements are satisfied, with the exception of the current parking requirements. However, because the apartment building met the Zoning Bylaw requirements at the time it was constructed, the current parking arrangement is considered to be legal Non-Conforming.

Submission of a surveyed Condominium Plan which shows conformance with the Zoning Bylaw is a condition of approval in the event City Council approves the conversion.

Availability of Rental Accommodation

The most recent CMHC Rental Market Report for Saskatoon identifies a city-wide vacancy rate of 0.6 percent and a vacancy rate in the area where this apartment building is located of 0.2 percent. In addition, this Report identifies a city-wide availability rate of 1.8 percent and an availability rate in the area where this apartment building is located of 1.2 percent. (A rental unit is considered vacant if, at the time of the survey, it is physically unoccupied and available for immediate rental.

A rental unit is considered available if the existing tenant has given or received notice to move, and a new tenant has not signed a lease, or the unit is vacant.)

The 2006 Census reported that there were 30,405 rental units, of all types, in Saskatoon including 7,980 units in the area where this apartment building is located. The above noted CMHC Report identifies a primary rental market of 13,474 units including 3,365 units in the area where this apartment building is located. (The primary rental market is defined as privately initiated structures with at least three rental units, which have been on the market for at least three months.)

This application involves the conversion of 11 units. Since January 1, 2007, 1,318 units have been approved for conversion city wide and 389 units have been approved in the area where this apartment building is located.

Tenant Hardship

This application has been made in accordance with City Council Policy C09-004 (Condominium Approvals), prior to the recent amendments to the Policy made on November 19, 2007. The applicant has advised that the building was vacant at the time of application. No notice or Offer to Purchase has been given.

National Building Code and Professional Review of Building

The applicant has submitted a Professional Review Report addressing the critical life safety conditions for the building. The Building Standards Branch has reviewed the Report and has no objections to the application, subject to the critical life safety deficiencies noted in the Report being addressed, including any other pertinent repairs/modifications that may be identified during the building permit plan review and building inspection process.

COMMUNICATIONS PLAN

This building is currently vacant, as such, notice of this application was not posted in the subject building.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of policy No. C01-0221 (Public Notice Policy), is not required.

ATTACHMENTS (See Attachments to Clause A6)

1. Background Information Common to Condominium Conversion Applications
2. City of Saskatoon Council Policy C09-004 (Condominium Approvals) September 5, 2000
3. City of Saskatoon Council Policy C09-004 (Condominium Approvals) November 19, 2007
4. CMHC – Saskatoon CMA Rental Market Report – 2007

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5. Clause A4 – Administrative Report No. 1-2008 – Rental Units
6. City of Saskatoon – Housing Business Plan – 2008

IT WAS RESOLVED: that City Council approve the application submitted by Mike McNinch for Atlantic International Limited to convert the existing apartment at 605 Wilson Crescent to a condominium subject to the following conditions:

- a) *completion of the necessary building repairs/modifications as required by City Council Policy C09-004 (Condominium Approvals), and as noted in the professional review reports submitted, including any other pertinent repairs/modifications that may be identified during the building permit plan review and building inspection process;*
- b) *submission of a Condominium Plan prepared by a Saskatchewan Land Surveyor; and*
- c) *confirmation that enforceable Lease Agreements have been offered to all tenants who, as of April 21, 2008, are residents and have not given notice, and that the Lease Agreements contain the following terms:*
 - i) *tenant to have right to a lease for two years from the effective date of the application (three months after written notice to the tenant of proposed conversion), with the tenant to have the right to terminate the lease after 30 days notice;*
 - ii) *the rent charged under the lease to not exceed the rent charged for comparable residential premises in the same general area in which the converted property is located;*
 - iii) *any dispute between the landlord and the tenant as to the rent charged under the lease to be resolved through arbitration under The Arbitration Act; and*
- d) *that final approval be granted to the applicant once conditions a), b), and c) are fulfilled to the satisfaction of the General Manager, Community Services Department.*

A8) Application for Condominium Conversion
1010/1014 Colony Street – Mike McNinch for 101090374 Saskatchewan Ltd.
(File No. PL 4132 – 55/07 CK. 4132-1)

- RECOMMENDATION:**
- 1) that the direction of City Council issue, with respect to the application submitted by Mike McNinch for 101090374 Saskatchewan Ltd., to convert the existing apartment at 1010/1014 Colony Street to a condominium; and
 - 2) that in the event that City Council approves the application for conversion, it be approved subject to the following conditions:
 - a) completion of the necessary building repairs/modifications as required by City Council Policy C09-004 (Condominium Approvals), and as noted in the professional review reports submitted, including any other pertinent repairs/modifications that may be identified during the building permit plan review and building inspection process;
 - b) submission of a Condominium Plan prepared by a Saskatchewan Land Surveyor;
 - c) confirmation that enforceable Lease Agreements have been offered to all tenants who, as of April 21, 2008, are residents and have not given notice, and that the Lease Agreements contain the following terms:
 - i) tenant to have right to a lease for two years from the effective date of the application (three months after written notice to the tenant of proposed conversion), with the tenant to have the right to terminate the lease after 30 days notice;
 - ii) the rent charged under the lease to not exceed the rent charged for comparable residential premises in the same general area in which the converted property is located;
 - iii) any dispute between the landlord and the tenant as to the rent charged under the lease

to be resolved through arbitration under *The Arbitration Act*; and

- d) that final approval be granted to the applicant once conditions a), b), and c) are fulfilled to the satisfaction of the General Manager, Community Services Department.

BACKGROUND

An application has been submitted by Mike McNinch for 101090374 Saskatchewan Ltd. requesting approval for a condominium conversion involving an apartment building containing seven residential units. This building is located at 1010/1014 Colony Street in the Varsity View neighbourhood.

The Legislative framework for condominium conversions is contained in *The Condominium Property Act, 1993*, which provides that the local authority may approve an application for a condominium conversion if it is satisfied that:

- 1) the proposal complies with the requirements of the Zoning Bylaw;
- 2) the conversion will not significantly reduce the availability of rental accommodation in the area;
- 3) the conversion will not create significant hardship for any or all of the tenants of the existing premises; and
- 4) the building and the parcel have the physical characteristics considered necessary by the local authority to make the premises suitable for conversion.

The following information, which is attached (see Attachments to Clause A6), is also relevant to Council in the consideration of this matter:

1. Background Information Common to Condominium Conversion Applications
2. City of Saskatoon Council Policy C09-004 (Condominium Approvals) September 5, 2000
3. City of Saskatoon Council Policy C09-004 (Condominium Approvals) November 19, 2007
4. CMHC (Canada Mortgage and Housing Corporation) – Saskatoon CMA (Saskatoon Census Metropolitan) Rental Market Report – 2007;
5. Clause A4 – Administrative Report No. 1-2008 – Rental Units
6. City of Saskatoon – Housing Business Plan – 2008

REPORT

Compliance with the Zoning Bylaw

The site is zoned RM3 District in the City of Saskatoon Zoning Bylaw. Based on a preliminary site plan submitted by the applicant, it appears that the zoning requirements are satisfied, with the

exception of the current parking requirements. However, because the apartment building met the Zoning Bylaw requirements at the time it was constructed, the current parking arrangement is considered to be legal Non-Conforming.

Submission of a surveyed Condominium Plan which shows conformance with the Zoning Bylaw is a condition of approval in the event City Council approves the conversion.

Availability of Rental Accommodation

The most recent CMHC Rental Market Report for Saskatoon identifies a city-wide vacancy rate of 0.6 percent and a vacancy rate in the area where this apartment building is located of 0.2 percent. In addition, this Report identifies a city-wide availability rate of 1.8 percent and an availability rate in the area where this apartment building is located of 1.7 percent. (A rental unit is considered vacant if, at the time of the survey, it is physically unoccupied and available for immediate rental. A rental unit is considered available if the existing tenant has given or received notice to move, and a new tenant has not signed a lease, or the unit is vacant.)

The 2006 Census reported that there were 30,405 rental units, of all types, in Saskatoon including 3,785 units in the area where this apartment building is located. The above noted CMHC Report identifies a primary rental market of 13,474 units including 1,226 units in the area where this apartment building is located. (The primary rental market is defined as privately initiated structures with at least three rental units, which have been on the market for at least three months.)

This application involves the conversion of seven units. Since January 1, 2007, 1,318 units have been approved for conversion city wide and 203 units have been approved in the area where this apartment building is located.

Tenant Hardship

This application has been made in accordance with City Council Policy C09-004 (Condominium Approvals), prior to the recent amendments to the Policy made on November 19, 2007. The applicant provided three months written notice to tenants on August 14, 2007, at which time the tenants were advised of their right under the Policy to continue in occupancy of the premises occupied on the date of application for conversion for a period of two years after the date of the application.

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 the unit is offered publicly.

Each tenant has been provided with this Option to Purchase.

National Building Code and Professional Review of Building

The applicant has submitted a Professional Review Report addressing the critical life safety conditions for the building. The Building Standards Branch has reviewed the report and has no objections to the application subject to the critical life safety deficiencies noted in the Report being addressed, including any other pertinent repairs/modifications that may be identified during the building permit plan review and building inspection process.

COMMUNICATIONS PLAN

Notice that City Council will be considering this application on April 21, 2008, has been posted in the subject building.

PUBLIC NOTICE

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

ATTACHMENTS (See Attachments to Clause A6)

1. Background Information Common to Condominium Conversion Applications
2. City of Saskatoon Council Policy C09-004 (Condominium Approvals) September 5, 2000
3. City of Saskatoon Council Policy C09-004 (Condominium Approvals) November 19, 2007
4. CMHC – Saskatoon CMA Rental Market Report – 2007
5. Clause A4 – Administrative Report No. 1-2008 – Rental Units
6. City of Saskatoon – Housing Business Plan – 2008

Item B12 of Communications to Council was brought forward.

“B12) Trent Praski, dated April 15

Commenting on proposed condominium conversion at 1014 Colony Street. (File No. 4132-1)”

IT WAS RESOLVED: that City Council approve the application submitted by Mike McNinch for 101090374 Saskatchewan Limited to convert the existing apartment at 1010/1014 Colony Street to a condominium subject to the following conditions:

- a) *completion of the necessary building repairs/modifications as required by City Council Policy C09-004 (Condominium Approvals), and as noted in the professional review reports submitted, including any other pertinent repairs/modifications that may be identified during the building permit plan review and building inspection process;*

- b) *submission of a Condominium Plan prepared by a Saskatchewan Land Surveyor; and*
- c) *confirmation that enforceable Lease Agreements have been offered to all tenants who, as of April 21, 2008, are residents and have not given notice, and that the Lease Agreements contain the following terms:*
 - i) *tenant to have right to a lease for two years from the effective date of the application (three months after written notice to the tenant of proposed conversion), with the tenant to have the right to terminate the lease after 30 days notice;*
 - ii) *the rent charged under the lease to not exceed the rent charged for comparable residential premises in the same general area in which the converted property is located;*
 - iii) *any dispute between the landlord and the tenant as to the rent charged under the lease to be resolved through arbitration under The Arbitration Act; and*
- d) *that final approval be granted to the applicant once conditions a), b), and c) are fulfilled to the satisfaction of the General Manager, Community Services Department.*

Section B – CORPORATE SERVICES

B1) Report on Write-Downs of Surplus Inventory During 2007
(File No. CS 1290-1 CK. 1290-1)

RECOMMENDATION: that the information be received.

ADOPTED.

REPORT

On an annual basis, the Inventory and Disposal Services Section submits a report to City Council on the amount of the inactive stock that is written off. For the year 2007, the write-downs of surplus/obsolete inventory were as follows:

	Write down	% of Inventory
Central Stores	\$ 1,786	6.0%
Utility Services, Saskatoon Light & Power	\$32,044	0.4%
Infrastructure Services, Public Works Stores	\$ 0	
Infrastructure Services, Electronic Stores	\$ 1,171	0.2%

PUBLIC NOTICE

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

ATTACHMENTS

1. Central Stores inventory write-offs during 2007.
2. Saskatoon Light & Power inventory write-offs during 2007.
3. Electronic Shop Stores inventory write-offs during 2007.

Section D – INFRASTRUCTURE SERVICES

**D1) Proposed Lease of City Boulevard
240-103rd Street East
(File No. IS 4070-2 CK. 4070-2)**

- RECOMMENDATION:**
- 1) that the City of Saskatoon enter into a Boulevard Lease Agreement with Doepker Industries, to lease 52.34 square metres (563.36 square feet) of the boulevard located at 240-103rd Street East, as shown on Plan 241-0071-001r001 (Attachment 1); and
 - 2) that the City Solicitor prepare a bylaw and lease agreement for the proposed Boulevard Lease at 240-103rd Street East.

ADOPTED.

Infrastructure Services has received an application from Doepker Industries to lease 52.34 square metres of the City-owned boulevard located at 240-103rd Street East. They are planning to build an office complex and will be using the boulevard area for parking.

REPORT

The Land Branch has calculated the land value of the area adjacent to 240-103rd Street East to be \$5.50 per square foot. Infrastructure Services incorporated that dollar amount into the boulevard lease calculation, and will lease the area for \$228.69 per year, plus G.S.T., for a term of five years, with a renewal option thereafter. A new rate will be determined at the beginning of each renewal period. A 30 day written notice will be required to cancel the lease.

This lease, if approved by City Council, will be subject to the following conditions:

- 1 Fencing or curbing will be installed to prevent vehicle access from the lease area to 103rd Street East, except at permitted driveways.
- 2 Access will be allowed only from the adjacent property.
- 3 Leased area will be used for parking or storage.
- 4 Upon termination of the lease, the property will be returned to its original condition.
- 5 No permanent structures will be allowed on the leased area.
- 6 The cost to lease the City Boulevard will be \$228.69, plus G.S.T., per year for 52.34 square metres (563.36 square feet).
- 7 That the applicant will maintain general liability insurance in an amount of \$2,000,000, which will name the City of Saskatoon as an additional insured.

The applicant has agreed that these conditions are acceptable.

OPTIONS

There are no options.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPACT

There is no financial impact.

PUBLIC NOTICE

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

ATTACHMENT

1. Plan No. 241-0071-001r001

**D2) Enquiry – Councillor B. Pringle (December 3, 2007)
Safety Concerns
Intersection of Louise and McEown
(File No. CK. 6280-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

BACKGROUND

The following enquiry was made by Councillor Pringle at the meeting of City Council held on December 3, 2007:

“Would the Administration please assess the feasibility of putting a four-way stop, or safer cross-walking, at the corner of Louise and McEwen in Eastview. This is a concern of the Eastview Senior’s Advisory Committee due to a number of accidents and near minor accidents at this intersection.”

REPORT

Louise Street and McEown Avenue are both classified as collector streets and East Place is classified as a local street. This intersection is adjacent to the Market Mall shopping centre and the existing traffic control includes a two-way stop at McEown Avenue and East Place, giving right-of-way to Louise Street.

Traffic counts were undertaken during peak hours on January 17, 2008, as outlined in Table 1 below.

**Table 1
 Louise Street & McEown Avenue**

Time	McEown Ave Southbound	East Place Northbound	Louise Street Eastbound	Louise Street Westbound
7:00- 8:00 a.m.	20	18	115	86
8:00-9:00 a.m.	93	20	339	198
12:00-1:00 p.m.	123	23	217	190
4:00-5:00 p.m.	158	15	264	239
5:00-6:00 p.m.	144	14	231	189
Total	538	100	1166	902
Percentage Traffic entering intersection	20%	4%	43%	33%
Total Percentage	24%		76%	

To warrant the installation of a four-way stop sign, an intersection must meet certain minimum criteria as specified in the Policy C07-007, Use of Stop and Yield Signs, which takes into consideration:

- Traffic volume entering the intersection during the five peak hours of the day to determine if traffic levels on the intersecting roadways are relatively equal on all approaches; and
- A collision history indicating that five or more collisions reported within a 12 month period are of the type susceptible to correction by a four-way stop control.

The City of Saskatoon does not install unwarranted four-way stop signs, particularly if traffic is unbalanced. Unwarranted stop signs often lead to motorists disobeying this important traffic control device, creating an unsafe situation.

Based on the results of the traffic study, the traffic volume at this intersection is not equally balanced. Currently, 76% of the traffic is travelling on Louise Street and 24% is travelling on McEown Avenue/East Place. The collision history indicates there were 10 collisions within the last five years, averaging two collisions per year. Thus, traffic volumes and collision data do not support the need for a four-way stop.

With regard to the concerns of pedestrian safety, a pedestrian count, completed on January 17, 2008 during the five peak hours, indicated that there were 80 pedestrians crossing McEown Avenue at the north approach, and 11 pedestrians crossing East Place at the south approach. Pedestrians crossing at these approaches are protected by stop signs on McEown Avenue and East Place. Further, the study indicated that there were 22 pedestrians crossing Louise Street at the west approach, and 37 pedestrians crossing Louise Street at the east approach.

Infrastructure Services reviewed the traffic and pedestrian data and found that there were insufficient warrant points to support any other pedestrian devices at this intersection. In order to warrant any type of enhanced pedestrian device, it must warrant at one 15-minute time period for a pedestrian corridor and three or more 15-minute time periods for an active pedestrian corridor. According to the analysis, the warrant points are zero. To warrant a pedestrian activated signal, warrant points of 100 or greater are required. The warrants at this location are 29 points.

Currently, there is a pedestrian refuge island and pedestrian crossing signage on Louise Street on the west approach. To improve the pedestrian crossing on the east approach, a temporary pedestrian island will be installed which will provide a safe refuge for pedestrians as well as reduce vehicle speeds. The island will be reassessed after one year, to determine whether it should be made permanent.

PUBLIC NOTICE

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

D3) Capital Project 1890 - Expressway Road Preservation Resurfacing – Circle Drive Westbound – Circle Drive Bridge to Millar Avenue (File No. IS 6000-04-02 CK. 6001-1)

RECOMMENDATION: 1) that the tender submitted by Central Asphalt & Paving Limited for resurfacing of Circle Drive westbound from the Circle Drive Bridge to Millar Avenue, including the by-pass lane to Millar Avenue, at a total estimated cost of \$1,455,513.77 (including G.S.T.), be accepted;

- 2) that funding for this work be provided as follows:
 - a) \$570,000 from Capital Project 2009 - Circle Drive Bridge Widening; and
 - b) \$880,000 from Capital Project 1890 – Expressway Road Preservation; and
- 3) that the City Solicitor be instructed to prepare the necessary contract for execution by His Worship the Mayor and the City Clerk under the Corporate Seal.

ADOPTED.

BACKGROUND

Infrastructure Services tendered for roadway restoration work on Circle Drive westbound from the Circle Drive Bridge to Millar Avenue, including the by-pass lane to Millar Avenue. The intent is to remove and replace the top layer of pavement in the driving lanes with high stability hot mixed asphalt, and to cap the entire section of roadway with a polymer modified ultra thin overlay to provide a durable wearing surface.

REPORT

In an effort to provide for the most cost effective or least disruptive construction schedule, three options were tendered:

Option 1 (Day/Evening Work): Each stage of construction is to begin after 9:00 a.m. with all traffic restrictions lifted by 6:30 a.m. the following morning.

Option 2 (Off Peak Hours): Construction activities are to occur during the periods of 9:00 a.m. and 3:30 p.m.; and 6:30 p.m. and 6:30 a.m. the following morning. All traffic restrictions are to be removed by the end of the corresponding work period.

Option 3 (Night Work): All construction activities are to occur during the period of 6:30 p.m. and 6:30 a.m.

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One tender was received, from Central Asphalt & Paving Ltd, as follows:

	<u>Option 1</u>	<u>Option 2</u>	<u>Option 3</u>
Base Tender	\$1,141,926.91	\$1,299,906.74	\$1,386,203.59
G.S.T.	\$57,096.35	\$64,995.34	\$69,310.18
Total Tender	<u>\$1,199,023.26</u>	<u>\$1,364,902.08</u>	<u>\$1,455,513.77</u>
G.S.T. Rebate	\$57,096.35	\$64,995.34	\$69,310.18
Net Cost to City	<u>\$1,141,926.91</u>	<u>\$1,299,906.74</u>	<u>\$1,386,203.59</u>
 Estimated time frame	 9 days-15 days	 22 days	 9 nights-15 nights

Although Option 1 is the least cost option, it does include occupancy and construction operations from 9:00 a.m. through to 6:30 a.m. the following morning. With approximately 35,000 vehicles utilizing these lanes per day, the overall cost in delays, frustration and support services would be very significant.

In an attempt to meet the public's desire to minimize the impact of road construction projects, the Administration is recommending that Option 3 (night work) be approved. It should be noted that a lane or section may still be closed during the day; however, no work will occur and consequently no equipment will be moving in and out of the work zone.

Central Asphalt & Paving Ltd. has performed similar work for the City in the past, and has provided the appropriate bonding.

FINANCIAL IMPACT

The Administration is recommending that the bid submitted by Central Asphalt & Paving (Option 3) be accepted. The net cost to the City would be as follows:

Base Price	\$1,386,203.59
G.S.T.	\$69,310.18
Total Cost	<u>\$1,455,513.77</u>
 G.S.T. Rebate	 \$69,310.18
 Net Cost	 <u>1,386,203.59</u>

Public Works Branch has committed \$880,000 under Capital Project No. 1890 - Expressway Road Preservation for the completion of this work. An additional \$570,000 in funding has been allocated under Capital Project 2009 - Circle Drive Bridge Widening, for a total of \$1,450,000 in committed funds.

PUBLIC COMMUNICATION PLAN

Construction restrictions will be communicated to the general public through the use of Public Service Announcements, construction updates on the Radio Road Reports, and use of display boards

PUBLIC NOTICE

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

**D4) Capital Project 1522 – Traffic Sound Attenuation
Sound Attenuation Walls – Circle Drive between 8th Street and 14th Street
(File No. IS 0375-02 CK. 375-2)**

RECOMMENDATION: that the information be received.

ADOPTED.

REPORT

The contract has been awarded for sound attenuation walls which will be installed on Circle Drive between 8th Street and 14th Street, as part of Capital Project 1522 – Traffic Sound Attenuation.

The system chosen is the “Verti-Crete Precast Wall, which is manufactured in Saskatoon and consists of precast concrete panels with a masonry finish dyed to match the look of other sound attenuation walls in Saskatoon. This system is currently under construction at the Clarence Avenue and Circle Drive interchange.

Installation of the walls will take place during June, July and August of 2008, and will require full closure of the outside (curb) “through” lane in both the northbound and southbound directions on Circle Drive. Full closure of the northbound on-ramp and southbound off-ramp (one at a time) for each phase will also be necessary.

According to the Traffic Noise Modeling Study, the most effective placement of the walls in this area is at the top of the side slopes from 14th Street heading south, and then following the on/off ramps to 8th Street. These side slopes are steep, especially along the on/off ramps, and site access is limited. Therefore, all phases of construction (i.e. piling, foundations, posts and wall sections) will need to be performed from the roadway surface, making the closure of the ramps unavoidable.

Once construction begins on one side of Circle Drive, the corresponding on/off ramp will be closed until that entire side of the project has been completed. During construction on the portions of the wall adjacent to the outside curb “through” lanes, traffic will be restricted to one lane. A safe “work

zone” will be provided by utilizing the existing concrete jersey barriers along the shoulders of Circle Drive to close off the lane to traffic.

Closing the ramps until the entire side has been completed will provide a necessary “lay down area” for equipment and material, and will reduce traffic disruption/congestion on the “through” lanes of Circle Drive, allowing for a safer and smoother travel through the construction zone.

Traffic will need to be rerouted and detours will be provided, however, closing the outside lane and ramp during the entire construction period will eliminate confusion and help to reduce driver frustration.

Traffic disruptions and lane/ramp closures will be kept to a minimum by:

- Providing the contractor with a safe “work zone”, with unrestricted access to the site, and a dry working surface that will be unaffected by weather (i.e. out of the mud);
- Site rental, a fee paid by the contractor for each day a lane/ramp is closed, offers the incentive to finish the work in a timely fashion; and
- Only allowing the contractor to work on one side of Circle Drive (i.e. east or west) at any given time (with the exception of a four-week period for piling operations).

PUBLIC NOTICE

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

**D5) Collection of Outstanding Parking Violations
(File No. IS 5301-1 CK. 6120-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

REPORT

Recent amendments have been made to two separate pieces of provincial legislation providing alternatives to collection procedures for unpaid parking violations, as opposed to relying on incarceration of the vehicle owner as the primary method.

The following is the Administration’s plan for enforcement of parking tickets, commencing in May, 2008. For parking tickets issued prior to the changes in legislation, and where a personal service of summons has been successful, the process will remain unchanged, with incarceration being the means of collecting the outstanding parking violation.

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For tickets issued prior to the changes in legislation, with no successful service of summons; and tickets issued after the legislative changes, the following process will be followed:

- A Notice of Pending Summons will be mailed as a reminder of an outstanding violation (14 days after the violation);
- Thirty days is provided to pay the fine before an additional \$40 late fee is applied to the ticket amount;
- A Summons will be mailed providing the court date (6 weeks after the violation);
- A Notice of Default Conviction will be mailed if the vehicle owner does not appear in court (one day after the court date); and
- The vehicle will be immobilized and seized (30 days after the court date) by designated bylaw enforcement officers.

Once the Office of the City Treasurer notifies Parking Enforcement that a vehicle has been assessed a default conviction parking violation, the vehicle will be added to the Chronic Offenders Parking Enforcement (COPE) list. Designated bylaw enforcement officers will then seek out the vehicle for immobilization and seizure.

Seized vehicles will remain at the new impound lot located in the Holiday Park Industrial Area and will only be released after payment of all fines and charges (outstanding violation fees, tow charges, administration fee and storage fee) have been received. Vehicles unclaimed for 30 days will be sold through public auction. Prior to sale, lien searches will be conducted and a Sale of Seized Vehicles Notice will be advertised. The registered owners will also be informed by mail.

The amount owing for parking violations, plus the costs associated with impounding and selling the vehicle will be recovered from the proceeds of the vehicle's sale. If the sale of the vehicle doesn't recover the amount owing, the City may collect the deficiency in civil court.

A pilot project will also be conducted to evaluate the effectiveness of placing liens against vehicles with outstanding parking violations. Under this process, notification will be sent to the owner informing them that the City has registered an interest against their vehicle.

The Administration's intention is to recover the costs incurred during the process of collecting outstanding parking violations by passing these expenses onto the registered vehicle owner. Bylaw 8640, The Impounding Bylaw, 2007 and *The Summary Offences Procedure Amendment Act* detail the fines and associated costs that can be applied against a vehicle.

The Administration will work with the Communications Branch to issue Public Service Announcements to advise the public of the changes in the collection of delinquent parking fines, as well as operational information of the new impound lot.

PUBLIC NOTICE

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

LEGISLATIVE REPORT NO. 4-2008

Section B – OFFICE OF THE CITY SOLICITOR

**B1) Development Services Branch
Cost Recovery for Development Applications
(File No. CK. 1720-1)**

RECOMMENDATION: that City Council consider proposed Bylaw No. 8665, The Subdivision Amendment Bylaw, 2008.

ADOPTED.

City Council at its meeting held on March 17, 2008, considered a report from the Planning and Operations Committee recommending fee changes for various development application fees. The Proposed Fee Schedule for Development Applications which was approved by Council included an increase in the fee for subdivision applications from \$400.00 to \$500.00 for examination of an application for approval of a subdivision. The fee for a Certificate of Approval was increased from \$70.00 per lot to \$80.00 per lot with the maximum fee going from \$2,800.00 to \$3,200.00.

We enclose herewith proposed Bylaw No. 8665, The Subdivision Amendment Bylaw, 2008. The proposed Bylaw amends The Subdivision Regulations to implement the fee changes approved by Council.

PUBLIC NOTICE

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

ATTACHMENT

1. Proposed Bylaw No. 8665, The Subdivision Amendment Bylaw, 2008.

Comment [COMMENT1]:
If only 1 attachment, remove the "s". If no attachments, remove the heading.

UNOFFICIAL

REPORT NO. 5-2008 OF THE ADMINISTRATION AND FINANCE COMMITTEE

Composition of Committee

Councillor G. Penner, Chair
Councillor M. Neault
Councillor D. Hill
Councillor M. Heidt
Councillor T. Paulsen

**1. 2008 Goals and Objectives
Saskatoon Environmental Advisory Committee
(File No. CK. 175-9)**

RECOMMENDATION: that the information be received.

ADOPTED.

Attached is a report of the Saskatoon Environmental Advisory Committee dated February 14, 2008 outlining the Committee's Goals and Objectives for 2008.

Your Committee has reviewed this report, and extends appreciation to the Committee for its work on environmental issues in the community.

**2. Saskatoon Transit Promotions
(File No. CK. 7300-1)**

RECOMMENDATION: that City Council endorse the following principles for promotional transit events:

- a) participation in the event will provide a positive image of Saskatoon Transit;
- b) participation in the event will result in non-transit users trying Saskatoon Transit service;
- c) participation in the event will result in a positive benefit to the citizens of Saskatoon; and
- d) providing funds are available in the Operating Budget.

ADOPTED.

City Council considered Clause E2, Administrative Report No. 16-2007 regarding sponsorship related to transit buses, at its meeting held on July 16, 2007 and resolved, in part:

- 3) that the issue of promotional transit events be referred to the Administration and Finance Committee to review the entire framework.

The Committee considered Council's referral and the matter was referred to the Administration to bring forward criteria for establishing promotional transit events, and the financial impact of this proposal.

Attached is a report of the General Manager, Utility Services Department dated April 1, 2008 in response to the Committee's referral. Also attached, as background information, is Clause E2, Administrative Report No. 16-2007 (without attachments).

Your Committee has reviewed this report with the Administration and supports the principles that have been developed for promotional transit events.

3. 2007 Annual Report – Advisory Committee on Animal Control
(File No. CK. 430-63)

RECOMMENDATION: that the information be received.

ADOPTED.

Attached is the 2007 Annual Report of the Advisory Committee on Animal Control.

Your Committee has reviewed this report and extends appreciation to the Committee for its work on animal control matters in the community.

4. Communications to Council
From: David S. Miller
Date: March 14, 2005
Subject: Number of Animals Allowed to be Maintained
in a Single-Family Dwelling
(File No. CK. 151-15)

RECOMMENDATION: that the information be received.

ADOPTED.

The above-noted communication was considered by City Council at its meeting held on March 21, 2005 at which time Council passed a motion that the matter of the number of animals that may be maintained in a single-family dwelling be referred to the Advisory Committee on Animal Control.

The Advisory Committee on Animal Control subsequently referred this matter to the Administration to explore the possibility of a change to *The Animal Control Bylaw 7860* to limit the number of animals, including obtaining information from other municipalities.

Attached is a report of the General Manager, Corporate Services Department dated March 17, 2008 on this matter. The Advisory Committee on Animal Control supports the information provided in this report, and it was forwarded to the Administration and Finance Committee for submission to City Council.

During its review of this report your Committee noted with interest the information provided from other Canadian jurisdictions, and the justification from those cities where limits were imposed, and those opting for no bylaw limit. Your Committee supports the option for no bylaw limiting the number of animals allowed to be maintained in a household, as responsible pet ownership is the key, and any pet problems relate much more to the owner than to the number of pets. Any complaints about pet issues are already covered by the bylaws in place.

REPORT NO. 4-2008 OF THE LAND BANK COMMITTEE

Composition of Committee

Councillor M. Heidt, Chair
Councillor D. Hill
Councillor P. Lorje
Councillor G. Penner
Councillor M. Neault

**1. Proposed Direct Sale of Lot L, Plan 101908964 (2.678 acres) to Bayview Hospitality Incorporated
Shillington Crescent, Blairmore Suburban Centre
(File No. CK. 42w15-1)**

- RECOMMENDATION:**
- 1) that granting an Option to Purchase to Bayview Hospitality Inc. for the direct sale of Lot L, Plan 101908964 containing 2.678 acres of land be approved, with terms and conditions as outlined in the attached report; and
 - 2) that His Worship the Mayor and City Clerk be authorized to execute the necessary documentation to complete the conditional sale of the property.

ADOPTED.

Attached is a report of the General Manager, Community Services Department dated March 25, 2008 forwarding information in support of granting an Option to Purchase the above-noted property to Bayview Hospitality Incorporated.

Your Committee has reviewed this report with the Administration, including the terms and conditions listed in the report, and supports this proposal.

2. Request to Sell City-Owned Property

**Lots 163 to 194, Block 518, Plan 101928405; Lots 33 to 64, Block 531 and Lots 28 to 32, Block 536, both in Plan 101917762; Lots 11 to 42, Block 537 and Lots 1 to 8, Block 538 and Lots 1 to 7, Block 539 and Lots 1 to 22, Block 540 and Lots 1 to 22, Block 541 and Lots 1 to 74, Block 542 and Lots 1 to 10, Block 543, all in Plan 101928405; and Lots 1 to 18, Block 544 and Lots 1 to 14, Block 545 and Lots 1 to 19, Block 546 and Lots 1 to 12, Block 547, all in Plan 101917762, Paton Crescent Place, Way, Bay, Avenue, Lane and Terrace; Zimmer Crescent and Terrace; Pickard Bay; Stensrud Road; and Wilkins Crescent, Lane, Court, Bay and Terrace, Willowgrove Neighbourhood
(File No. CK. 4215-1)**

RECOMMENDATION:

- 1) that the Land Branch Manager be authorized to sell 304 lots in the Willowgrove Neighbourhood as outlined in the attached report;
- 2) that any of the lots which are not sold through the lot draw process be placed for sale over-the-counter on a first-come, first-served basis;
- 3) that the Land Branch Manager be authorized to sell Lots 1, 2 and 3, Block 539, Plan 101928405 to the highest bidder through a tender process for the intended use of developing Type 2 Residential Care Homes, with tender conditions and reserve bid prices plus applicable taxes, as outlined in the attached report;
- 4) that His Worship the Mayor and the City Clerk be authorized to execute the necessary documentation to complete the sales by public tender;
- 5) that any of the pre-designated Type 2 Residential Care Home lots which are not sold through the public tender process be placed for sale over-the-counter on a first-come, first-served basis for the same intended purpose for a period of one year, with conditions specified in the sales agreements, as outlined in the attached report;

- 6) that any of the pre-designated Type 2 Residential Care Home lots remaining in inventory after a period of one year be made available for sale over-the-counter on a first-come, first-served basis for one of the permitted uses within the R1A Zoning District; and
- 7) that the Land Branch Manager be authorized to administer development controls for the 307 lots (outlined in Recommendation Nos. 1 and 3 above) in accordance with the criteria outlined in the attached report.

ADOPTED.

Attached is a report of the General Manager, Community Services Department dated March 19, 2008 regarding the sale of a total of 307 lots in the Willowgrove Neighbourhood.

Your Committee has reviewed this report with the Administration and supports the sale of these lots as outlined in the report.

3. Land Sales Policy – Residential
(File No. CK. 4110-36)

RECOMMENDATION: that the Land Sales Policy for the sale of residential lots be amended as outlined in Attachment 1 of the report of the General Manager, Community Services Department dated March 20, 2008.

IT WAS RESOLVED: that consideration be deferred until the speaker on the matter. See Page No. 72.

UNOFFICIAL

REPORT NO. 7-2008 OF THE EXECUTIVE COMMITTEE

His Worship Mayor D. Atchison, Chair
Councillor C. Clark
Councillor B. Dubois
Councillor M. Heidt
Councillor D. Hill
Councillor P. Lorje
Councillor M. Neault
Councillor T. Paulsen
Councillor G. Penner
Councillor B. Pringle
Councillor G. Wyant

**1. Capital Project 1678 – Wet Weather Inflow Remediation
Phase I – West Side Flooding Remediation
(File No. CK. 7820-2)**

RECOMMENDATION:

- 1) that the Administration commence design and construction of buried sanitary sewage holding tanks at two locations, one near the intersection of Confederation Drive and Borden Place, and the other near the intersection of Makaroff Road and George Road, at an estimated cost of \$4,000,000, to be funded from the Water and Wastewater Infrastructure Reserve as follows:
 - a) \$2,700,000 of funding currently held within Capital Project 1678 – Wet Weather Inflow Remediation intended for a storage tank in this area; and
 - b) \$1,300,000 of unspent funding currently held within Capital Project 1678 – Wet Weather Inflow Remediation;
- 2) that the Administration commence the design and construction of two lift stations at the Borden Place and George Road holding tank sites at an estimated cost of \$4,900,000, to be funded from the Water and Wastewater Infrastructure Reserve as follows:
 - a) \$1,500,000 of unspent funding currently held within Capital Project 1678 – Wet Weather Inflow Remediation; and

- b) \$3,400,000 from the Water and Wastewater Infrastructure Reserve;
- 3) that the Administration begin an Eavestrough Extension Awareness Program to encourage all Saskatoon residents to take measures to prevent basement flooding and improve lot drainage on their property; and
- 4) that the Administration research and report on the feasibility of a program that would require the disconnection of weeping tile from the sanitary sewer and the installation of backwater valves on below-grade plumbing fixtures as a mandatory upgrade to all homes for which a building permit is obtained.

ADOPTED.

Your Committee has reviewed and supports the following report of the General Manager, Infrastructure Services Department dated April 3, 2008:

“EXECUTIVE SUMMARY

The following report outlines a proposed new solution to reduce the risk of basement flooding for areas serviced by the Confederation Drive trunk sewer. This solution takes advantage of the recent growth of the City and the resulting accelerated timetable for future neighbourhoods in the Blairmore Sector.

BACKGROUND

At its meeting held on October 9, 2008, City Council approved the construction of a buried sanitary sewage holding tank to be located near the intersection of Confederation Drive and Laurier Drive. Since that time, a more comprehensive solution strategy has been developed and the most beneficial locations for storage in this area have been determined.

The dry storm water retention pond in Charlottetown Park was successfully completed in 2007, and will be fully operational for the 2008 season, which will provide substantial storm water relief in the area of Confederation Drive and Laurier Drive during heavy rain events. Landscaping will be completed in 2008.

REPORT

Upon completing an engineering analysis of the response of the sanitary sewer systems to the June 17, 2007 and August 17/19, 2007 severe rain events, it has been determined that holding tanks near the intersections of Confederation Drive and Borden Place, and

Makaroff Road and George Road will provide better basement flooding protection to the Confederation Drive area than the location at Bennett Place, which was originally considered in 2007. Attachment 1 provides a map of the new proposed storage tank locations.

The proposed two new tanks represent only a portion of the storage required to provide a level of service able to withstand a storm as severe as the one on June 17, 2007, when more than 100 millimetres (mm) of rain fell in the Confederation Drive area. Providing such a high level of service would be extremely costly using storage facilities alone. Unfortunately, other solutions, such as trunk twinning, are even more costly.

The accelerated growth in Saskatoon and the resulting advancement of the Blairmore Suburban Development Area has provided an opportunity to relieve the Confederation Drive system with a new approach.

Future neighbourhoods in the Blairmore Sector will be serviced by a large lift station that will pump all sanitary sewage through a new pressurized force main along 33rd Street, to the existing interceptor pipe that runs parallel to the river. This force main can be utilized to effectively divert sewage that currently can only be conveyed by the Confederation Drive trunk sewer. Without the development of the new Blairmore Sector, it would be cost prohibitive to attempt this type of relief.

To lower the risk of basements flooding in the Confederation Drive area in the short term, Infrastructure Services is recommending the construction of two tanks in the locations as shown on Attachment 1. Construction of the tanks will begin immediately upon Council's approval. The two tanks would then be incorporated into the proposed long-term solution for the area. Two new lift stations would be constructed at these same sites in 2008/2009 to coincide with the completion of the West Sector Development force main along 33rd Street. Sanitary sewage would then be diverted into the force main providing significantly improved capacity.

The proposed sanitary sewer configuration for the Confederation Drive area is outlined in Attachment 2. The route marked "A" shows the current route of sanitary sewage for this area as it runs by gravity to the interceptor pipe parallel to the river. The flow from this route takes the sewage through two lift stations, one at the Vimy Memorial Bandshell near the Bessborough Hotel and the other at the Spadina Lift Station near the Circle Drive Bridge. The new proposed route, marked "B" on the map, shows a proposed alignment for the new force main that will serve the Blairmore Sector.

Another significant advantage of this proposal is it will reduce flows through the older infrastructure in the City's core areas, and along the interceptor sewer south of the existing Spadina Lift Station. At this time, the Administration is recommending that any residual interceptor capacity be reserved for increasing the density of existing areas, and as a factor of safety during wet weather events.

The Infrastructure Services Department is also recommending the initiation of an Eavestrough Extension Awareness Program to encourage all Saskatoon residents to take measures to prevent basement flooding and improve lot drainage on their property. These cost-effective public awareness programs have been successful at lowering wet weather flow in sanitary sewers and reducing basement flooding from seepage in other communities. Infrastructure Services will work in conjunction with the Communications Branch to organize this new program in May/June 2008 and will be similar in form to the annual 'Spring Melt' campaigns which have been well received in the past.

Other measures currently being undertaken to reduce the risk of basement flooding in Saskatoon include the 2007 Flood Protection Program, which provides assistance for upgrading plumbing in homes that have experienced basement flooding, a new manhole plugging program, and a revised emergency storm pumping response initiative.

The Infrastructure Services Department is also recommending that further research be conducted concerning the feasibility of requiring the disconnection of weeping tile from the sanitary sewer, and requiring the installation of backwater valves on below-grade plumbing fixtures as a mandatory upgrade to all homes that apply for a building permit. This would effectively reduce sanitary sewer inflows over the long run.

OPTIONS

Other options considered to reduce the risk of basement flooding in the Confederation Drive area are listed below. The options are listed in increasing level of service. Option 4 "Lift Stations plus Storage" is the option being recommended.

Option 1 - Status-Quo – No Implementation Costs

Advantages: - Lowest cost solution

Disadvantages: - No improvement in level of service with no short or long term risk reduction
- Potential liability from basement flood claims if no action is taken

Option 2 - Storage – Approximately \$15 million

This solution involves the construction of multiple sanitary sewer underground storage tanks throughout the Confederation Drive area. The storage tanks fill during severe rain events to reduce the impact of the overflow.

- Advantages:**
- Simplest engineering solution
 - Level of service directly related to expenditure on storage construction
 - Level of service equal to June 17, 2007 event is achievable

- Disadvantages:**
- Relatively high cost
 - Tank maintenance is required
 - Level of service is directly linked to tank capacity – when the tanks are full the system will return to its former flooded state

Option 3 – Trunk Twinning plus Storage – Approximately \$23 million

This solution requires less underground storage but involves the construction of 7000 metres of sanitary trunk sewer.

- Advantages:**
- Least disruptive engineering solution as most infrastructure is installed using trenchless technology
 - Level of service equal to June 17, 2007 event is achievable
 - Provides a higher level of service than storage alone

- Disadvantages:**
- Highest cost solution – likely cost prohibitive
 - Some tank maintenance is required

Option 4 – Lift Stations plus Storage – approximately \$11 million

This recommended option entails the construction of two lift stations attached to the Blairmore Sector force main, with underground storage tanks attached. The first \$8.9 million is referred to in the recommendations, the remaining \$2.1 million will be requested in the 2009 Capital Budget process. **The cost shown for this option does not include the cost of the West Sector Development force main which will be financed through land development servicing.**

- Advantages:**
- Lowest cost infrastructure solution
 - Highest level of service provided by an infrastructure solution as the service level is effectively governed by the size of the lift stations
 - Level of service equal to June 17, 2007 event is achievable
 - Redundant systems within the lift stations further reduces basement flooding risk
 - Tank maintenance may be incorporated in lift station design

- Additional sanitary sewer improvements are realized through the City's core areas

- Disadvantages:**
- Mechanical rather than gravity solution
 - Requires the construction of the West Sector force main or the solution is not economically feasible

Option 5 – City Funded Weeping Tile Disconnection Program – approximately \$19 million

Weeping tile connections are a significant component of the excessive flows experienced in the Confederation Drive area, and as a result are a main cause of basement flooding. Mandating the disconnection of weeping tile systems through a City funded program could eliminate this major source.

- Advantages:**
- Highest possible level of service as the largest component of wet weather flow is eliminated from the sanitary sewer
 - No infrastructure construction or maintenance is required

- Disadvantages:**
- High cost solution
 - Significant disruption to private homes

Option 6 – Mandatory Weeping Tile Disconnection Bylaw – approximately \$0.5 million

Like Option 5, this option requires the disconnection of all weeping tile systems in the Confederation Drive area. Rather than providing funding for these changes, a bylaw would force homeowners to upgrade their plumbing.

- Advantages:**
- Highest possible level of service as the largest component of wet weather flow is eliminated from the sanitary sewer
 - Very low cost to the City at large as only enforcement and inspection is required
 - No infrastructure construction or maintenance is required

- Disadvantages:**
- Significant disruption to private homes
 - Homeowners in affected areas are responsible for the upgrade costs, which would be approximately \$19 million

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPACT

Of the estimated \$8.9 million cost of these projects in 2008, \$5.5 million will be funded utilizing existing funding that has been approved within Capital Project 1678 - Wet Weather Flow Remediation.

It is proposed that the remaining \$3.4 million be funded by the Water and Wastewater Infrastructure Replacement Reserve. The current balance of the reserve is estimated to be \$3.4 million, therefore, the reserve balance will be depleted at the end of 2008. The reserve is replenished by monthly levies on water utility bills. In 2008, the Administration will submit a report recommending that the temporary levy for the Flood Protection Program be integrated with the current monthly sanitary sewer levy based on long term funding requirements.

The force main that will service the Blairmore Sector will need to be upsized in order to handle the flow directed to it by the two new lift stations. The cost of this upsizing is estimated at \$900,000, and will be included in the 2009 Capital Budget. The force mains connecting the lift stations to the new Blairmore Sector force main will cost approximately \$1.2 million, and will also be included in the 2009 Capital Budget.

PUBLIC COMMUNICATON PLAN

Infrastructure Services is working closely with the Communications Branch to provide public communication to the communities and associations affected by this change in sanitary sewer infrastructure. The Communications Branch has also prepared a public awareness strategy for the Eavestrough Extension Program.

ENVIRONMENTAL IMPACT

As part of the lift station design, the Infrastructure Services Department is examining ways to reduce the energy required. It is possible that the new design will require less total energy for daily operation than the existing sanitary sewer configuration.

The new lift station could potentially add sanitary sewer capacity to core neighborhoods thereby allowing increased population density in the City's central areas.

The proposed Eavestrough Extension Program will reduce flows to the Wastewater Treatment Plant during wet weather events thereby reducing energy consumption required for treatment of this water.

**SAFETY- CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN
(CPTED)**

The implications on Crime Prevention Through Environmental Design (CPTED) will be reviewed with the CPTED Review Committee, if the proposed solution requires the construction of any above ground facilities.

PUBLIC NOTICE

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

ATTACHMENTS

1. New Proposed Sanitary Sewer Tank Locations for the Confederation Drive Area.
2. Proposed Sanitary Sewer Reconfiguration for the Confederation Drive Area.”

**2. Condominium Conversions
(File No. CK. 4132-0)**

- RECOMMENDATION:**
- 1) that Policy C09-004 (Condominium Approvals) be amended as follows: If the average vacancy rate in the Saskatoon Census Metropolitan Area, as shown in the most current Canada Mortgage and Housing Corporation (CMHC) Rental Market Survey, is below 1.5%, no application for condominium conversion shall be received, considered or approved by the City unless:
 - (a) the building that is proposed to be converted into condominiums has been continuously vacant for the 12 months immediately preceding the date of the submission of the application for conversion; or
 - (b) the application for condominium conversion:
 - (i) relates to a building that, at the time of the application, is subject to an order issued pursuant to *The Property Maintenance & Nuisance Abatement Bylaw, 2003* to repair or demolish the building because of its condition; and is, in the opinion of the Fire Chief or his designate, in a ruinous or dilapidated state such that the building is dangerous to the public health or safety or

substantially depreciates the value of other land or improvements in the neighbourhood;

- (ii) is submitted by a person other than the person to whom the order to repair or demolish the building was directed, or a person related to or affiliated with that person; and
- (iii) contains the corrective measures to be taken to remedy the deficiencies in the building as identified in the order issued pursuant to *The Property Maintenance & Nuisance Abatement Bylaw, 2003*.

- 2) that the application fee for a condominium conversion be \$500, with an approval fee of \$80 per unit;
- 3) that the application fee for a new condominium be \$500; and
- 4) that the Condominium Approvals Policy be reviewed by City Council the first meeting of January 2009 after the release of the CMHC figures in mid December.”

IT WAS RESOLVED: that consideration be deferred to the speakers on the matter. See Page No. 73.

His Worship the Mayor assumed the Chair.

Moved by Councillor Heidi, Seconded by Councillor Penner,

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

CARRIED.

COMMUNICATIONS TO COUNCIL

The following communications were submitted and dealt with as stated:

B. ITEMS WHICH REQUIRE THE DIRECTION OF CITY COUNCIL

1) Chris Brewer, Saskatchewan Snowmobile Association Inc., dated March 31

Requesting that City Council write a Letter of Support to be included with their submission to the Building Communities Grant Program. (File No. CK. 1860-1)

RECOMMENDATION: that the City write a Letter of Support on behalf of the Saskatchewan Snowmobile Association Inc. for inclusion when applying to the Building Communities Program.

Moved by Councillor Penner, Seconded by Councillor Dubois,

THAT the city write a Letter of Support on behalf of the Saskatchewan Snowmobile Association Inc. for inclusion when applying to the Building Communities Program.

CARRIED.

2) Healthier Hails, Secretary, Credit Union Centre, dated April 3

Submitting Notice of Annual Members' Meeting of the Saskatchewan Place Association Inc. to be held on Wednesday, May 7, 2008. (File No. CK. 175-31)

RECOMMENDATION: that the City of Saskatoon, being a member of the Saskatchewan Place Association Inc., appoint Donald Atchison, or in his absence, Gordon Wyant, of the City of Saskatoon, in the Province of Saskatchewan, as its proxy to vote for it on its behalf at the Annual Members' Meeting on the Saskatchewan Place Association Inc., to be held May 7, 2008, or at any adjournment or adjournments thereof.

Moved by Councillor Penner, Seconded by Councillor Heidt,

THAT the City of Saskatoon, being a member of the Saskatchewan Place Association Inc., appoint Donald Atchison, or in his absence, Gordon Wyant, of the City of Saskatoon, in the Province of Saskatchewan, as its proxy to vote for it on its behalf at the Annual Members' Meeting on the Saskatchewan Place Association Inc., to be held May 7, 2008, or at any adjournment or adjournments thereof.

CARRIED.

3) **Luc Dehaene, Mayors for Peace, dated April 4**

Requesting that City Council pass a resolution and make a financial contribution to support Mayors for Peace 2020 Vision Campaign. (File No. CK. 205-5)

RECOMMENDATION: that the direction of Council issue.

Moved by Councillor Penner, Seconded by Councillor Dubois,

THAT the information be received.

CARRIED.

4) **Tanya Ringdal, Broadway Business Improvement District, dated April 7**

Requesting that Bruce Cory replace Tanya Ringdal on the Municipal Heritage Advisory Committee as the representative of the Broadway Business Improvement District effective April 11, 2008.

RECOMMENDATION: that Bruce Cory replace Tanya Ringdal on the Municipal Heritage Advisory Committee as the representative of the Broadway Business Improvement District effective April 11, 2008.

Moved by Councillor Hill, Seconded by Councillor Dubois,

THAT Bruce Cory replace Tanya Ringdal on the Municipal Heritage Advisory Committee as the representative of the Broadway Business Improvement District effective April 11, 2008.

CARRIED.

5) **Sheryl Fox and Barb Macpherson, YWCA, dated April 9**

Requesting a written response as to any strategies the City has, in addition to the Housing Business Plan, with respect to social housing in Saskatoon. (File No. CK. 750-1)

RECOMMENDATION: that the direction of Council issue.

Moved by Councillor Neault, Seconded by Councillor Heidt,

THAT the letter be referred to the Administration to respond to the writer with information regarding the 1,000 rental units that are planned to be built and to ask if the YWCA is willing to participate in the program.

CARRIED.

6) Randy Pshebylo, Riversdale Business Improvement District, dated April 10

Requesting that Neil Robinson of Garden Architecture and Patti Gera of verve2 be appointed to the Riversdale Business Improvement District Board of Directors. (File No. CK. 175-49)

RECOMMENDATION: that Neil Robinson and Patti Gera be appointed to the Riversdale Business Improvement District Board of Directors.

The City Clerk advised that Patti Gera does not wish to be appointed.

Moved by Councillor Lorje, Seconded by Councillor Dubois,

THAT Neil Robinson be appointed to the Riversdale Business Improvement District Board of Directors.

CARRIED.

7) Jeremy LaCoste, dated April 11

Commenting on proposed condominium application for 3113 7th Street East. (File No. 4132-1)

RECOMMENDATION: that the item be considered with Clause A6, Administrative Report No. 7-2008.

DEALT WITH EARLIER. SEE PAGE NO. 16.

8) Sara Saganace, dated April 11

Commenting on affordable housing and condominium conversion. (File No. CK. 750-1)

9) **Cathy Brown, dated April 15**

Commenting on proposal to limit condominium conversions. (File No. CK. 4132-1)

10) **Randy Robinson, dated April 15**

Commenting on proposal to limit condominium conversions. (File No. CK. 4132-1)

11) **Wendy Weseen, dated April 15**

Commenting on proposal to limit condominium conversions. (File No. CK. 4132-1)

RECOMMENDATION: that the letters be considered with Clause 2 of Executive Report No. 7-08.

Moved by Councillor Wyant, Seconded by Councillor Pringle,

THAT the letters be considered with Clause 2, Report No. 7-2008 of the Executive Committee.

CARRIED.

12) **Trent Praski, dated April 15**

Commenting on proposed condominium conversion at 1014 Colony Street. (File No. CK. 4132-1)

DEALT WITH EARLIER. SEE PAGE NO. 25.

13) **Marilyn Fowle-Neufeld, Zion Lutheran Church, dated April 15**

Requesting an extension of the time which amplified sound can be played under the noise bylaw for their annual picnic in Friendship Park to be held on May 25, 2008, at 11:00 a.m. (File No. CK. 205-1)

RECOMMENDATION: that the request from Zion Lutheran Church to have an extension of the time which amplified sound can be played under the noise bylaw for their annual picnic in Friendship Park to be held on May 25, 2008, at 11:00 a.m., be approved.

Moved by Councillor Dubois, Seconded by Councillor Heidt,

THAT the request from Zion Lutheran Church to have an extension of the time which amplified sound can be played under the noise bylaw for their annual picnic in Friendship Park to be held on May 25, 2008, at 11:00 a.m., be approved.

CARRIED.

14) Glen Carriere, KO Boxing Promotions, undated

Advising of a proposed event in the fall of 2008 in Saskatoon and advising they will be requesting City Council appoint a Boxing Commission or request a member from the Canadian Boxing Federation come to supervise the event when more details are finalized. (File No. CK. 175-24)

RECOMMENDATION: that the letter be referred to the Administration for a report to City Council.

Moved by Councillor Paulsen, Seconded by Councillor Penner,

THAT the information be received.

CARRIED.

C. INFORMATION ITEMS

1) Arlene Oxley, dated April 3

Expressing concern about an increase in taxes and suggesting a tax incentive to landlords. (File No. CK. 1920-1)

2) Kim Gallucci, Executive Director, TCU Place, dated April 7

Submitting 2007 Centennial Auditorium & Convention Centre Corporation Audited Financial Statements. (File No. CK. 1610-1)

3) Bernice Cook-Laliberte, dated April 8

Thanking the City for land donated for Station 20 West. (File No. CK. 4131-28)

4) **Wallace Falconer, dated April 8**

Commenting on the distribution of needles in the community. (File No. CK. 5000-1)

5) **V. Romancia, dated April 9**

Commenting on mosquito control in Saskatoon. (File No. CK. 4200-1)

6) **Gwen Klotz, dated April 10**

Providing information on a conference with respect to bullying in the workplace. (File No. CK. 4500-1)

7) **Marion Ghiglione, The Chamber, dated April 10**

Commenting on recent productivity report. (File No. CK. 3500-1)

8) **Catherine Brown, dated April 14**

Commenting on proposed apartment incentive plan. (File No. CK. 750-1)

9) **Joanne Sproule, Deputy City Clerk, dated April 2**

Submitting Notice of Development Appeals Board Hearing with respect to property located at 7 Bence Crescent. (File No. CK. 4352-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Hill, Seconded by Councillor Dubois,

THAT the information be received.

CARRIED.

D. **ITEMS WHICH HAVE BEEN REFERRED FOR APPROPRIATE ACTION**

1) **Greg Kendall, Business Development and Real Estate, dated April 1**

Advising inability to support West Industrial Park Concept Plan draft. (File No. CK. 4110-39)
(Referred to Administration for appropriate action.)

2) **Michael Mourre, dated April 2**

Commenting on rental issues. (File No. CK. 750-1) **(Referred to Administration to respond to the writer.)**

3) **Russ Krywulak, Ministry of Municipal Affairs, dated April 3**

Advising that 2008-2009 Municipal Transit Assistance for People with Disabilities Program operating grant allocations have been finalized. (File No. CK. 1860-6) **(Referred to Administration for further handling.)**

4) **Robin East, dated April 6**

Suggesting that bus stops be called out by operator on City Transit buses. (File No. CK. 7300-1)
(Referred to Administration to report to Administration and Finance Committee.)

5) **Burma Matz, dated April 6**

Expressing concern about proposed 2008 Mill Rate. (File No. CK. 1920-1) **(Referred to Budget Committee.)**

6) **Colleen Whitedear, dated April 6**

Submitting a complaint about a transit operator. (File No. CK. 7300-1) **(Referred to Administration for further action.)**

7) **V. Romancia, dated April 7**

Suggesting a change in the design of garbage bins. (File No. CK. 7830-3) **(Referred to Administration for consideration.)**

8) **Ken Yuzik, Saskatoon Radio Cabs, dated April 9**

Commenting on proposal to increase number of taxi licenses. (File No. CK. 307-4) **(Referred directly to the outstanding file on the matter.)**

9) **Robert Kitzan, dated April 9**

Expressing concern with respect to condition of roads in new residential areas because of contractors' equipment. (File No. CK. 6315-1) **(Referred to Administration to respond to the writer.)**

10) **Dave Prociuk, Saskatoon Crime Stoppers, dated March 27**

Submitting proposal to place Crime Stoppers Decals on all City vehicles. (File No. CK. 5000-1) **(Referred to Administration to report to City Council.)**

11) **Jeff Taylor, dated April 10**

Commenting on lawn care businesses existing without business licenses. (File No. CK. 300-1) **(Referred to Administration to respond to the writer. The response by the Administration is attached.)**

12) **Shea Ratzlaff, undated**

Reporting recent exceptional service from Light and Power Crew. (File No. CK. 2000-1) **(Referred to Administration for further handling.)**

13) **Erika Faith, dated April 2**

Commenting on Station 20 West. (File No. CK. 4131-28) **(Referred to Executive Committee for further handling.)**

14) **John and Betsy Bury, dated April 3**

Commenting on Station 20 West. (File No. CK. 4131-28) **(Referred to Executive Committee for further handling.)**

15) **Margi Corbett, dated April 3**

Commenting on Station 20 West. (File No. CK. 4131-28) **(Referred to Executive Committee for further handling.)**

16) **Nancy Wilkinson, dated April 6**

Commenting on Station 20 West. (File No. CK. 4131-28) **(Referred to Executive Committee for further handling.)**

17) **Rev. Carole Beal McKenzie, dated April 7**

Commenting on Station 20 West. (File No. CK. 4131-28) **(Referred to Executive Committee for further handling.)**

18) **Mary Jean Hande, dated April 8**

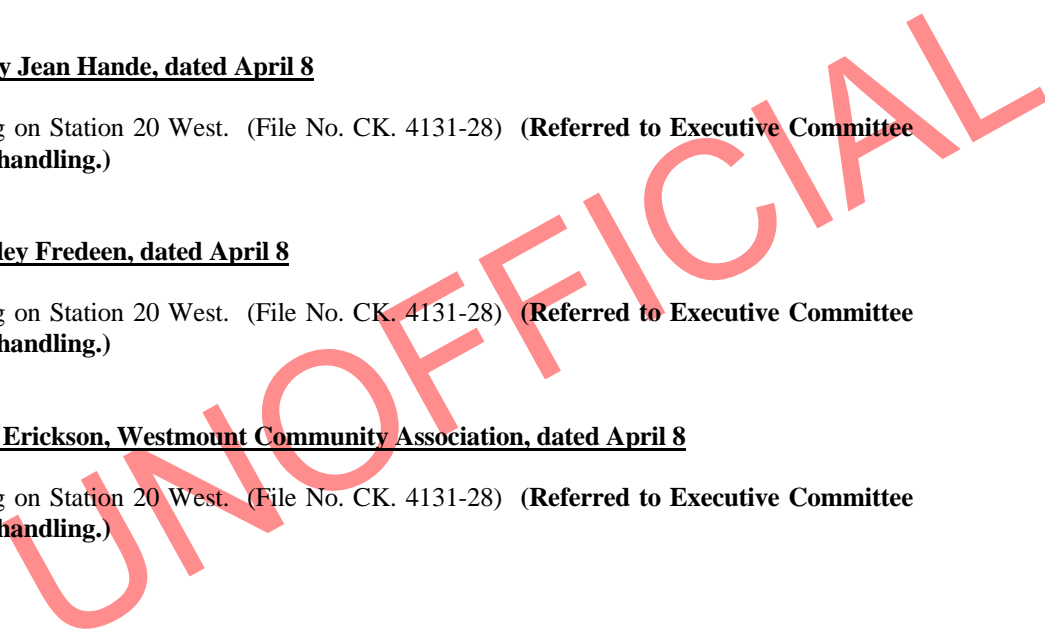
Commenting on Station 20 West. (File No. CK. 4131-28) **(Referred to Executive Committee for further handling.)**

19) **Shirley Fredeen, dated April 8**

Commenting on Station 20 West. (File No. CK. 4131-28) **(Referred to Executive Committee for further handling.)**

20) **Lisa Erickson, Westmount Community Association, dated April 8**

Commenting on Station 20 West. (File No. CK. 4131-28) **(Referred to Executive Committee for further handling.)**



21) **Ann Burton, Grosvenor Park United Church, dated April 9**

Commenting on Station 20 West. (File No. CK. 4131-28) **(Referred to Executive Committee for further handling.)**

22) **Robert Sanche, dated April 10**

Commenting on Station 20 West. (File No. CK. 4131-28) **(Referred to Executive Committee for further handling.)**

23) **Tammy Clarke, dated April 12**

Commenting on Station 20 West. (File No. CK. 4131-28) **(Referred to Executive Committee for further handling.)**

24) **Connie Gutwin, dated April 12**

Commenting on Station 20 West. (File No. CK. 4131-28) **(Referred to Executive Committee for further handling.)**

25) **Angela Luron, dated April 12**

Commenting on Station 20 West. (File No. CK. 4131-28) **(Referred to Executive Committee for further handling.)**

26) **Dale Jack, dated April 13**

Commenting on Station 20 West. (File No. CK. 4131-28) **(Referred to Executive Committee for further handling.)**

27) **Lynn and Randy Doll, dated April 15**

Expressing concern about the smoke from outdoor fires. (File No. CK. 2500-1) **(Referred to Executive Committee for further handling.)**

28) **Phil Rondeau, dated April 15**

Commenting about a parking ticket received. (File No. CK. 6120-1) **(Referred to Administration to respond to the writer.)**

29) **Davin Brown, dated April 15**

Expressing concern about traffic flow problems. (File No. CK. 6320-1) **(Referred to Administration for appropriate action.)**

RECOMMENDATION: that the information be received.

Moved by Councillor Wyant, Seconded by Councillor Heidt,

THAT the information be received.

CARRIED.

E. PROCLAMATIONS

1) **Linda Bryson, Multiple Sclerosis Society of Canada, Saskatchewan Division, dated April 2**

Requesting that City Council proclaim May 2008 as MS Awareness Month and requesting permission to raise their flag during the first week of May. (File No. CK. 205-5)

2) **Cathy Sieben, Greater Saskatoon Catholic Schools, dated April 2**

Requesting that City Council proclaim April 29 to May 5, 2008 as Saskatoon Literacy Week. (File No. CK. 205-5)

3) **Gaston Gourdeau, Canadian Public Works Association, dated April 14**

Requesting that City Council proclaim May 18 to 24, 2008 as National Public Works Week. (File No. CK. 205-5)

4) **Lal Khan Malik, Ahmadiyya Muslim Community, dated April 7**

Requesting that City Council proclaim May 27, 2008 as Khilafat Day in Saskatoon. (File No. CK. 205-5)

5) **Michael San Miguel, dated April 15**

Requesting that City Council proclaim June 12, 2008 as Filipino-Canadian Day in Saskatoon. (File No. CK. 205-5)

6) **Matt Baraniecki, CUPE 59, dated April 15**

Requesting that City Council proclaim April 28, 2008 as National Day of Mourning for workers injured, made sick or killed at work. (File No. CK. 205-4)

7) **Bob Lidington, Canadian Cystic Fibrosis Foundation, dated April 15**

Requesting the City Council proclaim May as Cystic Fibrosis Awareness Month. (File No. CK. 205-5)

- RECOMMENDATION:**
- 1) that the requests for the flag raisings be approved, subject to administration conditions;
 - 2) that City Council approve all proclamations as set out in Section E; and
 - 3) that the City Clerk be authorized to sign the proclamations, in the standard form, on behalf of City Council.

Moved by Councillor Hill, Seconded by Councillor Dubois,

- 1) *that the requests for the flag raisings be approved, subject to administrative conditions;*
- 2) *that City Council approve all proclamations as set out in Section E; and*
- 3) *that the City Clerk be authorized to sign the proclamations, in the standard form, on behalf of City Council.*

CARRIED.

ENQUIRIES

Councillor T. Paulsen
Parking Cars for Sale on High Profile Streets
(File No. CK. 6120-1)

Could the Administration please report on the feasibility of bringing forward a bylaw to prevent people from parking cars on higher profile streets in an effort to sell the vehicles. Now that spring is here, a number of impromptu 'car lots' have emerged on the streets of Saskatoon, much to the annoyance of the residents who live on those streets.

Councillor M. Neault
Intersection of Diefenbaker Drive and Centennial Drive
(File No. CK. 6250-1)

Would the Administration look at the possibility of the intersection of Diefenbaker Drive and Centennial Drive becoming a controlled intersection in 2009 or 2010, keeping future housing growth next to the Fire Hall in mind.

Councillor M. Neault
Sound Attenuation – 22nd Street South of Pacific Heights
(File No. CK. 375-2)

Is there ever going to be the opportunity of sound attenuation walls on 22nd Street south of Pacific Heights, seeing that all traffic from Highways 7 and 14 are coming down 22nd Street. Would these walls be part of the interchange at Highways 7 and 14.

Councillor M. Neault
Signage – Private Parking Lots
(File No. CK. 6120-1)

Would the Administration look at the possibility of having private parking lots that charge put up large signs that state there is a charge for parking after 6:00 p.m. There is confusion because the City does not charge for parking after 6:00 p.m.

Councillor B. Pringle
Use of Engine Retarder Brakes
(File No. CK. 6280-1)

Entering the city from Highway 11 South and Highway 16 East, residents are complaining about the increased noise – especially in evenings, at night and even on weekends from semi-truck retarder brakes. Could the Administration please assess this situation with regards to adequate signage and enforcement.

The meeting recessed at 6:50 p.m. and reconvened at 7:00 p.m. with His Worship the Mayor in the Chair.

HEARINGS

- 4a) **Proposed Rezoning from R1A to R1B and RMTN
Blocks 973, 979, 982, 983, 984, and 985
Lots A and B from Block 979 and Parcel X
Hampton Village – Zoning R1A
Proposed Bylaw No. 8663
(File No. CK. 4351-08-1)**
-

REPORT OF THE CITY CLERK:

“The purpose of this hearing is to consider proposed Bylaw No. 8663.

Attached are copies of the following:

- Proposed Bylaw No. 8663;
- Clause 1, Report No. 2-2008 of the Municipal Planning Commission with was adopted by City Council at its meeting held on March 17, 2008; and
- Notice that appeared in the local press under dates of April 5 and 12, 2008.”

His Worship the Mayor opened the hearing.

Mr. Randy Grauer, Community Services Department, reviewed the application and expressed the Department’s support of the proposed Zoning Bylaw Amendment.

Mr. Brad Sylvester, Chair, Municipal Planning Commission, expressed the Commission’s support for the proposed Zoning Bylaw Amendment.

Mr. Rick Howse, Land Branch Manager, expressed the Branch’s support of the proposed Zoning Bylaw Amendment.

His Worship the Mayor ascertained that there was no one present in the gallery who wished to address Council on this matter.

Moved by Councillor Penner, Seconded by Councillor Paulsen,

THAT the submitted report and correspondence be received.

CARRIED.

Moved by Councillor Heidt, Seconded by Councillor Hill,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Dubois, Seconded by Councillor Paulsen,

THAT Council consider Bylaw No. 8663.

CARRIED.

**4b) Proposed Zoning Bylaw Amendment
Cost Recovery for Development Applications
Proposed Bylaw No. 8666
(File No. CK. 4350-08-2)**

REPORT OF THE CITY CLERK:

“The purpose of this hearing is to consider proposed Bylaw No. 8666.

Attached are copies of the following:

- Proposed Bylaw No. 8666;
- Clause 1, Report No. 5-2008 of the Planning and Operations Committee which was considered by City Council at its meeting held on March 17, 2008;
- Notice that appeared in the local press under dates of April 5 and 12, 2008.”

His Worship the Mayor opened the hearing.

Mr. Randy Grauer, Community Services Department, reviewed the application and expressed the Department's support of the proposed Zoning Bylaw Amendment.

His Worship the Mayor ascertained that there was no one present in the gallery who wished to address Council on this matter.

Moved by Councillor Hill, Seconded by Councillor Heidt,

THAT the submitted report and correspondence be received.

CARRIED.

Moved by Councillor Dubois, Seconded by Councillor Paulsen,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Hill, Seconded by Councillor Heidt,

THAT Council consider Bylaw No. 8666.

CARRIED.

MATTERS REQUIRING PUBLIC NOTICE

- 5a) **Stonebridge Neighbourhood Concept Plan Amendment**
Applicant: Dundee Developments
(File No. CK. 4131-27)
-

REPORT OF THE CITY CLERK:

“The purpose of this matter requiring public notice is to consider the following recommendation of the General Manager, Community Services Department:

RECOMMENDATION: that the proposed amendment to the Stonebridge Neighbourhood Concept Plan, as shown on Attachment 2 to the report of the General Manager, Community Services Department dated March 3, 2008, be approved.

Attached are copies of the following:

- Report of the General Manager, Community Services Department dated March 3, 2008;
- Letter dated February 25, 2008 from the Secretary to the Municipal Planning Commission advising the Commission supports the above-noted recommendation;
- Letter dated April 7, 2008 from the Secretary to the Planning and Operations Committee advising the Committee supports the above-noted recommendation;
- Notice that appeared in the local press on April 12, 2008.”

Mr. Randy Grauer, Community Services Department, reviewed the application and expressed the Department's support of the proposed amendment.

Mr. Brad Sylvester, Chair, Municipal Planning Commission, expressed the Commission's support of the proposed amendment.

His Worship the Mayor ascertained that there was no one present in the gallery who wished to address Council on this matter.

Moved by Councillor Penner, Seconded by Councillor Paulsen,

THAT the proposed amendment to the Stonebridge Neighbourhood Concept Plan, as shown on Attachment 2 to the report of the General Manager, Community Services Department dated March 3, 2008, be approved.

CARRIED.

**5b) Enquiry –Councillor P. Lorje (January 22, 2007)
Traffic Calming – 100 and 200 Blocks of Avenue F South
(File No. CK. 6320-1)**

REPORT OF THE CITY CLERK:

“The following is a report of the General Manager, Infrastructure Services Department dated April 14, 2008:

RECOMMENDATION: that a traffic calming device known as a diverter be installed, on a temporary basis, at the intersection of 21st Street and Ave F South as shown on attached Plan No. 250-0042-005r002 (Attachment 1).

BACKGROUND

At its meeting held on March 26, 2007, City Council considered a report of the General Manager, Infrastructure Services Department in response to an enquiry from Councillor Lorje regarding traffic calming measures or traffic control changes that could be implemented on the 100 and 200 blocks of Avenue F South (Attachment 2). Council resolved that the Administration report further after a more comprehensive review of vehicle speed and volume is completed in the spring of 2007.

REPORT

Traffic calming is a way of reducing the adverse impact of motor vehicles using physical measures. It encourages motorists to slow down to reduce collisions; enhances safety for pedestrians; and reduces short-cutting.

Avenue F South, between 22nd Street and 20th Street, is classified as a local roadway, with commercial development (Giant Tiger and Tim Hortons) to the west and residential housing to the east. Since the development of Giant Tiger and Tim Hortons, the street has experienced an increase in traffic, with the volumes ranging between 1,000 and 3,000 vehicles per day.

A number of studies were conducted between June, 2007 and February, 2008 to determine the average daily traffic volume in the surrounding area. The results of the studies are illustrated in Table 1 below.

Table 1: Traffic Studies

Location	Date of Study	Average Daily Traffic (ADT)
Avenue F: 22 nd Street to 21 st Street	June 6, 2007	2480
Avenue F: 21 st Street to 20 th Street	March 3, 2007	1420
21 st Street: Avenue G to Avenue F	February 21, 2008	790
21 st Street: Avenue F to Avenue E	February 20, 2008	1030
Avenue. G: 22 nd Street to 21 st Street	February 21, 2008	110
Avenue G: 21 st Street to 20 th Street	February 21, 2008	630
Avenue E: 22 nd Street to 21 st Street	February 20, 2008	250
Avenue E: 21 st Street to 20 th Street	February 20, 2008	330

In addition, in April, 2007, a speed study on Avenue F between 22nd Street and 20th Street was completed to determine the 85th percentile speed (the speed at which 85 percent of the vehicles are traveling at or less than). The results found that the average speed was 38 kph, which is below the posted speed limit of 50 kph.

Although the results of the studies indicate that the traffic volumes are within the typical guidelines for a local roadway surrounded by residential and commercial land uses, residents in the area are concerned with the increased traffic volumes along Avenue F between 21st Street and 20th Street.

To address this concern, Infrastructure Services reviewed traffic calming devices known as obstructions, which can include directional closures, full closures and diverters and are typically used at intersections to discourage shortcutting or through traffic. These measures may also reduce conflicts, and can enhance the neighbourhood when landscaping is incorporated. It was determined that a diverter, which is a raised barrier placed diagonally across the intersection that forces traffic to turn, preventing it from proceeding straight through the intersection, was the best device to use at this location.

To determine the level of support for a diverter in the neighbourhood, a letter dated October 3, 2007 (Attachment 3) was sent to 152 residents, who were considered to be affected. The results of the survey are shown in Plan No. 280-0042-001r001 (Attachment 4). Of the 23 responses received, 6 were in favour and 17 disagreed. The Administration considers all non-responses to be in support of the proposal.

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The Administration is recommending that a diverter be placed at the intersection of 21st Street and Ave F South, restricting the following traffic movements:

- Avenue F southbound – through and left turn movements;
- Avenue F northbound – through and left turn movements;
- 21st Street eastbound – through and right turn movements; and
- 21st Street westbound – through and right-turn movements.

In order to determine the projected traffic volumes, the following assumptions were made:

Table 2- Assumptions of Traffic Movements

Street/Direction	Traffic Restrictions		
	Through	Left-Turn	Right-Turn
Avenue F Southbound	Approximately 20% will continue to use Avenue F and turn onto 21 st Street up to Avenue G to 20 th Street. Since there is no traffic signal at Avenue G and 20 th , the remaining traffic that would use Avenue F southbound will either use Avenue H or Avenue D, as both locations have traffic signals at 20 th Street.	Traffic will use 22 nd Street to Avenue E to access the neighbourhood. A small portion may use Avenue F to go to Tim Hortons and Giant Tiger.	No restriction

Street/Direction	Traffic Restrictions		
	Through	Left-Turn	Right-Turn
Avenue F Northbound	Traffic will likely use Avenue G to 21 st Street to enter Tim Hortons and Giant Tiger.	Traffic will use 20 th Street up to Avenue G.	No restriction
21 st Street Westbound	Approximately 50% will use Avenue F to 20 th Street and up Avenue G	No restriction	Traffic will either use Avenue E or D, or Avenue F southbound to 20 th Street to Avenue G and back up to 21 st Street.
21 st Street Eastbound	Traffic will either use Avenue F northbound to 22 nd Street, or remain on 20 th Street	No restriction	Will avoid Avenue F and use 20 th Street

Based on the assumptions above, traffic will be required to use alternate routes as outlined in Table 3 below:

Table 3 Projected Traffic Volumes

Location	Average Daily Traffic (ADT)	Projected Average Daily Traffic (ADT) as result of the diverter	Percentage Difference	
			Reduction	Increase
Avenue F: 22 nd Street to 21 st Street	2480	1488	40%	
Avenue F: 22 nd Street to 20 th Street	1420	775	45%	
21 st Street: Avenue G to Avenue F	790	1345		100%
21 st Street: Avenue F to Avenue E	1030	665	35%	
Avenue G: 22 nd Street to 21 st Street	110	110	No difference	
Avenue G: 21 st Street to 20 th Street	630	1370		134%
Avenue E: 22 nd Street to 21 st Street	250	670		180%
Avenue E: 21 st Street to 20 th Street	330	600		90%

Although the installation of a diverter will displace vehicles to the surrounding roadways, the neighbourhood will benefit by having more balanced traffic throughout, and the projected traffic volumes are within the acceptable values for local streets.

Additional advantages include:

- 1) Reduced traffic volume along Avenue F.
- 2) Encourage motorists to choose more appropriate routes, such as Avenue H and Avenue D, which have better traffic control to access 20th Street.
- 3) Motorists leaving Tim Hortons and Giant Tiger will choose to use 22nd Street to Avenue H, instead of travelling (through the residential area) on Avenue F to get to 20th Street.

Infrastructure Services is proposing that the diverter be installed on a temporary basis and that traffic volumes on Avenue F and the surrounding streets be monitored to evaluate its effectiveness. The diverter will be installed by using rubber curbing and directional signage, and adjustments will be made, if necessary, to improve performance.

FINANCIAL IMPLICATION

If approved, the installation of the temporary diverter, estimated at \$2,000, will be included in Capital Project 631 – Traffic Safety Improvements, and will be part of 2008 temporary traffic calming projects.

PUBLIC NOTICE

Public Notice is required for consideration of this matter, pursuant to Section 3b) of Policy No. C01-021, The Public Notice Policy. The following notice was given:

- Advertised in The StarPhoenix and Sun on the weekends of April 12 and 13 and April 19 and 20, 2008;
- Posted on the City Hall Notice Board on Thursday April 11, 2008;
- Posted on the City of Saskatoon website on Thursday April 11, 2008; and
- Flyers distributed to affected parties on April 11, 2008.

ATTACHMENTS

1. Plan No. 250-0042-005r002;
2. Copy of Clause D4, Administrative Report No. 7-2007, dated March 26, 2007;
3. Survey letter dated October 3, 2007;
4. Survey Results; and
5. Copy of Public Notice.'

Also attached is a letter from Terry Bethune dated April 14, 2008, submitting comments regarding the above matter.”

The City Clerk submitted copies of the following letters:

- *Jacob Zunti, undated, submitting comments, as well as approximately 20 signatures, in opposition to the Infrastructure Services Department proposal to install a temporary Diverter on Avenue F South and 21st Street.*
- *S. Henry, undated, submitting her objection to the above proposal.*
- *Lisa Mooney, dated April 18, 2008, submitting comments in support of the proposal.*
- *Alana Crozier, dated April 18, 2008, submitting comments regarding the proposal.*
- *Laura and Richard Scrivener, Sandstorm Holdings Ltd., dated April 21, 2008, submitting comments and suggestions.*

General Manager, Infrastructure Services Department Totland reviewed the application noting that the proposed traffic calming device known as a diverter be installed, on a temporary basis.

Ms. Lucy Greenwaldner, homeowner in the area, spoke regarding traffic concerns that may be caused by the proposed diverter and provided suggestions to help alleviate the traffic problems.

Mr. David Prokopchuk suggested that rather than diverting the traffic, the City should focus on assisting traffic out of the Giant Tiger lot.

Moved by Councillor Lorje, Seconded by Councillor Heidt,

THAT the matter be referred back to the Administration for a further report.

CARRIED.

REPORT NO. 4-2008 OF THE LAND BANK COMMITTEE – continued

**3. Land Sales Policy – Residential
(File No. CK. 4110-36)**

The City Clerk submitted copies of a letter from Alan Thomarat, Chief Executive Officer, Saskatoon & Region Home Builders' Association, Inc., dated April 21, 2008, requesting permission to address Council.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT Clause 3, Report No. 4-2008 of the Land Bank Committee be brought forward and that Alan Thomarat be heard.

CARRIED.

**“3. Land Sales Policy – Residential
(File No. CK. 4110-36)**

RECOMMENDATION: that the Land Sales Policy for the sale of residential lots be amended as outlined in Attachment 1 of the report of the General Manager, Community Services Department dated March 20, 2008.

City Council considered a communication dated December 21, 2007 from Mr. Alan Thomarat, Saskatoon and Region Homebuilders' Association at its meeting held on January 14, 2008, at which time Council passed a motion that the matter be referred to the Land Bank Committee and the builders be invited to attend.

Meetings were subsequently held with the Association and other home builders, and their concerns regarding lot sales were reviewed in detail by the Administration.

Attached is a report of the General Manager, Community Services Department dated March 20, 2008 forwarding information in follow-up to the meetings held with home builders and

the Association. Your Committee has reviewed this report with the Administration and supports the proposed amendments to the Land Sales Policy.”

Mr. Alan Thomarar, Chief Executive Officer, Saskatoon & Region Home Builders’ Association, Inc., spoke regarding the Land Sales Policy and encouraged Council to pass the recommendation noting that there are other areas of concern that need to be addressed. He provided Council with a copy of his presentation.

Moved by Councillor Heidt, Seconded by Councillor Wyant,

THAT the Land Sales Policy for the sale of residential lots be amended as outlined in Attachment 1 of the report of the General Manager, Community Services Department dated March 20, 2008.

CARRIED.

REPORT NO. 7-2008 OF THE EXECUTIVE COMMITTEE – continued

**2. Condominium Conversions
(File No. CK. 4132-0)**

The City Clerk submitted copies of the following letters requesting permission to address Council:

- *Kent Smith-Windsor, Executive Director, Greater Saskatoon Chamber of Commerce, dated April 16, 2008;*
- *Terry Ryan, dated April 17, 2008;*
- *Carla Sheridan, dated April 18, 2008;*
- *Shirley Ryan, Executive Director, NSBA, dated April 17, 2008; and*
- *John and/or Everett Kearley, dated April 21, 2008.*

The City Clerk submitted copies of the following letters submitting comments regarding the matter:

- *James Weseen, dated April 17, 2008;*
- *William J. Shaw, McDougall Gauley LLP, dated April 17, 2008;*
- *Ellen Quigley, dated April 18, 2008;*
- *Michael Sheridan, dated April 18, 2008;*
- *Kelly Harrington, dated April 18, 2008;*
- *Karen Brander, dated April 18, 2008;*
- *Kathryn Green, dated April 18, 2008;*
- *Jane Dimnik, dated April 18, 2008;*
- *Nazeem Muhajarine, dated April 18, 2008;*
- *Nick Peti, dated April 19, 2008;*
- *Terry Shuya, dated April 18, 2008;*

- Wendy Weseen, submitting a copy of a letter addressed to Honourable Don Morgan, Minister of Justice and Attorney General dated April 13, 2008;
- Mitch Lowe, dated April 18, 2008;
- Jake Buhler, dated April 15, 2008;
- Jesse Fournier, dated April 19, 2008;
- Ryan Walker, submitting additional information dated April 18, 2008, to be considered along with his previous request to speak to Council; and
- Marsha Matheson, dated April 21.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT Clause 2, Report No. 7-2008 of the Executive Committee, Items A2, and A4 – A9 of Communications to Council be brought forward and that the speakers be heard on the matter.

CARRIED.

**“2. Condominium Conversions
(File No. CK. 4132-0)**

- RECOMMENDATION:**
- 1) that Policy C09-004 (Condominium Approvals) be amended as follows: If the average vacancy rate in the Saskatoon Census Metropolitan Area, as shown in the most current Canada Mortgage and Housing Corporation (CMHC) Rental Market Survey, is below 1.5%, no application for condominium conversion shall be received, considered or approved by the City unless:
 - (a) the building that is proposed to be converted into condominiums has been continuously vacant for the 12 months immediately preceding the date of the submission of the application for conversion; or
 - (b) the application for condominium conversion:
 - (i) relates to a building that, at the time of the application, is subject to an order issued pursuant to *The Property Maintenance & Nuisance Abatement Bylaw, 2003* to repair or demolish the building because of its condition; and is, in the opinion of the Fire Chief or his designate, in a ruinous or dilapidated state such that the building is

dangerous to the public health or safety or substantially depreciates the value of other land or improvements in the neighbourhood;

- (ii) is submitted by a person other than the person to whom the order to repair or demolish the building was directed, or a person related to or affiliated with that person; and
- (iii) contains the corrective measures to be taken to remedy the deficiencies in the building as identified in the order issued pursuant to *The Property Maintenance & Nuisance Abatement Bylaw, 2003*.

- 2) that the application fee for a condominium conversion be \$500, with an approval fee of \$80 per unit;
- 3) that the application fee for a new condominium be \$500; and
- 4) that the Condominium Approvals Policy be reviewed by City Council the first meeting of January 2009 after the release of the CMHC figures in mid December.

City Council, at its meeting held on January 28, 2008, referred the Condominium Approvals Policy to the Executive Committee to consider measures that can be taken to provide balance to the condominium conversion process. The following suggestions were put forward at that meeting: tying all condominium conversions to the vacancy rate; implementing a cap on numbers; and tying approvals to the overall percentage of rental units in the city at any given time.

Your Committee has considered the attached reports of the General Manager, Community Services dated February 6, 2008 and April 11, 2008, as well as other documents included in a "Housing Binder" prepared by the Administration and posted on the City's website. Your Committee also heard from many people in the community, either in person or through communications, copies of which have previously been made public.

After careful deliberation your Committee puts forward the above recommendation. It should be noted that applications which meet the criteria would be subject to a report by the Administration to City Council for a decision. The report would include other recommendations as to building code, zoning, tenant hardship and other issues.

A2) **Collin Janzen, dated April 3**

Requesting permission to address City Council with respect to renting in Saskatoon. (File No. CK. 4132-1)

A4) **Ryan Walker, dated April 15**

Requesting permission to address City Council with respect the proposed Condominium Conversion Policy. Attached are copies of the following documents referenced in his letter:

- Andrejs Skaburskis analysis of Saskatoon Condominium Policy issues;
- Resume of Andrejs Skaburskis;
- Skaburskis Tables;
- TD Financial Report – *Affordable Housing in Canada: In Search of a New Paradigm*; and
- *Rental Housing Trends in Toronto: Should Conversions of Rental Buildings to Condominiums be Prevented?*

A5) **Jack Flaksman, dated April 15**

Requesting permission to address City Council with respect to condominium conversions. (File No. CK. 4132-1)

A6) **Lindsev Levesque, dated April 15**

Requesting permission to address City Council with respect to condominium conversions. (File No. CK. 4132-1)

A7) **Darren Hagen, dated April 15**

Requesting permission to address City Council with respect to condominium conversions. (File No. CK. 4132-1)

A8) **Shannon Christensen, dated April 15**

Requesting permission to address City Council with respect to condominium conversions. (File No. CK. 4132-1)

A9) Alan Thomarat, dated April 16

Requesting permission to address City Council with respect to condominium conversions. (File No. CK. 4132-1)”

Pursuant to earlier resolution Items B8 – B11 of Communications to Council were brought forward.

“B8) Sara Saganace, dated April 11

Commenting on affordable housing and condominium conversion. (File No. CK. 750-1)

B9) Cathy Brown, dated April 15

Commenting on proposal to limit condominium conversions. (File No. CK. 4132-1)

B10) Randy Robinson, dated April 15

Commenting on proposal to limit condominium conversions. (File No. CK. 4132-1)

B11) Wendy Weseen, dated April 15

Commenting on proposal to limit condominium conversions. (File No. CK. 4132-1)”

It was noted that Mr. Collin Janzen was not present in the gallery.

Dr. Ryan Walker spoke regarding the importance of protecting purpose-built rental housing and asked that the City follow conventional practice and take a cautious approach in its condominium approvals policy.

Mr. Jack Flacksam expressed support for condominium conversions and suggested tying the vacancy rate to neighbourhoods, rather than city wide.

Ms. Nicole Kenney, representative to the University of Saskatchewan Students' Union, expressed concern that students rental costs are rising and expressed support for the proposed 1.5% threshold.

Mr. Darren Hagen spoke regarding the property at 1024 Avenue C North indicating that an application has been made for a condominium conversion. He urged Council to review his application under the old policy, not the new one.

Ms. Shannon Christensen asked that Council use conventional methods when considering condominium applications. She submitted an on-line petition containing approximately 152 names asking Council to freeze condominium conversions when the vacancy rate in the city falls below 3%.

Mr. Alan Thomarar, Chief Executive Officer, Saskatoon & Region Home Builders' Association, Inc., indicated that a freeze on conversions would not increase rental supply and encouraged the City to work to increase the supply of affordable rental and ownership housing. He provided City Council with a copy of his presentation.

Mr. Kent Smith-Windsor, Executive Director, Greater Saskatoon Chamber of Commerce, suggested that conversions be approved with a clause that they remain as rental units for a period of time and that vacancy rates be considered by geographic zones.

Mr. Terry Ryan, owner of the Candlewood Apartment, indicated that currently his building is subsidizing rents in the amount of approximately \$20,000 and if the recommendations pass, he will be forced to raise rents.

Ms. Carla Sheridan spoke regarding the housing crisis as it relates to young people and people with disabilities.

Ms. Shirley Ryan, Executive Director, North Saskatoon Business Association, spoke in support of the proposed amendments, but requested that they be effective April 21. She provided Council with a copy of her presentation.

Mr. John Kearley or Mr. Everett Kearley were not present in the gallery.

Moved by Councillor Heidt, Seconded by Councillor Penner,

- 1) *that Policy C09-004 (Condominium Approvals) be amended as follows: If the average vacancy rate in the Saskatoon Census Metropolitan Area, as shown in the most current Canada Mortgage and Housing Corporation (CMHC) Rental Market Survey, is below 1.5%, no application for condominium conversion shall be received, considered or approved by the City unless:*
 - (a) *the building that is proposed to be converted into condominiums has been continuously vacant for the 12 months immediately preceding the date of the submission of the application for conversion; or*
 - (b) *the application for condominium conversion:*
 - (i) *relates to a building that, at the time of the application, is subject to an order issued pursuant to The Property Maintenance & Nuisance Abatement Bylaw, 2003 to repair or demolish the building because of its condition; and is, in the opinion of the Fire Chief or his*

designate, in a ruinous or dilapidated state such that the building is dangerous to the public health or safety or substantially depreciates the value of other land or improvements in the neighbourhood;

- (ii) *is submitted by a person other than the person to whom the order to repair or demolish the building was directed, or a person related to or affiliated with that person; and*
 - (iii) *contains the corrective measures to be taken to remedy the deficiencies in the building as identified in the order issued pursuant to The Property Maintenance & Nuisance Abatement Bylaw, 2003.*
- 2) *that the application fee for a condominium conversion be \$500, with an approval fee of \$80 per unit;*
 - 3) *that the application fee for a new condominium be \$500; and*
 - 4) *that the Condominium Approvals Policy be reviewed by City Council the first meeting of January 2009 after the release of the CMHC figures in mid December.*

IN AMENDMENT

Moved by Councillor Wyant, Seconded by Councillor Paulsen,

THAT the motion be amended by adding a new exception c) as follows: the owner has the consent of the number of tenants equalling 75% of the number of units in the building.

*YEAS: His Worship the Mayor, Councillors Dubois, Heidt, Neault,
Paulsen, Penner and Wyant*

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NAYS: Councillors Clark, Hill, Pringle and Lorje

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THE AMENDMENT WAS PUT AND APPROVED IN PRINCIPLE SUBJECT TO A REPORT FROM THE ADMINISTRATION CONTAINING DETAILS ON IMPLEMENTATION.

IN AMENDMENT

Moved by Councillor Wyant, Seconded by Councillor Heidt,

THAT the motion be amended by adding a new exception d) as follows: the owner enters into a formal agreement with the City that upon conversion all of the units will be retained in the rental market at market rates while the average vacancy rate is below 1.5% unless, pursuant to the existing policy, the existing tenant purchases the unit.

YEAS: Councillors Heidt, Neault and Wyant 3

NAYS: His Worship the Mayor, Councillors Clark, Dubois, Hill, Lorje,
Paulsen, Penner, Pringle 8

THE AMENDMENT WAS PUT AND LOST.

IN AMENDMENT

Moved by Councillor Heidt, Seconded by Councillor Neault,

THAT the motion be amended by adding the words "in any zone" before the words "in the Saskatoon Census Metropolitan Area" and by adding the words "for a building in that zone" after the words "no application for condominium conversion."

Moved by Councillor Wyant, Seconded by Councillor Neault,

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

NOT CARRIED UNANIMOUSLY.

Moved by Councillor Heidt,

THAT the meeting stand adjourned.

CARRIED.

The meeting adjourned at 11:05 p.m.

Mayor

City Clerk