

Council Chamber  
City Hall, Saskatoon, Sask.  
Monday, September 27, 1993,  
at 7:00 p.m.

## **MINUTES OF REGULAR MEETING OF CITY COUNCIL**

**PRESENT:** His Worship Mayor Dayday in the Chair;  
Councillors Birkmaier, Dyck, Mostoway, Thompson, Waygood,  
Penner, McCann, Mann, and Cherneskey;  
City Commissioner Irwin;  
Director of Planning and Development Pontikes;  
Director of Works and Utilities Gustafson;  
Director of Finance Richards;  
City Solicitor Dust;  
City Clerk Mann;  
City Councillors' Assistant Kanak

Councillor Dyck excused himself from the meeting at 10:12 p.m. during consideration of Item 6a) of "Unfinished Business".

*Moved by Councillor Penner, Seconded by Councillor Mostoway,*

*THAT the minutes of regular meeting of City Council held on September 13, 1993, be approved.*

*CARRIED.*

### **HEARINGS**

- 2a) Zoning Bylaw Amendment  
Rezoning - Lots 1-7, Block 306, Plan No. 86-S-17946  
503 to 527 Perehudoff Crescent  
R.2 to R.1A District  
Proposed Bylaw No. 7364  
(File No. CK. 4351-1)**
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#### **REPORT OF CITY CLERK:**

"Attached is a copy of Clause 2, Report No. 8-1993 of the Municipal Planning Commission which was ADOPTED by City Council at its meeting held on July 5, 1993.

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A copy of Notice which appeared in the local press under dates of September 4 and 11, 1993, is also attached.

Council, at this meeting, is to hear and determine any submissions with respect to the proposed amendment prior to its consideration of proposed Bylaw No. 7364, copy attached."

*His Worship Mayor Dayday ascertained that there was no one present in the gallery who wished to address Council with respect to the matter.*

*Moved by Councillor Birkmaier, Seconded by Councillor Cherneskey,*

*THAT the hearing be closed.*

*CARRIED.*

*Moved by Councillor Penner, Seconded by Councillor Cherneskey,*

*THAT Council consider Bylaw No. 7364.*

*CARRIED.*

**2b) Hearing  
Zoning Bylaw Amendment  
B.6 Zoning Regulations  
Screening of Off-Street Parking Facilities and  
Surfacing of Commercial Parking Lot Facilities  
Proposed Bylaw No. 7365  
(File No. CK. 4350-1)**

**REPORT OF CITY CLERK:**

"Attached is a copy of Clause 1, Report No. 7-1993 of the Municipal Planning Commission which was ADOPTED by City Council at its meeting held on June 21, 1993.

A copy of the Notice which appeared in the local press under dates of September 4 and 11, 1993, is also attached.

Council, at this meeting, is to hear and determine any submissions with respect to the proposed amendment prior to its consideration of Bylaw No. 7365, copy attached.

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Also attached are copies of the following communications:

- Letter dated September 8, 1993, from Emanuel Sonnenschein, Sonnenschein Law Office;
- Letter dated September 10, 1993, from Gay Smandyck, RCH Holdings;
- Letter dated September 14, 1993, from Rolf H. Holzkaemper, Owner, 732 Broadway Avenue South;
- Letter dated September 16, 1993, from Ken Achs, President, Mid-West Development (85) Corp.;
- Letter dated September 20, 1993, from Rnold H. Smith, President, 584238 Saskatchewan Ltd.;
- Letter dated September 22, 1993, from Lucy Chuback, Chair, Broadway Business Improvement District;
- Letter dated September 20, 1993, from V. S. Waldherr, Walco Enterprises Ltd.;
- Letter dated September 22, 1993, from Dr. Stephan Dershko, Chair, Riversdale Business Improvement District; and
- Letter dated September 23, 1993, from Kent Smith-Windsor, Executive Director, The Partnership."

*His Worship Mayor Dayday ascertained that there was no one present in the gallery who wished to address Council with respect to the matter.*

*Moved by Councillor Dyck, Seconded by Councillor Cherneskey,*

*THAT the submitted correspondence be received.*

*CARRIED.*

*Moved by Councillor Penner, Seconded by Councillor Dyck,*

*THAT the hearing be closed.*

*CARRIED.*

*Moved by Councillor Penner, Seconded by Councillor Mostoway,*

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*THAT Council consider Bylaw No. 7365.*

*IN AMENDMENT*

*Moved by Councillor Birkmaier, Seconded by Councillor McCann,*

*THAT consideration of Bylaw No. 7365 be deferred to the first regular meeting in March, 1994.*

*THE AMENDMENT WAS PUT AND LOST.  
THE MAIN MOTION WAS PUT AND LOST ON A TIE VOTE.*

His Worship Mayor Dayday welcomed the St. Martin's 24th Scout Troop to the meeting and noted that the Scouts are working towards their citizenship badges.

**COMMUNICATIONS TO COUNCIL**

The following communications were submitted and dealt with as stated:

**A. ITEMS WHICH REQUIRE THE DIRECTION OF CITY COUNCIL**

- 1) Ted Matthews  
1415 Jackson Avenue, undated**

Submitting petition with approximately 12 signatures regarding funding to the S.P.C.A. (File No. CK. 4720-1)

**RECOMMENDATION:** that the information be received.

*Moved by Councillor Cherneskey, Seconded by Councillor Mostoway,*

*THAT the information be received.*

*CARRIED.*

- 2) Ken Eagle, Board of Directors  
Liz Shoofey Stabler, Executive Director**

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**Saskatoon Society for Autism Inc., dated September 16**

Requesting Council to proclaim the week of October 17 to 23, 1993, as Autism Week in Saskatoon. (File No. CK. 205-5)

**RECOMMENDATION:** that His Worship the Mayor be authorized to proclaim the week of October 17 to 23, 1993, as Autism Week in Saskatoon.

*Moved by Councillor Cherneskey, Seconded by Councillor McCann,*

*THAT His Worship the Mayor be authorized to proclaim the week of October 17 to 23, 1993, as Autism Week in Saskatoon.*

*CARRIED.*

**3) Ken Wood, General Manager  
Saskatchewan Place, dated September 13**

Submitting a response to a concern regarding the handling of tickets sales for major events. (Files CK. 5800-1 and 611-3)

**RECOMMENDATION:** that the information be received.

*Moved by Councillor Penner, Seconded by Councillor McCann,*

*THAT the information be received.*

*CARRIED.*

**4) Kevin J. Mulligan  
229 4th Avenue North, dated September 15**

Requesting Council to proclaim November 19, 1993 as Ileitis and Colitis Day in Saskatoon. (File

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No. CK. 205-5)

**RECOMMENDATION:** that His Worship the Mayor be authorized to proclaim November 19, 1993, as Ileitis and Colitis Day in Saskatoon.

*Moved by Councillor Mostoway, Seconded by Councillor Birkmaier,*

*THAT His Worship the Mayor be authorized to proclaim November 19, 1993, as Ileitis and Colitis Day in Saskatoon.*

*CARRIED.*

**5) The Honourable Ned Shillington  
Minister of Labour, dated September 17**

Submitting response to motion adopted by Council requesting a delay in proclamation of *The Workers' Compensation Act, 1993* (Bill 55) and *The Occupational Health and Safety Act, 1993* (Bill 56). (File No. CK. 127-1)

**RECOMMENDATION:** that the information be received.

*Moved by Councillor Mostoway, Seconded by Councillor Dyck,*

*THAT the information be received.*

*CARRIED.*

**6) Susan Murphy  
231 Christopher Crescent, dated September 15**

Commenting regarding the Youth Centre activities held at Lakeview School this summer. (File No. CK. 5800-3)

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**RECOMMENDATION:** that the information be received.

*Moved by Councillor Waygood, Seconded by Councillor Penner,*

*THAT the information be received.*

*CARRIED.*

**7) Dale Rochelle, Promotion Coordinator  
The Partnership, dated September 20**

Requesting permission for temporary closure of 21st Street between First and Second Avenues from 10:30 a.m. to 1:30 p.m. on September 30, 1993, and provision of barricades, meter bags and garbage containers for a chili luncheon. (File No. CK. 205-1)

**RECOMMENDATION:** that the request be approved subject to Administrative conditions.

*Moved by Councillor McCann, Seconded by Councillor Cherneskey,*

*THAT the request be approved subject to Administrative conditions.*

*CARRIED.*

**8) Leo M. Barrett, Secretary,  
Saskatoon Professional Fire Fighters Union Local 80, dated September 16**

Submitting comments regarding employee wages. (Files CK. 2670-1 and 4720-1)

**RECOMMENDATION:** that the information be received.

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*Moved by Councillor Penner, Seconded by Councillor Cherneskey,*

*THAT the information be received.*

*CARRIED.*

**9) Shanno Lidster, Manager, Blood Donor Recruitment  
The Canadian Red Cross Society, dated September 23, 1993**

Requesting Council to proclaim the week of October 24 to 31, 1993, as National Donor Appreciation Week in Saskatoon. (File No. CK. 205-5)

**RECOMMENDATION:** that His Worship the Mayor be authorized to proclaim the week of October 24 to 31, 1993, as National Donor Appreciation Week in Saskatoon.

*Moved by Councillor Cherneskey, Seconded by Councillor Dyck,*

*THAT His Worship the Mayor be authorized to proclaim the week of October 24 to 31, 1993, as National Donor Appreciation Week in Saskatoon.*

*CARRIED.*

**10) Todd Benson, Public Relations  
Executive Council of Special Olympics, dated September 22**

Requesting Council to proclaim the week of October 12 to 17, 1993, as Special Olympics Week in Saskatoon. (File No. CK. 205-5)

**RECOMMENDATION:** that His Worship the Mayor be authorized to proclaim the week of October 12 to 17, 1993, as Special Olympics Week in Saskatoon.

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*Moved by Councillor Birkmaier, Seconded by Councillor Mostoway,*

*THAT His Worship the Mayor be authorized to proclaim the week of October 12 to 17, 1993, as Special Olympics Week in Saskatoon.*

*CARRIED.*

**11) Kent Smith-Windsor, Executive Director  
The Partnership, dated September 21**

Requesting permission to address Council regarding a recent Special Achievement Award received by The Partnership from the International Downtown Association for its Event Plan. (File No. CK. 150-5)

**RECOMMENDATION:** that a representative of The Partnership be heard.

*Moved by Councillor Penner, Seconded by Councillor Thompson,*

*THAT a representative of The Partnership be heard.*

*CARRIED.*

*Ms. Allisen Rothery, Member of the Board of Management of the Saskatoon Downtown Business Improvement District, indicated that recently in Richmond, Virginia, The Partnership won a special achievement award from the International Downtown Association. Being one of only three Canadian cities receiving such an award, Saskatoon's award was for the downtown event planning. She noted that The Partnership brings sporting, cultural and special events to the downtown for 220 days out of the year. Ms. Rothery thanked Council for its support and provided Council members with copies of a video on the award presentation.*

*Moved by Councillor Penner, Seconded by Councillor Thompson,*

*THAT the information be received and that a letter of congratulations be forwarded to The Partnership on behalf of Council.*

*CARRIED.*

**12) Dale Nygaard, President**

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**Downtown Merchants Association, dated September 20**

Expressing appreciation to Council and the Urban Design Committee for commitment to downtown beautification and streetscape projects. (File No. CK. 4130-4)

**RECOMMENDATION:** that the information be received.

*Moved by Councillor Mostoway, Seconded by Councillor Penner,*

*THAT the information be received.*

*CARRIED.*

**13) Greg Chartier, Committee Member  
Saskatchewan Canada Quality Month Committee, dated September 20**

Requesting Council to proclaim the month of October, 1993 as Quality Month in Saskatoon. (File No. CK. 205-5)

**RECOMMENDATION:** that His Worship the Mayor be authorized to proclaim the month of October, 1993, as Quality Month in Saskatoon.

*Moved by Councillor McCann, Seconded by Councillor Birkmaier,*

*THAT His Worship the Mayor be authorized to proclaim the month of October, 1993, as Quality Month in Saskatoon.*

*CARRIED.*

**14) Jacqueline T. Beattie, President  
Saskatoon Chapter, Canadian Celiac Association, dated September 22**

Requesting Council to proclaim the week of October 3 to 10, 1993, as Celiac Week in Saskatoon. (File No. CK. 205-5)

**RECOMMENDATION:** that His Worship the Mayor be authorized to proclaim the week of October 3 to 10, 1993, as Celiac Week in Saskatoon.

*Moved by Councillor Penner, Seconded by Councillor Waygood,*

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*THAT His Worship the Mayor be authorized to proclaim the week of October 3 to 10, 1993, as Celiac Week in Saskatoon.*

*CARRIED.*

**15) L. Monseler  
23 Bell Crescent, dated September 23**

Requesting permission to address Council regarding the proposed bylaw on the keeping of bees in the City. (File No. CK. 4350-1)

**RECOMMENDATION:** that the information be received and considered with Clause 3, Report No. 21-1993 of the Legislation and Finance Committee.

**19) Rusty Chartier, dated September 24**

Requesting permission to address Council regarding the proposed bylaw to prohibit keeping of bees in the City. (File No. CK. 4350-1)

**RECOMMENDATION:** that the information be received and considered with Clause 3, Report No. 21-1993 of the Legislation and Finance Committee.

**20) Doris Kargut  
1919 Lansdowne Avenue, dated September 27**

Requesting permission to address Council regarding the proposed bylaw to prohibit keeping of bees in the City. (File No. CK. 4350-1)

**RECOMMENDATION:** that the information be received and considered with Clause 3, Report No. 21-1993 of the Legislation and Finance Committee.

**21) Dwight Sollosy  
Saskatoon Bee Club, dated September 27**

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Submitting comments regarding the proposed bylaw to prohibit keeping of bees in the City and requesting permission for Mr. Andy Smycnuik to address Council. (File No. CK. 4350-1)

**RECOMMENDATION:** that the information be received and considered with Clause 3, Report No. 21-1993 of the Legislation and Finance Committee.

**22) W. W. Sawchyn  
162 Highbury Place, dated September 26**

Submitting comments regarding the proposed bylaw to prohibit keeping of bees in the City and requesting permission for Mr. Fred Baron to address Council. (File No. CK. 4350-1)

**RECOMMENDATION:** that the information be received and considered with Clause 3, Report No. 21-1993 of the Legislation and Finance Committee.

**23) Mike Bentley  
1920 York Avenue, undated**

Requesting permission to address Council regarding the proposed bylaw to prohibit keeping of bees in the City. (File No. CK. 4350-1)

**RECOMMENDATION:** that the information be received and considered with Clause 3, Report No. 21-1993 of the Legislation and Finance Committee.

*Moved by Councillor McCann, Seconded by Councillor Mostoway,*

*THAT the information be received and considered with Clause 3, Report No. 21-1993 of the*

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*Legislation and Finance Committee.*

*CARRIED.*

**16) Marlene Hall, Secretary  
Development Appeals Board, dated September 13**

Submitting Notice of Development Appeals Board Hearing regarding existing one-unit dwelling with front yard deficiency/encroachment at 914 Avenue L North. (File No. CK. 4352-1)

**RECOMMENDATION:** that the information be received.

**17) Marlene Hall, Secretary  
Development Appeals Board, dated September 17**

Submitting Notice of Development Appeals Board Hearing regarding two existing freestanding signs at 209 Cree Place. (File No. CK. 4352-1)

**RECOMMENDATION:** that the information be received.

**18) Marlene Hall, Secretary  
Development Appeals Board, dated September 24**

Submitting Notice of Development Appeals Board Hearing regarding proposed raised deck at south side of dwelling at 803 Brabant Crescent. (File No. CK. 4352-1)

**RECOMMENDATION:** that the information be received.

*Moved by Councillor Mann, Seconded by Councillor Penner,*

*THAT the information be received.*

*CARRIED.*

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**19) Rusty Chartier, dated September 24**

*DEALT WITH EARLIER. SEE PAGE NO. 13.*

**20) Doris Kargut  
1919 Lansdowne Avenue, dated September 27**

*DEALT WITH EARLIER. SEE PAGE NO. 14.*

**21) Dwight Sollosy  
Saskatoon Bee Club, dated September 27**

*DEALT WITH EARLIER. SEE PAGE NO. 14.*

**22) W. W. Sawchyn  
162 Highbury Place, dated September 26**

*DEALT WITH EARLIER. SEE PAGE NO. 14.*

**23) Mike Bentley  
1920 York Avenue, undated**

*DEALT WITH EARLIER. SEE PAGE NO. 15.*

**24) Henk Ruys, Executive Director  
Saskatoon Soccer Centre, dated September 26**

Submitting comments regarding the rental fee for the Wheatland B building. (File No. CK. 610-6)

**RECOMMENDATION:** that the information be received and considered with Clause 7, Report No. 20-1993 of the Planning and Development Committee.

*Moved by Councillor McCann, Seconded by Councillor Cherneskey,*

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*THAT the information be received and considered with Clause 7, Report No. 20-1993 of the Planning and Development Committee.*

*CARRIED.*

**25) Elmer Scheltgen  
511 Avenue D South, dated September 27**

Requesting permission to address Council regarding substandard housing. (Files CK. 530-1 and 5000-1)

**RECOMMENDATION:** that the information be received and considered with Clause 1, Report No. 20-1993 of the Planning and Development Committee.

*Moved by Councillor McCann, Seconded by Councillor Penner,*

*THAT the information be received and considered with Clause 1, Report No. 20-1993 of the Planning and Development Committee.*

*CARRIED.*

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

**1) Lakeridge Community Association, dated September 8**

Submitting comments regarding the City's operating budget. Referred to the Task Force to Review Current Civic Programs, Services and General Government of The City of Saskatoon. (File No. CK. 1704-1)

**2) Mae Makowsky, President  
Saskatoon Lions Speed Skating Club, dated September 13**

Submitting comments regarding the City's operating budget. Referred to the Task Force to Review Current Civic Programs, Services and General Government of The City of Saskatoon. (File No. CK. 1704-1)

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- 3) Joyce Bowers, President  
Dundonald Community Association, dated September 13**

Submitting comments regarding the City's operating budget. Referred to the Task Force to Review Current Civic Programs, Services and General Government of The City of Saskatoon. (File No. CK. 1704-1)

- 4) Carol Osborn, President  
YMCA Lasers Swim Club Inc., dated September 15**

Submitting comments regarding the City's operating budget. Referred to the Task Force to Review Current Civic Programs, Services and General Government of The City of Saskatoon. (File No. CK. 1704-1)

- 5) Earl Yeo, Past President  
Saskatoon Goldfins Swimming Club, dated September 13**

Submitting comments regarding the City's operating budget. Referred to the Task Force to Review Current Civic Programs, Services and General Government of The City of Saskatoon. (File No. CK. 1704-1)

- 6) Concerned Citizen, dated September 10**

Submitting comments regarding the City's operating budget. Referred to the Task Force to Review Current Civic Programs, Services and General Government of The City of Saskatoon. (File No. CK. 1704-1)

- 7) Bonnie Taylor, President  
Saskatoon Diving Club, dated September 14**

Submitting comments regarding the City's operating budget. Referred to the Task Force to Review Current Civic Programs, Services and General Government of The City of Saskatoon. (File No. CK. 1704-1)

- 8) Carol Lees, Gerda Bloemraad, Rhonda Gough, Lois Lamon  
Kerry O'Shea, Betty Townsend, Women for Equality, dated September 15**

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Submitting comments regarding the City's operating budget. Referred to the Task Force to Review Current Civic Programs, Services and General Government of The City of Saskatoon. (File No. CK. 1704-1)

**9) Carol Lees  
2422 Hanover Avenue, dated September 15**

Submitting comments regarding the City's operating budget. Referred to the Task Force to Review Current Civic Programs, Services and General Government of The City of Saskatoon. (File No. CK. 1704-1)

**10) Jim Cox, President  
Association of Civic Employees, dated September 15**

Submitting comments regarding the City's operating budget. Referred to the Task Force to Review Current Civic Programs, Services and General Government of The City of Saskatoon. (File No. CK. 1704-1)

**11) Orval Beland  
142 Douglas Crescent, dated September 10**

Submitting comments regarding the City's operating budget. Referred to the Task Force to Review Current Civic Programs, Services and General Government of The City of Saskatoon. (File No. CK. 1704-1)

**12) Dave Taylor, President  
Lois Lamon, Vice-President  
CUPE Local 59, dated September 15**

Submitting comments regarding the City's operating budget. Referred to the Task Force to Review Current Civic Programs, Services and General Government of The City of Saskatoon. (File No. CK. 1704-1)

**13) Glen Makahonuk, President  
CUPE Saskatchewan, dated September 15**

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Submitting comments regarding the City's operating budget. Referred to the Task Force to Review Current Civic Programs, Services and General Government of The City of Saskatoon. (File No. CK. 1704-1)

**14) Les Mills, President  
C.U.P.E. Local 47, dated September 6**

Submitting comments regarding the City's operating budget. Referred to the Task Force to Review Current Civic Programs, Services and General Government of The City of Saskatoon. (File No. CK. 1704-1)

**15) Dan Bichel, President/Business Agent  
Amalgamated Transit Union #615, dated September 9**

Submitting comments regarding the City's operating budget. Referred to the Task Force to Review Current Civic Programs, Services and General Government of The City of Saskatoon. (File No. CK. 1704-1)

**16) Elaine Hamm and others  
3204 Caen Street, dated September, 1993**

Submitting comments regarding the City's operating budget. Referred to the Task Force to Review Current Civic Programs, Services and General Government of The City of Saskatoon. (File No. CK. 1704-1)

**17) George R. Turanich  
Turanich Realty Ltd., dated September 8**

Asking Council to approve the ballerina structure on Sitter School of Dance property. Referred to the Administration. (File No. CK. 4350-1)

**18) Catherine Watton  
1238 Avenue C North, dated September 19**

Expressing concern regarding condition of street on Avenue C between 33rd and 34th Streets. Referred to the Administration. (File No. CK. 6315-1)

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**19) C. S. Sieger, President  
Sieger Investments, dated September 13**

Submitting concern regarding enforcement of the bicycle bylaw. (Tabled by Councillor Birkmaier at the Council meeting held on September 13, 1993). Referred to the Legislation and Finance Committee. (File No. CK. 5300-5-2)

**20) Peter Gravlin  
702 Main Street, undated**

Submitting petition for local improvement for sidewalk to be placed along Dufferin Avenue (East Side) between Main Street and South to Lane. Referred to the Administration. (File No. CK. 4140-3)

**RECOMMENDATION:** that the information be received.

*Moved by Councillor Cherneskey, Seconded by Councillor Mostoway,*

*THAT the information be received and that the referral of Item B.17 of "Communications" to the Administration include a request for a report to Council.*

*CARRIED.*

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**REPORTS**

Mr. R. Tennent, Chair, submitted Report No. 11-1993 of the Municipal Planning Commission;

City Commissioner Irwin submitted Report No. 21-1993 of the City Commissioner and Addendum to Report No. 21-1993 of the City Commissioner;

Councillor McCann, Chair, presented Report No. 20-1993 of the Planning and Development Committee;

Councillor Thompson, Chair, presented Report No. 21-1993 of the Legislation and Finance Committee;

Councillor Dyck, Chair, presented Report No. 23-1993 of the Works and Utilities Committee;

Councillor Mann, Member, presented Report No. 5-1993 of the Pension Administration Board;

Councillor McCann, Chair, presented Report No. 4-1993 of the Task Force to Review Current Civic Programs, Services and General Government of The City of Saskatoon;

His Worship the Mayor, Chair, presented Report No. 9-1993 of A Committee of the Whole Council; and

His Worship the Mayor, Chair, presented Report No. 4-1993 of the Committee on Committees.

*Moved by Councillor Penner, Seconded by Councillor McCann,*

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

- a) Report No. 11-1993 of the Municipal Planning Commission;*
- b) Report No. 21-1993 of the City Commissioner and Addendum to Report No. 21-1993 of the City Commissioner;*
- c) Report No. 20-1993 of the Planning and Development Committee;*
- d) Report No. 21-1993 of the Legislation and Finance Committee;*

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- e) *Report No. 23-1993 of the Works and Utilities Committee;*
- f) *Report No. 5-1993 of the Pension Administration Board;*
- g) *Report No. 4-1993 of the Task Force to Review Current Civic Programs, Services and General Government of The City of Saskatoon;*
- h) *Report No. 9-1993 of A Committee of the Whole Council; and*
- i) *Report No. 4-1993 of the Committee on Committees.*

*CARRIED.*

*His Worship Mayor Dayday appointed Councillor Cherneskey as Chair of the Committee of the Whole.*

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

*Committee arose.*

*Councillor Cherneskey, 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. 11-1993 OF THE MUNICIPAL PLANNING COMMISSION"**

Composition of Committee

Mr. R. Tennent, Chair  
Mr. Jim Kozmyk  
Councillor D.L. Birkmaier  
Ms. Ann March  
Mr. Glen Grismer  
Mr. Bill Delainey

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Ms. Fran Alexson  
Mr. Victor Pizzey  
Dr. Brian Noonan  
Ms. Lina Eidem  
Mr. Al Ledingham

**1. Rezoning -  
Lots 11 and 12, Block 911, Plan No. 79-S-43600  
322 and 330 La Ronge Road  
M.3A District to RM(TN) District  
(File No. CK. 4351-1)**

An application has been received by the Planning Department from the Land Manager on behalf of the City of Saskatoon, requesting permission to rezone Lots 11 and 12, Block 911, Plan No. 79-S-43600 (322 and 330 La Ronge Road) from an M.3A District to an RM(TN) District.

The intention of this application is to allow the properties to be marketed for townhouse development. If the application is approved, approximately 15 townhouse units could be constructed on either of the two lots.

Attached is a copy of report of the Planning Department dated September 3, 1993, on this rezoning application.

Your Commission has considered this matter and

- RECOMMENDS:**
- 1) that City Council approve the advertising respecting the proposal to rezone Lots 11 and 12, Block 911, Plan No. 79-S-43600 (322 and 330 La Ronge Road) from an M.3A District to an RM(TN) District;
  - 2) that the City Planner 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 the Municipal Planning Commission's report be brought forward for consideration at the time of the public hearing, and that City Council consider the Commission's recommendation that the proposed Zoning Bylaw amendment, as outlined in Recommendation 1) above, be approved.

*ADOPTED.*

**REPORT NO. 21-1993 OF THE CITY COMMISSIONER**

**Section A - Works and Utilities**

**A1) Proposed Five Minute Loading Zone  
400 Block of 2nd Avenue  
(File No. CC 6145-1) \_\_\_\_\_**

Report of the City Engineer, September 14, 1993:

"The Engineering Department has received a request from Bricore Land Group Ltd. to install a 'Five Minute Loading Zone' in front of 468 - 2nd Avenue North which will be used by Atomic Energy of Canada. The 400 block of 2nd Avenue is a long blockface that presently has only one loading zone, which is located in the south end of the blockface. If warranted, a guideline of two loading zones per long blockface is used.

The driveway north of the building was used to access/egress the parking lot to the north, however, due to re-development of the property, the driveway will now only be used for private purposes to access a small plaza area adjacent to the building. As the driveway will be used infrequently, Bricore Land Group Ltd. has agreed to the installation of the loading zone in front of the driveway.

The Engineering Department has reviewed the proposal and recommends that a 'Five Minute Loading Zone, 0900-1800, Monday-Saturday' be installed in front of 468 - 2nd Avenue North, as shown on attached Plan No. G7-34C. The loading zone proposal conforms to City guidelines with respect to 'Loading Zones Within the Retail Business District' in which case no fee is charged for its installation."

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**RECOMMENDATION:** that a "Five Minute Loading Zone, 0900-1800, Monday-Saturday" be installed in front of 468 - 2nd Avenue North, as shown on attached Plan No. G7-34C.

*ADOPTED.*

**A2) Proposed Disabled Person's Loading Zone  
1017 Aird Street  
(File No. CC 6145-1) \_\_\_\_\_**

Report of the City Engineer, September 14, 1993:

"The Engineering Department has received a request from Mrs. Lillian Smith, resident of 1017 Aird Street, to install a 'Disabled Person's Loading Zone' in front of her home. Mrs. Smith has arthritis and has difficulty walking. Mrs. Smith's daughter, who also resides at 1017 Aird Street, has Multiple Sclerosis and also has mobility problems. Aird Street is located south of the University of Saskatchewan and, as a result, students' vehicles are frequently parked in front of her home making transportation difficult.

The Engineering Department has reviewed the request and proposes that a 'Disabled Person's Loading Zone' be installed in front of 1017 Aird Street. The loading zone conforms to City guidelines with respect to 'Disabled Person's Loading Zones', in which case no fee is assessed for its installation."

**RECOMMENDATION:** that a "Disabled Person's Loading Zone" be installed in front of 1017 Aird Street.

*ADOPTED.*

**Section B - Planning and Development**

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**B1) Enquiry - Councillor Mostoway (August 16, 1993)  
Tree Planting on City Property  
(File No. CC 4139-1)**

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**"Would the Administration report on the criteria used in determining the kinds and varieties of trees used by the City in planting on City property?"**

Report of the General Manager, Civic Buildings and Grounds Department, September 9, 1993:

"The criteria for selecting the species of trees that are planted in the City's boulevards are:

- **Tree Hardiness:** The plant-material must be able to survive our short growing season and the low winter temperatures. (For example, Norway Maple which is used extensively in Montana and North Dakota will not consistently survive Saskatoon's winter season.) In addition, our climate is dry; however, this condition can be ameliorated through irrigation.
- **Structural Adaptability:** The mature size and shape of the trees which are selected for the boulevards must fit into the streetscape. Colorado Spruce, for example, is not suitable for planting near sidewalks and roadways because of its low branches.
- **Durability:** The species must be able to survive such conditions as damage from vehicles and vandals, excessive soil salinity, soil compaction, and air pollution. They must also grow relatively quickly to provide the various amenities for which they have been placed in the boulevards (e.g. shade, protection from the wind). They also must have a long life-expectancy to limit the need for frequent replacement.

In this region of the prairies, the number of species that fit all of these criteria is limited. The presence of Dutch Elm Disease in Saskatchewan has further reduced the available species by eliminating our use of the American Elm.

The available species may be susceptible to aphids, cankerworms, tent caterpillars, or other pests which cause cosmetic damage. Several years ago, an infestation of cankerworms in elms, maples, and apple trees resulted in larvae hanging from trees on silk filaments. This alarmed the residents of some neighbourhoods who were unaccustomed to the presence of larvae in such numbers. The infested trees, which initially were defoliated, recovered in the same growing season.

To some extent, aphids infest nearly all of the trees that are grown on the prairies. However, their existence does not place any excessive stress on the trees' growth. In communities where large numbers of only two or three species are growing close together, the opportunity for infestation becomes greater. Manitoba Maples and American Elm are most susceptible to infestation by large populations of aphids. For the last 60 to 70 years, these species accounted for approximately 80% of

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Saskatoon's boulevard trees.

Recently, the Civic Buildings and Grounds Department has received complaints about trees which are dropping `sap' on vehicles and other structures beneath them. In fact, it is the aphids, not the trees, that are causing this problem. These insects are not readily noticed; however, they secrete large quantities of excrement which are high in sugar and which stick to the objects beneath the tree."

**RECOMMENDATION:** that the information be received.

*ADOPTED.*

**B2) Demolition of One-unit Dwelling  
1217 - 2nd Avenue North  
(File No. CC 530-2)**

Report of the City Planner, September 15, 1993:

"In June of 1992, the Planning Department inspected the building at 1217 - 2nd Avenue North. Part of the basement's front concrete wall had collapsed and other major cracks were visible on the exterior of the foundation.

At that time, only the exterior of the building could be inspected. The owner advised the Planning Department that the house would be demolished. Further discussions revealed that the owner was negotiating the sale of the property.

The Department contacted the owner this spring and was again advised of the owner's intention to sell the property. During the discussion on the condition of the property, the owner said that it would be `looked after'. However, no attempts have been made over the summer to demolish, repair, or tidy up the property.

The house and yard at 1217 - 2nd Avenue North are in a very poor state. The foundation at the front of the house has fallen into the basement and its repair would not be feasible. The Chief Public Health Inspector of the Saskatoon Community Health Unit has advised that `the dwelling and property pose a risk to public health and substantially depreciate the value of the surrounding land'. The Acting Fire Inspector of the Saskatoon Fire Department recommends `that an order to demolish and clear the yard of debris be issued immediately'. (Photographs of the property are available for viewing in the City Clerk's Department.)

Separate action has already been taken with respect to the unacceptable condition of the yard. The lot is overgrown with trees, shrubs, and weeds and a large quantity of materials (e.g. old vehicles, an old tent trailer, pallets, lumber) are stored there. The City Engineer issued a notice of violation in July of 1993; however, the debris has not been removed nor has the yard been tidied up. The City Engineer has issued an Order under The Untidy and Unsightly Bylaw. If the owner does not

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comply with the Order, then the City can take action to have the work done.

Section 124 (2) of The Urban Municipality Act states:

'that Council may declare any building to be a nuisance if, because of its ruinous or dilapidated state or its faulty construction, or for any other reason, the Council is of the opinion that the building:

- (a) is dangerous to the public safety or health; or
- (b) substantially depreciates the value of other land or improvements in the vicinity'.

In the Planning Department's opinion, the building is a danger to the public's safety and health and depreciates the value of the other land and improvements in its vicinity. The property should be declared a nuisance pursuant to Section 124 of The Urban Municipality Act. The Planning Department also believes that the building is not worth repairing and that consideration should be given to issuing a Demolition Order on the property."

- RECOMMENDATION:**
- 1) that the information be received;
  - 2) that the property at 1217 - 2nd Avenue North be declared a nuisance pursuant to Section 124 of The Urban Municipality Act because, in City Council's opinion, the building is a danger to the public's safety and health, and substantially depreciates the value of other land or improvements in the vicinity; and
  - 3) that the City Solicitor be instructed to advise the owner, and all persons having an interest in the above-noted property, of the date of the hearing wherein City Council will consider the making of a Demolition Order.

*ADOPTED.*

- B3) Request For Encroachment Agreement  
928 - 8th Street East  
Lots 12, 13, and 14, Block 24, Plan G103**

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**(File No. CC 4090-2)**

Report of the City Planner, September 16, 1993:

"A.Q. Agnew, Q.C. (from Agnew & Company), on behalf of the property's owner, has requested to enter into an Encroachment Agreement with the City of Saskatoon for the above-noted property. As shown on the attached Real Property Report, part of the building and roof's flashing encroach onto the City's property along 8th Street. The encroachment has likely existed since 1958 when the building was constructed.

The total area of the encroachment is approximately 1.24 square metres (13.32 square feet). The building and roof's flashing encroach by a maximum of 0.131 metres (0.43 feet) over the street.

If approved by City Council, an Encroachment Agreement will be required. The owners of the property will be subject to the minimum annual fee of \$50.00."

- RECOMMENDATION:**
- 1) that City Council recognize the encroachment at 928 - 8th Street East (Lots 12, 13, and 14, Block 24, Plan G103);
  - 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 the Agreement on behalf of the City under the Corporate Seal.

*ADOPTED.*

**B4) Land-Use Applications Received by the Planning Department  
For the Period Between September 8 and September 22, 1993  
(For Information Only)  
(File No. CC 4355-1)**

The City Planner has received the following applications which are being processed and will subsequently be submitted to City Council for its consideration:

Discretionary Use



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that the neighbouring properties are not injuriously affected because the parking area would be screened from the street through extensive berms and landscaping.

The revised landscaping plan was approved by the Planning Department on April 14, 1993. The developer is proceeding to complete the required landscaping. According to the provisions of the Zoning Bylaw, the landscaping must be completed within the next growing season after the building has been occupied.

The proposal complies with the requirements of the Zoning Bylaw in all other respects. (The site is situated within an M.3 District.) The development also complies with the requirements of the approved Building Permits and will meet the requirements under the Building Bylaw.

The City Clerk's Department has a copy of the construction plans and the requisite surveyor plans. These are available for review by the members of City Council, if necessary.

In view of the above-noted considerations pertaining to the Zoning Bylaw and the Building Bylaw, the Planning Department advises that:

- a) separate occupancy of the units will not contravene the requirements of the Zoning Bylaw;
- b) the approval required under the Zoning Bylaw has been given in relation to the separate occupancy of the units; and,
- c) the buildings and the division of the buildings into units of separate occupancy, as shown on the plans which have been submitted and as constructed, will not interfere with the existing or likely future amenities of the neighbourhood."

- RECOMMENDATION:**
- 1) that City Council authorize the issuance of the Certificate required under Section 8(1)(b) of The Condominium Property Act to Remail Construction (1981) Inc., 2402 Millar Avenue, Saskatoon, for the St. James Place Condominium Development at 201 Cree Place; and
  - 2) that the City Clerk be authorized to prepare and forward the Certificate to the applicant.

*ADOPTED.*

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**B6) Enquiry -- Councillor Thompson (September 13, 1993)  
Condition of Properties  
1200 Block, 2nd Avenue North  
(File No. CC 4400-1)**

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**"As a Councillor, I have received complaints about the condition of several properties in the 1200 Block, 2nd Avenue North. I understand that most properties are in good condition and the above reference is to apparently three homes. Would the Administration please review and report upon this matter to Council."**

Report of the City Planner, September 23, 1993:

"In August of 1993, Councillor McCann asked the Planning Department to inspect three properties in the 1200 Block of 2nd Avenue North. During the subsequent inspections, two of the properties were found to be in a reasonable condition and did not warrant any action under The Building and Maintenance Bylaw. However, the owner of one of these properties was requested to undertake some minor maintenance and to cut the grass.

A third property at 1217 - 2nd Avenue North was inspected and was evaluated for demolition. Further reports to support this action were obtained from the Fire Department and from the Saskatoon Community Health Unit. Under Item B2 of this agenda, the City's Administration has recommended that City Council should take action, under the provisions of Section 124 of The Urban Municipality Act, to declare the property to be a nuisance and to consider making an Order to have the building demolished."

**RECOMMENDATION:** that the information be received.

*ADOPTED.*

**Section C - Finance**

**C1) Investments  
(File No. CC 1790-3)**

Report of the City Treasurer, September 22, 1993:

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"With the approval of the Investment Committee, the attached list indicates purchases and sales for the City's various funds."

**RECOMMENDATION:** that City Council approve the above purchases and sales.

*ADOPTED.*

**Section D - Services**

**D1) Routine Reports Submitted to City Council**

<u>SUBJECT</u>	<u>FROM</u>	<u>TO</u>
Business Tax - General License (copy attached) (File No. CC 435-13)	August 1, 1993	August 31, 1993
Schedule of Accounts Paid \$701,588.38 (File No. CC 1530-2)	September 3, 1993	September 8, 1993
Schedule of Accounts Paid \$397,894.86 (File No. CC 1530-2)	September 9, 1993	September 10, 1993
Schedule of Accounts Paid \$3,784,203.48 (File No. CC 1530-2)	September 10, 1993	September 14, 1993
Schedule of Accounts Paid \$874,993.68 (File No. CC 1530-2)	September 15, 1993	September 16, 1993
Schedule of Accounts Paid \$814,608.00 (File No. CC 1530-2)	September 17, 1993	September 21, 1993

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Schedule of Accounts Paid  
\$1,395,733.70  
(File No. CC 1530-2)

September 22, 1993

September 23, 1993

**RECOMMENDATION:** that the information be received.

*ADOPTED.*

**D2) Appointment of A Division Registrar  
of Vital Statistics for The City of Saskatoon  
(File Nos. CC 4510-1 and 3105-1)**

With the transfer of the responsibilities for community health services to the new Saskatoon District Health Board, it is necessary to deal with the appointment of a Division Registrar of Vital Statistics. The Vital Statistics Act provides that each municipality is a registration division and the Clerk of the municipality shall be the Division Registrar. It is possible for a municipality to appoint a person other than the City Clerk as the Registrar. In the past, the Medical Health Officer, or more recently the Saskatoon Community Health Unit has provided a Division Registrar function for the City.

Having discussed the matter with Dr. David Torr, Executive Director and Medical Health Officer of the Saskatoon Community Health Unit, the Administration would recommend that City Council appoint Dr. David Torr as the Division Registrar.

The Vital Statistics Act provides for a fee of 25¢ for each registration of a birth, death or stillborn death to the Division Registrar. In the last five years, the number of registrations has ranged from a high of 6,200 in 1988, to a low of 5,900 in 1992. At 25¢ per registration, the remuneration that the City would pay to the Saskatoon Community Health Unit for performing the function of Division Registrar would be in the range of \$1,475 to \$1,550 per annum.

- RECOMMENDATION:**
- 1) that City Council appoint Dr. David Torr of the Saskatoon Community Health Unit as the Division Registrar for The City of Saskatoon;
  - 2) that the Administration request the Lieutenant Governor in Council to approve the appointment of the Saskatoon

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Community Health Unit; and

- 3) that the Administration make provision in the 1994 Operating Budget for payment of the registration fees.

*ADOPTED.*

**D3) Meeting of City Council  
October 25, 1993  
(File No. CC 255-1)**

Report of the City Clerk, September 23, 1993:

"Due to the Federal Election being held on Monday, October 25, 1993, it is recommended that the regular meeting of City Council to be held on this date be rescheduled to Tuesday, October 26, 1993."

**RECOMMENDATION:** that the Council meeting scheduled for Monday, October 25, 1993, be held on Tuesday, October 26, 1993.

*ADOPTED.*

**D4) City of Saskatoon Municipal Manual - 1993  
(File No. CC 369-1)**

Report of the City Clerk, September 21, 1993:

"I am pleased to present the attached copy of the 1993 City of Saskatoon Municipal Manual for the information of Council. The manual is used as a successful research tool by various libraries, school boards and others throughout Canada.

We have followed the same format initiated in the 1992 manual as it appears to meet the needs of the users more effectively. We would welcome suggestions from Council members and others as to additional ways of making this document more useful."

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**RECOMMENDATION:** that the information be received.

*ADOPTED.*

**ADDENDUM TO REPORT NO. 21-1993 of the CITY COMMISSIONER**

**C2) Employee Computer Purchase Plan  
(File No: CC 1100-1)**

Report of the Manager, Central Purchasing & Stores, September 24, 1993:

"At its meeting held June 21, 1993, City Council resolved:

- 1) that City Council approve the Employee Computer Purchase Plan as defined in the above report subject to a lien security being provided to the City; and**
- 2) that the Administration be authorized to administer the program (including development, details, implementation and future amendments) consistent with the "no cost principle of the report".'**

The Central Purchasing and Stores Department received proposals on September 23, 1993, for the supply of Computer Equipment and Software to be offered to employees under the Employee Computer Purchase Plan. Seven bids were received and have been evaluated. Bids from MicroAge and Memory Lane were not considered because they did not contain bids for 386 PC's, as requested. The other five bids were evaluated against the published weighting factors -a summary of the evaluation is attached.

The Corporate Information Service Department's evaluation team has completed its review of the proposals and is recommending acceptance of the proposals that meet all of the specifications as submitted by Western Business Machines and Delron Computers Inc.

It is being recommended that the contract be shared by two suppliers to give employees flexibility in selecting their computer equipment and to provide competitive pricing on items not specifically quoted."

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**RECOMMENDATION:** that Western Business Machines and Delron Computers Inc. be jointly awarded the contract for the supply of Computer Equipment and Software for the Employee Computer Purchase Plan as outlined in the Request for Proposals, at an estimated total contract value of \$500,000.00.

*Councillor Thompson excused himself from discussion and voting on the matter and left the Council Chamber.*

*IT WAS RESOLVED: that Western Business Machines and Delron Computers Inc. be jointly awarded the contract for the supply of Computer Equipment and Software for the Employee Computer Purchase Plan as outlined in the Request for Proposals, at an estimated total contract value of \$500,000.00.*

*Councillor Thompson re-entered the Council Chamber.*

**REPORT NO. 20-1993 OF THE PLANNING AND DEVELOPMENT COMMITTEE**

Composition of Committee

Councillor P. McCann, Chair  
Councillor G. Penner

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Councillor K. Waygood

**1. Substandard Housing, Buildings and Properties**  
· **Proposed Amendments to The Building and Maintenance Bylaw No. 7083**  
· **Maintenance Bylaw Inspection and Enforcement**  
**(File Nos. CK. 530-1 and 5000-1)**

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Substandard housing, buildings and properties have been a concern within the community for a number of years and your Committee has considered the attached communication from Mr. Ken Redekopp, Civics Director of the Riversdale Community and School Association, concerning the existence of substandard revenue properties in this neighbourhood.

During the past several months, the Fire Chief, City Planner, Chief Public Health Inspector, and a representative from the City Solicitor's Office have formed a working committee which has been meeting regularly to identify, for City Council's consideration, possible changes to the existing bylaws, legislation, and procedures that would better protect the health, safety, and welfare of Saskatoon's citizens. The following report of the working committee, dated August 23, 1993, discusses the existing process that applies to substandard buildings and properties, the problems with this process, suggested solutions, and expected results:

"Enforcement and Rationalization of Services

**Existing Process**

Table 1 provides a list of the existing legislation and the respective departments responsible for administering the legislation for various building or property conditions that are deemed to be substandard.

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**TABLE 1: Existing Situation -- Substandard Buildings and Properties**

Building or Property Condition	Existing Legislation	Department Who Administers the Legislation
Untidy and Unsightly Yard	- U.M.A., 1984, S.130 - Bylaw No. 3531	Engineering
Weeds	- Noxious Weeds Act	Civic Buildings & Grounds
Junked Vehicle	- U.M.A., 1984, S.132	Engineering
Dilapidated Building	- U.M.A., 1984, S.134 (Open Excavations) - U.M.A., 1984, S.124 (Demolition) - U.M.A., 1984, S.126 (Maintenance) - Bylaw No. 7083 - Public Health Act, S.37 - Fire Prevention Act, S.16	Planning     Saskatoon District Health Board Fire
Unsanitary Conditions	- Public Health Act, S.37	Saskatoon District Health Board
Inadequate Plumbing	- Public Health Act, and Plumbing and Drainage Regulations	Planning
Fire Hazards	- Fire Prevention Act, 1992 - Fire Prevention Bylaw No. 6885 - National Fire Code, 1990	Fire
Building Code Deficiencies	- Uniform Building and Accessibility Standards Act - National Building Code, 1990 - Building Bylaw	Planning
Zoning Infractions	- Planning and Development Act, 1983 - Zoning Bylaw No. 6772	Planning
Hazardous Materials	- National Fire Code - Environmental Legislation	Fire Engineering

An explanation of the above-noted legislation is provided in Attachment 2, with the

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applicable enforcement procedures, appeal procedures, and penalties for each summarized in Attachment 3.

As Table 1 and the attachments show, the City's enforcement programs have been developed around a variety of regulations and legislation, with the responsibility for enforcement distributed among five different civic departments and the Saskatoon District Health Board which have acted relatively independently of each other. Currently, the following services applicable to substandard buildings and properties are provided by each agency:

Fire Department:

- reviews plans for new construction;
- provides ongoing inspections to ensure compliance with provincial and municipal legislation in new and existing buildings with five or more dwelling units;
- co-ordinates and trains Community Association Inspectors;
- provides inspections on complaints for fire hazards in all buildings;
- issues orders to remediate or to demolish structures where fire hazards are found and enforces provincial laws and municipal bylaws relative to fire safety;
- provides a consultation service to architects, builders, and engineers relative to fire safety; and,
- responds to fire and environmental hazards associated with the unplanned release of chemicals.

Planning Department:

- inspects buildings for structural damage after fires and ensures that the building is secured until a decision is made to repair or demolish;
- inspects buildings when requested to ensure their safety;
- inspects buildings when requested to assess the exterior of a building under the provisions of The Building and Maintenance Bylaw;
- co-ordinates inspections of buildings with the Planning, Fire, Police, and Engineering Departments and with the Saskatoon District Health Board;
- inspects buildings that have been placarded by the Saskatoon District Health Board in order to determine if the water should be turned off; and,
- inspects swimming pools, when a complaint is received, to ensure that the enclosures are adequate and that the pool-area is secure.

Saskatoon District Health Board:

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- investigates complaints about unsanitary conditions on property (e.g. accumulations of animal-waste and garbage; keeping of animals such as rabbits, pigs, and chickens; poorly maintained swimming pools);
- reviews plans for compliance with the applicable public health legislation;
- inspects buildings in response to complaints from the public about hazardous conditions resulting from the lack of repair and maintenance and the lack of security of abandoned and derelict buildings;
- inspects single and multiple dwellings in response to complaints about unsafe and unhealthy conditions, including the existence of pests and hazardous materials, such as lead and asbestos;
- liaises with the Department of Social Services, Community Health Nurses, Home Care, and family members, as appropriate, when the occupants have to be relocated to other property as a result of hazardous and/or unsanitary conditions;
- co-ordinates and trains Community Association Inspectors;
- inspects apartment blocks for compliance with the Provincial Apartment Block Regulations under The Public Health Act;
- investigates complaints about deteriorated water quality; and,
- investigates complaints about poor indoor-air quality and tests for contaminants, such as formaldehyde, carbon monoxide, mould, etc.

Engineering Department:

- investigates complaints concerning junked vehicles located on private property;
- investigates complaints about rubble piled on property and takes action under the Untidy and Unsightly Premises Bylaw; and,
- investigates complaints concerning the storing of hazardous material.

Civic Buildings and Grounds Department:

- investigates complaints concerning the growth of noxious weeds and takes the necessary enforcement action.

Solicitor's Office:

- responsible for legal enforcement of all conditions noted in Table 1, including prosecutions, orders to vacate, appeals, etc.

The preceding summary of the services that are currently being provided by the various agencies show that opportunities exist to rationalize these responsibilities in order to provide the public with a more streamlined and efficient service concerning the safety of

buildings and properties in Saskatoon.

**Problem: Fragmentation of Enforcement**

Under the current system, one property-owner could have up to five different inspectors arriving at different times to inspect the specific concern that is under their jurisdiction (e.g. one property could have a maintenance and a health and safety problem with the interior and/or the exterior of the building, a weed problem, a junked vehicle, and an untidy and unsightly yard). Not only is sending out five inspectors an inefficient use of resources, but it is inconvenient and disruptive to the land-owner and displays a negative image to the general public on the way that the City and the Health Board utilize their resources.

Another problem with the fragmented responsibilities for enforcement is the potential for inconsistency. As the number of departments and agencies that are involved increases, so also does the risk of being inconsistent. Inconsistency most often results in those cases where judgement must be used (e.g. should an Order to Repair or an Order to Demolish be issued, what time-frame should be given to the owner to comply with the order). The enforcement action can vary from one inspector to another and from one department to another.

**Suggested Solution: Coordinated Administrative and Enforcement Process**

All inspections undertaken for weed control, junked vehicles, and untidy and unsightly premises could be consolidated and assigned to the inspectors in the Planning Department who are responsible for implementing The Building and Maintenance Bylaw. The existing working committee (consisting of the Fire Chief, the City Planner, the Chief Public Health Inspector, and a representative of the City Solicitor's Office) could continue to meet regularly to ensure a coordinated inspection program. Both the Civic Buildings and Grounds Department and the Engineering Department agree with the idea of consolidating the inspection programs. However, the staffing implications of this action will require further discussion.

**Expected Results**

Consolidating the inspection programs will provide for more consistent enforcement and for a more effective use of resources which will then permit the City to move from being reactive to proactive. In this regard, the City will be dealing with the problem before it reaches a point where it is so bad that the individuals must be evicted from their residences.

Enforcement Procedures

### **Existing Procedures**

Attachment 3 summarizes the various legislative procedures that are currently in place to deal with buildings or properties that cause a health, safety, or maintenance concern.

### **Problem: Variation of Procedures**

According to Attachment 3, a huge discrepancy exists in the enforcement procedures, the time-to-comply requirements, the appeal procedures, and penalties. For example, there are 9 different conditions (e.g. untidy and unsightly premises, weeds, junked vehicles, etc.); the time-to-comply requirements range from 5 days to 90 days, as well as at the discretion of the issuer of the notice. A similar situation exists with respect to appeals and penalties. The current legislation sets out the processes that the municipality must follow.

### **Suggested Solution**

The City's Administration should pursue the following changes to the Provincial legislation to ensure uniformity and the timely administration of procedures, time-lines, and appeals:

1. **Enforcement Process:** The method of enforcement in the various provisions of The Urban Municipality Act, 1984 should be standardized. Each of the conditions indicates that the premises are being neglected and are becoming rundown. The method of dealing with these premises should be the same, regardless of the particular condition. If any premises do not comply with the provisions of the Act or a bylaw, an inspector should be authorized to issue an order to remedy the condition within the time specified in the order. This process would be similar to the process under The Uniform Building and Accessibility Standards Act and The Fire Prevention Act, 1992.
2. **Time to Comply:** The time to remedy a particular condition or to carry out remedial work should be determined by an inspector. The length of time given by an inspector will vary depending upon the seriousness of the condition and the extent of the work necessary to remedy the condition. Serious deficiencies will require immediate action. Less serious conditions can be corrected over a reasonable length of time.
3. **Appeals:** The owner of any particular premise must have the right to appeal the order of an inspector. Appeals from orders issued under these various sections should go directly to the Saskatchewan Municipal Board (S.M.B.). It is

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anticipated that a sub-committee of the S.M.B., composed of individuals with knowledge and experience in the building and housing industry, will hear these appeals. This sub-committee is expected to also hear appeals under The Fire Prevention Act, 1992.

In addition, the method of appeal and the time limits to appeal should be the same, regardless of the particular deficiency or problem. The appeal should not operate as a stay of the original order, pending the outcome of the appeal.

4. Court Orders: The legislation should be amended to allow an inspector to apply to a judge for an order requiring a person to comply with an order made under the Act or a bylaw, whether or not that person has been prosecuted.
5. Inspections: The legislation should be amended to allow inspections to be done and orders to be issued by City Council, an authorized municipal employee or an authorized agent of the municipality. This amendment would permit the public health inspectors to assist in enforcing these various sections. Public health inspectors are not employees of the municipality.

**Expected Results**

If the suggested legislative changes are implemented, the process will be streamlined with a faster response time to act on violations. The opportunity for error will be greatly reduced because the same process and procedure will apply to all infractions. Most important, it will be less confusing for the public who will now only have to deal with one process, rather than nine as could happen under the existing legislation.

The Building and Maintenance Bylaw

**Existing Situation**

At the present time, City Council has limited the scope of its Building and Maintenance Bylaw to the exterior of buildings, even though Section 126 of The Urban Municipality Act permits the interior to be covered. The application of the existing bylaw includes:

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- exterior walls,
- exterior doors, windows, shutters, and hatchways,
- roofs, eavestroughs, vents, and chimneys,
- projections and attachments,
- vermin and rodents,
- access,
- hazard, and
- foundations, foundation walls, and supports.

**Problem: Inadequacy of the Existing Bylaw**

Under the existing bylaw, the municipality does not deal with interior safety and maintenance problems until they become so bad that the Fire Department, the Health Board or the Planning Department must act because of an imminently dangerous situation. This action most always involves placarding the building and evicting the occupants so as to ensure their safety and welfare. There are many examples in our community that have now reached a dangerous situation and that may have been avoided if The Building and Maintenance Bylaw had included interior standards. (A slide presentation will accompany this report to display some examples of this concern.)

Another problem is that the existing procedures for administering the City's Building and Maintenance Bylaw are extremely taxing on the current resources of the Planning Department and have limited the Department's ability to respond with force. At the present time, Article 6 of The Building and Maintenance Bylaw states:

'Where an inspector finds the building does not conform with the minimum standards provided for in Section 5 of this Bylaw, the inspector shall report to the [Planning and Development] Committee, specifying the particulars of non-conformity and providing estimated costs of having the non-conformity corrected. The Committee shall consider the matter and make its report to Council.'

In order to fulfil this requirement, it is necessary to carry out the following steps:

- make an initial inspection to determine the item(s) of contravention;
- investigate and report on the methods of repair and estimate the cost of these repairs; and,
- prepare a report for consideration by the Planning and Development Committee.

The Planning and Development Committee reviews the report and forwards its recommendation to City Council. City Council reviews the report and if it agrees that

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action should be taken, instructs the City Solicitor to prepare the Notice of Non-Conformity that will be issued to the owners and to all persons having an interest in the property. Occasionally, it will be necessary to coordinate an inspection with the Fire Department, the Saskatoon District Health Board, and possibly, the Civic Buildings and Grounds Department.

This procedure is quite cumbersome and time-consuming, particularly the requirement for an estimate of the cost of the repairs (due to the number of possible different methods that the owner may use to carry out the repairs). Since the Bylaw does not address how the repairs must be carried out, it becomes a judgement call on what is an appropriate method to carry out the orders to satisfy The Building and Maintenance Bylaw. The Planning Department requires the assistance of the Civic Buildings and Grounds Department to prepare the estimate of cost and, therefore, two civic departments are involved in this part of the procedure.

**Suggested Solution**

1. Interior Standards: Because The Building and Maintenance Bylaw does not apply to the interior of buildings, the City's ability to protect the health, safety, and welfare of our community is limited. The Urban Municipality Act allows the interior to be included within The Building and Maintenance Bylaw. Many cities (e.g. Regina and Winnipeg) have a bylaw that covers both the interior and exterior in order to provide a comprehensive approach to the maintenance of buildings within their communities.

The Building and Maintenance Bylaw should concern itself with the minimum standards for buildings that are necessary to ensure that people are not living in an unsafe and unhealthy environment. The bylaw should deal with the following items:

- Exterior Standards
  - exterior walls, doors, windows,
  - roofs and eavestroughs,
  - roof-mounted structures,
  - projections and attachments, and
  - entry of vermin and rodents.
- Interior Standards
  - access,
  - cleanliness,

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- moisture and dampness,
- egress,
- toilet and bathroom,
- foundations, foundation walls, and supports,
- floors,
- basement floors,
- kitchens and rooms where food is prepared,
- light,
- water supply,
- plumbing facilities,
- stairs and landings,
- structural adequacy,
- guardrails, handrails, and balustrades,
- ventilation,
- vermin and rodents,
- walls and ceilings,
- doors,
- heating system, and
- chimneys and fireplaces.

If The Building and Maintenance Bylaw is amended to include the above-noted areas, the Fire Chief, City Planner, City Solicitor, and the Chief Public Health Inspector could then put forward a coordinated effort to ensure a safe and healthy environment for Saskatoon's citizens.

2. Procedural Changes: The efficiency of administering the Bylaw could be greatly improved by:
  - removing the need for an estimate of the cost of repairs;
  - allowing an inspector to issue the Notice of Non-Conformity;
  - allowing an inspector to issue the Order to Repair; and,
  - enforcing through court orders.

With the greater emphasis being placed on maintenance issues (such as the proactive program that is being undertaken in the Riversdale area by its Community Association, in conjunction with the Fire Department and the Saskatoon District Health Board), the administrative components of the Bylaw must be made more efficient to ensure that the staff of the City and the Saskatoon District Health Board can cope with the anticipated increase in the number of inspections that will be required. By removing the need for an estimate of the cost of repairs, the administrative costs in enforcing the Bylaw will be reduced (including the time it takes to get a Notice of Non-Conformity to the property-

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owners) because, to prepare these estimates, each item has to be examined in detail and various options to repair must be considered and priced. In addition, the owner may choose a different form of repair than that which was considered by the City and therefore, the cost to the owner may be more or less than the City's estimate.

By allowing the City's inspectors to issue the Notice of Non-Conformity and to issue the Order to Repair, efficiency would be increased by:

- removing the need to prepare reports for consideration by the Planning and Development Committee and City Council;
- eliminating the time between the date of inspection and the issuance of the Notice of Non-Conformity; and,
- reducing the work of the City Solicitor who now has to prepare both the Notice of Non-Conformity and the Order to Repair.

This change in procedure will not affect the rights of the property-owner who still has the opportunity to appear before City Council after receiving a Notice of Non-Conformity.

Finally, consideration should be given to amending The Building and Maintenance Bylaw to allow enforcement through court orders. Section 7(6) of the current Bylaw states:

'Where the order is not complied with within the time specified in the order, the City may in addition to any other rights provided by The Urban Municipality Act carry out the work specified in the order at the expense of the owner, and Council is hereby authorized to have such work carried out. The cost of the work shall be added to and form part of the taxes on the land on which or with respect to which the work has been carried out.'

If an owner does not make the repairs in the Order to Repair, the City may carry out the specified work at the expense of the owner, with the cost being added to the property's taxes. If the City pursues this course of action, the City's staff have to prepare tender documents for the work (i.e. specifications have to be prepared, the tenders have to be reviewed, and a decision must be made). The City's staff also have to inspect the work to ensure it is satisfactory. This procedure may take two to three months to complete, thereby reducing the efficiency and increasing the workload. The City is responsible for the contractor's actions if damages occur as a result of this work. The owner of the property may also claim that the work is not satisfactory and may complain about the cost going on the taxes. In

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order to improve the efficiency and effectiveness of the process, consideration should be given to using court orders for enforcement.

For the information of the Committee, it should be noted that the City of Regina:

- does not require the Building Inspector to provide an estimate of the costs of repairs;
- permits the Senior Property Standards Inspector to issue the Notice of Non-Conformity (called a Notice of Non-Compliance); and,
- permits the Senior Property Standards Inspector to issue the Order to Repair.

Also, the City of Regina has chosen to enforce its Maintenance Bylaw by obtaining court orders whenever the owner has not complied with the Order to Repair. This is very effective for the following reasons:

- Additional civic staff are not required to prepare tender documents and to supervise the contractors who are carrying out the repairs, although more resources will be used in the Solicitor's Office.
- Where the owner is forced to carry out the repairs, the City cannot be held liable for damages that may otherwise be claimed by the owner when the City carries out the work, nor can the owner complain to the City that the contractor's work is not satisfactory. Any disputes on workmanship are between the owner and the contractor.
- Confrontation is kept in the courts. When the City is required to carry out an order on private property, the owner may resist the entry of the City and/or the contractors. In such cases, it may be necessary to get a court order to allow the work to proceed. It may also be necessary to request the assistance of the police to protect the workers on the site.
- If the owner fails to comply with the court order, the owner can be found in contempt of court and can be fined accordingly.
- The court order will force the owner to make a decision on what to do with the building, rather than have the City consider the options for repair. In some cases, the owner may elect to demolish the building, rather than repairing it.

**Expected Results**

Making the suggested changes to The Building and Maintenance Bylaw will permit the City to become more proactive rather than reactive because it can now deal with an

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interior maintenance problem at an earlier stage. The situation will not become one of imminent danger whereby the City is forced to placard and evict occupants. The new bylaw will also be user-friendly which will go a long way in helping the public have a better understanding of its requirements. The suggested changes will streamline the process and, by permitting the available resources to act proactively, rather than reactively, will improve the health and safety conditions for the residents.

Occupancy Permits

**Existing Process**

At the present time, the City of Saskatoon does not require that a permit is issued prior to the occupancy of the building. However, the Planning Department provides this service if anyone asks for it. This is not a common practise and as a result, very few occupancy permits are issued by the City.

**Problems with the Existing Process**

The problem with the existing process is that the City is reacting after the building is occupied and is then faced with evicting the occupants when the problem is serious, rather than having the deficiencies rectified before the occupants take up residency. Once a building is occupied, it is much more difficult to gain compliance for either minor or major deficiencies.

The existing legislation does require the City to issue occupancy permits prior to the building being occupied. Therefore, the City has not been implementing the legislation in the required manner.

**Suggested Solutions**

Permits should be required for all occupancies. However, the implementation should be phased in, as resources permit. The initial implementation will be for all buildings that require a building permit for the construction, repair, or alteration of the structure.

Over the longer term, issuing occupancy permits for all uses (e.g. a change from one occupancy to another where the owner is not proposing any structural changes) should be implemented so that the City can then proactively identify and deal with buildings that are illegally occupied for reasons of zoning, building-code, fire-code, or health reasons. However, the administration of such a program would have an impact on staff resources; the magnitude of this impact requires further study.

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**Expected Results**

The issuance of occupancy permits for new construction, repairs, or alterations to buildings would be a good first step in ensuring that all buildings meet minimum code requirements before the occupancy is permitted. Over the longer term, requiring permits for all occupancies will allow the City to take a proactive approach in dealing with the problem of people occupying buildings that do not meet the code requirements. The Building and Maintenance Bylaw can then be used to make sure that the buildings are maintained to minimum standards.

Education

**Existing Process**

Until the recent introduction of the Riversdale Project, the City has not taken an active role in educating the public on matters associated with substandard buildings and properties. The Riversdale project has certainly been a good first step in making the public aware of the minimum health and safety standards that are required.

**Problem with the Existing Process**

Although the Riversdale Project has been a good first step, there is no process in place to ensure that the public education continues.

**Suggested Solution**

Simplifying The Building and Maintenance Bylaw by defining minimum standards in gender-neutral and plain language and preparing, for example, some illustrated brochures, will provide a much improved information base for the general public. The brochures could then be made available to landlords, tenants, home owners, Government agencies, and community associations.

As part of the education process, as well as to seek input, the recommendations contained within this report should be reviewed with the key stakeholders. The results of the consultation process should be reported to City Council.

**Expected Results**

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Improved education on substandard buildings and properties will increase the public's awareness concerning the minimum standards that apply. This will, in turn, improve consumer-driven voluntary compliance and will result in easier enforcement. Improved education will also be beneficial to government agencies such as Social Services and the Rentalsman who will then have better information available to help direct individuals to occupy buildings that will provide a safe and healthy environment."

**Members of the working committee will be in attendance to give a slide presentation and to discuss the report.**

- RECOMMENDATION:**
- 1) that City Council support in principle the following concepts:
    - a) that the responsibility for inspections undertaken for weed control, junked vehicles, and untidy and unsightly premises be consolidated within the Planning Department with the inspections undertaken for The Building and Maintenance Bylaw and that the Administration report further on the corporate resource implications of this action;
    - b) that the City Solicitor pursue with the Province, changes to the current legislation, as set out in this report;
    - c) that the current Building and Maintenance Bylaw No. 7083 be repealed and be replaced with a new Building and Maintenance Bylaw that accomplishes the following:
      - i) reorganizes the format and language to make it user-friendly;
      - ii) allows the City's inspectors to issue the Notice of Non-Conformity;
      - iii) removes the need to provide an estimate of the cost of having the non-conformity corrected;
      - iv) allows the City's inspectors to issue the

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Order to Repair;

- v) includes a section that provides for the use of court orders to enforce the Order to Repair, as is provided in Section 126(4) of The Urban Municipality Act; and,
  - vi) includes standards for both a building's interior and exterior, as identified in this report;
  - d) that occupancy permits be required for all buildings where a building permit is required; and,
  - e) that the Administration report further on the resource implications of requiring occupancy permits for all occupancies, regardless if a building permit is required; and
- 2) that the Administration invite the key stakeholders (e.g. Community Associations, B.I.D.s, property owners with rental properties) to comment on the preceding recommendations and that the Administration report to City Council, through the Planning and Development Committee, on the outcome of this consultation process.

*Fire Chief Hewitt gave a slide presentation on the matter and answered questions of Council.*

*Pursuant to earlier resolution, Item A.25 of "Communications" was brought forward and considered.*

*Moved by Mayor Dayday,*

*THAT Mr. Scheltgen be heard.*

*CARRIED.*

*Mr. Elmer Scheltgen, owner of 419 Avenue H South, addressed Council regarding the matter*

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*and indicated that he had signatures from residents wanting to move back into the building.*

*IT WAS RESOLVED: 1) that City Council support in principle the following concepts:*

- a) that the responsibility for inspections undertaken for weed control, junked vehicles, and untidy and unsightly premises be consolidated within the Planning Department with the inspections undertaken for The Building and Maintenance Bylaw and that the Administration report further on the corporate resource implications of this action;*
- b) that the City Solicitor pursue with the Province, changes to the current legislation, as set out in this report;*
- c) that the current Building and Maintenance Bylaw No. 7083 be repealed and be replaced with a new Building and Maintenance Bylaw that accomplishes the following:*
  - i) reorganizes the format and language to make it user-friendly;*
  - ii) allows the City's inspectors to issue the Notice of Non-Conformity;*
  - iii) removes the need to provide an estimate of the cost of having the non-conformity corrected;*
  - iv) allows the City's inspectors to issue the Order to Repair;*
  - v) includes a section that provides for the use of court orders to enforce the Order to Repair, as is provided in Section 126(4) of The Urban*

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*Municipality Act; and,*

- vi) *includes standards for both a building's interior and exterior, as identified in this report;*
  - d) *that occupancy permits be required for all buildings where a building permit is required; and,*
  - e) *that the Administration report further on the resource implications of requiring occupancy permits for all occupancies, regardless if a building permit is required; and*
- 2) *that the Administration invite the key stakeholders (e.g. Community Associations, B.I.D.s, property owners with rental properties) to comment on the preceding recommendations and that the Administration report to City Council, through the Planning and Development Committee, on the outcome of this consultation process.*

**2. Nutana Lawn Bowling Inc.  
Lease Agreement  
Lawn-Bowling Facility in Buena Vista Park  
(Files CK. 290-1, 5500-1, and 4206-1)**

Report of the General Manager, Leisure Services Department, September 9, 1993:

"At the conclusion of the 1993 lawn-bowling season, the agreement between the City and the Nutana Lawn Bowling Inc. for the use of the lawn-bowling facility in Buena Vista Park (7th Street and Melrose Avenue) expired. (A copy of this agreement has been attached to this report.) Taking into account the discussions with representatives of the Nutana Lawn Bowling Inc. and the Civic Buildings and Grounds Department, the Leisure Services Department recommends a new agreement which consists of the following amendments to the existing agreement:

1. The term of the Agreement is for five years (i.e. from January 1, 1994, to December 31, 1999).

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2. The Nutana Lawn Bowling Inc. shall pay one dollar (\$1.00) to the City for using the lawn-bowling facility.
3. The Club is responsible for the operation, maintenance, and renovations of the lawn-bowling facility, including the clubhouse, playing greens, and all other areas associated with this facility.
4. The Club shall assume liability for all losses, damages, claims, or demands which may occur as a result of the Club's operation of the clubhouse or playing greens or its actions. The Club shall carry public liability insurance of at least one million dollars and shall name the City as being additionally insured.
5. The City's representatives shall have the right to enter and to inspect the condition of the lawn-bowling facility.
6. During the period from November 1 to April 1 in any year, the clubhouse shall, at the City's request, be made available for use by the City or the Nutana Community Association. The arrangements for this use by the City or the Association are to be negotiated by the Club and the City.
7. The Club or the City shall have the right to terminate this Agreement by giving three month's prior notice to either party.
8. The City Assessor has estimated that the property taxes on the lawn-bowling facility's land and building are \$2,735.91 (based on the 1993 mill rate). Historically, the Club has been exempted from paying these taxes. According to the Club, the payment of these taxes would seriously jeopardize its on-going operations as a volunteer organization, as well as the services that it provides to its members. The Leisure Services Department agrees with the Club's position and recommends that the Club should be exempted from paying the property taxes on the lawn-bowling facility at Buena Vista Park."

**RECOMMENDATION:**

- 1) that a new agreement between the City of Saskatoon and the Nutana Lawn Bowling Inc., regarding the use of the lawn-bowling facility in Buena Vista Park, be approved (as outlined in this report) for the five-year period from January 1, 1994, to December 31, 1999;
- 2) that all property taxes associated with this lawn-bowling

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facility be the responsibility of the City of Saskatoon for the term of the lease;

- 3) that the City Solicitor be instructed to prepare the new agreement between the City of Saskatoon and the Nutana Lawn Bowling Inc.; and
- 4) that His Worship the Mayor and the City Clerk be authorized to execute the agreement on behalf of the City.

*ADOPTED.*

**3. Saskatchewan Track and Field Association  
Lease Agreement  
Saskatoon Field House  
(Files CK. 290-19 and 612-2)**

Report of the General Manager, Leisure Services Department, September 9, 1993:

"The agreement between the City of Saskatoon and the Saskatchewan Track and Field Association for the use of the Track and Field Office at the Saskatoon Field House will expire on September 30, 1993. (A copy of this agreement has been attached to this report.) Following its discussions with the Association's representatives, the Leisure Services Department recommends a new agreement for the use of this office which consists of the following amendments to the existing agreement:

1. The term of the Agreement is for two years (i.e. from October 1, 1993, to September 30, 1995).
2. The Saskatchewan Track and Field Association has agreed to pay to the City Saskatoon, on the first day of each calendar month from October 1, 1993, to September 30, 1995, the amount of \$626.00, plus the Goods and Services Tax and any other applicable taxes.
3. On December 7, 1992, City Council approved the terms of an agreement between the City of Saskatoon and Hollygon Enterprises Ltd. regarding Armstrong's Nautiquet Fitness and Physiotherapy Centre. In part, City Council resolved:

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**'that no property taxes be payable by Mr. Armstrong because they are considered to be included in the rental fee.'**

For this renter, City Council agreed that it is not practical at the Saskatoon Field House to set a rental rate which is net of taxes. (Such costs as utilities, cleaning, and parking are already calculated on a total-building basis because separate meters and monitoring devices do not exist for the leased areas.) Therefore, the Leisure Services Department recommends that the property taxes which are applicable to the area that is leased by the Saskatchewan Track and Field Association should be paid, indirectly, as part of the overall gross rent. The City would then be responsible for all of the property taxes that are associated with the leased area."

- RECOMMENDATION:**
- 1) that a new agreement between the City of Saskatoon and the Saskatchewan Track and Field Association, regarding its leased office space in the Saskatoon Field House, be approved (as outlined in this report) for the two-year period from October 1, 1993, to September 30, 1995;
  - 2) that all property taxes associated with the area in the Saskatoon Field House which is being leased by the Saskatchewan Track and Field Association be the responsibility of the City of Saskatoon for the term of the lease;
  - 3) that the City Solicitor be instructed to prepare a new agreement between the City of Saskatoon and the Saskatchewan Track and Field Association; and
  - 4) that His Worship the Mayor and the City Clerk be authorized to execute the agreement on behalf of the City.

*ADOPTED.*

4. **Riversdale Lawn Bowling Club Inc.  
Lease Agreement  
Lawn-Bowling Facility in Victoria Park  
(Files CK. 290-1, 5500-1, and 4206-1)**

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Report of the General Manager, Leisure Services Department, September 9, 1993:

"At the conclusion of the 1993 lawn-bowling season, the agreement between the City and the Riversdale Lawn Bowling Club Inc. for the use of the lawn-bowling facility in Victoria Park (Avenue H and 16th Street West) expired. (A copy of this agreement has been attached to this report.) Taking into account the discussions with representatives of the Riversdale Lawn Bowling Club Inc. and the Civic Buildings and Grounds Department, the Leisure Services Department recommends a new agreement which consists of the following amendments to the existing agreement:

1. The term of the agreement is for five years (i.e. from January 1, 1994, to December 31, 1999).
2. The Riversdale Lawn Bowling Club Inc. shall pay one dollar (\$1.00) for using the lawn-bowling facility.
3. The Club is responsible for the operation, maintenance, and renovations of the lawn-bowling facility, including the clubhouse, playing greens, and all other areas associated with this facility.
4. The Club shall assume liability for all losses, damages, claims, or demands which may occur as a result of the Club's operation of the clubhouse or playing greens or its actions. The Club shall carry public liability insurance of at least one million dollars and shall name the City as being additionally insured.
5. The City's representatives shall have the right to enter and to inspect the condition of the lawn-bowling facility.
6. The Club or the City shall have the right to terminate this agreement by giving three month's prior notice to either party.
7. The City Assessor has estimated that the property taxes on the lawn-bowling facility's land and building are \$2,016.82 (based on the 1993 mill rate). Historically, the Club has been exempted from paying these taxes. According to the Club, the payment of these taxes would seriously jeopardize its on-going operations as a volunteer organization, as well as the services that it provides to its members. The Leisure Services Department agrees with the Club's position and recommends that the Club should be exempted from paying the property taxes on the lawn-bowling facility at Victoria Park."

**RECOMMENDATION:** 1) that a new agreement between the City of Saskatoon and

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the Riversdale Lawn Bowling Club Inc., regarding the use of the lawn-bowling facility in Victoria Park, be approved (as outlined in this report) for the five-year period from January 1, 1994, to December 31, 1999;

- 2) that all property taxes associated with this lawn-bowling facility be the responsibility of the City of Saskatoon for the term of the lease;
- 3) that the City Solicitor be instructed to prepare a new agreement between the City of Saskatoon and the Riversdale Lawn Bowling Club Inc.; and,
- 4) that His Worship the Mayor and the City Clerk be authorized to execute the agreement on behalf of the City.

*ADOPTED.*

**5. Sporec Enterprises Limited  
Lease Agreement  
Saskatoon Field House  
(File Nos. CK. 290-19 and 612-2)**

Report of the General Manager, Leisure Services Department, September 9, 1993:

"The agreement between the City of Saskatoon and Sporec Enterprises Limited for the provision of tennis-pro services to the Saskatoon Field House will expire on September 30, 1993. (A copy of this agreement has been attached to this report.) Following its discussions with this company's representatives, the Leisure Services Department recommends a new agreement which consists of the following adjustments to the existing agreement:

1. The term of the agreement is for two years (i.e. from October 1, 1993, to September 30, 1995).
2. Based on City of Saskatoon Policy C03-030 (Recreation Facilities -- Rental Fees), the City's Administration sets its rental rates for the City's leisure facilities at levels which will achieve full cost-recovery. In 1992, Sporec Enterprises Limited's lease payments on the tennis-courts and office-space at the Saskatoon

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Field House were increased and are now at full cost-recovery. As a result, the Department recommends, and Sporec Enterprises Limited has agreed to pay on the first day of each calendar month, the following amounts during the term of the agreement for its operations at the Saskatoon Field House:

- a) from October 1, 1993, to April 30, 1994:
    - (i) \$825.00 per month for 60 court-hours per month; and,
    - (ii) \$13.75 per court-hour for court-time required in excess of 60 hours;
  - b) from May 1, 1994, to September 30, 1994:
    - (i) \$169.40 per month for 22 court-hours per month; and,
    - (ii) \$7.70 per court-hour for court-time required in excess of 22 hours;
  - c) from October 1, 1994, to April 30, 1995:
    - (i) \$825.00 per month for 60 court-hours per month; and,
    - (ii) \$13.75 per court-hour for court-time required in excess of 60 hours;
  - d) from May 1, 1995, to September 30, 1995:
    - (i) \$169.40 per month for 22 court-hours per month; and,
    - (ii) \$7.70 per court-hour for court-time required in excess of 22 hours; and
  - e) from October 1, 1993, to September 30, 1995, \$60.00 per month for the office-space.
3. During its December 7, 1992, meeting, City Council approved the terms of an agreement between the City of Saskatoon and Hollygon Enterprises Ltd. regarding Armstrong's Nautiquet Fitness and Physiotherapy Centre. In part, City Council resolved:

**'that no property taxes be payable by Mr. Armstrong because they are considered to be included in the rental fee'.**

City Council agreed that it is not practical to set a rental rate which is net of taxes. (Such costs as utilities, cleaning, and parking are calculated on a total-building

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basis because separate meters and monitoring devices do not exist for the leased areas.) Therefore, the Leisure Services Department recommends that the property taxes which are applicable to the area that is leased by Sporec Enterprises Limited should be paid, indirectly, as part of the overall gross rent. The City would then be responsible for all of the property taxes associated with the leased area."

- RECOMMENDATION:**
- 1) that a new agreement between the City of Saskatoon and Sporec Enterprises Limited, regarding the use of the tennis-courts and office-space at the Saskatoon Field House, be approved (as outlined in this report) for the two-year period from October 1, 1993, to September 30, 1995;
  - 2) that the property taxes associated with the area (in the Field House) leased by Sporec Enterprises Limited be the responsibility of the City of Saskatoon for the term of the lease;
  - 3) that the City Solicitor be instructed to prepare the new agreement between the City of Saskatoon and Sporec Enterprises Limited; and
  - 4) that the Mayor and the City Clerk be authorized to execute the agreement on behalf of the City.

*ADOPTED.*

**6. Youth Sports Subsidy Program  
(File No. CK. 1720-3-3)**

Your Committee has considered the following report of the General Manager, Leisure Services Department dated September 14, 1993:

**"Review of 1992-93 Results of the Youth Sports Subsidy Program**

On June 30, 1993, the Youth Sports Subsidy Program completed its first full year of operation. Generally, the Program was successful in supporting 33 non-profit organizations to deliver sports programs to youth in Saskatoon.

At the beginning of the year, the Leisure Services Department recognized that the four

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variables which were projected for the initial distribution from this Program could be adjusted when the actual results were taken into account at yearend. Appendix A shows the approved subsidy and the eligible rent actually paid during the 1992-93 programming year, and the amount of subsidy distributed as of June 30, 1993, for each eligible organization.

The Leisure Services Department has used the 1992-93 results to assess the appropriateness of the approved 1992-93 distribution, as well as the future allocations from the Program. To this end, the Department re-tabulated the 1992-93 distribution and the 1993-94 subsidy-points. The revised 1992-93 distribution was based upon the actual eligible rent that was paid by each of the eligible organizations and upon the approved subsidy rate of 40.4%. These calculations are shown in Appendix A under the 'revised subsidy-distribution' column. The revised 1993-94 subsidy-points are based upon the variables which reflect what actually occurred during 1992-93, adjusted for any proposed changes submitted by the eligible organizations pertaining to the 1993-94 programming year. The results of this analysis are reflected in Appendix B under the 'revised 1993-94 subsidy-points' column.

Impact of the Yearend Review on 1992-93

In Appendix A, a comparison of the revised distribution against the actual subsidies which were distributed to the eligible organizations reveals that there are amounts due to most organizations. The Leisure Services Department recommends that the subsidies that are paid to these organizations should be adjusted retroactively for the 1992-93 programming year in accordance with the 'amount due' column in Appendix A. For several organizations, this amount is negligible. Consequently, for the sake of administrative expediency, the Department proposes to distribute additional subsidies from the 1992-93 Youth Sports Subsidy Program's budgeted allocation only to those organizations whose revised subsidy-distribution exceeds the actual amount received by more than \$50.

After paying the retroactive adjustments to the eligible organizations, the Youth Sports Subsidy Program will experience an under-expenditure of \$5,776 for the 1992-93 programming year (i.e. the approved budget allocation of \$545,000 less the revised distribution of \$539,356, plus any amounts which are due under \$50). On January 18, 1993, City Council resolved, in part:

**'that the funds remaining in the Youth Sports Subsidy Program at the end of the season be placed in a reserve for future use by the sports groups on the eligibility list for this Program to host special sports events in Saskatoon'.**

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Therefore, \$5,776 can be transferred to the Special Events Reserve which was established under City of Saskatoon Policy C03-003 (Reserves for Future Expenditures).

Impact of Review on 1993-94

On February 8, 1993, City Council approved an additional four organizations as eligible for funding from the Youth Sports Subsidy Program during the 1993-94 programming year, thereby bringing the number of eligible groups in that year to 37 organizations. City Council also approved the forthcoming year's subsidization variables for these eligible organizations.

In Appendix B, the impact on each of the eligible groups of using the revised 1993-94 subsidy-points has been calculated. These calculations also reflect the Taiso Gymnastics Club's decision to withdraw from the Program for 1993-94. The total amount of the proposed distribution from the Youth Sports Subsidy Program remains at \$545,000; however, with a net reduction in the overall subsidy-points, the distribution percentage will rise to 40.22% from the originally-approved projection of 40%.

Since February of 1993, City Council has made two decisions which will have a further impact on the 1993-94 Youth Sports Subsidy Program:

- The increased indoor-ice rental rates will have an impact on the subsidy-points for the Saskatoon Minor Hockey Association, the Saskatoon Figure Skating-Can Skate, the Saskatoon Ringette Association and the Saskatoon Lions Speed Skating Club. On May 25, 1993, City Council increased the prime-time ice-rental rates by \$4.00 per hour at the City-operated indoor rinks and decided that 40% of the resulting additional revenues would be allocated to the Youth Sports Subsidy Program in order to maintain the 40% subsidization level.
- On August 30, 1993, City Council increased the lease payments from the Saskatoon Figure Skating Club, to use the A.C.T. Arena, by \$4,716 (plus G.S.T.) per year, but the increase must be phased-in over a period of two years. It also directed that 40% of these increased revenues (\$3,150 for 1993-94) should be allocated to the Youth Sports Subsidy Program.

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The following table summarizes the impact of these rate increases and the additional allocations to the Youth Sports Subsidy Program:

<b>Organization Impact of Increased Rental Rate</b>	<b>Programs Hours Allocated</b>	<b>Rate Increase of \$4.00 Per Hour</b>	<b>Additional Subsidy Dollars Based on 40%</b>	<b>Impact to Subsidy-points</b>
1. Saskatoon Minor Hockey	5,609	\$22,436	\$8,974	22,436
2. Saskatoon Figure Skating - Can Skate	421	\$1,684	\$674	1,684
3. Saskatoon Ringette Association	693	\$2,772	\$1,109	2,772
4. Saskatoon Lions Speed Skating Club	143	\$572	\$229	572
<b>Total</b>	<b>6,866</b>	<b>\$27,464</b>	<b>\$10,986</b>	<b>27,464</b>
<b>Impact of Lease Agreement</b>				
1. Saskatoon Figure Skating - Lease	4,110	\$3,150	\$1,260	3,150
<b>Grand Total</b>			<b>\$12,246</b>	<b>30,614</b>

Appendix C reflects further revisions to the 1993-94 Program related to the ice-rental rate increase and to higher lease payments from the Saskatoon Figure Skating Club. The subsidy rate for the 1993-94 programming year is also revised to 40.223%.

**Conclusion**

The Leisure Services Department will be working to improve its liaison with the sports organizations to ensure they are well informed of the variables associated with the Youth Sports Subsidy Program and how the variables directly affect their respective rental subsidy. The Department will be hosting an information session for the eligible organizations to update their volunteers on the Program and to encourage them to provide accurate and timely supporting documentation (e.g. submitting rental receipts on a regular basis, ensuring program variables are accurate)."

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- RECOMMENDATION:**
- 1) that the amounts paid under the Youth Sports Subsidy Program to eligible groups in 1992-93 be adjusted retroactively in accordance with Appendix A, where such adjustments exceed \$50;
  - 2) that the under-expended amount in 1992-93 of \$5,776 from the Youth Sports Subsidy Program be transferred to the Special Event Reserve established under City of Saskatoon Policy C03-003 (Reserves for Future Expenditures) and be used, upon City Council's approval, for special sports-events which are hosted in Saskatoon by groups that are subsidized under the Youth Sports Subsidy Program;
  - 3) that the Taiso Gymnastics Club be removed from the list of eligible organizations for the Youth Sports Subsidy Program's 1993-94 programming year;
  - 4) that the subsidization variables which result in total subsidy points (for 36 eligible organizations) of 1,385,591 for 1993-94 under the Youth Sports Subsidy Program be approved;
  - 5) that the subsidy rate for the Youth Sports Subsidy Program's 1993-94 year be set at 40.223%; and
  - 6) that a copy of this report be forwarded to the Leisure Services Advisory Board for its information.

*ADOPTED.*

**7. Rental Fees -- Wheatland B Building  
Saskatoon Soccer Centre Inc.  
(File No. CK. 610-6)**

Report of the General Manager, Leisure Services Department, September 14, 1993:

"Background

In March of 1992, the City of Saskatoon and representatives of the Saskatoon Soccer

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Centre Inc. agreed to convert the Wheatland B Building, rather than the Lions and Archibald Arenas (which were originally approved by City Council for closure as ice-rinks due to reduced demand), into an indoor-soccer facility. This included an understanding that the conversion must be implemented in a manner that does not alter the budgetary decisions, which City Council made on January 6, 1992, with respect to the indoor-rinks program. An October 13, 1992, report to City Council identified the financial implications of these previous decisions, insofar as the Saskatoon Soccer Centre Inc. would pay \$77,000 to lease the Wheatland B Building during the 1992-1993 season.

Subsequently, the General Manager of the Leisure Services Department explained to the Saskatoon Soccer Centre Inc. that the annual lease amount of \$77,000 was equal to the cost of operating the Archibald and Lions Arenas as indoor-soccer facilities and as was directed by City Council, resulted in no impact on the 1992 Operating Budget. The lease amount also offset the additional net operating costs of providing ice surfaces to the indoor-rinks program at the Archibald and Lions Arenas versus the Wheatland B Building.

On June 28, 1993, the Planning and Development Committee met with Mr. Henk Ruys, Ms. Jill Postlewaite, and Mr. John Pond of the Saskatoon Soccer Centre Inc. to discuss the short-term and long-term goals of their association. The Saskatoon Soccer Centre Inc. is committed to developing a permanent facility for indoor soccer. However, in the short-term, this organization would be interested in negotiating the use of the Wheatland B Building for several more years, if arrangements could be made to reduce the annual lease payment.

On July 14, 1993, the Board of Directors of the Saskatoon Soccer Centre Inc. met with a representative of the Leisure Services Department. During this meeting, the Saskatoon Soccer Centre Inc.'s officials acknowledged that the current economic climate makes the construction of a new facility, with the financial support of the municipal taxpayer, extremely difficult to justify for the next few years. Therefore, the Saskatoon Soccer Centre Inc. is prepared to sign a five-year lease (with a renewal option for another five years) for the Wheatland B Building, if the rental rate of \$77,000 per year could be reduced by at least \$20,000. In this organization's opinion, a reduction of this magnitude would be reasonable and would allow it to continue to be financially viable. The Saskatoon Indoor Soccer Centre Inc.'s representatives also asked that any future savings related to the operation of the Wheatland B Building are passed on to reduce the annual lease payments to as low as \$42,500 per season. At a subsequent meeting held on September 1, 1993, representatives from the Saskatoon Soccer Centre Inc. acknowledged that in order to achieve a \$20,000 per season reduction in the lease payments, the Leisure Services Department must maintain the flexibility to offset the lower lease revenues with expenditure reductions.

The Saskatoon Soccer Centre Inc.'s representatives stated that the youth soccer's registration fees have increased over the last year from approximately \$300 per team to \$800 per team (from \$20 per hour to approximately \$60 per hour) and that the senior players' fees have increased from \$500 per team to \$1,600 per team. Despite these

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increases, the Leisure Services Department was informed that Saskatoon Indoor Soccer Inc. will not generate sufficient revenues from user fees during the 1992-1993 season to meet the \$77,000 rental commitment.

Current Situation

The following table summarizes the costs of providing an indoor-ice surface for one hour during prime-time at the various facilities (including the cost-saving measures and increased revenues, which were considered and approved by City Council on May 25, 1993):

**Indoor Rinks -- Projected Operating Budget**

<b>Facility</b>	<b>Prime-Time Hours Available</b>	<b>Cost per Prime-Time Hour</b>
ACT #1	1,436	\$101.32
Archibald	1,097	\$126.89
Cosmo	1,142	\$132.92
Kinsmen	1,097	\$116.50
Lions	1,097	\$109.48
Wheatland B Building (2 surfaces)	2,014	\$ 94.89

The City currently has a lease arrangement, which expires on April 30, 2029, with the Saskatoon Prairieland Exhibition to use the Wheatland B Building for ice-hockey games and practices, ice-skating for the general public, figure skating and other ice-related activities that are arranged, conducted, or supervised by the City. The City can use the Building from approximately October 1 to March 31 in each season. Provision is made for the Saskatoon Prairieland Exhibition to use the Building during this period for no more than 14 days.

As the preceding table shows, the indoor-rinks program and its users benefit financially from the City's arrangement with the Saskatoon Prairieland Exhibition. The lease agreement with the Saskatoon Soccer Centre Inc. generates sufficient revenue to offset the additional costs of providing indoor ice surfaces at the Archibald and Lions Arenas. With this agreement in place, the projected prime-time rate required to achieve full cost-recovery in the indoor-rinks program is \$108.52 (in 1993 dollars) per prime-time hour.

Any change, which does not generate sufficient revenue at the Wheatland B Building to

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offset the additional net operating costs of providing indoor-ice surfaces at the Archibald and Lions Arenas (versus the Wheatland B Building), will result in further fee increases to all users of City-operated indoor-rinks (e.g. minor hockey, ringette). For example, if the Wheatland B Building is no longer available to the indoor-rinks program (e.g. because it has been permanently and formally decommissioned and assigned to indoor soccer), then the break-even rate would be \$116.61 per available prime-time hour, an increase of \$8.09 per hour for all users of the ice facilities. Similarly, if the \$20,000 reduction in lease payments, as proposed by representatives of the Saskatoon Soccer Centre Inc., is not offset by expenditure reductions in this program, then the break-even rate would increase by \$3.41 ( $\$20,000 / 5869$  available hours) from \$108.52 to \$111.93 per prime-time hour.

Other options may be available, such as service-level reductions in other programs or an increased subsidy from the municipal mill rate. However, these have not been considered in this report.

Compromise Proposal

The use of the Wheatland B Building as an indoor-soccer centre for the 1992-1993 season was initially undertaken as an interim measure to establishing a more permanent facility for this sport in our community. Therefore, the Building's ice-making equipment have continued to be eligible for major repair financing from the Civic Buildings Comprehensive Maintenance Reserve. The application of funds from this Reserve are subject, in part, to:

- i) implementing a comprehensive-maintenance program administered through, or complying with standards established by, the Civic Buildings and Grounds Department; and
- ii) making annual contributions to the Reserve in accordance with the established percentage of the equipment's new replacement value.

In light of the recent request by the Saskatoon Soccer Centre Inc. to enter into a long-term lease to use the Wheatland B Building, the Leisure Services Department asked the Civic Buildings and Grounds Department to consider the maintenance implications of leasing this facility for a period of five years or more for use other than as an ice facility. In an August 19, 1993, memorandum, the Civic Buildings and Grounds Department's Manager of Building Operations and Maintenance responded as follows:

The appropriate strategy under these circumstances is to suspend the Reserve allocations for the period of the lease, reduce the annual maintenance costs to zero, and provide sufficient funds for proper

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deactivation of the plant at the commencement of the lease period and reactivation at the end of the lease. Costs are identified as follows:

- a) Deactivation \$13,400, and
- b) Reactivation \$16,800.

In summary, the entire maintenance (and reserve allocation) costs for the period of such a lease are \$30,200. This figure would not need to be adjusted should you accept an offer to extend the lease after 5 years.'

Because the \$30,200 represents an expenditure of a capital nature that is required to convert the Wheatland B Building on a permanent basis from an indoor ice-surface facility to an indoor-soccer facility (and vice versa), the Comptroller's Department has funded this amount from the financing which was approved in the 1992 Capital Budget for the initial conversion and for the purchase of the sports-flooring.

As a consequence of this action, the operating costs for the Wheatland B Building will be reduced as follows:

- Eliminate maintenance costs (\$4,200)
- Suspend provision to Civic Buildings Comprehensive Maintenance Reserve (10,300)
- Net operating savings for each year of the lease (\$14,500)

The Leisure Services Department is prepared to use these savings as offsetting amounts to the 1992-93 annual lease payment (i.e. the revised rate is \$77,000 - \$14,500 = \$62,500).

Continuing to use the Wheatland B Building for indoor soccer rather than for the provision of indoor-ice activities must be negotiated with representatives of the Saskatoon Prairieland Exhibition. Additional payments, if any, resulting from these negotiations would be passed on to the Saskatoon Soccer Centre Inc. As a result of negotiations between the Saskatoon Prairieland Exhibition Corporation and the Leisure Services Department, the General Manager of the Corporation has advised the Leisure Services Department that his organization is prepared to extend the agreement that was signed for the 1992-1993 season. The Saskatoon Prairieland Exhibition Corporation is prepared to accept a five-year commitment for an annual fee of \$15,000. (See Appendix A.)

Summary

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For the past several months, representatives from the Saskatoon Soccer Centre Inc. and the Leisure Services Department have attempted to arrive at a mutually-acceptable, long-term lease agreement for the Wheatland B Building. The objectives of the Saskatoon Soccer Centre Inc. were to negotiate an annual lease payment which would not jeopardize the financial viability of the Saskatoon Soccer Centre Inc. and to maintain this level of financial stability for a period of at least five years. The Leisure Services Department's objectives, although similar to those of the Saskatoon Soccer Centre Inc., also required that any proposal that is put forward for consideration by City Council would:

- i) protect the benefits of the agreements previously negotiated on behalf of the users of our indoor rinks;
- ii) maintain the objective of achieving full cost-recovery for the Indoor Rinks/Soccer Program within the next five years; and,
- iii) avoid requiring additional subsidization from the municipal mill rate or from other users.

At this point in our discussions, the financial difference in achieving our respective objectives is \$5,500. The Leisure Services Department cannot justify a rate lower than \$62,500 per season because such action could only occur at the expense of the other indoor-rink users. However, the Department is prepared to work co-operatively and on an on-going basis with representatives of the Saskatoon Soccer Centre Inc. (as well as with the other indoor-rink users) in pursuing additional revenues and/or cost savings. If such revenues and savings are realized, the Department is prepared to consider (subject to City Council's approval) passing these benefits on to the users in the form of rebates. However, such rebates will be made in a manner which is consistent with City Council's existing budgetary directive to operate the Indoor Rinks/Soccer Centre Program on a cost-recovered basis."

- RECOMMENDATION:**
- 1) that the Saskatoon Soccer Centre Inc.'s lease payments for use of the Wheatland B Building be set at \$62,500 per season, plus all applicable taxes, for the period from October 1, 1993, to April 15, 1998;
  - 2) that the City Solicitor be instructed to prepare a new agreement between the City of Saskatoon and the Saskatoon Soccer Centre Inc. such that all the terms of the current unsigned lease (which has been attached to this report as Appendix B) remain the same, with the following adjustments:

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- i) the term of the agreement shall be from October 1, 1993, to April 15, 1998, and shall be renewable for an additional five years;
  - ii) the annual rental payments shall be in accordance with recommendation 1) above; and,
  - iii) the lease payments shall be due in six equal monthly instalments, beginning on October 1 of each season; and
- 3) that His Worship the Mayor and the City Clerk be authorized to execute the above-noted agreement, on behalf of the City, under the Corporate Seal.

*Pursuant to earlier resolution, Item A.24 of "Communications" was brought forward and considered.*

- IT WAS RESOLVED:*
- 1) *that the Saskatoon Soccer Centre Inc.'s lease payments for use of the Wheatland B Building be set at \$62,500 per season, plus all applicable taxes, for the period from October 1, 1993, to April 15, 1998;*
  - 2) *that the City Solicitor be instructed to prepare a new agreement between the City of Saskatoon and the Saskatoon Soccer Centre Inc. such that all the terms of the current unsigned lease (which has been attached to this report as Appendix B) remain the same, with the following adjustments:*
    - i) *the term of the agreement shall be from October 1, 1993, to April 15, 1998, and shall be renewable for an additional five years;*
    - ii) *the annual rental payments shall be in accordance with recommendation 1) above; and,*
    - iii) *the lease payments shall be due in six equal monthly instalments, beginning on October 1 of each season; and*
  - 3) *that His Worship the Mayor and the City Clerk be authorized to execute the above-noted agreement,*

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*on behalf of the City, under the Corporate Seal.*

**REPORT NO. 21-1993 OF THE LEGISLATION AND FINANCE COMMITTEE**

Composition of Committee

Councillor M. Thompson, Chair  
Councillor P. Mostoway  
Councillor M.T. Cherneskey, Q.C.

**1. Returned Cheque Charge  
(File No. CK. 1550-1)**

Report of City Treasurer, August 30, 1993:

"As part of its rate review process, the Department periodically surveys financial institutions, retailers and public entities to compare rates, fees and charges. During our latest review, it was identified that in all cases the City's charge for cheques returned by the bank is lower than all other public utilities and financial institutions included in the survey. The results were as follows:

City of Saskatoon	8.00
SaskPower	20.00
SaskTel	20.00
Bank of Nova Scotia	18.00
Royal Bank	19.00
Toronto Dominion Bank	18.50
Credit Union	18.00
Eatons	20.00
Sears	20.00

Considerable time and expense is spent tracking down and contacting customers to get the returned items redeemed. Over the first six months of 1993, we received 964 returned cheques, averaging 160 per month or 8 per day.

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Given the time and expense involved in collection, and the fact that the City's charge is low in comparison to others surveyed, it is felt that an increase in the returned cheque charge is warranted. The charge has not been changed since May 7, 1990."

**RECOMMENDATION:** that City Council approve an increase in the returned-cheque charge from \$8.00 to \$15.00 for cheques returned by the bank.

*IT WAS RESOLVED: that City Council approve an increase in the returned-cheque charge from \$8.00 to \$12.00 for cheques returned by the bank.*

**2. Request for Financial Support  
Canadian Housing Coalition  
(File No. CK. 1870-1)**

Attached is a copy of a letter dated August 30, 1993, from George Brown, Chairperson, Canadian Housing Coalition, requesting a contribution of \$1,000 towards generating public debate on the impact of the Federal government's progressive withdrawal from social housing.

Your Committee does not support this request, and believes that funding already provided to FCM should be utilized for this purpose.

**RECOMMENDATION:** that a request for funding in the amount of \$1,000 from the Canadian Housing Coalition, to assist in generating public debate on the impact of the Federal government's progressive withdrawal from social housing, be denied.

*IT WAS RESOLVED: that the matter be referred to the Legislation and Finance Committee to ask FCM why municipalities should support this.*

**3. Communications to Council  
From: Lloyd R. Jones  
1909 Lansdowne Avenue  
Date: July 3, 1993  
Subject: Requesting Council to pass the necessary bylaw**

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**in order to prohibit the keeping of bees within  
City limits**

**AND**

**Bylaw No. 7370**

**Prohibiting the Keeping of Bees in the City**

**(File No. CK. 4350-1)**

City Council considered the above-noted communication from Lloyd R. Jones at its meeting held on July 19, 1993 and adopted the following motion:

"Moved by Councillor Penner, Seconded by Councillor Hawthorne,

THAT the matter be referred to the Legislation and Finance Committee to consider the preparation of a bylaw to be brought before Council."

Your Committee has met with Lloyd and Marie Jones, with their neighbour Doris Kargut, with the Provincial Apiculturist, with representatives of the Saskatoon Bee Club and with the Chair of the Advisory Committee on Animal Control to discuss this matter. Your Committee did consider regulating beekeeping activities however, the Solicitor advised that this type of legislation would be very difficult and probably costly to enforce, and was therefore not deemed appropriate. After considerable review, your Committee has concluded that the only effective way to regulate beekeeping activities in the City, is to prohibit this activity.

Attached is a copy of the appropriate Bylaw amendment, as prepared by the City Solicitor. Also attached is a copy of the letter dated July 3, 1993 from Lloyd R. Jones, as referenced above, as well as a copy of his previous letter dated May 31, 1993.

**RECOMMENDATION:** that City Council consider Bylaw No. 7370 at this meeting.

*Pursuant to earlier resolution, Items A.15, A.19, A.20, A.21, A.22 and A.23 of "Communications" were brought forward and considered.*

*Moved by Mayor Dayday,*

*THAT the speakers be heard.*

*CARRIED.*

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*Mr. Leo Monseler, a commercial bee keeper for 20 years, expressed opposition to the proposed bylaw to prohibit the keeping of bees in the City.*

*Mr. Rusty Chartier asked Council to consider delaying passage of the bylaw to enable the Planning Department to look at the possibility of the keeping of bees as a home-based occupation.*

*Ms. Doris Kargut addressed Council on behalf of petitioners asking for a complete ban on bee keeping in the City and expressing support for the proposed bylaw. She circulated additional documentation to Council members.*

*Mr. Andy Smycnuik, President, Saskatoon Bee Club, addressed Council expressing the opinion that there must be a way to control bees without banning the keeping of bees outright.*

*Mr. Fred Baron, a hobby bee keeper, expressed opposition to the proposed bylaw to prohibit the keeping of bees in the City.*

*Mr. Mike Bentley, a bee keeper since the 1930s, expressed opposition to the proposed bylaw to prohibit the keeping of bees in the City.*

*Moved by Councillor Mostoway,*

*THAT City Council consider Bylaw No. 7370 at this meeting.*

*THE MOTION WAS PUT AND LOST.*

**REPORT NO. 23-1993 OF THE WORKS AND UTILITIES COMMITTEE**

Composition of Committee

Councillor B. Dyck, Chair  
Councillor D.L. Birkmaier  
Councillor O. Mann  
Councillor M. Hawthorne

**1. Saskatoon Transit**

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**1993 Current Budget  
(File No. CK. 1705)**

City Council, at its meeting held on March 29, 1993, considered Clause A6, Addendum to Report No. 8-1993 of the City Commissioner, copy attached, regarding the above matter. Council adopted a recommendation that the matter be referred to the Works and Utilities Committee for a report on the success of the proposed cost reductions in Saskatoon Transit.

Your Committee has considered the following report of the Transit Manager dated September 1, 1993:

"The Works and Utilities Committee, at its meeting held on April 7, 1993, received a report stating that transit service to Briarwood could be delayed at a cost saving of \$15,000 in 1993. This, combined with a \$10,000 reduction in material expenditures, would be used to reduce a 1993 Current Budget shortfall of \$79,100 to \$54,100. The \$54,100 was to be addressed by a Union/Management Committee.

City Council, at its meeting held on April 26, 1993, approved six service changes recommended by the Productivity Committee to be instituted on June 6, 1993. The net effect of these changes, combined with minor schedule revisions, was to reduce the operating hours by 62 hours per week which resulted in a cost saving of \$43,000 for 1993.

In addition to the service changes, the Maintenance Staff was reduced by one person on Statutory Holidays and a Relief Serviceperson position was not filled. This reduction in staffing resulted in a cost saving of \$12,000 for 1993.

The total 1993 cost reduction brought about by the Union/Management Committee was \$55,000."

**RECOMMENDATION:** that the information be received.

*ADOPTED.*

**REPORT NO. 5-1993 OF THE PENSION ADMINISTRATION BOARD**

Composition of Committee

Mr. A. Froess, Chair  
Councillor M.T. Cherneskey, Q.C.  
Councillor O. Mann  
Councillor M. Hawthorne  
Councillor P. McCann  
Mr. J. Beveridge  
Mr. W. Robbins  
Mrs. J. Llewellyn  
Prof. W. Wallace  
Dr. K. Lal  
Mr. M. Totland  
Mr. M. West  
Mr. L. Thiessen  
Mr. D. Bushey  
Mr. W. Furrer  
Mr. C. Isaacson  
Mr. T. Graham  
Mr. R. Balezantis  
Mr. P. Jaspar

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**1. Reciprocal Transfer Agreement  
Ontario, Municipal Employees Retirement Board (OMERS)  
(File No. CK. 4731-3)**

The City of Saskatoon has hired two employees who are former members of the Ontario Municipal Employees' Superannuation Plan. The City has not established a reciprocal transfer agreement with the OMERS Board as provided for under Section 16 of Bylaw 6321.

Attached is a proposed form of agreement which the OMERS Board would be willing to enter into with the City of Saskatoon General Superannuation Plan. The form of agreement proposed by the OMERS Board differs from the other reciprocal agreements in place with the General Superannuation Plan. The OMERS agreement calls for a transfer value which is based upon the "Actuarial Value" of the plan members' projected pension for service to the date of termination from the exporting plan. The transfer value used under all other reciprocal agreements in effect with the General Superannuation Plan is calculated as two times member required contributions and interest.

Although the valuation method proposed by OMERS is more complex, it provides a more accurate assessment of the liability both transferred and accepted by the importing plan. Calculations performed by using the OMERS method will require the assistance of the Plan Actuary and will result in a cost of approximately \$200.00 per calculation.

The Pension Administration Board has considered this matter, and supports the proposed agreement.

- RECOMMENDATION:**
- 1) that a Reciprocal Transfer Agreement be established with the Ontario Municipal Employers' Retirement Board;
  - 2) that the form of the agreement be in accordance with the attached proposed Agreement; and
  - 3) that the Administration take the necessary action to implement this Agreement.

*ADOPTED.*

**REPORT NO. 4-1993 OF THE TASK FORCE TO REVIEW CURRENT CIVIC  
PROGRAMS, SERVICES AND GENERAL GOVERNMENT OF THE CITY OF  
SASKATOON**

Composition of Committee

Councillor P. McCann, Chair  
His Worship Mayor Dayday  
Councillor D.L. Birkmaier  
Councillor M.T. Cherneskey, Q.C.  
Councillor G. Penner  
Councillor M. Thompson  
Councillor K. Waygood

**1. Rationalization of Civic Programs and Services  
(File No. CK 115-1)**

City Council, at its meeting held on August 3, 1993, adopted the following terms of reference for the Task Force:

"To re-evaluate the full range of services provided by the City of Saskatoon for the benefit of its citizens, with due reference to the Strategic Plan and according to criteria approved by City Council. The re-evaluation shall examine every civic program, and the service level it is provided at, in terms of the value of each program to the public and the willingness of the public to support its continued funding through increases in the property tax."

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Council also approved the evaluation criteria to be used by the Task Force. A copy of Clause 1, Report No. 1-1993 of the Task Force, which outlines the evaluation criteria, is attached.

Review of All Civic Programs

The Mayor and all Councillors took part in a review and subjective valuation of almost 200 civic programs. A matrix was used to rank programs according to their value, using the following as value levels:

- Essential
- Important
- Significant (but discretionary)
- Outdated

Additionally, each program was reviewed for potential service level adjustments, with the levels being:

- Increase
- No Change
- Major Reduction
- Elimination

Lists were then prepared indicating the degree of Councillor support for service level reductions for each program.

No programs were identified as being candidates for elimination. Six programs received six or more "Eliminate" or "Major Reduction" indicators from Councillors. Thirteen programs received five "Elimination" or "Major Reduction" indicators, and a further fifteen programs received four of these indicators. Programs which received less than four "Elimination" or "Reduction" indicators were not given any further review, since it was agreed that there would be insufficient Council support for program reductions.

The 34 programs receiving more than four "Elimination" or "Reduction" indicators were then further reviewed and the Administration was requested to report on the anticipated impact of a certain level of funding reduction for a number of programs. Not all the programs were referred for funding reduction impact reports. The budget book impact of all 34 programs under review amounts to approximately \$13 million.

Upon receipt of the funding reduction impact reports, the Task Force will give further consideration and then make recommendations to Council.

Public Input

A public meeting was held on Monday, August 30, 1993 at which presentations were made by 29 groups or individuals. In addition, 26 letters were received expressing people's views on various programs. All participants' views were carefully considered by the Task Force.

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The local newspaper ran a simple questionnaire asking members of the public for their views on program reductions. Approximately 1,200 responses were received at City Hall. The results could not be interpreted in a statistically significant way; however, the responses were tabulated, and a copy of the tabulated results is attached for information.

Economic Directions - "There Has to be a Better Way"

The traditional approach by many Cities, including Saskatoon, has been to control costs and thereby property tax increases through downsizing and the layoff of employees. It is acknowledged by the Task Force and the public that laying off large numbers of employees adds to the economic problem of our community. It places greater strain on support services, reduces discretionary income and spending power as well as causing personal hardship.

Accordingly, the Task Force has recommended that the Administration pursue an overall strategy of maintaining as many people in employment as possible, but at the same time holding the line on overall wage costs.

Methods of enhancing natural attrition rates among civic employees, such as through a special early retirement program, are also being considered.

**RECOMMENDATION:** that the information be received.

*ADOPTED.*

**REPORT NO. 9-1993 OF A COMMITTEE OF THE WHOLE COUNCIL**

Composition of Committee

His Worship the Mayor, Chair  
Councillor D. L. Birkmaier  
Councillor M. T. Cherneskey, Q.C.  
Councillor B. Dyck  
Councillor M. Hawthorne  
Councillor O. Mann  
Councillor P. McCann  
Councillor P. Mostoway  
Councillor G. Penner  
Councillor M. Thompson

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Councillor K. Waygood

**1. Cogeneration Proposal to SaskPower  
North Canadian Oils Limited, the University of Saskatchewan  
and The City of Saskatoon  
(File No. CK. 2000-1)**

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Cogeneration, the generation of electricity combined with the distribution of the waste energy in the form of heat, has significant potential in meeting future energy needs in the Province of Saskatchewan. The principle is that by selling both the heat and the electrical energy, the production of electricity on a small scale becomes economically feasible. An added benefit is that capital investment in mega-projects is avoided.

The Administration has been exploring, and your Committee has been monitoring, potential opportunities for cogeneration within the city, since this could be a benefit to our electrical utility and, hence, to the citizens of Saskatoon. The following report of the Manager, Electrical Distribution Department dated August 5, 1993, summarizes the action to date:

"In January of 1992, the Province established a Minister's Steering Committee on Cogeneration. The Committee was to report on potential non-utility electric power generation projects in the Province, that would be compatible with SaskPower's future energy requirements. SaskPower had indicated that it would be giving consideration to proceeding with a demonstration project. Interested parties were asked to provide information on potential non-utility generation projects in Saskatchewan. In response to that request, the City Administration, in September 1992, submitted information on a possible cogeneration project in Saskatoon.

The Minister's Steering Committee on Cogeneration presented its report in November 1992. Based on the recommendations of the report, SaskPower, on March 5, 1993, issued a formal Request for Proposals on demonstration project(s) for non-utility generation totalling 25 megawatts.

The City of Saskatoon, North Canadian Oils Limited, and the University of Saskatchewan have been jointly pursuing a non-utility cogeneration facility to be located in Saskatoon at the University Campus. The project contemplates an environmentally clean operating, high efficiency cogeneration plant providing about 25 megawatts of electricity and sufficient heating to meet the requirements of the University Campus. If this project were to be selected by SaskPower, it would provide economic benefits in Saskatoon during construction and future operation of the facility. SaskPower is expected to make its project(s) selection by October 29, 1993.

The initial expenses relating to putting forth a project proposal for a cogeneration facility in Saskatoon would be shared. The City portion of these expenses will not exceed \$30,250 and it is proposed that they be charged to the Electrical Distribution 1993 Operating Budget."

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- RECOMMENDATION:**
- 1) that an expenditure of \$30,250 under the Electrical Distribution 1993 Operating Budget, Management and Administration Program, to cover the City's costs for the preparation and submission of a proposal for a cogeneration facility in Saskatoon, be approved; and
  - 2) that the Administration report further on this matter following SaskPower's selection of a non-utility generation project.

*ADOPTED.*

**REPORT NO. 4-1993 OF COMMITTEE ON COMMITTEES**

Composition of Committee

His Worship the Mayor, Chair  
Councillor D. L. Birkmaier  
Councillor M. T. Cherneskey, Q.C.  
Councillor B. Dyck  
Councillor M. Hawthorne  
Councillor O. Mann  
Councillor P. McCann  
Councillor P. Mostoway  
Councillor G. Penner  
Councillor M. Thompson  
Councillor K. Waygood

**1. Appointments to Economic  
Development Authority Board of Directors**

Bylaw No. 7308, which establishes the Saskatoon Economic Development Authority, provides for the appointment of thirteen members at large to the Board of Directors. Six of the positions are currently filled.

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The Economic Development Authority Board of Directors has recommended that the following three individuals be appointed to the Board as members at large: Stephen Dechka, Joel Teal and Dorothy Thomas.

**RECOMMENDATION:** that Stephen Dechka, Joel Teal and Dorothy Thomas be appointed as members at large to the Economic Development Authority Board of Directors to the end of 1994.

*ADOPTED."*

*Moved by Councillor Cherneskey, Seconded by Councillor Mostoway,*

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

*CARRIED.*

**UNEFINISHED BUSINESS**

**6a) City Hall Operations - Christmas/New Year's Period  
(File No. CK 4610-1)**

**REPORT OF CITY CLERK:**

"City Council, at its meeting held on September 13, 1993, during consideration of the above matter, deferred consideration of the following report until this meeting:

For the information of Council, the following is the schedule for City Hall hours of operating during the Christmas/New Year's period:

Friday, December 24, 1993	- OPEN
Monday, December 27, 1993	- CLOSED
Tuesday, December 28, 1993	- CLOSED
Wednesday, December 29, 1993	- OPEN
Thursday, December 30, 1993	- OPEN

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Friday, December 31, 1993           - OPEN  
Monday, January 3, 1994           - CLOSED.

**RECOMMENDATION:**    that the information be received."

*Moved by Councillor Birkmaier, Seconded by Councillor McCann,*

*THAT the information be received.*

*CARRIED.*

**MOTIONS**

**REPORT OF CITY CLERK:**

"Council is requested to consider the following appointments of Deputy Mayor for the months indicated:

Councillor Waygood           -       For the month of November, 1993;  
Councillor Thompson -       For the month of December, 1993;  
Councillor Penner           -       For the month of January, 1994."

*Moved by Councillor Birkmaier, Seconded by Councillor Mostoway,*

*THAT the following be appointed Deputy Mayor for the months indicated:*

*Councillor Waygood           -       For the month of November, 1993;  
Councillor Thompson -       For the month of December, 1993;  
Councillor Penner           -       For the month of January, 1994.*

*CARRIED.*

**INTRODUCTION AND CONSIDERATION OF BYLAWS**

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**Bylaw No. 7364**

Moved by Councillor Cherneskey, Seconded by Councillor Mostoway,

THAT permission be granted to introduce Bylaw No. 7364, being "*A Bylaw of The City of Saskatoon to amend Bylaw No. 6772, entitled, 'A Bylaw Respecting Zoning in The City of Saskatoon'*" and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Cherneskey, Seconded by Councillor Penner,

THAT Bylaw No. 7364 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Cherneskey, Seconded by Councillor Birkmaier,

THAT Council go into Committee of the Whole to consider Bylaw No. 7364.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 7364 was considered clause by clause and approved.

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Moved by Councillor Cherneskey, Seconded by Councillor Waygood,

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

CARRIED.

Moved by Councillor Cherneskey, Seconded by Councillor Thompson,

THAT permission be granted to have Bylaw No. 7364 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Cherneskey, Seconded by Councillor McCann,

THAT Bylaw No. 7364 be now read a third time, that the bylaw be passed and the Mayor and the City Clerk be authorized to sign same and attach the corporate seal thereto.

CARRIED.

The bylaw was then read a third time and passed.

*Moved by Councillor Cherneskey, Seconded by Councillor Mann,*

*THAT the meeting stand adjourned.*

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*CARRIED.*

The meeting adjourned at 10:15 p.m.

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Mayor

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City Clerk