

ORDER OF BUSINESS

REGULAR MEETING OF CITY COUNCIL

WEDNESDAY, JULY 18, 2012 AT 6:00 P.M.

1. **Approval of Minutes** of regular meeting held on June 18, 2012.

2. **Public Acknowledgements**

3. **Hearings (6:00 p.m.)**

- a) **Proposed Rosewood Neighbourhood Concept Plan Amendment
Multi-Unit (Townhouse) to Multi-Unit (Medium Density)
Applicant: Rosewood Land Inc.
(File No. CK 4351-012-7)**
-

City Council, at its meeting held on June 18, 2012, opened the above-noted hearing. Council resolved that the hearing be adjourned to this meeting in order to give more time for public consultation. Attached is the excerpt, and attachments referred to therein, from that meeting.

- b) **Proposed Rezoning from R1A to RM3 by Agreement
Multi-Unit (Townhouse) to Multi-Unit (Medium Density)
Applicant: Rosewood Land Inc.
Proposed Bylaw No. 9032
(File No. CK 4351-012-7)**
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City Council, at its meeting held on June 18, 2012, opened the above-noted hearing. Council resolved that the hearing be adjourned to this meeting in order to give more time for public consultation. Attached is the excerpt, and attachments referred to therein, from that meeting.

c) **Proposed Zoning Bylaw Text Amendment
Sections 11.4.5(2) and 11.4.5(6) Pertaining to Retail Sales
Accessory to a Permitted Use – Industrial Business District
Applicant: North Prairie Developments Ltd.
Proposed Bylaw No. 9040
(File No. CK 4350-012-3)**

The purpose of this hearing is to consider proposed Bylaw No. 9040.

Attached is a copy of the following:

- Proposed Bylaw No. 9040;
- Report of the General Manager, Community Services Department dated June 4, 2012, recommending that the proposal to amend Section 11.4.5.2 – Notes to Development Standards, and Section 11.4.5.6 – Notes to Development Standards, be approved;
- Letter dated June 26, 2012, from the Secretary of the Municipal Planning Commission advising the Commission supports the above-noted recommendation; and
- Notice that appeared in the local press on June 30, 2012.

d) **Adult Services Land Use Review
Proposed Bylaw No. 9023
(File No. CK 4350-012-2)**

The purpose of this hearing is to consider proposed Bylaw No. 9023.

Attached is a copy of the following:

- Proposed Bylaw No. 9023;
- Excerpt containing Clause 3, Report No. 3-2012 of the Municipal Planning Commission and Clause A3), Administrative Report No. 10-2012, and attachments referred to therein, from the minutes of meeting of City Council held on June 18, 2012;

- Report of the General Manager, Community Services Department dated June 29, 2012, recommending that Zoning Bylaw No. 8770 be amended to include a minimum 160 metre separation distance between adult service agencies (located in the IL1 – Light Industrial and IH – Heavy Industrial Districts) and residential properties, schools, parks and recreational facilities;
- Letter dated July 11, 2012 from the A/Secretary of the Municipal Planning Commission advising that the Commission supports the above-noted recommendation; and
- Notice that appeared in the local press on June 30, 2012.

4. Matters Requiring Public Notice

a) Turboexpander Generator – Joint Venture with SaskEnergy Incorporated Saskatoon Light & Power Capital Project #2311: Electrical Supply Options – Turboexpander (File No: 2000-10-10)

The following is a report of the General Manager, Utility Services Department dated July 5, 2012:

- “RECOMMENDATION:**
- 1) that Saskatoon Light & Power amend an expired Memorandum of Agreement with SaskEnergy Incorporated for the purpose of partnering on the capital costs for construction of a turboexpander generator facility at SaskEnergy’s Natural Gas Regulating Station #1 adjacent to the landfill;
 - 2) that City Council approve a post budget adjustment for additional funding for Capital Project 2311 in the amount of \$1,100,000;
 - 3) that a green loan be approved in the amount of \$2,250,000;
 - 4) that an allowable 10% variance on the borrowing requirement be approved with any variance greater than 10% reported to City Council,

- 5) that should funding from other levels of government be received, the green loan be revised accordingly; and
- 6) that the Amending Agreement be executed by His Worship the Mayor and the City Clerk under the Corporate Seal.

BACKGROUND

In 2009, Saskatoon Light & Power (SL&P) and SaskEnergy Incorporated commissioned a feasibility study to evaluate the potential for application of a turboexpander generator at SaskEnergy's Town Border Station #1 in Saskatoon. A turboexpander can be used to recover useful energy from the pressure drop at the Town Border Station in the form of shaft horsepower, which could then be used to generate electricity that would be sold to SaskPower under its Green Options Partners Program. Excess heat from the adjacent landfill gas power generation facility would be used to preheat the natural gas as required prior to the pressure and temperature reduction through the turboexpander.

This facility has the potential to provide enough power for over 600 homes and offset greenhouse gas emissions by over 3,600 tonnes annually.

SL&P entered into a Memorandum of Agreement (MOA) with SaskEnergy to complete the design work for this project. The purpose of this report is to advise City Council of the revised project budget now that the design is complete and request approval to amend the MOA to include the construction of the project.

REPORT

Under the proposed amendment to the MOA, SL&P and SaskEnergy will each contribute 50% of the total capital cost of \$4.5 million, and will equally share in revenues and operating costs for the turboexpander facility. An economic assessment has been completed for the project that shows a 20-year Internal Rate of Return (IRR) of 11.2% with a payback of nine years. This rate of return meets the hurdle rate established by both utilities and is supported by the respective Administrations.

The economic analysis is based on electricity sales to SaskPower under its Green Options Partners Program, which offers a premium rate for this environmentally preferred electricity.

The total estimated cost of this project had originally been estimated at \$3.4 million but has recently been updated based on the final design and existing market conditions. The cost estimate is also now based on a more detailed cost estimate from TransGas Limited, who will be installing a necessary pipeline associated with this project.

The City of Saskatoon has applied for partial funding of this project through three separate funding programs. Administration expects a decision on these potential funding sources by the fall of 2012.

Detailed design for the facility is complete, and a tender for construction of the facility is expected to be issued later this year, with construction beginning in the spring of 2013. The facility is planned to be operational by the fall of 2013.

OPTIONS

Saskatoon Light & Power could negotiate a different funding arrangement with SaskEnergy rather than the 50/50 partnership currently proposed. This would increase or decrease the amount of capital spending required by the City, but would correspondingly increase or decrease the City's share in the revenues and return on investment. The current 50/50 approach is agreeable to both parties and no change is recommended.

FINANCIAL IMPACT

It is anticipated that funding in the amount of \$200,000 may be available for this project from various funding programs administered by other levels of government; however, the funding strategy outlined below assumes no external funding from other levels of government. The \$4.5 million required for this project will be shared 50/50 between SL&P and SaskEnergy. SL&P's portion of this cost will come from a green loan in the amount of \$2,250,000. This loan will be repaid when the project begins to generate revenue.

\$ 2,250,000	Green Loan from Internal Reserves (Property Realized Reserve)
<u>\$ 2,250,000</u>	SaskEnergy Incorporated
\$ 4,500,000	Total Project Budget

City Council is also asked to allow a 10% variance on the borrowing requirements for the project identified. Any variance greater than 10% of the borrowing amount identified must be reported to City Council.

In the event that the anticipated funding from other levels of government is received, the above noted funding arrangement will be decreased accordingly.

The Finance Branch has reviewed the loan application and is in agreement with the funding amount, terms and the project's ability to repay the loan and has confirmed that it meets the criteria outlined in City of Saskatoon Policy C03-27 (Borrowing for Capital Projects). The City's Investment Committee, through the Investment Manager, provided the quoted interest rate at the time of the application of the loan dated May 15, 2012.

Power from this facility will be sold to SaskPower under its Green Options Partners Program and will result in annual revenues of approximately \$650,000 beginning in 2014. Our share (50%) of the annual revenues will be \$325,000. An economic analysis was completed for the project and indicates a 20-year internal rate of return (IRR) of 11.2%, with a payback of nine years.

ENVIRONMENTAL IMPACT

An Environmental Screening has been completed for the project by the Environmental Assessment Branch of the Saskatchewan Ministry of Environment. The Ministry does not require any further assessment of environmental impacts for the project. An Environmental Management and Monitoring Plan for construction of the project will be required to be included with tender submissions.

The turboexpander facility will generate clean electricity without combustion, by capturing pressure energy and heat energy that would otherwise go unused. The facility will provide an annual greenhouse gas offset of approximately 3,600 tonnes (similar to removing 700 vehicles from our roadways).

PUBLIC NOTICE

Public Notice (Attachment 1) is required for consideration of this matter, pursuant to Section 3e) of Policy No. C01-021, The Public Notice Policy. The following notice was given:

- Advertised in the StarPhoenix on Saturday, July 7, 2012;
- Posted on the City Hall Notice Board on Friday, July 6, 2012; and,
- Posted on the City of Saskatoon website on Friday, July 6, 2012.

ATTACHMENT

1. Copy of the Public Notice.”

b) **Proposed Closure of Right-of-Way
Walkway between 48 and 50 Harrison Crescent
(File No. CK. 6295-012-7 and IS. 6295-1)**

The following is a report of the General Manager, Infrastructure Services Department dated July 5, 2012:

- “RECOMMENDATION:**
- 1) that the walkway between 48 and 50 Harrison Crescent be closed;
 - 2) that upon receipt of the legal land survey documents the City Solicitor be requested to prepare the appropriate bylaw for consideration by City Council;
 - 3) that upon approval of the bylaw, the Administration be instructed to take all necessary steps to bring the intended closure forward and to complete the closure; and
 - 4) that upon closure of the walkway, the land be sold to Giuseppe and Tina Forugno of 50 Harrison Crescent for \$1,000.

BACKGROUND

City Council, at its meeting held on September 26, 2011, approved amendments to Policy C07-017 - Walkway Evaluation and Closure, which stipulates that closure of a walkway will only be approved as a last resort. City Council also resolved that all outstanding applications for closure of walkways be processed under the former policy. This is one of the outstanding walkway closure requests.

The Planning and Operations Committee, at its meeting on June 12, 2012, considered a report of the General Manager, Infrastructure Service Department, dated May 31, 2012 (Attachment 1), and approved the recommendation that the Administration proceed with Public Notice for the closure of the walkway between 48 and 50 Harrison Crescent, in the Avalon neighborhood.

REPORT

If the closure is approved by City Council, the Administration will proceed with acquiring the legal land survey documents to transfer the title of land. Typically, this process involves acquiring a plan of consolidation and gathering utility consents to verify easements. This process can take between six and eight months. Once all the documentation has been received, a report will be submitted to City Council to consider the bylaw for closure.

Upon closing the walkway between 48 and 50 Harrison Crescent, the land will be sold to Giuseppe and Tina Fortugno of 50 Harrison Crescent for \$1,000. The owners of 48 Harrison Crescent are not interested in purchasing a portion of the walkway.

The adjacent property owners will not be allowed to build a structure or alter the right-of-way until title of land has been transferred, however, they will be allowed to close the parcel by installing a temporary fence or extending their existing fence line.

If there are any utilities located on this land parcel, easements will be attached to the title or they will be relocated at the expense of the property owner.

ENVIROMENTAL IMPLICATIONS

There are no environmental implications.

PUBLIC NOTICE

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

- Advertised in the StarPhoenix on the weekend of July 7, 2012;
- Posted on the City Hall Notice Board on Friday, July 6, 2012;
- Posted on City of Saskatoon website on Friday, July 6, 2012; and
- Flyers distributed to affected parties on Thursday July 5, 2012.

ATTACHMENTS

1. Report of the General Manager, Infrastructure Services Department, dated May 31, 2012; and
2. Copy of Public Notice.”

c) **Proposed Closure**
Evergreen Neighborhood
All of Road Widening within Plan 78S34536 Adjacent to Road Allowance
Lying Between Fedoruk Drive and McOrmond Drive
(File: CK. 6295-012-6 and IS. 6295-1)

The following is a report of the General Manager, Infrastructure Services Department dated July 5, 2012:

- RECOMMENDATION:**
- 1) that City Council consider Bylaw 9042 (Attachment 1);
 - 2) that the Administration be instructed to take all necessary steps to bring the intended closure forward and to complete the closure;
 - 3) that upon closure of the road widening, as indicated on Plan of Proposed Road Closure, dated March 2012, prepared by Saskatoon Land Surveyors, and Plan 240-0083-002r002 (Attachment 2), the land be consolidated and retained by the City of Saskatoon for re-subdivision; and
 - 4) that all cost associated with this closure be paid by the applicant.

REPORT

The City of Saskatoon, Community Services Department, Land Branch has requested closure of road widening on Plan of Proposed Closure within Plan 78S34536. The road widening lies north of a road allowance lying between Fedoruk Drive and McOrmond Drive, which was closed under Bylaw 8943 and approved by City Council at its meeting held on May 9, 2011. The purpose of the additional closure is for development in the Evergreen Neighborhood. The proposed road widening will be consolidated and retained by the City of Saskatoon.

The Infrastructure Services Department, Land Development Section is in agreement with the proposed additional closure subject to the closure of the rights-of-way being completed.

PUBLIC NOTICE

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

- Advertised in The StarPhoenix on the weekend of July 7th, 2012;
- Posted on the City Hall Notice Board on Thursday, July 5th, 2012; and
- Posted on the City of Saskatoon website on Thursday, July 5th, 2012.

ATTACHMENTS

1. Proposed Bylaw 9042;
2. Plan No. 240-0083-002r002; and
3. Copy of Public Notice.”

d) Proposed Closure

Marquis Industrial Area

All the portion of Road Widening on Reg'd Plan 63-S-18647; and part of 71st Street on Reg'd Plan 95-S-45736 in the N.E. ¼ Sec 21, Twp. 37, Rge. 5, W3rd M as shown as Parcel A & B

(File No.: CK. 6295-012-5 and IS. 6295-1)

The following is a report of the General Manager, Infrastructure Services Department dated July 5, 2012:

- “RECOMMENDATION:**
- 1) that City Council consider Bylaw 9041 (Attachment 1);
 - 2) that the Administration be instructed to take all necessary steps to bring the intended closure forward and to complete the closure;
 - 3) that upon closure of the road widening indicated on Plan of Proposed Closure, dated January 2011, prepared by George, Nicholson, Franko & Associates Ltd. and Plan 240-0032-004r001 (Attachment 2), the land be consolidated and retained by the City of Saskatoon for re-subdivision; and

- 4) that all cost associated with this closure be paid by the applicant.

REPORT

The City of Saskatoon, Community Services Department, Land Branch has requested closure of all the portion of Road Widening on Reg'd Plan 63-S-18647; and part of 71st Street on Reg'd Plan 95-S-45736 in the N.E. ¼ Sec 21, Twp. 37, Rge. 5, W3rd M as shown on Plan of Proposed Closure and Plan 240-0032-004r001. The purpose of the closure is for development in the Marquis Industrial Area. The proposed road widening will be consolidated and retained by the City of Saskatoon.

All utility agencies have indicated they have no objections or easement requirements with respect to the closure.

PUBLIC NOTICE

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

- Advertised in The StarPhoenix and Sun on the weekend of July 7th, 2012;
- Posted on the City Hall Notice Board on Thursday, July 5th, 2012; and
- Posted on the City of Saskatoon website on Thursday, July 5th, 2012.

ATTACHMENTS

1. Proposed Bylaw 9041;
2. Plan 240-0032-004r001; and
3. Copy of Public Notice.”

5. Unfinished Business

6. Reports of Administration and Committees:

- a) Report No. 4-2012 of the Municipal Planning Commission;
- b) Report No. 5-2012 of the Municipal Planning Commission;

- c) Administrative Report No. 11-2012;
- d) Legislative Report No. 9-2012;
- e) Report No. 11-2012 of the Planning and Operations Committee;
- f) Report No. 5-2012 of the Administration and Finance Committee;
- g) Report No. 11-2012 of the Executive Committee.

It is anticipated that there will also be additional reports from the following Committees which will be distributed at the Council meeting:

- Planning and Operations Committee
- Administration and Finance Committee
- Audit Committee
- Executive Committee

- 7. Communications to Council – (Requests to speak to Council regarding reports of Administration and Committees)**
- 8. Communications to Council (Sections B, C, and D only)**
- 9. Question and Answer Period**
- 10. Matters of Particular Interest**
- 11. Enquiries**

12. Motions

13. Giving Notice

14. Introduction and Consideration of Bylaws

- Bylaw No. 9023 - The Zoning Amendment Bylaw, 2012 (No. 7)
- Bylaw No. 9032 - The Zoning Amendment Bylaw, 2012 (No. 8)
- Bylaw No. 9039 - The Residential Parking Program Amendment Bylaw, 2012
- Bylaw No. 9040 - The Zoning Amendment Bylaw, 2012 (No. 10)
- Bylaw No. 9041 - The Street Closing Bylaw, 2012 (No. 6)
- Bylaw No. 9042 - The Street Closing Bylaw, 2012 (No. 7)
- Bylaw No. 9043 - The City Administration Amendment Bylaw

15. Communications to Council – (Section A - Requests to Speak to Council on new issues)

3a)

The following is an excerpt from the minutes of meeting of City Council held on June 18, 2012:

HEARINGS

- 3a) **Proposed Rosewood Neighbourhood Concept Plan Amendment
Multi-Unit (Townhouse) to Multi-Unit (Medium Density)
Applicant: Rosewood Land Inc.
(File No. CK. 4351-012-7)**
-

REPORT OF THE CITY CLERK:

“The purpose of this hearing is to consider proposed Rosewood Neighbourhood Concept Plan Amendment.

Attached is a copy of the following:

- Report of the General Manager, Community Services Department dated November 22, 2011, recommending that the proposed amendment from Multi-Unit (Townhouse) to Multi-Unit (Medium Density) on the Rosewood Concept Plan be approved.
- Letter dated May 29, 2012 from the Secretary of the Municipal Planning Commission advising the Commission supports the above-noted recommendation;
- Notice that appeared in local press on June 2, 2012.”

The City Clerk distributed copies of a letter from Gary Polishak, President of Lakeridge Community Association, dated June 18, 2012, submitting comments.

His Worship the Mayor opened the hearing.

Mr. Alan Wallace, Planning and Development Branch Manager, Community Services Department, reviewed the proposed Rosewood Neighbourhood Concept Plan and expressed the Department's support.

Mr. Kurt Soucy, Chair, Municipal Planning Commission, expressed the Commission's support of the proposed Rosewood Neighbourhood Concept Plan.

Moved by Councillor Paulsen, Seconded by Councillor Lorje,

THAT the hearing be adjourned to July 18th in order to give more time for public consultation.

CARRIED.

RECEIVED

4351-012-7

MAY 30 2012

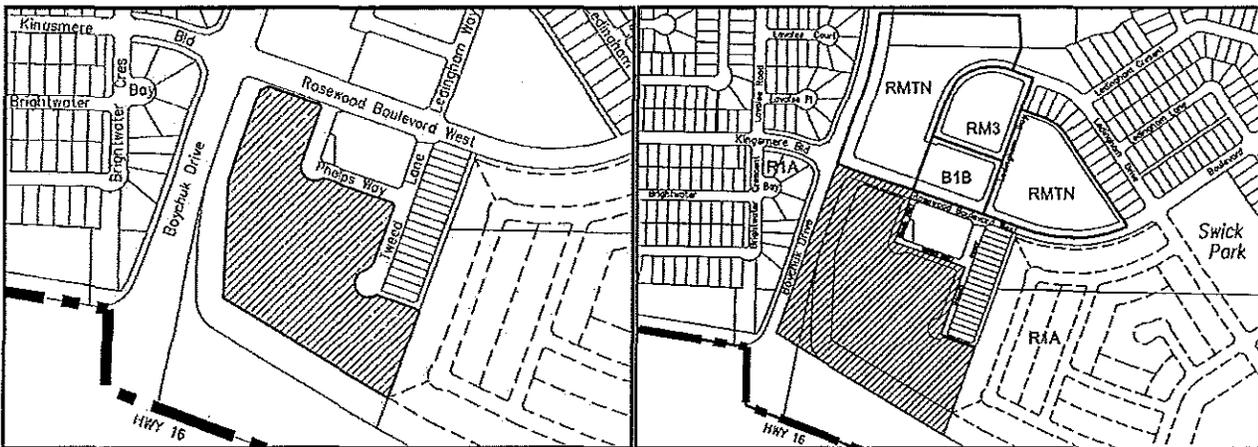
REVISED REPORT

CITY CLERK'S OFFICE
SASKATOON

COMMUNITY SERVICES DEPARTMENT

APPLICATION NO. Z4/11	PROPOSAL Proposed Rosewood Neighbourhood Concept Plan Amendment – Multi-Unit (Townhouse) to Multi-Unit (Medium Density) Proposed Rezoning from R1A to RM3 by Agreement	EXISTING ZONING R1A
LEGAL DESCRIPTION Block J, Plan 94-S-17318	CIVIC ADDRESS	
	NEIGHBOURHOOD Rosewood	
DATE November 22, 2011	APPLICANT Rosewood Land Inc. Randall Pichler and Glenn Pichler #1 – 501 Gray Avenue Saskatoon SK S7N 2H8	OWNER Rosewood Land Inc.

LOCATION PLAN



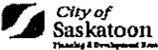
Proposed Concept Plan Amendment - Rosewood

 FROM MULTI UNIT (TOWNHOUSE) TO MULTI UNIT (MEDIUM DENSITY)



PROPOSED REZONING

From R1A to RM3 by Agreement 



A. COMMUNITY SERVICES DEPARTMENT RECOMMENDATIONS:

That a report be forwarded to City Council recommending

- 1) that, at the time of the Public Hearing, City Council consider the Administration's recommendation that the proposed amendment from Multi-Unit (Townhouse) to Multi-Unit (Medium Density) on the Rosewood Concept Plan be approved.
- 2) that, at the time of the Public Hearing, City Council consider the Administration's recommendation that the proposal to rezone Block J, Plan 94-S-017318 from R1A District to an RM3 District subject to a contract Zoning Agreement be approved.

B. PROPOSAL

An application has been submitted by Rosewood Land Inc. requesting that the Concept Plan for the Rosewood neighbourhood be amended, to redesignate Parcel J, Plan 94-S-017318, from Multi-Unit (Townhouse) to Multi-Unit (Medium Density).

Rosewood Land Inc. has also applied to rezone Parcel J, Plan 94-S-017318 from an R1A District to an RM3 District subject to a contract Zoning Agreement.

This proposal will allow for the development of six 3-storey apartment-style condominiums as a dwelling group, with a total of approximately 270 dwelling units.

C. REASON FOR PROPOSAL

Please refer to Attachment 2 – Application Letter dated May 20, 2011, from Glenn Pichler, Rosewood Land Inc.

D. BACKGROUND INFORMATION

This 3.79 ha (9.37 acre) parcel comprises the southwesterly portion of a larger undeveloped parcel owned by Rosewood Land Inc. The Concept Plan for the Rosewood neighbourhood identifies the entire westerly edge of this subdivision backing onto Boychuk Drive, for multi-unit residential development. The Developer proposes to develop a dwelling group of apartment style condominiums, rather than townhouse style units, which requires an amendment to the Concept Plan. A Zoning change to RM3 will accommodate this form of residential development.

E. JUSTIFICATION

1) Community Services Department Comments

a) Official Community Plan Bylaw No. 8769 and Zoning Bylaw No. 8770

The Concept Plan amendment complies with the criteria contained in Official Community Plan (OCP) Bylaw No. 8769 related to the design and development of new neighbourhoods.

The lands are designated "Residential" in OCP Bylaw No. 8769. No amendments to the OCP are required to accommodate the proposed Concept Plan amendment.

The purpose of the RM3 District is to provide for a variety of residential developments in a medium-density form, as well as related community uses.

The Developer is requesting the Concept Plan and zoning amendment to permit the development of apartment-style condominium units, rather than townhouse units. The Developer indicates that this form of housing will provide affordable units to the market.

An R1A Zoning District was applied to all lands intended for residential development when the Rosewood neighbourhood was established. It is intended that as proposals for development of higher-density residential parcels are brought forward, the rezoning process is implemented to establish an appropriate zoning district for that specific parcel and proposed use. The RM3 District accommodates medium-density, multiple-unit developments, providing for multi-unit developments in addition to other lower-density forms of residential development.

b) Servicing Issues

In review of this proposal, it was noted that the proposed density of development on this site exceeded the density approved in the initial Concept Plan.

As outlined in the Rosewood Neighbourhood Concept Plan, there are limitations on sanitary sewer capacity for this neighbourhood. Increased density of development on this particular site, beyond originally planned, may have adverse impacts on the ability to develop other multi-unit sites in the neighbourhood with respect to sanitary sewage disposal capacity.

The Rosewood Neighbourhood Concept Plan approved by City Council in May 2008, classified the area currently proposed for rezoning as a Multi-Unit (Condominium) site. Parcels throughout the Rosewood neighbourhood with this classification were identified for development to a density of 13 units per acre. This calculation was based on an identified total area for Multi-Unit – Condominium development of 95.87 acres, accommodating a total of 1247 dwelling units.

The Infrastructure Services Department indicated that they are unable to support the density indicated, which is over and above the original Concept Plan approval.

In response to the concerns noted by the Infrastructure Services Department and the Development Review Section, Community Services Department, a meeting with the Developer and their Engineering Consultant was held to discuss the approved density of the Rosewood Subdivision and identify potential options to accommodate the proposed development.

In exploring options, it was felt that an appropriate first step would be to assess the existing development within Rosewood, as well as in adjacent developments to the north of Rosewood, to determine whether the planned density differs from actual density of existing development. It was felt that some areas may not have been developed to their full density; therefore, it may be feasible to reassign unused sewage disposal capacity to other areas in the neighbourhood.

To address these items, AECOM prepared a Servicing Review of the Southwest Rosewood Subdivision Development, providing an assessment of existing conditions, analysis, and recommendations regarding sanitary sewer and water distribution to ensure the design capacity for services in the Rosewood subdivision are not compromised by the proposed development.

With regard to development density, an option presented in the AECOM report proposed that the development of 270 units on the subject property be maintained, but the density on two other multi-unit sites owned by the Developer be reduced from 13 units per acre to 6.8 units per acre, to ensure that the total overall average density of these sites does not exceed the maximum design density of 13 units per acre.

To facilitate this approach, the Developers indicated their willingness to provide updated site plans and an application for Concept Plan amendment that would amend the designations on other parcels under their ownership in the neighbourhood with a multi-unit designation. By redesignating these additional parcels to a lower-density residential use, the overall average density of development of 13 units per acre for multi-unit residential development will be maintained.

An application for a comprehensive Concept Plan amendment, along with site plans to indicate that redesign of specific parcels for single-unit (detached) development is feasible, will be submitted as soon as all information is in place. In the meantime, the Developers have submitted a letter of intent acknowledging their agreement to the proposed Concept Plan amendment (see Attachment 5).

The Infrastructure Services Department has advised that this approach is satisfactory.

c) Zoning by Agreement

Should City Council decide to approve this application, it is recommended that the property be rezoned in accordance with Section 69(1) of the *Planning and Development Act, 2007*, which provides that a property may be rezoned to permit the carrying out of a specific proposal. In this instance, the proposed Zoning Bylaw No. 8770 would change the zoning designation from R1A District to RM3 District by Agreement.

More specifically, it is recommended that the Zoning Agreement include the following provisions:

- i) Use: Multi-Unit Dwellings containing up to a total of 270 dwelling units; and
- ii) All other development standards shall be those required in the RM3 Zoning District.

d) Compatibility with Adjacent Land Uses

The subject property is located in an area identified for development with multi-unit residential dwellings. Proximity to a collector road will ensure accessibility via public transit. It is felt that the proposed development is compatible with surrounding land uses. Landscaping and berms will help to alleviate visual impact on adjacent neighbouring properties.

e) Building Standards Branch

The Building Standards Branch, Community Services Department, has no objection to the proposed rezoning application. The site, potential building floor plans, and elevations submitted have not been reviewed for code compliance. A building permit is required to be obtained before any construction on this parcel begins.

4. Comments by Others

a) Infrastructure Services Department

- i) The Infrastructure Services Department requested that the Developer provide a response regarding whether or not a Traffic Impact Study is required, including whether the development will generate over 100 vehicles per hour in the peak direction of travel. If the impact is less than 100 vehicles per hour, the Developer is asked to provide the trip generation category, predictor variable and value, and the peak-hour trip rate used.

Comment: In response, the Developer's consultants provided a Trip Generation estimate indicating that the proposed development of low-rise apartments would generate a similar amount of traffic in the morning and afternoon peak hours as the original land use (townhouses).

Based on this submission, the Infrastructure Services Department indicated that the departmental requirements for traffic information have been satisfied.

Comments provided by the Infrastructure Services Department in regards to servicing are provided in Section 1b) of this report.

b) Utility Services Department, Transit Services Branch

At present, the Transit Services Branch has no service within 450 meters and has no short-term plans to service this development. However, if service was introduced in the long term, Rosewood Boulevard would be utilized and may include stops close to the vicinity of this development.

F. COMMUNICATION PLAN

The Planning and Development Branch, Community Services Department, sent notification letters to assessed property owners within 500 metres of the subject property, and to the President of the Lakeridge Community Association.

When the original Concept Plan for the Rosewood neighbourhood was approved, residents of the Lakeridge neighbourhood expressed concern about commercial development in the southeast corner of the neighbourhood. As a result, the commercial development was relocated eastward to interior locations with multi-unit residential development situated around it. As a result of the previous concerns raised regarding land use within this area of the Rosewood neighbourhood, additional notification was provided to residents living on the Emmeline cul-de-sacs adjacent to Boychuk Drive, and to all residents within the existing developed area of Rosewood. A total of 477 notices were circulated.

A public meeting was held on Wednesday, September 7, 2011, at Lakeridge School. Three people attended the meeting. A resident of the Lakeridge neighbourhood, whose property backed onto Boychuk Drive, had questions and concerns about the density, height, and massing of the proposed development. Concerns about privacy in his backyard, as well as traffic flow, were expressed. It is anticipated that a berm to be constructed at the perimeter of the subject property, adjacent to Boychuk Drive will minimize visual impact of the proposed development.

One written comment has been received by email expressing concern about loss of privacy in backyards of homes on Lavalee Crescent, as a result of tall residential buildings overlooking these properties.

Once this application has been considered by the Municipal Planning Commission, a date for a Public Hearing will be set, and it will be advertised in accordance with Public Notice Policy No. C01-021. A notice will be placed in The StarPhoenix two weeks prior to the date of the Public Hearing. Notice of the Public Hearing will be forwarded to those affected by this rezoning, those who signed the attendance sheet at the Public Information meeting, those who requested notice, the Lakeridge Community Association, and the Community Consultant.

G. ENVIRONMENTAL IMPLICATIONS

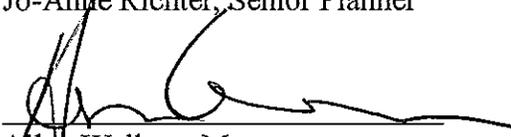
There are no environmental and/or greenhouse gas implications.

H. ATTACHMENTS

1. Fact Summary Sheet
2. Application Letter dated May 20, 2011, from Glenn Pichler, Rosewood Land Inc.
3. Communications Plan
4. Site Plan
5. Letter of Agreement – Density of Development

Written by: Jo-Anne Richter, Senior Planner

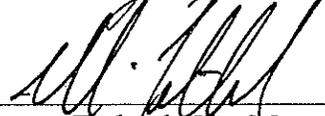
Reviewed by:


Allan Wallace, Manager
Planning and Development Branch

Approved by:


Randy Grauer, General Manager
Community Services Department
Dated: May 17, 2012

Approved by:


Murray Totland, City Manager
Dated: May 18/12

FACT SUMMARY SHEET	
A. Location Facts	
1. Municipal Address	N/A
2. Legal Description	Block J, Plan No. 94-S-017318
3. Neighbourhood	Rosewood
4. Ward	9
B. Site Characteristics	
1. Existing Use of Property	Undeveloped
2. Proposed Use of Property	Multi-unit residential
3. Adjacent Land Uses and Zoning	
North	Undeveloped – RMTN and B1B (Multi-unit residential/commercial)
South	Hwy 16/R.M. of Corman Park
East	Undeveloped - R1A One-unit residential
West	Boychuk Drive/Lakeridge subdivision
4. No. of Existing Off-Street Parking Spaces	
5. No. of Off-Street Parking Spaces Required	
6. No. of Off-Street Parking Spaces Provided	
7. Site Frontage	
8. Site Area	37.9 ha
9. Street Classification	Boychuk Drive – major arterial-controlled access Rosewood Boulevard West – major collector
C. Development Plan Policy	
1. Existing Development Plan Designation	Multi-Unit (Townhouse)
2. Proposed Development Plan Designation	Multi-Unit (Medium Density)
3. Existing Zoning District	R1A
4. Proposed Zoning District	RM3 by Agreement

Rosewood Land Inc.
1-501 Gray Avenue
Saskatoon, SK. S7N 2H8
Ph: (306) 931-8660
Fax: (306) 931-2389

May 20, 2011

City of Saskatoon
Community Services Department
222 3rd Avenue North
Saskatoon, SK
S7K 0J5

COPY

Attention: Tim Steuart, Manager of Development Review

Dear Sir:

Re: Block J, Plan 94-S-17318

Enclosed is the signed Application Form for Amendment to Zoning Bylaw No. 8770 along with the payment of \$3,000 for the following:

- \$2000 for zoning amendments
- \$500 for zoning agreements
- \$500 for concept plan

We would like the land rezoned to RM3 By Agreement. The following reasons are provided in support of this application:

1. The current allowable Rmtn zoning would allow us to construct approximately 281 three storey townhouses with single car garages giving a density of 30 units/acre. With the proposed zoning we would reduce the density to 28.18 units/acre by constructing 264 apartment style condominiums.
2. The population per unit for apartment style units is considerable less than the population per unit for townhouse style units which translates to reduced sanitary sewer loading
3. The reduced project population will result in reduced traffic loading for the area.
4. The proposed development will be sold to individual owners as opposed to being marketed as a rental project.
5. The proposed development will facilitate housing affordability to first time home owners. Affordable housing is a critical need in Saskatoon.
6. Affordability will be accompanied with the quality of construction similar to the "Trillium" project located at 415 Hunter Road, some of the construction details are as follows:
 - a) Quality acrylic stucco and stone exterior complete with decorative window baskets. Aluminum railings on all decks and quality PVC windows. European front entry doors at all building

entrances. Project signage will be carved from quartz stone. All buildings will be heated using high efficiency boilers connected to indirect fire water heaters.

- b) The project will feature a \$1,000,000 club house for the residents accessed by a key fob security system. The club house will feature a billiards room, a wifi lounge with plasma tv and fireplace, a fully equipped exercise room and a hot tub & salt water swimming pool. There is also a barbeque area at the rear of the club house. The club house and the swimming pool will be heated using high efficiency boilers connected to indirect fire water heaters.
- c) The interior of the residential units will be highly appointed with high end cabinets, quartz countertops, under mount sinks, stainless steel kitchen appliances, front loading washer & dryer, porcelain tile flooring in bathroom & laundry, bamboo or engineered hardwood flooring with excellent quality carpet, Grohe plumbing faucets, upgraded bath fixtures and hardware, high quality window blinds.
- d) The exterior of the project will be landscaped to meet or exceed the City of Saskatoon landscaping requirements. The entire project will be fenced using the Rosewood subdivision aluminum fence panel design.
- e) Enclosed is the "Trillium" project brochure which gives an example of the type of development that is being proposed.

If you have any questions do not hesitate to contact me.

Yours truly,

Rosewood Land Inc.

Per:

Glenn Pichler
Encl



Community Engagement Project Summary

Project Name: Public Information Meeting for Rezoning –
Proposed Multi-Unit Residential Rezoning in Rosewood
R1A District to RM3 District By Agreement

Applicant: Rosewood Land Inc.
File: PL 4350 – Z4/11

Community Engagement Project Summary

Project Description

A public information meeting held regarding a proposed rezoning on Parcel J in Rosewood Neighbourhood. The site is currently undeveloped with the original intent to construct Townhouses, however the developer requests to build 6 individual 3-storey apartment style condominiums on this site. The meeting provided neighbouring residents (Lakeridge East and Rosewood) the opportunity to comment on the proposal and ask any questions that they may have.

Meeting held at the Lakeridge School – Gymnasium (305 Waterbury Road), on Wednesday, Sept 7th, starting at 7pm.

Community Engagement Strategy

- Purpose: To inform and consult. Residents provided with overview of development proposal and provided opportunity to ask questions and provide comments. Written comments will be accepted for the next few weeks.
- What form of community engagement was used: Public Information meeting, with opportunity to view display panels and speak directly with the proponents and/or City staff. Due to low turnout (3 people) one on one discussions were held with those attending. City staff also provided overview of the rezoning process, noting further opportunities to provide comments and input.
- Level of input or decision making required from the public – comments and suggestions sought from public. Community input will be summarized and incorporated into Planning Report to the Municipal Planning Commission and Council.
- Who was involved
 - Internal stakeholders: Standard referral process was implemented. The following Departments were contacted for comments: Building Standards Branch, Neighbourhood Planning Section, Future Growth, Transit Services, Infrastructure Services Department, and land Development Section. Councillor Paulsen and Community Consultant were also contacted.
 - External stakeholders: Lakeridge Community Association (President Gary Polishak) contacted in addition to mailouts to residents. Total of 477 notices mailed.

Summary of Community Engagement Input

- Key milestones, significant events, stakeholder input
As an initial stage in the planning process, this community engagement initiative provided interested parties with an opportunity early in the process to learn more about the proposed development and to provide perspective, comments and suggestions which will be considered by both the proponent and municipal staff in further analysis of this proposal.
- Timing of notification to the public including dates of mailouts, psa's, newspaper advertisements, number of flyers delivered, who was targeted/invited

Notification Processes

Notification Method /Date Issued	Details	Target Audience / Attendance	Attendance
Public Information Meeting Notice August 15, 2011	477 flyers delivered by direct mail	Rosewood Residents in proximity to site, and extending along Rosewood Blvd N, Lakeridge residents in proximity to the proposed developments (crescents backing onto Boychuk Dr, and extending along Kingsmere Blvd	3 people attended in addition to the Developers and City staff.

- Analysis of the feedback received, provide a brief summary of the comments to capture the flavour of the feedback received
 - Questions and concern expressed by resident backing onto Boychuk Dr. with respect to density, height and massing of the proposed development. Concerns about privacy in backyard, as well as traffic flow.
- Impact of community engagement on the project/issue
 - Input received from the community will be evaluated and incorporated as appropriate within the development proposal. Property will be zoning by agreement should the application be successful, ensuring that development proceeds as presented.
- How will input be used to inform the project/issue
- Any follow up or reporting back to the public/stakeholders
 - Participants at the meeting were advised that they will receive direct notice of future meetings, including the Public Hearing, provided they provided their name and mailing address

Next Steps

- Describe the next stages or steps in the process
- Decisions to be made
- Reports to be written to committees, council, include dates if applicable

Action	Anticipated Timing
Internal Review to be completed with municipal departments	October 2011
Planning and Development Report prepared and presented to Municipal Planning Commission. MPC reviews proposal and recommends approval or denial to City Council	November 2011
Public Notice - draft bylaw prepared and Public Hearing date set. Lakeridge Community Association as well as all participants at Public Meeting will be provided with direct notice of Public Hearing. Newspaper ad placed in paper and onsite notification poster placed on site.	December 2011
Public Hearing – Public Hearing conducted by City Council, with opportunity provide for interested persons or groups to present. Proposal considered together with the reports of the Planning & Development Branch, Municipal Planning commission, and any written or verbal submissions received by City Council.	January 2012
Council Decision - may approve or deny bylaw.	January 2012

Attachments

See attached:

Notice of Public Information Meeting

Attendance Sheet

Handout provided by Developer at Public Information Meeting; Site Plan Overlay on Airphoto

Completed by: Jo-Anne Richter, Senior Planner, 975-7621

Date: Sept. 15, 2011

Please return a copy of this summary to

Lisa Thibodeau, Community Engagement Consultant

Communications Branch, City Manager's Office

Phone: 975-3690 Fax: 975-3048 Email: lisa.thibodeau@saskatoon.ca

PUBLIC INFORMATION MEETING

A meeting will be held:

Wednesday, September 7th, 2011

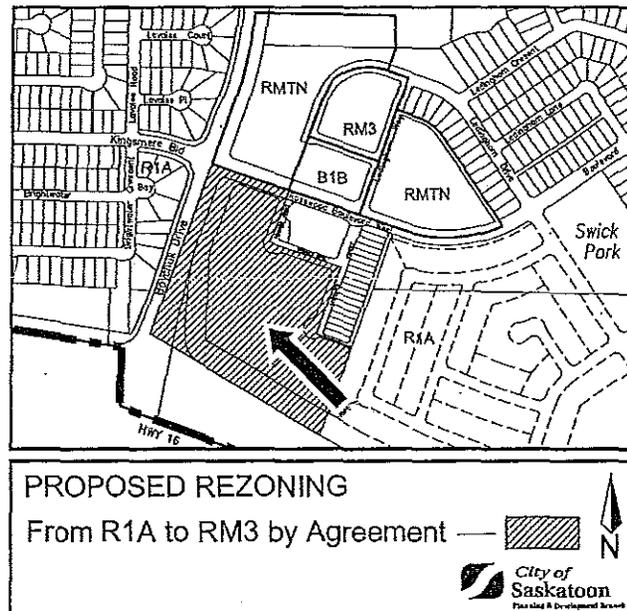
Location: Lakeridge School – Gymnasium

(305 Waterbury Road)

starting at 7:00 p.m.

Residents are invited to review a rezoning proposal in the Rosewood Neighbourhood. Rosewood Land Inc. has applied to the City to amend the area as shown below within the Rosewood Neighbourhood Concept Plan from Multi-Unit (Townhouse) to Multi-Unit (RM3 - Medium Density). The proposed amendments would change the land use on this site from townhouse style development to residential development in the form of six individual three-storey apartment style condominiums containing approximately 265 dwelling units.

The purpose of the meeting is to provide neighbouring residents the opportunity to find out the details of the proposal, and for the applicant to obtain public input on this matter. The City of Saskatoon will also be in attendance to provide details on the rezoning process.



For more information, please contact:
Shall Lam, Planning and Development Branch
City of Saskatoon, Community Services Department,
Phone: 975-7723 or email: shall.lam@saskatoon.ca

ATTACHMENT 5

Rosewood Land Inc.
1-501 Gray Avenue
Saskatoon, SK. S7N 2H8
Ph: (306) 931-8660
Fax: (306) 931-2389

May 11, 2012

City of Saskatoon
Department of Planning and Development
222 3rd Avenue North
Saskatoon, SK
S7K 0J5
Fax: 975-77121
Email: jo-anne.richter@saskatoon.ca

Attention: Jo-Anne Richter

Dear Madam:

Re: Letter of Intent: Rosewood Neighbourhood Concept Plan - Redesignation of lands held by Rosewood Land Inc.

This letter will confirm our agreement, as owners of the 2.59 ha parcel located directly east of the phase 4 development to submit an application for concept plan amendment to the Rosewood Neighbourhood Concept, to change the designation on this parcel from Multi Unit (Condominium) to Single Unit (Detached). The proposed amendment will provide for development of one and two unit dwellings. We acknowledge the Rosewood Concept Plan has been approved for a maximum permitted density 7.3 units per acre for parcels designated as Single Unit (Detached).

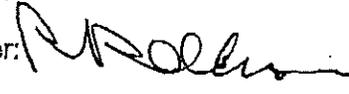
Further, we acknowledge that the proposed development of the parcel of land described as Block J, Plan 94-S-17318, as a multi-unit site with 270 units will, when averaged with the density of the development proposed on all Rosewood Land Inc. and Boychuk Investments Inc. lands, not exceed 13 units per acre. If required, applications will be submitted for additional parcels in Rosewood, under the ownership of Rosewood Land Inc. and currently designated Multi Unit (Condominium), to redesignate them to a lower density development, to ensure an overall average maximum design density of 13 units per acre, averaged between all sites.

Rosewood Land Inc.

Per: 

Randy Pichler

Boychuk Investments Inc.

Per: 

Ron Olson

RECEIVED
MAY 14 2012
Standards Branch



May 29, 2012

City Clerk

Dear City Clerk:

**Re: Municipal Planning Commission Report for Public Hearing
Proposed Rosewood Neighbourhood Concept Plan Amendment
Multi-Unit (Townhouse) to Multi-Unit (Medium Density)
Proposed Rezoning from R1A to RM3 by Agreement
Applicant: Rosewood Land Inc.
(File No. CK. 4351-012-7)**

The Municipal Planning Commission, at its meeting on May 29, 2012, considered a report of the General Manager, Community Services Department dated November 22, 2011, with respect to the above proposed Rosewood Neighbourhood Concept Plan amendment.

The Commission has reviewed the following issues with the Administration and the Applicant:

- Use of a berm rather than some other type of separation to transition between new and existing development, in terms of better connectivity – The berm for this proposed development will complete the berm along Boychuk Drive. New neighbourhoods will look at other options.
- With respect to the affordable housing aspect referenced by the Applicant, it was clarified that the units would be smaller (approximately 850 sq. ft to 1,000 sq. ft) to try to make them available at a more affordable price point (approximately \$230,000-\$260,000).
- The land east of this proposed development is owned by the Applicant and has not yet been built on. It is proposed that it will include duplexes and single-family residential development.
- Clarification was provided regarding the Infrastructure Services Department's review with AECOM regarding density and impact on the sanitary sewer and water distribution systems. The Applicant provided information with respect to energy saving options they are proposing, including the type of lighting, heating and water fixtures that will be used.

Following review of this matter, the Commission is supporting the following recommendations of the Community Services Department:

- 1) that the proposed amendment from Multi-Unit (Townhouse) to Multi-Unit (Medium Density) on the Rosewood Concept Plan be approved; and
- 2) that the proposal to rezone Block J, Plan No. 94-S-017318, from R1A District, to an RM3 District, subject to a contract Zoning Agreement, be approved.

May 29, 2012
Page 2

The Commission respectfully requests that the above recommendations be considered by City Council at the time of the public hearing with respect to the above proposed amendment.

Yours truly,

A handwritten signature in cursive script that reads "Diane Kanak".

Diane Kanak
Deputy City Clerk

DK:sj

Attachment

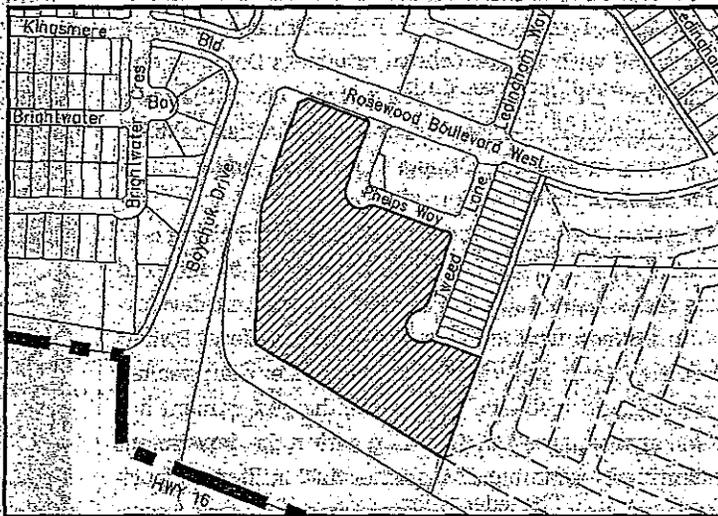
PUBLIC NOTICE

PROPOSED ROSEWOOD NEIGHBOURHOOD CONCEPT PLAN AMENDMENT

Saskatoon City Council will consider an amendment to the Rosewood Neighbourhood Concept Plan for the Rosewood Neighbourhood, which was submitted by Rosewood Land Incorporated.

The Concept Plan for the Rosewood Neighbourhood identifies the parcels in the south-western corner of this subdivision, backing onto Boychuk Drive, for multiple unit residential development. Within this area the Developer proposes to develop a 3.79 ha (9.37 acre) parcel as a dwelling group of apartment-style condominiums rather than townhouse-style units, which requires an amendment to the Concept Plan.

This amendment is required to redesignate the lands identified in the map below from Multiple-Unit (Townhouse) to Multiple-Unit (Medium Density) to accommodate the proposed development of six three-storey apartment style condominiums, with approximately 270 dwelling units.



Proposed Concept Plan Amendment - Rosewood

 FROM MULTI-UNIT (TOWNHOUSE) TO MULTI-UNIT (MEDIUM DENSITY)



Information – Questions regarding the proposal may be directed to the following:

Community Services Department, Planning and Development Branch
Phone: 975-7621 (Jo-Anne Richter)

Public Hearing – City Council will hear all submissions on the proposal and all persons who are present at the City Council meeting and wish to speak on Monday, June 18 at 6:00 p.m. in Council Chambers, City Hall, Saskatoon, Saskatchewan.

All written submissions for City Council's consideration must be forwarded to:

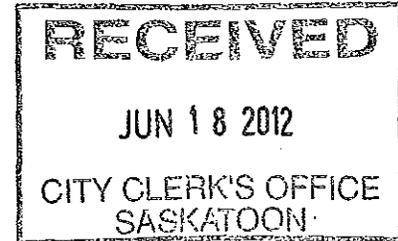
His Worship the Mayor and Members of City Council

c/o City Clerk's Office, City Hall

222 3rd Avenue North, Saskatoon SK S7K 0J5

All submissions received by the City Clerk by 10:00 a.m. on Monday, June 18, 2012, will be forward to City Council.

From: CityCouncilWebForm
Sent: June 18, 2012 9:16 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Gary Polishak
834 Swan Cres
Saskatoon
Saskatchewan
S7J 5B7

EMAIL ADDRESS:

gspolishak@hotmail.com

COMMENTS:

Your worship and councillors.

I am writing on behalf of the Lakeridge Community Association. I have spoken directly with several residents who are strongly opposed to the proposed changes to the Rosewood subdivision. The Community Association voiced its concerns several years ago when Rosewood first came to the planning stages. We opposed similar type dwellings at that time along with the proposed development of commercial properties at the corner of Kingsmere Blvd & Boychuck Dr.

Councillor Paulsen reminded me of a meeting that was held in early September & only 3 people attended. Perhaps the problem was that like myself I received the notice for this meeting "1" day prior to the meeting date, and it fell on the same date as our community fall registration. This date is very important to the Community Association as it is the biggest registration of the year. I voiced my concerns at that time to Art Lorde our community liason, as our registration night falls on the the same night every year (The first Tuesday & Wednesday after the September long weekend) Perhaps that is why only "3" people showed up as we have 200 & 300 people show up at registration night.

The residents along Lavalee Court/Place & Brightwater Cres in particular are quite against the changes. They feel the 3 story townhouses take away from the conformity of the neighborhood & could have a detrimental long term effect on the future value of their homes. They also feel that these type of units should stay closer to the Lakewood Common area where there are already similar units.

I regret that I am unable to attend council meeting this evening to voice my concerns directly.

Thank you
Gary Polishak
President
Lakeridge Community Association

3b)

The following is an excerpt from the minutes of meeting of City Council held on June 18, 2012:

HEARINGS

3b) Proposed Rezoning from R1A to RM3 by Agreement
Multi-Unit (Townhouse) to Multi-Unit (Medium Density)
Applicant: Rosewood Land Inc.
Proposed Bylaw No. 9032
(File No. CK. 4351-012-7)

REPORT OF THE CITY CLERK:

The purpose of this hearing is to consider proposed Bylaw No. 9032.

Attached is a copy of the following:

- Proposed Bylaw No. 9032;
- Report of the General Manager, Community Services Department dated November 22, 2011, recommending that the proposal to rezone Block J, Plan No. 94-S-017318, from R1A District, to an RM3 District, subject to a contract Zoning Agreement, be approved. (See Attachment 3a)
- Letter dated May 29, 2012 from the Secretary of the Municipal Planning Commission advising the Commission supports the above-noted recommendation; (See Attachment 3a)
- Notice that appeared in local press on June 2, 2012.”

The City Clerk distributed copies of a letter from Zahra Tusi, dated June 14, 2012, submitting comments.

His Worship the Mayor opened the hearing.

Mr. Alan Wallace, Planning and Development Branch Manager, Community Services Department, reviewed the proposed rezoning by agreement and expressed the Department's support.

Mr. Kurt Soucy, Chair, Municipal Planning Commission, expressed the Commission's support of the proposed rezoning by agreement.

Moved by Councillor Paulsen, Seconded by Councillor Lorje,

THAT the hearing be adjourned to July 18th in order to give more time for public consultation.

CARRIED.

BYLAW NO. 9032

The Zoning Amendment Bylaw, 2012 (No. 8)

The Council of The City of Saskatoon enacts:

Short Title

1. This Bylaw may be cited as The Zoning Amendment Bylaw, 2012 (No. 8).

Purpose

2. The purpose of this Bylaw is to authorize a rezoning agreement which is annexed hereto as Appendix "B".

Zoning Bylaw Amended

3. Zoning Bylaw No. 8770 is amended in the manner set forth in this Bylaw.

R1A District to RM3 District

4. The Zoning Map, which forms part of Bylaw No. 8770 is amended by rezoning the lands described in this Section and shown as  on Appendix "A" to this Bylaw from an R1A District to an RM3 District subject to the provisions of the Agreement annexed as Appendix "B" to this Bylaw:

- (a) Parcel J as shown on a Plan of Proposed Subdivision of Parcel P, Plan 102083510, S.W. ¼ Sec. 18 - Twp. 36 - Rge. 4 - W.3rd Mer. Saskatoon, Saskatchewan by R.A. Webster, S.L.S. dated February 8th, 2010, Revised May 30, 2012.

Execution of Agreement Authorized

5. The Mayor and Clerk are authorized to execute the Agreement annexed as Appendix "B" to this Agreement

Coming into Force

6. This Bylaw shall come into force on the day of its final passing.

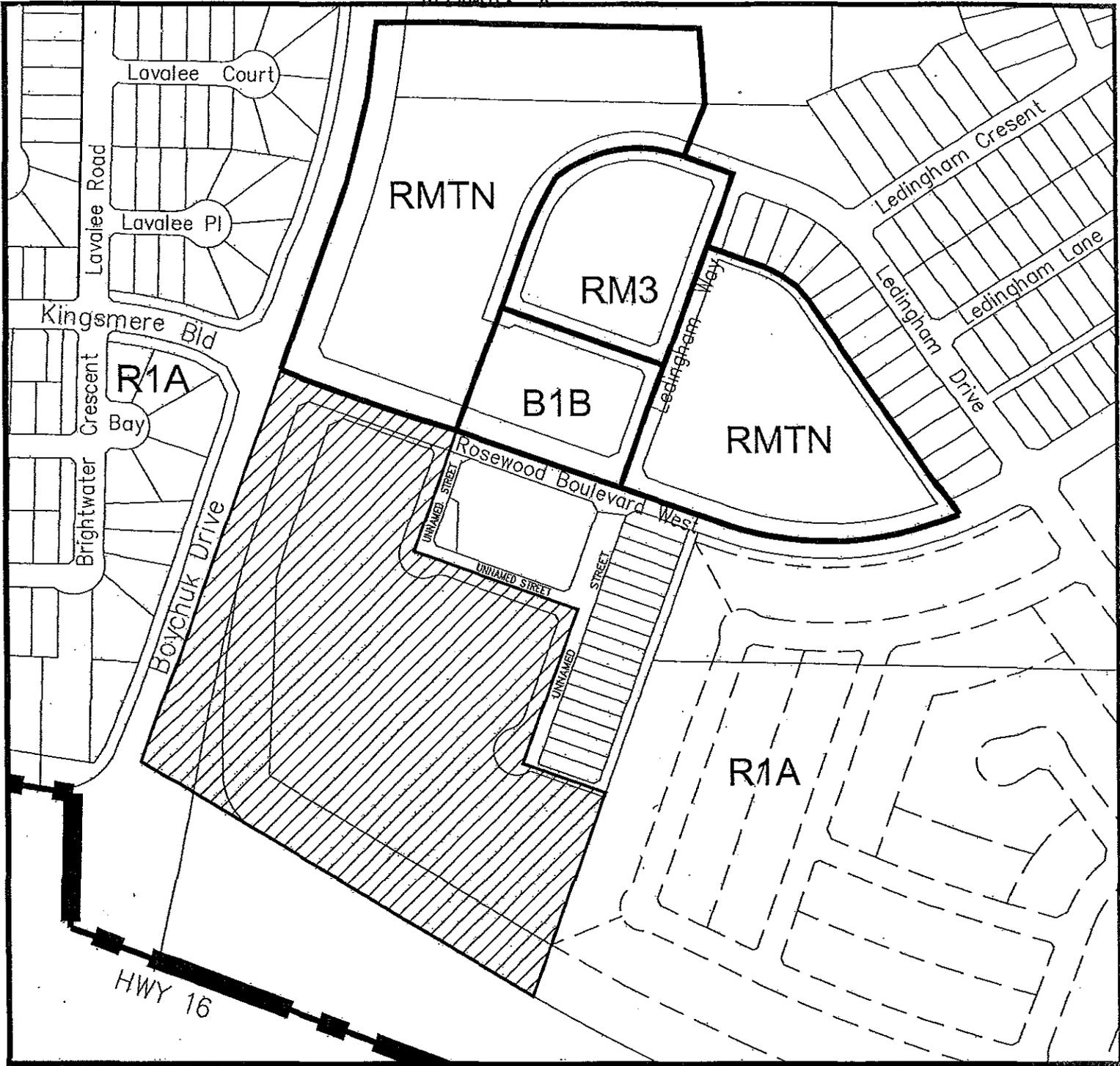
Read a first time this _____ day of _____, 2012.

Read a second time this _____ day of _____, 2012.

Read a third time and passed this _____ day of _____, 2012.

Mayor

City Clerk



REZONING

From R1A to RM3 by Agreement



Rezoning Agreement

This Agreement made effective this ____ day of _____, 2012.

Between:

The City of Saskatoon, a municipal corporation pursuant to *The Cities Act*, S.S. 2002 Chapter C-11.1 (hereinafter referred to as "the City")

- and -

Rosewood Land Inc., a body corporate incorporated under the laws of the Province of Saskatchewan (hereinafter referred to as "the Owner")

Whereas:

1. The Owner is entitled, subject to passage of the appropriate road closure bylaw, to become the registered owner of the land described as follows:
 - (a) Parcel J as shown on a Plan of Proposed Subdivision of Parcel P, Plan 102083510, S.W. 1/4 Sec. 18 - Twp. 36 - Rge. 4 - W.3rd Mer. Saskatoon, Saskatchewan by R.A. Webster, S.L.S. dated February 8th, 2010, Revised May 30, 2012

(hereinafter referred to as "the Land");
2. The Owner has applied to the City for approval to rezone the Land from an R1A District to an RM3 District to allow the development of the proposal specified in this Agreement;
3. The City has an approved Official Community Plan which, pursuant to Section 69 of *The Planning and Development Act, 2007*, contains guidelines respecting the entering into of agreements for the purpose of accommodating requests for the rezoning of land;
4. The City has agreed, pursuant to the provisions of Section 69 of *The Planning and Development Act, 2007*, to rezone the Land from an R1A District to an RM3 District, subject to this Agreement.

Now therefore this Agreement witnesseth that the Parties hereto covenant and agree as follows:

Land to be Used in Accordance with Agreement

1. The Owner agrees that, upon the Land being rezoned from an R1A District to an RM3 District, none of the Land shall be developed or used except in accordance with the terms and conditions set out in this Agreement.

Use of Land

2. The Owner agrees that the use of the Land will be restricted to Multi-Unit Dwellings comprising of no more than 270 dwelling units.

Development Standards

3. The development standards applicable to the Land shall be those applicable to an RM3 Zoning District.

Application of Zoning Bylaw

4. The Owner covenants and agrees that, except to the extent otherwise specified in this Agreement, the provisions of The City of Saskatoon Zoning Bylaw No. 8770 as amended from time to time shall apply.

Compliance with Agreement

5. The Owner covenants and agrees not to develop or use the Land unless such development, use and construction complies with the provisions of this Agreement.

Dispositions Subject to Agreement

6. The Owner covenants and agrees that any sale, lease or other disposition or encumbrance of the Land or part thereof shall be made subject to the provisions of this Agreement.

Definitions

7. Any word or phrase used in this Agreement which is defined in Zoning Bylaw No. 8770 shall have the meaning ascribed to it in that Bylaw.

Departures and Waivers

8. No departure or waiver of the terms of this Agreement shall be deemed to authorize any prior or subsequent departure or waiver, and the City shall not be obliged to continue any departure or waiver or permit subsequent departure or waiver.

Severability

9. If any covenant or provision of this Agreement is deemed to be void or unenforceable in whole or in part, it shall not be deemed to affect or impair the validity of any other covenant or provision of this Agreement.

Governing Law

10. This Agreement shall be governed and interpreted in accordance with the laws of the Province of Saskatchewan.

Effective Date of Rezoning

11. It is understood by the Owner that the Land shall not be effectively rezoned from an R1A District to an RM3 District until:
 - (a) the Council of The City of Saskatoon has passed a Bylaw to that effect; and
 - (b) this Agreement has been registered by the City, by way of Interest Registration, against the Title to the Land.

Use Contrary to Agreement

12. (1) The Council of The City of Saskatoon may declare this Agreement void where any of the Land or buildings thereon is developed or used in a manner which is contrary to the provisions of this Agreement, and upon the Agreement being declared void, the Land shall revert to an R1A District.

- (2) If this Agreement is declared void by the Council of The City of Saskatoon, the City shall not, by reason thereof, be liable to the Owner or to any other person for any compensation, reimbursement or damages on account of loss or profit, or on account of expenditures, or on any other account whatsoever in connection with the Land.

Registration of Interest

13. (1) The Parties hereto acknowledge that this Agreement is made pursuant to Section 69 of *The Planning and Development Act, 2007* and the Owner agrees that this Agreement shall be registered by way of an Interest Registration against the Title to the Land. As provided in Section 236 of *The Planning and Development Act, 2007*, Section 63 of *The Land Titles Act, 2000* does not apply to the Interest registered in respect of this Agreement.
- (2) This Agreement shall run with the Land pursuant to Section 69 of *The Planning and Development Act, 2007*, and shall bind the Owner, its successors and assigns.

Enurement

14. This Agreement shall enure to the benefit of and be binding upon the Parties hereto and their respective heirs, executors, administrators, successors and assigns.

The City of Saskatoon

Mayor

c/s

City Clerk

Rosewood Land Inc.

c/s

Affidavit Verifying Corporate Signing Authority

Canada)
Province of Saskatchewan)
To Wit:)

I, _____, of the City of Saskatoon, in the
(Name)
Province of Saskatchewan, _____, make oath and say:
(Position Title)

1. I am an officer or director of the corporation named in the within instrument.
2. I am authorized by the corporation to execute the instrument without affixing a corporate seal.

Sworn before me at the City of)
Saskatoon, in the Province of)
Saskatchewan, this _____ day of)
_____, _____)
_____)
A Commissioner for Oaths in and for)
the Province of Saskatchewan.)
My Commission expires)
_____)
(or) Being a Solicitor.)

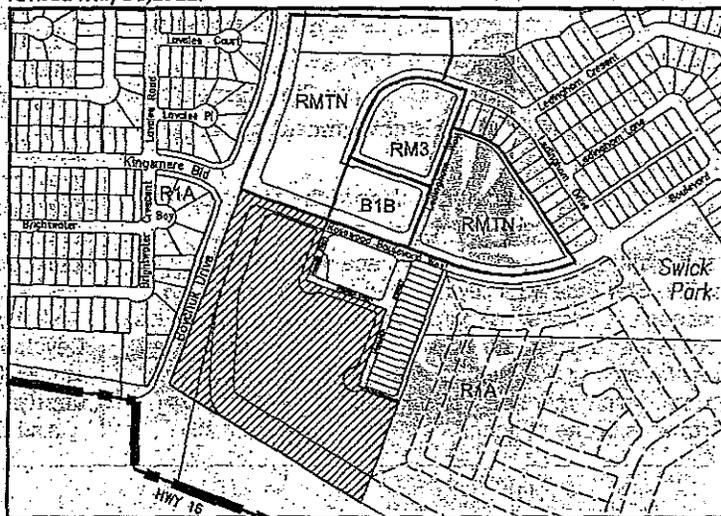
(Signature)

ZONING NOTICE

ROSEWOOD NEIGHBOURHOOD – PROPOSED ZONING BYLAW AMENDMENT – BYLAW NO. 9032

Saskatoon City Council will consider an amendment to the City's Zoning Bylaw (No. 8770). Through Bylaw No. 9032, the property in the Rosewood Neighbourhood as shown in the map below will be rezoned from R1A One-Unit Residential District to a RM3-Medium-Density Multiple-Unit Dwelling District, subject to a zoning agreement.

LEGAL DESCRIPTION – Parcel J, as shown on a Plan of Proposed Subdivision of Parcel P, Plan 102083510, S.W. ¼ Sec. 18, Twp. 36, Rge. 4 – W. 3rd Mer. Saskatoon, Saskatchewan by R.A. Webster, S.L.S. dated February 8th, 2010, revised May 30, 2012.



PROPOSED REZONING

From R1A to RM3 by Agreement



REASON FOR THE AMENDMENT – The reason for the zoning amendment is to allow for the development of six three-storey apartment-style condominiums as a dwelling group, with a total of approximately 270 dwelling units.

INFORMATION – Questions regarding the proposed amendment or requests to view the proposed amending Bylaw, the City of Saskatoon Zoning Bylaw and Zoning Map may be directed to the following without charge:
Community Services Department, Planning and Development Branch
Phone: 975-7621 (Jo-Anne Richter)

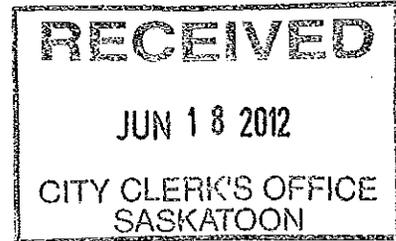
PUBLIC HEARING – City Council will hear all submissions on the proposed amendment, and all persons who are present at the City Council meeting and wish to speak on Monday, June 18, 2012, at 6:00 p.m. in City Council Chamber, City Hall, Saskatoon, Saskatchewan.

All written submissions for City Council's consideration must be forwarded to:
His Worship the Mayor and Members of City Council
c/o City Clerk's Office, City Hall
222 Third Avenue North, Saskatoon SK S7K 0J5

All submissions received by the City Clerk by 10:00 a.m. on Monday, June 18, 2012, will be forwarded to City Council.

4351-012-7

Zahra Tusi
115-410 Ledingham Way
Saskatoon, SK, S7V 0C4
June 14, 2012



Office of the City Clerk
2nd Floor, City Hall
222 3rd Ave. North
Saskatoon, SK S7K 0J5

RE : NOTICE OF OPPOSITION TO REZONING REQUEST

I request the City of Saskatoon to reject the rezoning application for the parcel J in rosewood neighborhood. The property in question is presently zoned for R1A (One Unit residential District), and all adjacent properties are zoned for the same or lower density concepts. As a property owner in this area, I hereby request that the pending application mentioned herein be denied by the City Council of Saskatoon on the following grounds:

It will impact the nature of my property which I carefully chose after studying Rosewood lot draw addendum dated October 24, 2011, published by city of Saskatoon, land branch.

It will reduce the value of my property due to increased traffic, deteriorated view, blocked afternoon sunlight and increased noise pollution.

It will promote similar applications for other parcels in the neighborhood which could drastically decrease the value of my property and add to the problems that I have mentioned above.

Yours truly,

Zahra Tusi

A handwritten signature in cursive script, appearing to be "Zahra Tusi". The signature is written in black ink and is positioned to the right of the typed name "Zahra Tusi".

3e)

BYLAW NO. 9040

The Zoning Amendment Bylaw, 2012 (No. 10)

The Council of The City of Saskatoon enacts:

Short Title

1. This Bylaw may be cited as The Zoning Amendment Bylaw, 2012 (No. 10).

Purpose

2. The purpose of this Bylaw is to amend the Notes to Development Standards in the Industrial Business (IB) District contained in the Zoning Bylaw to accommodate a wider range of uses for which accessory retail uses may be established and to increase the percentage of gross floor area that may be occupied by the accessory retail use.

Zoning Bylaw Amended

3. Zoning Bylaw No. 8770 is amended in the manner set forth in this Bylaw.

Subsection 11.4.5 Amended

4. Subsection 11.4.5 is amended:

- (a) by repealing Clause 2 and substituting the following:

“2 Except as provided in Clause 6, retail sales are prohibited, except those which are accessory to an approved principal use and which are limited to products manufactured, assembled, stored at or distributed from the subject site. Permitted accessory retail sales may be conducted only in the principal building containing the principal use, and may not occupy more than 25% of the gross floor area of the principal building.”; and

- (b) by striking out “or assembled on” in Clause 6 and substituting “, assembled, stored at or distributed from the”.

Coming into Force

5. This Bylaw shall come into force on the day of its final passing.

Read a first time this _____ day of _____, 2012.

Read a second time this _____ day of _____, 2012.

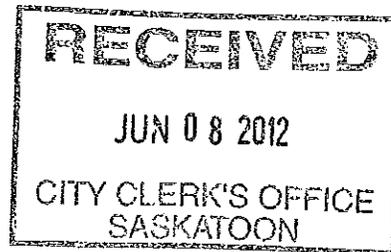
Read a third time and passed this _____ day of _____, 2012.

Mayor

City Clerk

COMMUNITY SERVICES DEPARTMENT

APPLICATION NO. Z13/12	PROPOSAL Proposed Zoning Bylaw No. 8770 Text Amendment – Section 11.4.5.2 Pertaining To Retail Sales Accessory To A Permitted Use	EXISTING ZONING
LEGAL DESCRIPTION		CIVIC ADDRESS N/A
		NEIGHBOURHOOD
DATE June 4, 2012	APPLICANT North Prairie Developments Ltd. Box 109 Saskatoon SK S7K 3K1	OWNER



A. COMMUNITY SERVICES DEPARTMENT RECOMMENDATION:

That at the time of the public hearing, City Council consider the Administration's recommendation that the proposal to amend Section 11.4.5.2 – Notes to Development Standards, and Section 11.4.5.6 - Notes to Development Standards, of Zoning Bylaw No. 8770, as indicated in the attached report, be approved.

B. PROPOSAL

An application has been submitted by North Prairie Developments Ltd. requesting that Section 11.4.5.2 of the Zoning Bylaw No. 8770 be amended to accommodate a wider range of uses for which an accessory retail use may be established in the IB - Industrial Business District (IB District), and to increase the percentage of gross floor area that may be occupied by the accessory retail use.

Currently, in the IB District accessory retail uses are limited to products manufactured or assembled on the subject site. Accessory retail sales may be conducted only in the principal building and may not occupy more than 10 percent of the gross floor area of the building.

The proposed amendment would permit accessory retail sales of products stored at, or distributed from, the subject site in addition to those manufactured or assembled on the site. It would also increase the amount of floor space that may be used for retail purposes from 10 percent to 25 percent of the gross floor area of the principal building.

C. REASON FOR PROPOSAL (by Applicant)

The purposes for the proposed textual amendments to Section 11.4.5.2 are:

- a) to accommodate a wider range of potential tenants who are seeking opportunities to include accessory retail sales as a component of their business operations; and
- b) to expand the area of retail sales that may be conducted from a principal building containing the principal permitted use from 10 percent to 25 percent of the subject site for the purpose of providing a larger showroom space for the approved principal use.

D. BACKGROUND INFORMATION

This amendment will apply to all sites zoned IB District. Currently, there are two areas in the city zoned IB: the Aerogreen Business Park (located at 45th Street and Airport Drive) and the Stonebridge Business Park (located at Clarence Avenue and Stonebridge Boulevard). In total, 22 parcels would be affected, of which the majority are currently undeveloped.

E. JUSTIFICATION

1. Community Services Department Comments

a) Proposed Zoning Bylaw No. 8770 Text Amendment

The proposed text amendment will modify Section 11.4.5.2 as noted below:

“11.4.5.2 Except as provided in Clause 6, retail sales ‘are prohibited, except those which are accessory to an approved principal use and which’ are limited to products manufactured, assembled, ‘stored, or distributed from’ the subject site. ‘Permitted accessory’ retail sales may be conducted only in the principal building containing the principal permitted use, and may not occupy more than ‘25 percent’ of the gross floor area of the principal building.”

In addition, to maintain consistency, Section 11.4.5.6 will be amended as follows:

“11.4.5.6 Retail sales of products other than products manufactured, assembled, ‘stored, or distributed from’ the site are permitted in convenience stores in connection with service stations or carwashes with no limitation on the gross floor area occupied by such sales.”

b) Planning and Development Branch Comments

The purpose of the IB District is to facilitate business and light industrial activities that are seeking a high quality, comprehensively planned environment. See Attachment 1 for a copy of the IB District.

Section 7.1.2.d) of the Official Community Plan Bylaw No. 8769 provides that retail uses in industrial areas shall be limited to:

- i) those retail activities which serve the industrial area;
- ii) showrooms and sales areas in association with manufacturing, warehousing, and other permitted uses; and
- iii) retail stores and services which are not of a scale which would influence other retail markets in the city.

It is the opinion within the Community Services Department that the proposed amendments to Zoning Bylaw No. 8770 are appropriate and consistent with this policy requirement. The proposed amendment will serve to accommodate showrooms and sales areas as noted above. Specifically, it is anticipated that uses such as building industry suppliers, office suppliers, warehouses, distributors, and wholesalers will benefit from the proposed changes.

While accommodating a wider range of uses that may offer accessory retail sales, the proposed amendment does not increase or alter the permitted uses, or intent of this zoning district. The increase in floor area permitted for accessory retail sales better reflects the amount of space required for this use. The proposed changes will improve the IB District and maintain its original character and intent.

Other industrial zoning districts accommodate a limited range of retail uses. These zoning districts have the same parking standards as the IB District and adequately accommodate permitted retail development.

Existing requirements with respect to landscaping and outdoor storage will ensure that the expanded opportunity for accessory retail uses maintain the intent of the IB District in providing a high quality, comprehensively planned environment.

c) Business Park Zoning Requirements in Other Cities

The Planning and Development Branch reviewed the requirements for similar zoning districts in a number of other medium sized Canadian cities and noted the following.

Edmonton's Industrial Business Zone permits business support services including provision for sales and rental of office equipment and furniture, with no restrictions on the amount of space that may be used for retail sales. Additionally, general industrial uses within this zone permit accessory retail sales, office, and indoor display areas provided this does not exceed 33 percent of the total floor area of the building.

The City of Victoria has two limited light industrial zones that allow retail sales and offices as accessory uses that are incidental to principal uses of manufacturing, cleaning, storing, or otherwise handling products, provided they do not occupy more floor space than that occupied by the principal use.

The City of Guelph has four light industrial zones that allow up to 25 percent of the building floor area to be used as any accessory use. Industrial mall

buildings are permitted in two of these zones, and may provide a maximum of 30 percent of the gross floor area for the display and sales areas, or assembly occupancies open to the public.

The City of Regina provides for a Prestige Industrial Service Zone designed to promote industrial development and related business services uses with a high degree of design and landscaping. This zone is not intended for retail or personal service uses serving non-commercial customers. The development standards allow general retail of any commodities for which the warehousing, storage, sale at retail or wholesale, fabrication, processing or manufacture is a permitted use in the zone, with no restrictions on the amount of floor area that may be used for this purpose.

2. Comments by Others

a) Infrastructure Services Department

The proposed Zoning Bylaw No. 8770 amendment, as noted above, is acceptable to the Infrastructure Services Department with the following comments:

- i. Given the more than doubling of retail space proposed, will the off-street parking requirements also be doubled? The text amendment regarding parking should be noted; and
- ii. As well, the increase in retail trips may require specialized parking facilities and driveways. This should also be noted.

b) Transit Services Branch, Utility Services Department

The Transit Services Branch has indicated that they have no requirements with regard to the proposed amendment.

F. ENVIRONMENTAL IMPLICATIONS

There are no environmental and/or greenhouse gas implications.

G. COMMUNICATION PLAN

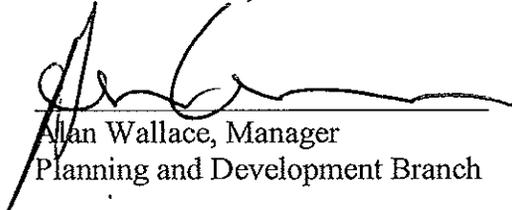
Once this application has been considered by the Municipal Planning Commission, a date for the public hearing will be set and it will be advertised in accordance with Public Notice Policy No. C01-021.

A notice will be placed in The StarPhoenix two weeks prior to the public hearing. All land owners with property zoned IB District will be advised of the proposed zoning amendment.

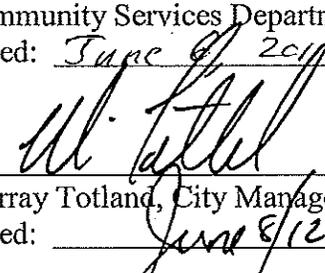
H. ATTACHMENT

1. IB – Industrial Business District

Written by: Jo-Anne Richter, Senior Planner

Reviewed by: 
Alan Wallace, Manager
Planning and Development Branch

Approved by: 
Randy Grauer, General Manager
Community Services Department
Dated: June 8, 2012

Approved by: 
Murray Totland, City Manager
Dated: June 8/12.

11.4 IB - Industrial Business District

11.4.1 Purpose

The purpose of the IB District is to facilitate business and light industrial activities that are seeking a high quality, comprehensively planned environment.

11.4.2 Permitted Uses (Revised – Bylaw No. 8897 – November 22, 2010)

The Permitted Uses and Minimum Development Standards in an IB District are set out in the following chart:

IB District	Minimum Development Standards (in Metres)						
	Site Width	Site Area (m ²)	Front Yard	Side Yard	Rear Yard	Building Height (Max.)	Site Coverage (Max.)
11.4.2 Permitted Uses ¹							
(1) Manufacturing, fabricating, assembly or packaging of materials, goods or products	30	900	6	3	6	12	40%
(2) Private schools	30	900	6	3	6	12	40%
(3) Educational institutions	30	900	6	3	6	12	40%
(4) Offices and office buildings	30	900	6	3	6	37	40%
(5) Personal service trades and health clubs	30	900	6	3	6	12	40%
(6) Medical clinics	30	900	6	3	6	12	40%
(7) Research laboratories, including the manufacturing of prototypes	30	900	6	3	6	12	40%
(8) Radio or television studios	30	900	6	3	6	12	40%
(9) Motion picture or recording studios							
(10) Retail sales ²	30	900	6	3	6	12	40%
(11) Data processing and telecommunications	30	900	6	3	6	12	40%
(12) Private clubs	30	900	6	3	6	12	40%
(13) Hotels and motels	30	900	6	3	6	37	40%
(14) Printing and publishing	30	900	6	3	6	12	40%
(15) Veterinary clinics	30	900	6	3	6	12	40%
(16) Banks and financial institutions	30	900	6	3	6	12	40%
(17) Medical, dental and optical laboratories	30	900	6	3	6	12	40%
(18) Wholesale vending of goods or products manufactured on site	30	900	6	3	6	12	40%
(19) Restaurants and lounges ³	30	900	6	3	6	12	40%
(20) Dwelling necessary for watchman or caretakers	30	900	6	3	6	12	40%
(21) Industrial complexes	30	900	6	3	6	12	40%
(22) Warehouses, shipping and express facilities	30	900	6	3	6	12	40%
(23) Material testing facilities	30	900	6	3	6	12	40%
(24) Pharmacies ⁴	30	900	6	3	6	12	40%
(25) Accessory buildings and uses ⁵	30	900	6	3	6	12	40%

11.4.3 Prohibited Uses

The Prohibited Uses in an IB District are set out in the following chart:

IB District	Minimum Development Standards (in Metres)						
	Site	Site	Front	Side	Rear	Building	Site
	Width	Area (m ²)	Yard	Yard	Yard	Height (Max.)	Coverage (Max.)
11.4.3 Prohibited Uses							
(1) All uses of land, buildings or industrial processes that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration or other similar substances or conditions							

11.4.4 Discretionary Uses

The Discretionary Uses and Minimum Development Standards in an IB District are set out in the following chart:

IB District	Minimum Development Standards (in Metres)						
	Site	Site	Front	Side	Rear	Building	Site
	Width	Area (m ²)	Yard	Yard	Yard	Height (Max.)	Coverage (Max.)
11.4.4 Discretionary Uses ₁							
(1) Service stations	30	900	6	3	6	12	40%
(2) Child care centres	30	900	6	3	6	12	40%
(3) Car washes	30	900	6	3	6	12	40%
(4) Convenience stores in connection with service stations or car washes ₆	30	900	6	3	6	12	40%
(5) Taverns in conjunction with and attached to a hotel or motel ₇	30	900	6	3	6	16	40%

(Revised – Bylaw No. 8861 – June 28, 2010)

11.4.5 Notes to Development Standards

- 1 All Permitted and Discretionary Uses shall be conducted entirely within principal or accessory buildings, with the exception of employee or client parking, which may be located outside.
- 2 Except as provided in Clause 6, retail sales are limited to products manufactured or assembled on the subject site. Retail sales may be conducted only in the principal building containing the principal permitted use, and may not occupy more than 10% of the gross floor area of the principal building.

- 3 (a) The maximum building floor area for a restaurant and lounge shall not exceed 650m².
- (b) The floor area of a lounge shall not exceed 50% of the floor area of the adjoining restaurant.
- 4 The maximum building floor area for a pharmacy shall not exceed 325 m².
- 5 Accessory buildings and uses are permitted in a side or rear yard only.
- 6 Retail sales of products other than products manufactured or assembled on site are permitted in convenience stores in connection with service stations or carwashes with no limitation on the gross floor area occupied by such sales.
- 7 Retail sales of closed container, alcoholic beverages may be permitted under a valid off-sale endorsement in accordance with *The Alcohol Control Regulations, 2002, c. A-18.011 Reg1* under *The Alcohol and Gaming Regulation Act, 1997, S.S. 1997, c. A-18.011.*
(Revised – Bylaw No. 8861 – June 28, 2010)

11.4.6 Signs

The regulations governing signs in an IB District are contained in **Appendix A - Sign Regulations.**

11.4.7 Parking

The regulations governing parking and loading in an IB District are contained in **Section 6.0.**

11.4.8 Landscaping

- (1) A landscaped strip of not less than 6.0 metres in depth throughout lying parallel to and abutting the front site line shall be provided on every site and shall be used for no purpose except landscaping and necessary driveway access to the site.
- (2) On corner lots, in addition to the landscaping required in the front yard, a landscaped strip of not less than 3.0 metres in width throughout lying parallel to and abutting the flanking street shall be provided.
- (3) Where a site abuts any R, M or B District without an intervening lane, there shall be a strip of land adjacent to the abutting site line of not less than 3.0 metres in depth throughout, which shall not be used for any purpose except landscaping.

- (4) All areas to be used for vehicular traffic shall be graded and paved to the satisfaction of the General Manager of the Infrastructure Services Department.
- (5) The entire portion of any site not used for buildings, parking, loading, aisles, driveways, permitted outdoor storage or similar uses shall be landscaped.
- (6) Parking areas shall be adequately screened from streets and adjacent properties to a height of 1.0 metres by landscaping or fencing.

11.4.9 Outdoor Storage

- (1) Except as provided in subclause (2), outdoor storage is permitted in side or rear yards only.
- (2) Outdoor storage is prohibited on any site which abuts a rural municipality or a Specialized District.
- (3) All outdoor storage shall be completely screened from view from adjacent streets or properties by a fence, berm, landscaping or a combination of such methods.



City of
Saskatoon
Office of the City Clerk

222 - 3rd Avenue North ph 306•975•3240
Saskatoon, SK S7K 0J5 fx 306•975•2784

June 26, 2012

City Clerk

Dear City Clerk:

**Re: Municipal Planning Commission Report for Public Hearing
 Proposed Zoning Bylaw Text Amendment
 Sections 11.4.5 (2) and 11.4.5 (6) Pertaining to Retail Sales
 Accessory to a Permitted Use – Industrial Business District
 Applicant: North Prairie Developments Ltd.
 (File No. CK. 4350-012-3)**

The Municipal Planning Commission, at its meeting held on June 19, 2012, considered the June 4, 2012, report of the General Manager, Community Services Department, with respect to the above Zoning Bylaw Text Amendment.

The Commission has reviewed the report with the Administration and the Applicant's representative and supports the following recommendation:

“that the proposal to amend Section 11.4.5.2. – Notes to Development Standards, and Section 11.4.5.6 – Notes to Development Standards, of Zoning Bylaw No. 8770, be approved.”

The Commission respectfully requests that the above recommendation be considered by City Council at the time of the public hearing with respect to the above Zoning Bylaw Text Amendment.

Yours truly,

A handwritten signature in cursive script that reads "Diane Kanak".

Diane Kanak
Deputy City Clerk

DK:sj

Attachment

ZONING NOTICE

IB - INDUSTRIAL BUSINESS DISTRICT - PROPOSED ZONING BYLAW TEXT AMENDMENT

Saskatoon City Council will consider an amendment to the City's Zoning Bylaw (No.8770). Through Bylaw No. 9040 the IB – Industrial Business District will accommodate a wider range of uses for which an accessory retail use may be established, and will also increase the percentage of gross floor area that may be occupied by the accessory retail use.

Section 11.4.5.2 Notes to Development Standards, as amended, would state the following (proposed changes are shown in bold):

11.4.5.2 Except as provided in Clause 6, retail sales are prohibited, except those which are accessory to an approved principal use and which are limited to products manufactured, assembled, or stored at, or distributed from, the subject site. Permitted accessory retail sales may be conducted only in the principal building containing the principal permitted use, and may not occupy more than 25% of the gross floor area of the principal building.

In addition, to maintain consistency, Section 11.4.5.6 Notes to Development Standards will be modified as follows (proposed changes are shown in bold):

11.4.5.6 Retail sales of products other than products manufactured, assembled, or stored at, or distributed from the site are permitted in convenience stores in connection with service stations or carwashes with no limitation on the gross floor area occupied by such sales.

REASON FOR THE AMENDMENT – The reason for this amendment is broaden the range of permitted uses that could incorporate to accessory retail sales as a component of their business operations. An expansion in the area permitted for accessory retail use (from 10% to 25%) will allow for a larger showroom space.

INFORMATION - Questions regarding the proposed amendment or requests to view the proposed amending Bylaw, the City of Saskatoon Zoning Bylaw and Zoning Map may be directed to the following without charge: Community Services Department, Planning and Development Branch
Phone: 975-7621 (Jo-Anne Richter)

PUBLIC HEARING - City Council will hear all submissions on the proposed amendment and all persons who are present at the Council meeting and wish to speak on Wednesday, July 18, 2012 at 6:00 p.m. in Council Chamber, City Hall, Saskatoon, Saskatchewan.

All written submissions for City Council's consideration must be forwarded to:

His Worship the Mayor and Members
of City Council
c/o City Clerk's Office, City Hall
222 Third Avenue North, Saskatoon,
SK S7K 0J5

All submissions received by the City Clerk by 10:00 a.m. on Wednesday, July 18, 2012, will be forwarded to City Council.

3d)

BYLAW NO. 9023

The Zoning Amendment Bylaw, 2012 (No. 7)

The Council of The City of Saskatoon enacts:

Short Title

1. This Bylaw may be cited as The Zoning Amendment Bylaw, 2012 (No. 7).

Purpose

2. The purpose of this Bylaw is to amend the Zoning Bylaw to add definitions of “adult service agency” and “independent adult service agency”; and to add such uses to the list of prohibited uses in certain zoning districts.

Zoning Bylaw Amended

3. Zoning Bylaw No. 8770 is amended in the manner set forth in this Bylaw.

Section 2.0 Amended

4. Section 2.0 is amended:

- (a) by adding the following after the definition of “adult mini-theatre”:

“**adult service agency**’ means an adult service agency as that term is defined in The Adult Services Licensing Bylaw, 2012 as amended from time to time or any new bylaw substituted for it.”; and

“**adult service agency, independent**’ means an independent adult service agency as that term is defined in The Adult Services Licensing Bylaw, 2012 as amended from time to time or any new bylaw substituted for it.”

Subsection 5.29(2) Amended

5. Subsection 5.29(2) is amended by adding the following after clause (m) and renumbering the following clauses accordingly:

“(n) adult service agencies and independent adult service agencies except where the adult service is supplied on an out-call basis;”.

New Section 5.41

6. The following is added after Section 5.40:

“5.41 Adult Service Agencies

- (1) Where an adult service agency or independent adult service agency is otherwise a permitted use, such use shall not be located within 160 metres of a residential use, school, park or recreational facility.
- (2) Subsection (1) does not apply to an adult service agency or independent adult service agency operated as a home based business.”

Subsection 10.9.3 Amended

7. The chart contained in Subsection 10.9.3 is amended by adding the following:

“

(23) Adult service agency	
(24) Independent adult service agency	

”

Subsection 12.6.3 Amended

8. The chart contained in Subsection 12.6.3 is amended by adding the following:

“

(21) Adult service agency	
(22) Independent adult service agency	

”

The following is an excerpt from the minutes of the meeting of City Council held on June 18, 2012:

3. Adult Services Land Use Review
(File No. CK. 4350-012-2)

- RECOMMENDATION:**
- 1) that City Council approve the advertising with respect to the proposal to amend Zoning Bylaw No. 8770, as indicated in the April 30, 2012 report of the General Manager, Community Services Department;
 - 2) that the General Manager, Community Services Department be requested to prepare the required notice for advertising the proposed amendments;
 - 3) that the City Solicitor be requested to prepare the required bylaw amendments to Zoning Bylaw No. 8770;
 - 4) that at the time of the public hearing, City Council consider the Municipal Planning Commission's recommendation that the proposed Zoning Bylaw amendments be approved;
 - 5) that the Administration be requested to report further with respect to strategies for a separation of adult service activities from residential areas, schools, churches, parks and other recreational areas; and
 - 6) that the Administration be requested to report further with respect to strategies to limit concentration of adult service activities in any one area of the city.

Attached is a report of the General Manager, Community Services Department dated April 30, 2012, with respect to the adult services land use review.

Your Commission, at its meeting held on May 15, 2012, reviewed the report with the Administration and determined that further clarification was needed with respect to how the proposed amendments to the Zoning Bylaw would assist the Saskatoon Police Service with enforcement. The Commission deferred consideration of the matter and asked that a representative from the Saskatoon Police Service present information to the Commission to address the following issues:

- a) Which of the zoning strategies, whether adult service businesses are allowed in residential areas or not, will encourage more adult services to obtain business licenses to be monitored;
- b) Which of the zoning strategies will give the Saskatoon Police Service the most tools to restrict dangerous or illegal activity relating to these types of businesses; and
- c) Does the Saskatoon Police Service believe that the Cities of Calgary and Edmonton have sufficient tools to do effective enforcement of adult services.

Your Commission considered the matter again at its May 29, 2012 meeting. The Administration provided the following further overview:

- City Council approved the Adult Services Licensing Bylaw in March, to be effective July 1, 2012;
- The proposed amendments before the Commission deal with the land use issues and provide for the definitions of adult service agencies, as well as clarification in the Zoning Bylaw of where adult service agencies would be permitted. The Administration is proposing amendments that would allow them in light industrial and heavy industrial areas and to operate as an office only in residential areas as a home-based business.
- There are 14 home-based businesses relating to adult services currently licensed under the Business License Bylaw located in residential areas.
- City Council deferred consideration of approval for advertising to provide an opportunity for the Commission to review the matter further and report to City Council with its recommendations. Issues the Commission may wish to consider include:
 - Whether there should be separation distances between residential areas and adult service agencies;
 - Whether there should be separation distances between adult service agencies, to deal with potential concentration of these businesses in Light Industrial and Heavy Industrial areas;
 - Whether home-based businesses for offices should be allowed in connection with adult service businesses; and
 - Opinions on safety issues in terms of relegating these types of businesses to the industrial areas.

- If there are no further amendments to the Zoning Bylaw when the Adult Services Licensing Bylaw comes into effect on July 1, the Administration would be obligated to issue a license in areas where these types of businesses are currently allowed, including IL1, IH, MX1, RA1 and B6. The Administration does not support in B6 District (downtown) nor in the R1A and MX1 Districts, as these districts have the potential to include residential components. These types of businesses are currently not listed as prohibited so they would currently be allowed in these areas. If advertising of the proposed amendments is approved by Council on June 18th, the Administration is not obligated to issue licenses during the advertising period and up until the public hearing on July 18th.

Police Chief Weighill, Saskatoon Police Services, provided clarification and further information to the Commission, as summarized below:

- The Adult Services Licensing Bylaw does not deal with street prostitution or common bawdy houses. These are covered under the Criminal Code of Canada. It is still against the law to run a bawdy house or to communicate for the purposes of prostitution on a public street. A red light district is not being proposed. It is not workable now legally. Street prostitution and common bawdy houses are illegal. This issue is currently before the courts.
- The Adult Services Bylaw was to deal with three issues that are currently legal and not regulated, including:
 - Escort services (both out call and in call);
 - Non-therapeutic massage parlours;
 - Young men and women advertising their services on the internet—prostitution in itself is not illegal (communicating in a public street for the purposes of prostitution is illegal). The Saskatoon Police Service currently has no legal authority to check up and determine whether there are individuals involved in the business who are under 18 years of age or to make sure individuals have not been coerced into the business. The Adult Services Licensing Bylaw would require appropriate business licensing for these types of businesses.
- The cities of Victoria, Calgary, Edmonton and Winnipeg currently have regulations in place. There was a need for some kind of regulation in Saskatoon and that is why the Saskatoon Police Service asked for the Adult Services Licensing Bylaw. The Saskatoon Police Service is not recommending a red light district (involving illegal activities including communicating on a public street for the purposes of prostitution and running a common bawdy house). With respect to the home-based business aspect, the Adult Services Licensing Bylaw specifies that the adult services have to be an out call (services provided at another location not the location where the home-based business is located).
- Through the Adult Services Licensing Bylaw, the Saskatoon Police Services will be involved with the enforcement of licensing. The Saskatoon Police Services will make sure:

- Appropriate licensing is in place;
- All people working have a license. The criteria for licensing includes:
 - Use of real name;
 - Have to be at least 18 years of age;
 - Some proof of residency or citizenship in Canada to ensure that human trafficking is not going on;
 - Criminal Record Checks to prevent people with a violent background being involved in the business for the safety of customers and those in the business.
- Regulations in other cities do provide for separation distances, including Calgary and Winnipeg.
- Saskatoon Police Services does not support putting adult services businesses all in one area of the city, such as the north end. Different types of adult services businesses exist right now. The Saskatoon Police Services is looking at ways to regulate the businesses that exist. It is recommended that they be kept out of residential areas and that perhaps the light industrial areas would be appropriate so they are more spread around and not concentrated in one area of the city. The light industrial areas are close to residential areas and other businesses where there is lots of traffic and activity. The goal would be to establish parameters that are workable to encourage adult services businesses to be licensed and to work within the established parameters. Similar bylaws established in other jurisdictions are workable.
- In terms of waiting for possible changes in legislation at other levels of government, there is always the potential for changes and any changes under the Criminal Code would take precedence. However, new legislative changes, if any changes could take time and the Saskatoon Police Services is requesting that the appropriate tools be put in place now to provide regulations to deal with what is currently happening to protect those under 18 and those coerced into the trade.
- With respect to the home-based business aspect, this would give the Saskatoon Police Service the authority to go to the home and see if there is a license and to check any issues out and provide better safety for people in the business and residents in the area.

In response to further questions from the Commission, the Administration provided the following further clarification:

- With respect to the home-based business in residential areas for the office use only, there would be no customers allowed so there would be no coming and going. Only one employee would be allowed on site for office-related duties, including answering the phone. The adult services businesses could have other employees but not on site.
- In terms of potential new legislation, there is existing provincial legislation providing authority for the City to license adult service businesses and to deal with land use issues.

- If the Zoning Bylaw were to be amended to not allow adult services as a home-based business, those businesses that are legally established and licensed under the Business License Bylaw would be allowed to continue as a legal non-conforming use. If the business were to move or not operate for over one year, they would have to comply with the Bylaw requirements.
- Any business operating without approval would have to relocate to the appropriate district if the Zoning Bylaw amendments are approved.

The Commission also heard from Mr. Randy Pshebylo, Executive Director, Riversdale Business Improvement District, with respect to what has worked to prevent a concentration of pawn shops, with a separation distance of 160 metres being required. He suggested that separation distances be provided for these types of businesses as well in terms of appropriate separation from residential areas, citing precedents set by Calgary and Winnipeg. The separation distance of 500 metres used in Calgary was suggested.

Following consideration of this matter, the Commission is supporting the proposed amendments to the Zoning Bylaw. The Commission had concerns regarding the home-based business aspect, in terms of location in a residential area, proximity to schools, parks and other recreational areas, and churches, and the potential for issues in terms of activity beyond the office-related duties.

However, the Commission determined that the proposed Zoning Bylaw amendments would provide mechanisms to assist the Saskatoon Police Services in regulation of adult service businesses and to provide authority to inspect for appropriate licensing, to ensure that the individuals are of age and are have not been coerced into the business, as well as a criminal record check for all individuals involved in the business, prior to licensing, as an added measure of safety for the protection of the workers and customers. It would also provide a mechanism for concerns of residents to be addressed through appropriate enforcement of non-compliance and related issues.

In addition, the Commission determined that the issue of an appropriate separation distance has merit and should be considered. It was determined from the Administration that further review would be necessary to determine what would be possible under existing legislation and whether further legislative amendments might be considered. In light of this, the Commission is recommending that the advertising for the proposed amendments be approved and that the public hearing proceed. Your Commission is supporting the proposed amendments to the bylaw, as discussed in the submitted report. In addition, the Commission is recommending that the Administration report further with respect to:

- a) Strategies for a separation of adult service activities from residential areas, schools, churches, parks and other recreational areas; and

- b) Strategies to limit concentration of adult service activities in any one area of the city.

The City Clerk distributed copies of the following letters:

- *Sheila McDonald, dated June 14, 2012, submitting comments;*
- *Nolene Rowan, dated June 13, 2012, submitting comments;*
- *Carrie Hamilton, undated, submitting comments; and*
- *Annette Mireau, dated June 18, 2012, submitting comments.*

Mr. Kurt Soucy, Chair, Municipal Planning Commission presented the report. Clause A3) of Administrative Report No. 10-2012 was then brought forward for consideration in conjunction with the Municipal Planning Commission Report.

“ADMINISTRATIVE REPORT NO. 10-2012

**A3) Adult Services Land Use Review
(Files CK. 4350-012-2 and PL. 4350-Z12/12)**

- RECOMMENDATION:**
- 1) that City Council approve the advertising to amend Zoning Bylaw No. 8770 as follows, and as further described in the report and attachments:
 - a) to provide a definition of adult service agencies;
 - b) to permit adult service agencies as a home-based business on an out-call basis only;
 - c) to limit in-call adult service agencies to the IL1 - General Light Industrial District and the IH – Heavy Industrial District; and
 - d) to include a 160 metre separation distance between in-call adult service agencies and residential properties, schools, parks, and active and passive recreational facilities;
 - 2) that the General Manager, Community Services Department, be requested to prepare the required notice for advertising the proposed amendments;
 - 3) that the City Solicitor be requested to prepare the required amendments to Zoning Bylaw No. 8770;

- 4) that at the time of the public hearing, City Council consider the Administration's recommendation that the bylaw amendments be approved; and
- 5) that City Council endorse the concept of separation distances between in-call adult service agencies to ensure clustering of adult service businesses does not occur, and that the Administration report back in due course on an implementation strategy.

BACKGROUND

At its May 28, 2012 meeting, City Council received a report from the General Manager, Community Services Department, with a recommendation to approve advertising with respect to the proposal to amend Zoning Bylaw No. 8770 pertaining to adult service agencies, and resolved:

“that consideration of the matter be deferred until such time as the Municipal Planning Commission has had an opportunity to conclude its deliberations on the matter, and that the Administration submit a further report to Council at that time regarding the experience of Winnipeg, Calgary and Edmonton, as well as safety issues.”

During its May 29, 2012 Municipal Planning Commission (MPC) meeting, Police Chief Weighill, Saskatoon Police Services, provided clarification and further information as requested from MPC at its May 15, 2012 meeting. The MPC supported the recommendation for advertising the proposed amendments and resolved, in part:

- “5) that the Administration be requested to report further with respect to strategies for a separation of adult service activities from residential areas, schools, churches, parks and other recreational areas; and
- 6) that the Administration be requested to report further with respect to strategies to limit concentration of adult service activities in any one area of the city.”

REPORT

Other Municipalities

A review of other Canadian municipalities that currently license adult service businesses was undertaken. Information was obtained from the City of Calgary, the City of Edmonton, the City of Red Deer, and the City of Winnipeg. A summary of information obtained from these municipalities is outlined below.

1. City of Calgary
 - a. The City of Calgary refers to three separate bylaws for licensing and regulating different types of adult services, as follows:
 - i. the Dating and Escort Service Bylaw relates to any dating and/or escort service business;
 - ii. the Massage Bylaw includes body rub centres and practitioners; and
 - iii. the Exotic Entertainers Bylaw regulates and licenses businesses and entertainers that provide audiences of one or more persons a nude or semi-nude activity, wholly or partially designed to appeal to sexual appetites or inclinations.
 - b. The Dating and Escort Service Bylaw prohibits dating and/or escort service business activity to be carried out in a dwelling unit or any premises located in a residential land use district.
 - c. Dating and/or escort service businesses are permitted in zoning districts that allow for office use on an out-call basis only. Examples of these districts include Commercial Corridor/Office Districts, Commercial Neighbourhood/Community Districts, and Industrial Business/Commercial Districts.
 - d. Recently, Calgary's City Council approved amendments to their Massage Bylaw to differentiate between massage categories. Massage practitioners who are not members to one of the four massage associations in Alberta would be re-classified as "Body Rub Practitioners" and would be subject to enhanced license requirements, such as a separation distance of 500 metres from other body rub centres or a residence. The intent of the amendments is to improve consumer protection and minimize negative impacts created in, or adjacent to, residential uses. Separation distance was particularly established to ensure body rub centres are not "clustering" together and creating body rub districts.

City of Edmonton

- a. The City of Edmonton's Business License Bylaw includes adult service type businesses (body rub centres/practitioners, and escorts/escort agencies) and outlines the regulations and requirements for each type within the bylaw.
- b. Independent escort agencies are permitted as a home based business for office use only.
- c. Escort agencies are permitted to locate in zoning districts that permit professional, financial, and office support services on an out-call basis only. Examples of these districts include Low Intensity Business Zones, Light Industrial Zones, and Commercial Office Zones.
- d. Body rub practitioners are considered under the City of Edmonton's Zoning Bylaw as "Personal Service Shops" and are permitted to locate in zoning districts that allow for this use. Examples of these districts include General Business Zones, Low Intensity Business Zones, and Neighbourhood Convenience Commercial Zones.
- e. The City of Edmonton does not have a separation distance regulation.

2. City of Red Deer

- a. The City of Red Deer regulates and licenses escort agency businesses and escorts under their Escort Service Bylaw.
- b. Escort agencies are permitted as home-based businesses for office use only.
- c. The City of Red Deer's Land Use Bylaw does not identify any zoning districts that would allow for escort service businesses; rather, adult entertainment businesses are listed under discretionary uses in major arterial commercial districts. Adult entertainment businesses are not considered as an escort service business and are defined separately.
- d. Adult entertainment must be located 150 meters from any other drinking establishment or residential district.
- e. The City of Red Deer does not have a separation distance regulation for escort service businesses.

3. City of Winnipeg

- a. The Doing Business in Winnipeg Bylaw (licensing bylaw) regulates escort agency businesses in the City of Winnipeg.
- b. The City of Winnipeg's Zoning Bylaw prohibits escort agencies to operate as a home-based business.
- c. Escort agencies are a conditional use in specific districts as listed in the Downtown Winnipeg Zoning Bylaw. Their Multiple-Use Sector and Character Sector in the downtown are examples of districts where escort agencies have the potential to locate.
- d. An adult service business or adult entertainment establishment is permitted in specific zoning districts as listed in Winnipeg's Zoning Bylaw.
- e. Adult service businesses and/or adult entertainment establishments are defined separately from escort agencies and apply different licensing regulations and requirements.
- f. Only adult service businesses and/or adult entertainment establishments located in commercial or industrial districts must be located 1,000 feet (305 metres) or more away from a residential district; park or recreational district; any place of worship; any elementary, middle, or high school; or any other adult service or entertainment use. The separation distance was implemented when the City of Winnipeg approved their X-Rated Stores Bylaw in 1993.
- g. The separation distance regulation does not apply to escort agency businesses.

Separation Between Adult Service Agencies and Other Land Uses

As noted in the report to the MPC dated April 30, 2012, from the General Manager, Community Services Department, commercial locations for adult service agencies that could have client visits (operating on an in-call basis) may result in land use conflicts with other land uses, primarily residential uses, resulting from potential hours of operation, noise, and traffic flow. The land use concerns around adult service agencies that would provide in-call service are associated with clients coming to the business location. Your Administration is of the opinion that these types of adult service agencies are best located in areas where residential uses are limited or prohibited to minimize potential land use conflicts and recommend that they only be permitted to locate in the IL1 – Light Industrial (IL1) District and the IH – Heavy Industrial (IH) District.

Concerns have been expressed that even though the proposed amendments would provide for adult service agencies to establish only in the IL1 and IH Districts, there are areas in the City of Saskatoon (City) where residential properties are adjacent to industrial districts. Furthermore, schools, parks and active or passive recreational facilities where children may gather could be located in or close to the IL1 and IH Districts. A separation distance between adult service agencies and these land uses is desirable to minimize the potential for land use conflict and provide a buffer between the operation of the adult service agency and the clients that attend these establishments.

Your Administration has reviewed the Provincial Legislation that governs planning in Saskatchewan (*The Planning and Development Act, 2007*) and is of the opinion that Zoning Bylaw No. 8770 may provide for a separation distance between land uses (such as adult service agencies and residential properties). In this regard, a reasonable separation distance to provide a buffer between adult service agencies and residential properties would minimize the potential for land use conflict. It is recommended that a separation distance of 160 metres be used, which would ensure that an adult service agency would be located at least one block from a residential property. While other municipalities have applied separation distances of 300 to 500 metres to forms of adult services, these distances would have the potential of pushing adult service businesses to the fringes of industrial areas.

To ensure that adult oriented businesses maintain an appropriate distance from schools, parks, and active and passive recreational facilities, it is also recommended that a separation distance of 160 metres be provided from adult service agencies that provide in-call service (have client visits) and these land uses.

As noted in the attached reports (see Attachment 1), it is proposed that adult service businesses be permitted as home-based businesses for office purposes only. The Adult Services Licensing Bylaw, 2012, Bylaw No. 9011 prohibits in-call service. Operations out of the home would also be subject to home-based business regulations as outlined in Zoning Bylaw No. 8770. For example, signs advertising or identifying the home-based business are not permitted on the property and only one employee would be permitted to come to the business location and an off-street parking space must be available for this employee. Your Administration does not believe a separation distance to schools, parks and active and passive recreational facilities is required as the home-based location will only function for office purposes. Services will be provided on an out-call basis only, client visits are prohibited at the home-based business location and signage is not permitted. Land use concerns would be similar to any office permitted as a home-based business and no further restrictions, including separation distances are proposed.

Concentration of Adult Service Agencies

The Cities Act provides City Council with the authority to specify a minimum distance that two or more businesses within a class, or two or more classes of business, must be separated from one another. This provision of *The Cities Act* was used to provide a separation distance of 160 metres between pawn shops in Business License Bylaw No. 8075 in response to a concentration of pawn shops along 20th Street West. The 160 metres was used to ensure that no more than one pawn shop would be established on a block.

In response to concerns noted by the MPC over the potential impact on safety, real or perceived, from the clustering of adult service agencies and to ensure dispersion of this business throughout the city, a similar separation distance as that used for pawn shops could be applied to adult service agencies. It is not anticipated that concentration of adult service agencies will be an immediate issue in the City. In this regard, your Administration is recommending that future amendments to the Adult Services Licensing Bylaw, 2012, Bylaw No. 9011 be considered to provide for a separation distance of 160 metres between adult services businesses. This separation distance would ensure that there is no more than one adult service agency per block.

Safety Concerns

On May 29, 2012, Police Chief Weighill, Saskatoon Police Services, attended the MPC meeting to provide clarification and further information as requested from the MPC at its May 15, 2012 meeting. At the meeting it was noted that Saskatoon Police Services does not support locating adult services businesses all in one area of the city, or clustering of the business. It was noted that the light industrial areas are active and have traffic. The goal is to establish parameters that are workable to encourage adult services businesses to be licensed and to work within the established parameters. With respect to the home-based business, Saskatoon Police Services would have the authority to go to the home to check if there is a license, investigate any issues, and provide better safety for people in the business and residents in the area.

OPTIONS

The only option is to reject the recommendation for advertising approval. If the advertising is not approved, the proposed amendments will be deferred and your Administration will require more direction from City Council regarding where adult service businesses will be permitted to be located in the city.

POLICY IMPLICATIONS

The proposed recommendations will provide for the operation of an adult service agency as a home-based business as an office only (out-call only, no client visits), and in-call adult service agencies to locate in IL1 and IH Districts subject to a 160 metre separation distance from residential properties, schools, parks and active passive recreational facilities.

Amendments to the text of Zoning Bylaw No. 8770 will be required to incorporate the recommendations related to adult service agencies as noted in this report and in Attachment 1 as follows:

- a) add a definition of adult service agencies;
- b) add adult service agencies to the list of prohibited uses in the B6 - Downtown Commercial District, MX1 - Mixed Use 1 District, and the RA1 - Reinvestment District; and
- c) provide a separation distance of 160 metres between adult service agencies and residential properties, schools, parks, and active and passive recreational facilities.

FINANCIAL IMPLICATIONS

There are no financial implications.

ENVIRONMENTAL IMPLICATIONS

There are no environmental and/or greenhouse gas implications.

PUBLIC NOTICE

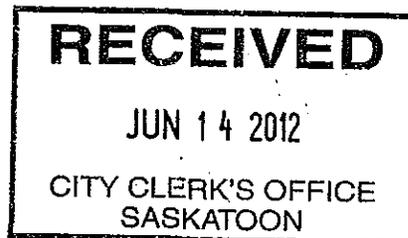
If the application for advertising is approved by City Council, it will be advertised in accordance with Public Notice Policy No. C01-021, and a date for a public hearing will be set. A notice will be placed in The StarPhoenix two weeks prior to the date on which the matter will be considered by City Council.

ATTACHMENT

1. Report to City Council - Adult Services Land Use Review – Dated May 28, 2012”

- IT WAS RESOLVED: 1) that City Council approve the advertising to amend Zoning Bylaw No. 8770 as follows, and as further described in the report and attachments:*
- a) to provide a definition of adult service agencies;*
 - b) to permit adult service agencies as a home-based business on an out-call basis only;*
 - c) to limit in-call adult service agencies to the IL1 - General Light Industrial District and the IH – Heavy Industrial District; and*
 - d) to include a 160 metre separation distance between in-call adult service agencies and residential properties, schools, parks, and active and passive recreational facilities;*
- 2) that the General Manager, Community Services Department, be requested to prepare the required notice for advertising the proposed amendments;*
 - 3) that the City Solicitor be requested to prepare the required amendments to Zoning Bylaw No. 8770;*
 - 4) that at the time of the public hearing, City Council consider the Administration’s recommendation that the bylaw amendments be approved;*
 - 5) that City Council endorse the concept of separation distances between in-call adult service agencies to ensure clustering of adult service businesses does not occur, and that the Administration report back in due course on an implementation strategy; and*
 - 6) that at the time of the public hearing, City Council consider the Municipal Planning Commission’s recommendation that the proposed Zoning Bylaw amendments be approved.*

From: CityCouncilWebForm
Sent: June 14, 2012 2:53 PM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Sheila Macdonald
122 619 Heritage Lane
Saskatoon
Saskatchewan
S7H 5P6

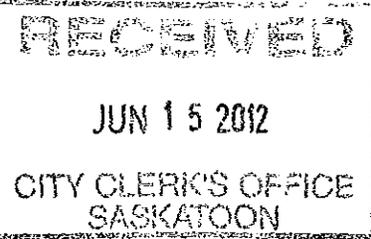
EMAIL ADDRESS:

dsmacdonald@shaw.ca

COMMENTS:

I am opposed to the establishment of any "Red Light District" in Saskatoon. Prostitution exploits and abuses women and turns them into a commodity that can be bought and sold. Isolating them to one particular area is not the answer. Many of these women are caught in situations (lack of education, addictions, poverty, lack of permanent housing etc.) that make it extremely difficult for them to break free of prostitution. Any attempts by council to address the underlying issues such as I've mentioned would have my support.

4350-012-2



June 13/12

City Council,

We are opposed to a red light district in
Saskatoon, human prostitution is dehumanizing as
it turns women into a commercial product to be
bought & sold.

Thank you

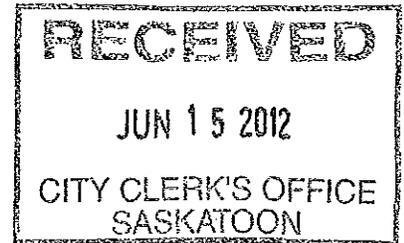
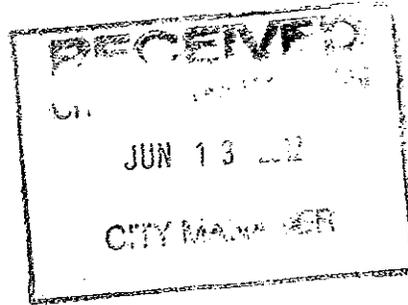
Nelme Reun
1532 Cairns Ave
Saskatoon SK

S7H2K6

 Rawans

P.O. 62
Radisson, SK S0K 3L0

City Hall
222 3rd Ave. North
Saskatoon, SK
Canada
S7K 0J5



Dear Sir or Madam,

I am writing to express my concerns about the proposal for a Red Light District in Saskatoon, as well as the new Adult Services Bylaw. My main concerns are focused on the Red Light District. I believe that the district is unnecessary and may bring more of the industry into the growing city and possibly into our province. As far as the Adult Services Bylaw, I believe this to be beneficial to our city and its people.

The Adult Service Bylaw is beneficial because it assists the police in renewing and maintaining order and safety in the industry. It does that in ways like making sure no one under the legal age is working in the Adult Services Industry, and it makes it safer for the workers. It also has the possibility of targeting people who are involved in illegal sexual activities on the internet.

My main concern involves the proposal for a Red Light District in the city of Saskatoon. I understand that people in areas like Mayfair and Pleasant Hill feel unsafe and are worried about the influence that this industry might have young children. I agree with them but making a Red Light District would not only be moving the region to another part of the city, but it would also allow for the industry to expand in our growing city. A Red Light District would open up that specific area to drugs and substance abuse along with the possibility of human trafficking. The Red Light District has the possibility of lowering the safety for the workers by isolating them in an industrial area, besides the fact that this proposal has been declined on three other occasions.

In conclusion I would hope that council members take this matter very seriously and keep the wellbeing of city members in mind.

Sincerely,

Carlee J. Hamilton

From: CityCouncilWebForm
Sent: June 18, 2012 8:33 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Annette Mireau
site 816 comp 32 RR#8
Saskatoon
Saskatchewan
S7k 1M2

EMAIL ADDRESS:

annettelmireau@yahoo.ca

COMMENTS:

I am opposed to creating a "red light district" in Saskatoon. As a health-care provider in this city, I have witnessed the devastating effects of prostitution first hand. I strongly believe that prostitution exploits and abuses women. Thank-you for your attention!

A) **Adult Services Land Use Review**
(File No.: PL 4350-Z12/12)

- RECOMMENDATION:**
- 1) that City Council approve the required advertising for the Public Hearing with respect to the proposal to amend Zoning Bylaw No. 8770, as indicated in the attached report of the General Manager, Community Services Department to the Municipal Planning Commission, dated April 30, 2012.
 - 2) that the General Manager, Community Services Department, be requested to prepare the required notice for advertising the proposed amendments; and
 - 3) that the City Solicitor be requested to prepare the required bylaw amendment to Zoning Bylaw No. 8770.

BACKGROUND

During its December 21, 2011 meeting, City Council received a recommendation from the Saskatoon Board of Police Commissioners that an adult services bylaw be enacted. City Council resolved that the Chief of Police and the City Solicitor bring forward a draft bylaw to the Executive Committee for consideration. During its March 12, 2012 meeting, City Council adopted the Adult Services Licensing Bylaw, 2012, Bylaw No. 9011. The purpose of this bylaw is to regulate and license adult services in Saskatoon. As the Adult Services Licensing Bylaw, 2012, Bylaw No. 9011 does not address zoning issues, it was identified at this meeting that a land use report would be brought forward to consider where adult service businesses will be permitted to be located in the city.

REPORT

During its May 15, 2012 meeting, the Municipal Planning Commission considered a report from the General Manager, Community Services Department, outlining the proposed amendments to Zoning Bylaw No. 8770 pertaining to adult service agencies (see Attachment 1). At this meeting, the Municipal Planning Commission deferred further consideration of the matter and asked to have a representative from the Saskatoon Police Service make a presentation to the Municipal Planning Commission and address questions related to adult services. The Municipal Planning Commission will continue discussion of the proposed Zoning Bylaw No. 8770 amendments pertaining to adult service agencies at their meeting scheduled for May 29, 2012.

In the meantime, Zoning Bylaw No. 8770 amendments are being proposed by your Administration; therefore, City Council approval is required to proceed with advertising the proposed amendments and Public Hearing date. To facilitate timely discussion of review of the proposed Zoning Bylaw No. 8770 amendments related to adult service agencies, your Administration is requesting City Council's approval for the required advertising. The Municipal Planning Commission's recommendations will be provided to City Council at the time of the Public Hearing, which will likely be held on June 18, 2012.

OPTIONS

City Council could reject the recommendation for advertising approval. If the advertising is not approved, the proposed amendments will be deferred until 2013, and your Administration will require more direction from City Council regarding where adult service businesses will be permitted to be located in the city.

POLICY IMPLICATIONS

As outlined in the Adult Services Land Use Review report to the Municipal Planning Commission from the General Manager, Community Services Department (see Attachment 1).

FINANCIAL IMPLICATIONS

There are no financial implications.

ENVIRONMENTAL IMPLICATIONS

There are no environmental and/or greenhouse gas implications.

PUBLIC NOTICE

If the application is approved for advertising by City Council, it will be advertised in accordance with Public Notice Policy No. C01-021, and a date for a public hearing will be set. A notice will be placed in The StarPhoenix two weeks prior to the date on which the matter will be considered by City Council.

ATTACHMENT

1. Report to Municipal Planning Commission from the General Manager, Community Services Department - Adult Services Land Use Review.

Written by: Darryl Dawson, Manager, Business License and Bylaw Compliance Section

Reviewed by:


Alan Wallace, Manager
Planning and Development Branch

Approved by:



Randy Grauer, General Manager
Community Services Department

Dated: May 25, 2012

Approved by:



Murray Totland, City Manager

Dated: May 24/12

TO: Secretary, Municipal Planning Commission
FROM: General Manager, Community Services Department
DATE: April 30, 2012
SUBJECT: Adult Services Land Use Review
FILE NO.: PL 4350-Z12/12

- RECOMMENDATION:**
- 1) that City Council be asked to approve the advertising with respect to the proposal to amend Zoning Bylaw No. 8770, as indicated in the attached report;
 - 2) that the General Manager, Community Services Department, be requested to prepare the required notice for advertising the proposed amendments;
 - 3) that the City Solicitor be requested to prepare the required bylaw amendment to Zoning Bylaw No. 8770; and
 - 4) that at the time of the public hearing, City Council be asked to consider the Administration's recommendation that the proposed Zoning Bylaw No. 8770 amendments be approved.

BACKGROUND

At its December 21, 2011 meeting, City Council received a recommendation from the Saskatoon Board of Police Commissioners that an adult services bylaw be enacted. City Council resolved that the Chief of Police and the City Solicitor bring forward a draft bylaw to the Executive Committee for consideration. During its March 12, 2012 meeting, City Council adopted the Adult Services Licensing Bylaw, 2012, Bylaw No. 9011 (Adult Services Bylaw No. 9011). The purpose of this bylaw is to regulate and license adult services in Saskatoon. As Adult Services Bylaw No. 9011 does not address zoning issues, it was identified at this meeting that a land use report would be brought forward to consider where adult service businesses will be permitted to be located in the city.

REPORT

The proposal is to amend the Zoning Bylaw No. 8770 to provide a definition of adult service agencies and to permit adult service agencies as a home based business on an out-call basis only and as a permitted use in the IL1 - General Light Industrial District and the IH - Heavy Industrial District.

Current Policy

Adult Services Bylaw No. 9011 broadly defines an adult service as "any service of an adult nature appealing to or designed to appeal to erotic or sexual appetites or inclinations." Adult Services Bylaw No. 9011 also lists several activities considered to be adult services including

acting as an escort, companion, guide or date; privately modelling lingerie; privately performing a striptease; and privately performing a non-therapeutic body rub or massage.

Zoning Bylaw No. 8770 would only permit an adult service agency, a business providing adult services, in a zoning district that allow all uses of buildings and lands except those specifically noted as prohibited or discretionary. Under the current Zoning Bylaw No. 8770, these districts would include IL1 – General Light Industrial District (IL1 District), IH – Heavy Industrial District (IH District), MX1 – Mixed Use District 1 (MX1 District), B6 – Downtown Commercial District (B6 District), and RA1 – Reinvestment District 1 (RA1 District).

Zoning Bylaw No. 8770 allows all uses to be permitted as a home based business, provided they are not listed as a prohibited use. Adult service agencies, or independent adult service agencies, are not listed as a prohibited home based business in Zoning Bylaw No. 8770; therefore, would be permitted as a home based business, subject to all other development standards for home based businesses. Adult Services Bylaw No. 9011 states that any adult service agency operating as a home based business would have to operate on an out-call basis only; therefore, the adult service would only be provided at the premises of the customer.

The Business License Program licenses all businesses operating from permanent locations in the city. There are businesses operating in the city that possess a valid business license that may provide an adult service as defined in the new Adult Services Bylaw No. 9011. These businesses include lingerie modelling, and non-therapeutic aromatherapy and reflexology and are located in Commercial/Industrial Zoning Districts, as well as operate as home based businesses. These businesses will be required to obtain the appropriate license under Adult Services Bylaw No. 9011.

Comparison with Other Municipalities

A review of other municipalities was undertaken to identify where adult services are permitted to operate. Information was obtained from the City of Calgary, City of Edmonton, City of Red Deer, and the City of Winnipeg.

The City of Calgary allows dating and escort service businesses to be located in zoning districts that allow for office use. Businesses that are permitted to be located in these zoning districts are considered only for office use and on an out-call basis. The City of Calgary's Dating and Escort Service Bylaw prohibits business activity to be carried out in a dwelling unit or any premises located in a residential land use district.

The City of Edmonton allows for escort agencies to be located in zoning districts that permit professional, financial, and office support services, provided they do not have clients attending the place of business. The business location would be used primarily for a call centre, or office-only purposes. Independent escort agencies are permitted as a home based business; however, as office-use only. The City of Edmonton also licenses body-rub practitioners. These businesses

are considered under their zoning bylaw as “Personal Service Shops” and are permitted to be located in zoning districts that allow for this use.

The City of Red Deer does allow escort agencies to be licensed as a home based business, provided it is for office-use only. Similar to the City of Edmonton and the City of Calgary, escort agencies are permitted to be located in districts that allow for office use. Again, if an agency decides to locate in such district, it would be for office-only purposes.

In the City of Winnipeg, adult services or escort agencies are prohibited as a home based business. However, they are permitted in specific commercial and industrial zoning districts, provided they are located 1,000 feet or more away from a residential district; park or recreational district; any place of worship; any elementary, middle, or high school; or any other adult service or entertainment use.

Recommendation for Zoning Bylaw No. 8770 Definitions

Adult service agencies are not currently defined in Zoning Bylaw No. 8770. Your Administration recommends that Zoning Bylaw No. 8770 be amended to provide definitions for an adult service agency and an independent adult service agency, which refers to the definitions in Adult Services Bylaw No. 9011.

Adult Services Bylaw No. 9011 defines an adult service agency as:

- “(i) a business which offers to arrange or arranges the supply of adult services;
- (ii) a business which is the registered user of a telephone number or cellular telephone number that is advertised as the number to telephone to receive an adult service;
- (iii) a business which pays for, places or arranges an advertisement in any media offering to supply an adult service; or
- (iv) a business which operates an internet website promoting an adult service business or offering to supply an adult service;”

Adult Services Bylaw No. 9011 defines an independent adult service agency as “any adult service business which is owned, operated and serviced by one adult service performer.”

Recommendations for Home Based Businesses

Your Administration recommends that an adult service agency or independent adult service agency be permitted as a home based business, provided they operate in compliance with Adult Services Bylaw No. 9011. As stated previously in this report, Adult Services Bylaw No. 9011 requires all adult service agencies operating as a home based business to provide adult services on an out-call basis only. This would prohibit client visits or adult services from the home based business location. The home based business location would be for office purposes only, and land

use issues such as traffic, noise, or parking, are anticipated to be minimal and acceptable for a home based business.

An adult service agency operating as a home based business, as with all home based businesses, would allow one non-resident employee to come to the business location, and an off-street parking space must be available for this employee. An adult service agency operating as a home based business would be permitted to employ as many performers and/or workers in relation to the business as they wish; however, only one employee is allowed to attend the home based business location. The business would also have to comply with all other development standards for home based businesses.

No amendments are required to Zoning Bylaw No. 8770 to provide for adult service agencies as a home based business on an out-call basis only.

Recommendations for Commercial Locations

Commercial locations for adult service agencies that would potentially have client visits may result in land use conflicts with other land uses, primarily residential uses, resulting from potential hours of operation, noise, and traffic flow. Your Administration is of the opinion that these types of adult service agencies are best located in areas where residential uses are limited or prohibited to minimize potential land use conflicts. It is recommended that these adult service agencies only be permitted to locate in the IL1 District and the IH District. The IL1 and IH Districts permit all uses, except those listed as prohibited or discretionary; therefore, no amendments would be required to accommodate adult services in these zoning districts.

The MX1 District, B6 District, and RA1 District also include a clause that allows all development except for those listed as prohibited or discretionary. These zoning districts do provide for residential uses; therefore, your Administration recommends Zoning Bylaw No. 8770 be amended to add adult service agencies and independent adult service agencies to the list of prohibited uses in MX1 District, B6 District, and RA1 District.

All other zoning districts list permitted and discretionary uses. Therefore, amendments are not required to any other zoning district.

OPTIONS

The only option is to reject the recommendation for advertising approval. If the advertising is not approved, the proposed amendments will be deferred until sometime in 2012, and your Administration will require more direction from City Council regarding where adult service businesses will be permitted to be located in the city.

POLICY IMPLICATIONS

Amendments to the text of Zoning Bylaw No. 8770 will be required to incorporate the recommendations noted in this report.

FINANCIAL IMPLICATIONS

There are no financial implications.

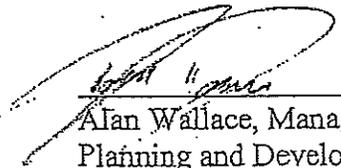
ENVIRONMENTAL IMPLICATIONS

There are no environmental and/or greenhouse gas implications.

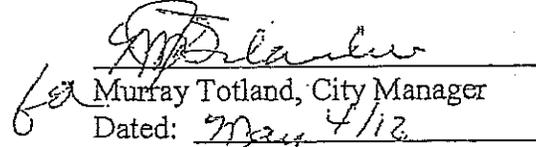
PUBLIC NOTICE

If the application is approved for advertising by City Council, it will be advertised in accordance with Public Notice Policy No. C01-021, and a date for a public hearing will be set. A notice will be placed in The StarPhoenix two weeks prior to the date on which the matter will be considered by City Council.

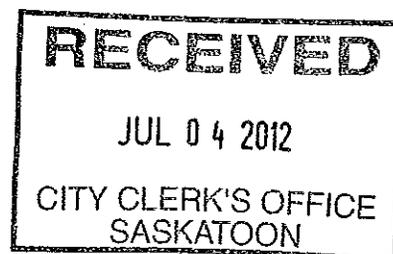
Written by: Melissa Austin, Planner; and
Darryl Dawson, Manager, Business License and Bylaw Compliance Section

Reviewed by:  Alan Wallace, Manager
Planning and Development Branch

Approved by:  Randy Grauer, General Manager
Community Services Department
Dated: May 3/2012

Approved by:  Murray Totland, City Manager
Dated: May 4/12

TO: Secretary, Municipal Planning Commission
FROM: General Manager, Community Services Department
DATE: June 29, 2012
SUBJECT: Adult Services Land Use Review – Separation Distance
FILE NO.: PL 4350-Z12/12



RECOMMENDATION: that a report be submitted to City Council recommending:

- 1) that at the time of the public hearing, City Council consider the Administration's recommendation to amend Zoning Bylaw No. 8770 to include a minimum 160 metre separation distance between adult service agencies (located in the IL1 – Light Industrial and IH - Heavy Industrial Districts) and residential properties, schools, parks, and recreational facilities be approved.

BACKGROUND

During its May 29, 2012 Municipal Planning Commission (MPC) meeting, Police Chief Weighill, Saskatoon Police Services, provided clarification and further information regarding proposed amendments to Zoning Bylaw No. 8770 pertaining to adult service agencies as requested from the MPC at its May 15, 2012 meeting. The MPC supported the recommendation for advertising the proposed amendments to Zoning Bylaw No. 8770 and resolved, in part:

- “5) that the Administration be requested to report further with respect to strategies for a separation of adult service activities from residential areas, schools, churches, parks and other recreational areas.”

REPORT

Separation Between Adult Service Agencies and Other Land Uses

Commercial locations for adult service agencies that could have client visits (operating on an in-call basis) may result in land use conflicts with other land uses, primarily residential uses, resulting from potential hours of operation, noise, and traffic flow. The land use concerns around adult service agencies that would provide in-call services are associated with clients coming to the business location. As previously discussed at the MPC meeting, your Administration is of the opinion that these types of adult service agencies are best located in areas where residential uses are limited or prohibited to minimize potential land use conflicts and recommend that they only be permitted to locate in the IL1 – Light Industrial (IL1) District and the IH – Heavy Industrial (IH) District.

Concerns have been expressed that even though the proposed amendments would provide for adult service agencies to establish only in the IL1 and IH Districts, there are areas in the city of Saskatoon where residential properties are adjacent to industrial districts. Furthermore, schools, parks, and active or passive recreational facilities where children may gather could be located in,

or close to, the IL1 and IH Districts. A separation distance between adult service agencies and these land uses is desirable to minimize the potential for land use conflict and provide a buffer between the operation of the adult service agency and these uses.

Rationale for 160 Metres

Your Administration has reviewed the provincial legislation that governs planning in Saskatchewan (*The Planning and Development Act, 2007*) and is of the opinion that Zoning Bylaw No. 8770 may provide for a separation distance between land uses, such as adult service agencies and residential properties. In this regard, a reasonable separation distance to provide a buffer between adult service agencies and residential properties would minimize the potential for land use conflict. It is recommended that a separation distance of 160 metres be used, which would ensure that an adult service agency would be located at least one block from a residential property. While other municipalities have applied separation distances of 300 to 500 metres to forms of adult services, in Saskatoon, these distances could have the potential of unduly limiting location choices and pushing adult service businesses to the fringes of industrial areas.

To ensure that adult oriented businesses maintain an appropriate distance from schools, parks, and active or passive recreational facilities, it is also recommended that a separation distance of 160 metres be provided from adult service agencies that are located in the IL1 and IH Districts and may provide in-call service (have client visits) and these land uses.

Your Administration has reviewed the proposal for a separation distance of adult service businesses from places of worship, and does not believe a separation distance between these uses is required as it is anticipated that there will be negligible land use impacts due to the limited number of places of worship in industrial zoning districts and typical hours of operation.

Home Based Businesses

Adult service businesses are being proposed to be permitted as home based businesses for office purposes only. The Adult Services Licensing Bylaw, 2012, Bylaw No. 9011 prohibits in-call services. Operations out of the home would also be subject to home based business regulations, as outlined in Zoning Bylaw No. 8770. For example, signs that advertise, or identify the home based business are not permitted on the property, only one employee would be permitted to come to the business location, and an off-street parking space must be available for this employee. Your Administration does not believe a separation distance to schools, parks, and active or passive recreational facilities is required as the home based location will only function for office purposes. Services will be provided on an out-call basis only, client visits are prohibited at the home based business location, and signage is not permitted. Land use concerns would be similar to any office permitted as a home based business and no further restrictions, including separation distances, are proposed.

OPTIONS

The MPC does have the option of proposing alternate separation distances; however, your Administration does not recommend this option as increasing the separation distance would have the potential of unduly limiting location choices and pushing adult service businesses to the fringes of industrial areas.

POLICY IMPLICATIONS

Amendments to the text of Zoning Bylaw No. 8770 will be required to incorporate the recommendation to provide a separation distance of 160 metres between adult service agencies located in the IL1 and IH Districts and residential properties, schools, parks, and active or passive recreational facilities.

FINANCIAL IMPLICATIONS

There are no financial implications.

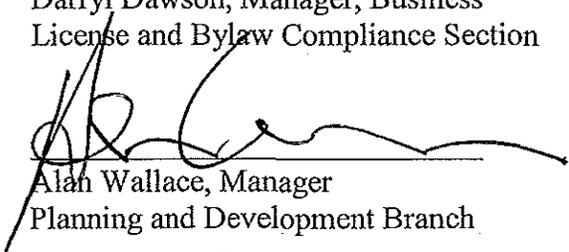
ENVIRONMENTAL IMPLICATIONS

There are no environmental and/or greenhouse gas implications.

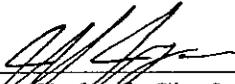
PUBLIC NOTICE

During its June 18, 2012 meeting, City Council approved the advertising for the proposed Zoning Bylaw No. 8770 amendments. The proposed Zoning Bylaw No. 8770 amendments will include a 160 metre separation distance. The amendments will be advertised in accordance with Public Notice Policy No. C01-021, and a date for a public hearing has been set for July 18, 2012. A notice will be placed in The StarPhoenix two weeks prior to the date on which the matter will be considered by City Council.

Written by: Melissa Austin, Planner; and
Darryl Dawson, Manager, Business
License and Bylaw Compliance Section

Reviewed by: 
Alan Wallace, Manager
Planning and Development Branch

Approved by: 
Randy Grauer, General Manager
Community Services Department
Dated: June 29, 2012

Approved by: 
Murray Tottand, City Manager
Dated: July 4, 2012



City of
Saskatoon
Office of the City Clerk

222 - 3rd Avenue North ph 306•975•3240
Saskatoon, SK S7K 0J5 fx 306•975•2784

July 11, 2012

City Clerk

Dear City Clerk:

**Re: Municipal Planning Commission Report for Public Hearing
 Adult Services Land Use Review – Separation Distance
 (File No. CK. 4350-012-2)**

The Municipal Planning Commission has considered a report of the General Manager, Community Services Department dated June 29, 2012, with respect to the above matter.

The Commission has reviewed this matter with the Administration. During consideration of this matter, the Executive Director of the Riversdale BID informed the Commission that while the Riversdale BID is not entirely satisfied with the recommended separation distance, it understands the goal and intent of the buffer zone.

Following review of this matter, the Commission supports approval of the recommendation of the Community Services Department that Zoning Bylaw No. 8770 be amended to include a minimum 160 metre separation distance between adult service agencies (located in the IL1 – Light Industrial and IH – Heavy Industrial Districts) and residential properties, schools, parks and recreational facilities.

Yours truly,

A handwritten signature in black ink, appearing to read 'Joanne Sproule'.

Joanne Sproule, Deputy City Clerk
Municipal Planning Commission

:dk

ZONING NOTICE
PROPOSED ZONING BYLAW TEXT AMENDMENT
- ADULT SERVICES - BYLAW NO. 9023

Saskatoon City Council will consider an amendment to the City's Zoning Bylaw (No.8770) to add definitions of "adult service agency" and "independent adult service agency"; add a general regulation that where an adult service agency or independent adult service agency is permitted to operate and may have customers coming to the business location such a use shall not be located within 160 metres of a residential use, school, park or recreational facility, and to add such uses to the list of prohibited uses in the B6 - Downtown Commercial District, RA1 - Reinvestment District 1, and MX1 - Mixed Use District.

Section 2.0, as amended, would add definitions of "adult service agency" and "independent adult service agency" and define these uses as an adult service agency or independent adult service agency as those terms are defined in The Adult Services Licensing Bylaw, 2012.

Section 5.0, as amended, would add a general regulation indicating that where an adult service agency or independent adult service agency is permitted to operate and may have customers coming to the business location, such a use shall not be located within 160 metres of a residential use, school, park or recreational facility, and would clarify that an adult service agency or independent adult service agency operating as a home based business is not permitted to have customers come to the home.

Subsection 10.9.3 of the B6 Zoning District, as amended, would add adult service agency, and independent adult service agency to the list of prohibited uses.

Subsection 12.6.3 of the RA1 Zoning District, as amended, would add adult service agency, and independent adult service agency to the list of prohibited uses.

Subsection 12.7.3 of the MX1 Zoning District, as amended, would add adult service agency, and independent adult service agency to the list of prohibited uses.

REASON FOR THE AMENDMENT - The reason for these amendments is to add a definition of adult service agency and independent adult service agency to the Zoning Bylaw and provide for these businesses to operate only in the IL1 - General Light Industrial District and the IH - Heavy Industrial District provided they are located 160 metres from a residential use, school, park or recreational facility. The amendments would also provide for an adult service agency and independent adult service agency to operate as a home based business, providing they are an office use only with no client visits.

INFORMATION - Questions regarding the proposed amendment or requests to view the proposed amending Bylaw, the City of Saskatoon Zoning Bylaw and Zoning Map may be directed to the following without charge: Community Services Department, Planning and Development Branch
Phone: 975-2658 (Melissa Austin)

PUBLIC HEARING - City Council will hear all submissions on the proposed amendment and all persons who are present at the Council meeting and wish to speak on Wednesday, July 18, 2012 at 6:00 p.m. in Council Chamber, City Hall, Saskatoon, Saskatchewan.

All written submissions for City Council's consideration must be forwarded to:

His Worship the Mayor and Members
of City Council
c/o City Clerk's Office, City Hall
222 Third Avenue North, Saskatoon,
Saskatchewan, S7K 0J5

All submissions received by the City Clerk by 10:00 a.m. on Wednesday, July 18, 2012 will be forwarded to City Council.

PUBLIC NOTICE

City Council will be considering a report from the Administration at a Council meeting to be held on **Wednesday, July 18, 2012 at 6:00 p.m.**, Council Chambers, City Hall, recommending that City Council authorize:

- borrowing of \$2,250,000 for a green loan for the purpose of partnering with SaskEnergy Incorporated on the capital costs for construction of a turboexpander generator facility at SaskEnergy's Natural Gas Regulating Station #1 adjacent to the City's landfill. The loan will be financed at a ten year debt rate, at current rates of 3.23 per cent, to be repaid using funds generated through power sales from the facility, and
- an allowable 10 per cent variance on the borrowing amount, with a requirement that any variance greater than 10 per cent be reported to City Council.

The Cities Act and City Council Public Notice Policy C01-021 require that City Council give public notice before borrowing money, lending money or guaranteeing the repayment of a loan. For more information, contact the City Clerk's Office at 975-3240.

TO: Secretary, Planning and Operations Committee
FROM: General Manager, Infrastructure Services
DATE: May 31, 2012
SUBJECT: Walkway Closure Application
Walkway between 48 and 50 Harrison Crescent

FILE NO: IS 6295-1

RECOMMENDATION: that the Administration proceed with public notice for the closure of the walkway between 48 and 50 Harrison Crescent, in the Avalon neighbourhood.

BACKGROUND

A request has been received from the property owners of 50 Harrison Crescent to close and purchase the walkway adjacent to their property. This walkway was once a part of the lane system in the Avalon neighbourhood. In 1975, City Council approved the closure of a portion of the lane which was consolidated with 48 Harrison Crescent. The remaining 10 feet remained in the City's name as a pedestrian walkway.

City Council, at its meeting held on September 26, 2011, approved amendments to Policy CO7-017 - Walkway Evaluation and Closure, which includes criteria that stipulates that closure of a walkway will only be approved as a last resort, and that all walkways will remain open unless there are safety issues which Saskatoon Police Services has identified are to be of major concern for the area, and which cannot be addressed through enforcement. City Council also resolved that all outstanding applications for closure of walkways be processed under the former policy, subject to a review of the associated costs.

A report was submitted to City Council on April 16, 2012, regarding the associated costs. City Council approved a recommendation that the application fees and land fees for new walkway closure applications be increased from \$1,000 to \$2,000 per property. All outstanding applicants will be charged the former fee (\$1,000).

Former Policy Guidelines

Under the former policy, Stage 1 includes a Crime Prevention through Environmental Design (CPTED) review of the walkway. If the review indicates that there is vegetation restricting sight lines, graffiti on fences, lack of street lighting, or concerns with vehicles travelling through the walkway, remedial action will be taken. The CPTED review completed at this location indicated that there is vegetation restricting the sight lines of the walkway, the pathway is gravel, there is no graffiti on the fences, minimal garbage and no street lighting.

Stage 2 involves investigating additional proactive remedial measures to address vandalism or public safety issues that cannot be addressed by any remedial actions undertaken within Stage 1. During this stage, a community meeting is held to address public safety concerns.

Stage 3 consists of an analysis, using pedestrian routing software, to provide detailed information on the walking routes in the service area to specific destination points, which include commercial development sites, schools, community centres and transit stops. It also assesses the impact to

travel times for all residents within 5 minute, 10 minute, 15 minute and 20 minute walking route times to these destination points, and identifies if there are existing alternative routes which would provide an equivalent level of service. A walkway closure may be recommended if the impact to the walking distance is less than five minutes.

REPORT

A meeting was held on May 18, 2012, at John Lake School. Of the 23 notices sent to the catchment area, (Attachment 1), three residents attended, the property owners making the request for closure and a resident who expressed no concerns. The adjacent property owners outlined their concerns regarding illegal or unwanted activity in the area and explained that, on occasion, they had reported the incidents to the police. All of the residents who attended the meeting were in support of the closure. The Administration received one phone call from a resident in the area agreeing with the closure.

The pedestrian routing analysis was completed to determine walking route times from John Lake School and Avalon Shopping centre to the south of the walkway and to the dog park to north of the walkway. The analysis indicated that there would be no impact on walking route times if the walkway was closed.

Police Services expressed no concerns with the closure.

The closure of the walkway located between 48 and 50 Harrison Crescent meets all of the guidelines within former Policy C07-017 - Walkway Evaluation and Closure, therefore, it is recommended that the Administration proceed with Public Notice for the closure of the walkway, and that if the closure is approved, the walkway be sold to the adjacent property owners.

OPTIONS

An option is to not proceed with public notice for closure of the walkway. The Administration does not recommend this option, as all guidelines within former Policy C07-017 – Walkway Evaluation and Closure have been met.

POLICY IMPLICATIONS

The recommendation to proceed with public notice for closure of the walkway is in accordance with former Policy C07-017 – Walkway Evaluation and Closure.

FINANCIAL IMPACT

There is no financial impact.



LANE CLOSURE AREA-A
 TO BE PURCHASED BY:
 50 HARRISON CRESCENT
 PLAN # C667
 BLK# 246 LOT#23

PLAN DESCRIPTION/REVISIONS	
4	
3	
2	
1	
DRAWN BY <u>JMR</u>	
DATE <u>2011-APR-06</u>	
SCALE: HOR. <u>1:1000</u> VERT. _____	



CATCHMENT AREA
 FOR PROPOSED CLOSURE OF
 LANE WEST OF 50 HARRISON CRESCENT

APPROVED	
GENERAL MANAGER	
ENGINEER	<i>Anglabadien</i>
PLAN NO.	PROPOSED

PUBLIC NOTICE

Proposed Walkway Closure – 48 – 50 Harrison Crescent

In accordance with the City Council Policy Number C07-017 Walkway Evaluation and Closure, City Council will consider and vote on a proposal from Infrastructure Services to close the walkway adjacent to 48-50 Harrison Crescent.

The closure will restrict all pedestrian movement.

Should this closure be approved by City Council, the walkway will be sold and consolidated with the adjacent properties. Notices have been sent to parties affected by this closure.

INFORMATION - Questions regarding the proposal may be directed to:

Infrastructure Services Department, Transportation Branch

Phone: 975-2464 (Leslie Logie-Sigfusson)



PUBLIC MEETING - City Council will consider the above matter and hear all persons present at the City Council meeting and wish to speak on Monday, July 18, 2012, at 6:00 p.m. in the Council Chambers, City Hall, Saskatoon, Saskatchewan.

All written submissions for City Council's consideration must be received by 10:00 a.m. on Monday, July 18, 2012 to:

His Worship the Mayor and Members of City Council
c/o City Clerk's Office, City Hall
222 Third Avenue North, Saskatoon, SK S7K 0J5

Attachment 1
4c)

BYLAW NO. 9042

The Street Closing Bylaw, 2012 (No. 7)

The Council of The City of Saskatoon enacts:

Short Title

1. This Bylaw may be cited as The Street Closing Bylaw, 2012 (No. 7).

Purpose

2. The purpose of this Bylaw is to close all of the road widening within Plan 78S34536 adjacent to road allowance lying between Fedoruk Drive and McOrmand Road, Saskatoon, Saskatchewan.

Closure of Portion of Street

3. All that portion of the road widening within Plan 78S34536 adjacent to the road allowance lying between Fedoruk Drive and McOrmand Road more particularly described as all of the Road Widening within Plan 78S34536 on the Plan of Proposed Road Closure prepared by Murray Marien S.L.S. dated March, 2012 and attached as Schedule "A" to this Bylaw, is closed.

Coming into Force

4. This Bylaw comes into force on the day of its final passing.

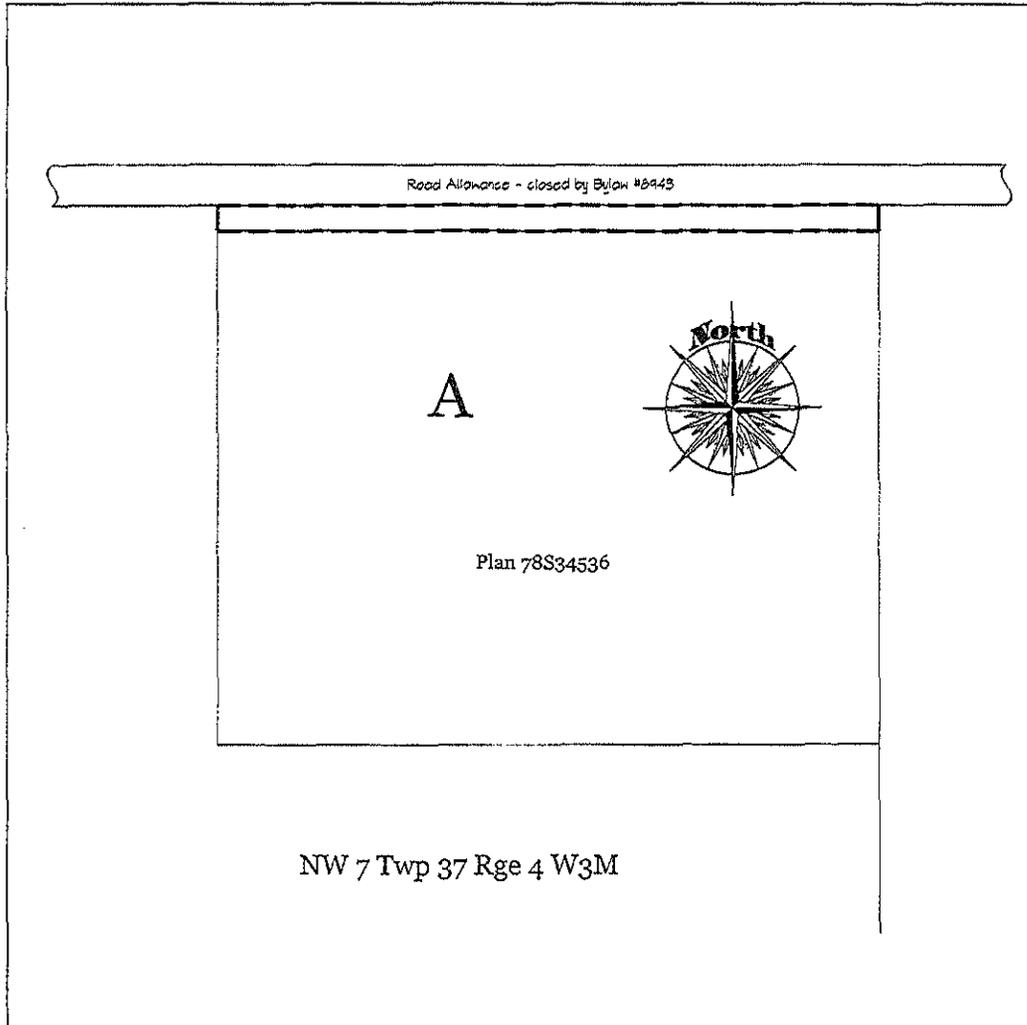
Read a first time this _____ day of _____, 2012.

Read a second time this _____ day of _____, 2012.

Read a third time and passed this _____ day of _____, 2012.

Mayor

City Clerk



Plan of Proposed Road Closure
of all of the Road Widening within Plan 78S34536
NW 1/4 Section 7 Township 37 Range 6 West 3 Mer
Saskatoon - Saskatchewan

March 2012 AD Scale 1:2000
20 0 20 50 100 200 metres

Notes:
All dimensions are in metres and decimals thereof.
Road widening to be closed is outlined in heavy broken line and contains 0.43 ha.

Land Surveyor mmuen
Saskatchewan Land Surveyor

Owner

Saskatoon
Land Surveyors
Digital Mapping Systems



Schedule "A"

PUBLIC NOTICE

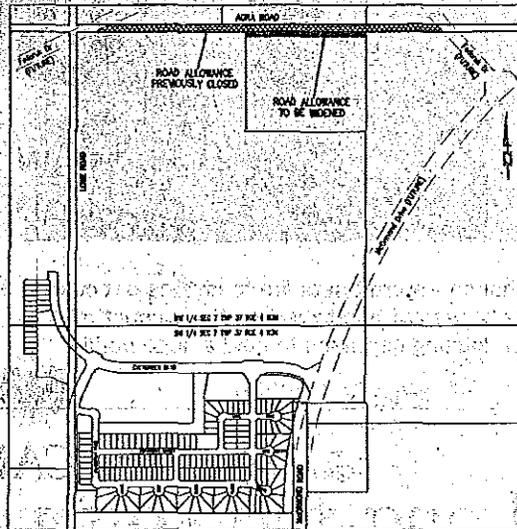
**PERMANENT CLOSURE: Evergreen Neighbourhood
Portion of Agra Road between the future roadways of
Fedoruk Drive and McOrmond Drive**

City of Saskatoon, Community Services Department, Land Branch has requested closure of a portion of Agra Road between Fedoruk Drive and McOrmond Road. The purpose of the closure is for development in the Evergreen Neighbourhood.

INFORMATION - Questions regarding the proposal may be directed to:

Infrastructure Services Department, Transportation Branch

Phone: 975-3145 (Shirley Matt)



PUBLIC MEETING - City Council will consider the above matter and hear all persons present at the City Council meeting and wish to speak on **Monday, July 18, 2012 at 6:00 p.m.** in the Council Chambers, City Hall, Saskatoon, Saskatchewan.

All written submissions for City Council's consideration must be received by 10:00 a.m. on Monday, July 18, 2012 to:

His Worship the Mayor and Members of City Council
c/o City Clerk's Office, City Hall
222 Third Avenue North, Saskatoon, SK S7K 0J5

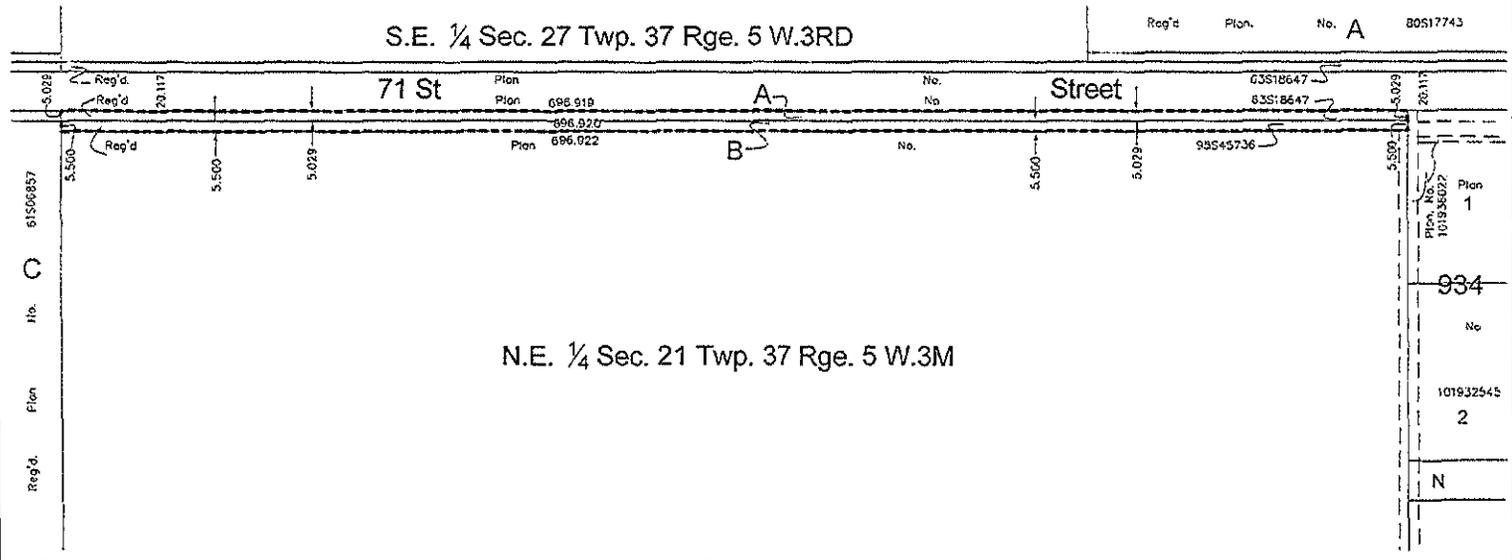
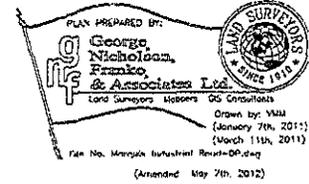
Schedule "A"

Marquis Industrial Phase 6
Sketch Plan
Showing Proposed Closure
of Part of
Road Widening on Reg'd. Plan No. 63S18647 and
71st Street on Reg'd. Plan No. 95S45736
N.E. 1/4 Sec. 21 Twp. 37 Rge. 5 W3Mer.
Saskatoon, Saskatchewan
By: **D.V. Franko S.L.S.**
January 2011
Scale 1:2000

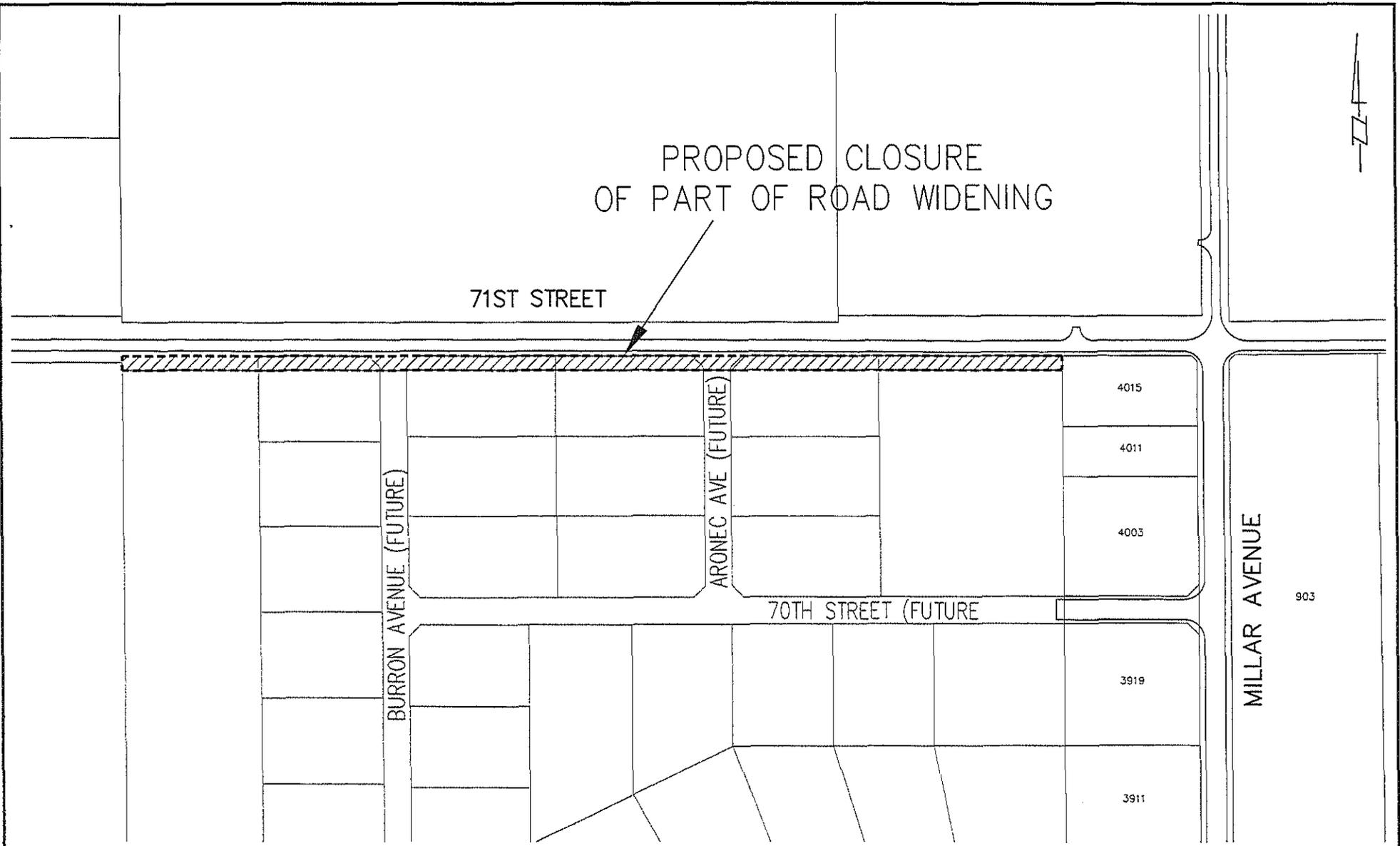
Measurements are in metres and decimals thereof
and are copied.

Area to be closed is outlined in a bold dashed line

Date of preliminary survey - March 5th, 2010.



Attachment 2



PROPOSED CLOSURE
OF PART OF ROAD WIDENING

71ST STREET

BURRON AVENUE (FUTURE)

ARONEC AVE (FUTURE)

70TH STREET (FUTURE)

MILLAR AVENUE

4015

4011

4003

903

3919

3911

PLAN DESCRIPTION/REVISIONS	
4	
3	
2	
1	
DRAWN BY <u>JMR</u>	
DATE <u>2012-MAY-28</u>	
SCALE : HOR. <u>1:250</u> VERT. _____	



PROPOSED ROAD CLOSURE
71ST STREET - 100m WEST OF MILLAR AVE TO
700m WEST OF MILLAR AVE

APPROVED	
GENERAL MANAGER	_____
ENGINEER	_____
ENGINEER	_____
PLAN NO.	240-0032-004r001

PUBLIC NOTICE

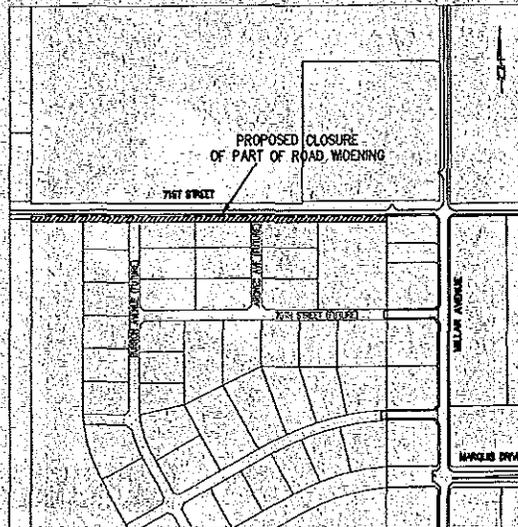
**Marquis Industrial Plan
Closure of part of Road Widening on 71st Street lying
west of Millar Avenue**

City of Saskatoon, Community Services Department,
Land Branch has requested closure of road widening on
71st Street, west of Millar Avenue. The purpose of the
closure is for development in the Marquis Industrial Area.

INFORMATION - Questions regarding the proposal may
be directed to:

Infrastructure Services Department, Transportation
Branch

Phone: 975-3145 (Shirley Matt)



PUBLIC MEETING - City Council will consider the above
matter and hear all persons present at the City Council
meeting and wish to speak on **Monday, July 18, 2012, at
6:00 p.m.** in the Council Chambers, City Hall, Saskatoon,
Saskatchewan.

All written submissions for City Council's consideration
must be received by 10:00 a.m. on Monday, July 18, 2012
to:

His Worship the Mayor and Members of City Council
c/o City Clerk's Office, City Hall
222 Third Avenue North, Saskatoon, SK S7K 0J5

His Worship the Mayor and City Council
The City of Saskatoon

REPORT
of the
MUNICIPAL PLANNING COMMISSION

Composition of Commission

Mr. Kurt Soucy, Chair
Mr. Leanne DeLong, Vice Chair
Councillor Charlie Clark
Ms. Carole Beitel
Mr. Laurier Langlois
Mr. Aditya Garg
Mr. Al Douma
Mr. Stan Laba
Ms. Debbie Marcoux
Ms. Kathy Weber
Mr. James Yachyshen
Ms. Janice Braden
Mr. Andy Yuen

- 1. Application for Direct Control District Approval
River Landing Village – 200 Spadina Crescent East
DCD1 Zoning District – Central Business District
Applicant: Victory Majors Investments Corporation
(File No. CK. 4129-3)**
-

- RECOMMENDATION:**
- 1) that the overall development plan for the proposed development at 200 Spadina Crescent East, as outlined in Attachment 2 to the report of the General Manager, Community Services Department, dated June 4, 2012, be approved subject to:
- a) the three buildings and the plaza conforming to all requirements of the Direct Control District 1 regulations as contained in Zoning Bylaw No. 8770;

- b) the provision of final landscaping plans to the satisfaction of the General Manager, Community Services Department; and
 - c) the submission of wind studies and plans for landscaping, architectural, or other features, which may be required to mitigate any wind effects to the satisfaction of the General Manager, Community Services Department; and
- 2) that the General Manager, Community Services Department, be authorized to issue Development Permits, which are in substantial conformance with the approved plans.

Attached is a report of the General Manager, Community Services Department, dated June 4, 2012 with respect to the above application.

The Municipal Planning Commission has reviewed the application with the Administration and Victory Majors Investments Corporation, particularly with respect to parking and traffic flow. The Commission supports the project moving forward and recognizes that plans for the project continue to evolve.

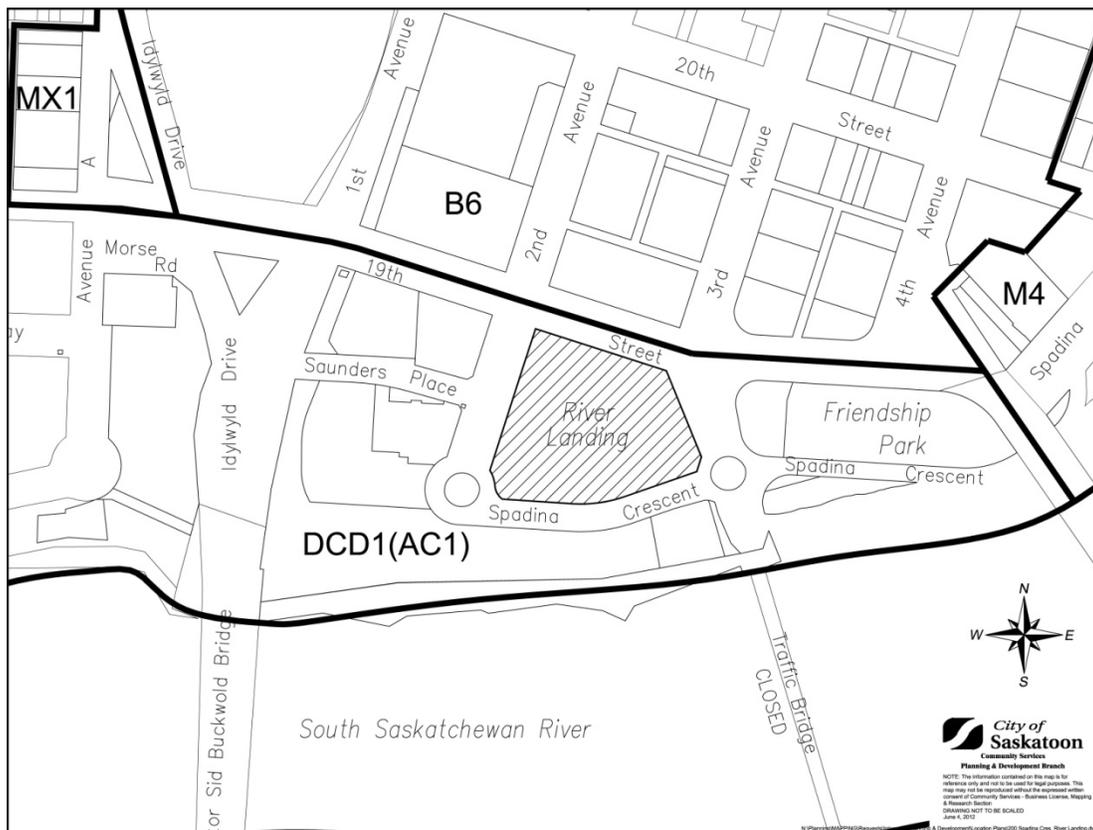
Respectfully submitted,

Ms. Leanne DeLong, A/Chair

COMMUNITY SERVICES DEPARTMENT

APPLICATION NO. PL 4126-12	PROPOSAL Application for Direct Control District Approval – River Landing Village	EXISTING ZONING DCD1
LEGAL DESCRIPTION Parcel YY, Plan No. 101971807		CIVIC ADDRESS 200 Spadina Crescent East
		NEIGHBOURHOOD Central Business District
DATE June 4, 2012	APPLICANT Victory Majors Investments Corporation 103rd St East Saskatoon SK S7N 1Z1	OWNER Victory Majors Investments Corporation 103rd St East Saskatoon SK S7N 1Z1

LOCATION PLAN



A. COMMUNITY SERVICES DEPARTMENT RECOMMENDATION:

- 1) that the overall development plan for the proposed development at 200 Spadina Crescent East, as outlined in Attachment 2, be approved subject to:
 - a) the three buildings and the plaza conforming to all requirements of the Direct Control District 1 regulations as contained in Zoning Bylaw No. 8770;
 - b) the provision of final landscaping plans to the satisfaction of the General Manager, Community Services Department; and
 - c) the submission of wind studies and plans for landscaping, architectural, or other features, which may be required to mitigate any wind effects to the satisfaction of the General Manager, Community Services Department; and
- 2) that the General Manager, Community Services Department, be authorized to issue Development Permits, which are in substantial conformance with the approved plans.

B. PROPOSAL

An application has been submitted by Victory Majors Investments Corporation to construct a development containing a hotel, an office building and a multiple-unit dwelling on part of the lands commonly referred to as “River Landing” (see Attachment 2).

C. REASON FOR PROPOSAL (By Applicant)

This proposal requests approval for the overall development concept. The applicant is requesting approval for this development (including three buildings and an inner plaza), as the development will be phased, and approval will allow the developers to proceed with detailed design and to begin on the first phase of the project.

D. BACKGROUND INFORMATION

In 2004, City Council approved the South Downtown Concept Plan, which provides a framework of the redevelopment of the South Downtown Area and sets out key aspects that will influence improvements in the area. One of the aspects identified was the development of the subject property.

This property is designated as Direct Control District in the Official Community Plan Bylaw No. 8769, and is regulated by the Direct Control District 1 (DCD1) provisions contained in Zoning Bylaw No. 8770.

E. JUSTIFICATION

1. Community Services Department Comments

a) Objectives of the DCD1

The subject property, zoned DCD1 in Section 13.1.2 of Zoning Bylaw No. 8770, outlines the specific objectives of the DCD1 to:

- i) offer a dynamic blend of diverse and complementary land uses that will attract people to the South Downtown Area for year-round, daily and evening activity;
- ii) provide complementary year-round indoor and outdoor public activities;
- iii) provide publicly-accessible physical linkages, such as walkways, above ground linkages, and corridors to allow for the greatest opportunity for barrier-free access to the river and allow public circulation between adjacent developments;
- iv) support and enhance existing and new commercial activities in the Downtown and Riversdale areas by encouraging both public and private investment;
- v) highlight the waterfront as a special feature in the context of an urban environment and provide strong linkages from the Downtown, South East Riversdale, the Gathercole site, and the riverbank;
- vi) produce mixed-use developments, which will result in an integrated urban environment with public activities conducted on or near the riverbank; and
- vii) create a distinct identity and a sense of place in Saskatoon and encourage the recognition of the historical richness of the area.

It is the view within the Community Services Department that this proposal is entirely consistent with these policies and will serve as a significant focal point in River Landing.

b) Land Use

The DCD1 guidelines provide a list of uses that are appropriate for the South Downtown. This development will contain three buildings: a full service-hotel with residential units on the upper floors, an office building with retail uses at grade, and multiple-unit residential building. All the uses in this proposal are permitted.

c) Linkage

Developments are encouraged to integrate and link features to other adjacent developments. The proposed development contains a well designed central plaza adjacent to Spadina Crescent and contains an internal roadway that will provide access to the three buildings. The site is designed to provide ready access to 2nd and 3rd Avenues and to 19th Street. The plaza is designed to provide a seamless transition to the riverbank park area.

d) Safety and Security

The DCD1 guidelines note that sites should be designed to be safe and secure for all pedestrians. Open site lines for pathways, lanes, and building access points are encouraged, as well as the provision for good street and building lighting. A Crime Prevention Through Environmental Design (CPTED) review will be done as part of the Architectural Control District approval process.

e) Building Form and Massing

The DCD1 guidelines specify requirements for building form and massing. In this location, a maximum height requirement of 95 metres and a maximum floor area ratio of 6:1 are specified. The multiple-unit dwelling is 91.75 metres in height and is the tallest building in the development. The overall development has a floor area ratio of 5.4:1.

The hotel will be 15 stories, the office building will be 17 stories, and the multiple-unit dwelling will be 27 stories in height. Building setbacks are in compliance with the DCD1 requirements.

Wind studies will be undertaken for this project. Landscaping, architectural, or other features will be designed into the project to mitigate any wind effects in the plaza area. This issue will be addressed at the time of Development Permit applications for each building.

f) Landscape and Signage

The DCD1 guidelines state that landscape treatment shall be used to improve the appearance of the area, unify development sites with consistent landscaping and screen facilities, such as utilities or outdoor storage areas, buffer or separate uses, and beautify open spaces. Detailed landscaping plans, including plans for the plaza, will be submitted at the time of the various building permit applications and will be reviewed by your Administration to ensure that both the above noted goal and detailed Zoning Bylaw No. 8770 standards are met.

The DCD1 guidelines specify that Signage Group No. 5 shall apply to this area with the exception that portable signs and third party advertising (billboards) shall be prohibited. Signage Group No. 5 is also applied to the nearby B6 Commercial areas. Specific sign applications will be evaluated by your Administration to ensure compliance with both these requirements and the Architectural Control District requirements.

g) Parking and Off-Street Loading

For the overall development, 382 parking spaces are required, however, 486 are being provided in underground parking areas. Each building will have separate access to parking that will include public accessible parking.

All of the parking and loading spaces for this development are enclosed. This feature exceeds the requirements of the DCD1 District and significantly enhances the visual quality of the development.

h) Approval Process

City Council is the approving authority for overall developments in the DCD1 District. Your Administration is recommending approval of the entire project. Applications for each individual building and the plaza will be approved by your Administration, provided such applications are in substantial conformance with the approved plans.

This property is also subject to an Architectural Control District overlay known as the DCD1 – Architectural Control Overlay District (AC1). An Architectural Control District is intended to regulate building form and architectural detail of buildings within a specified area. In this respect, City Council has adopted the South Downtown Local Area Design Plan, which is intended to guide developers in creating a strong sense of identity and place. The review and approval of proposals for compliance with the AC1 District has been delegated to your Administration following a review by the Design Review Committee (Committee), which is comprised of design professionals, such as

architects, landscape architects, and community planners.

The applicant will apply for Architectural Control District approval for individual buildings and the plaza once detailed drawings are available.

A Crime Prevention for Environmental Design (CPTED) review will be done at the same time as the Architectural Review.

2. Comments by Others

a) Infrastructure Services Department

The Infrastructure Services Department has reviewed the above noted proposal and has the following comments:

1. Due to the placement of the proposed driveway crossing onto 19th Street, the Transportation Branch will not allow the currently open median to remain since the location of the proposed driveway is directly in line with the eastbound to northbound left turn bay. The median on 19th Street will need to be made continuous to avoid potential traffic hazards. Such cost will be at the expense of the developer.
2. The proposed crossing onto 19th street is 14 meters wide which exceeds the bylaw maximum of 12.2 metres. Justification must be provided in order to have the 14-metre crossing approved.
3. The driveway crossings for the private roadway will have to be submitted for review prior to application. These need to be designed as either driveway crossings or intersections. Currently this is not clearly delineated.
4. Current plans show internal crosswalks that are not perpendicular to the private roadway. In order to be consistent with City of Saskatoon (City) guidelines, the design should be revised so that the crosswalks are perpendicular to the roadway.
5. The pedestrian paths, with relation to the internal driveway crossings, are unclear. A review of pedestrian safety is recommended.
6. The offset between Saunders Place and the private roadway at 2nd Avenue may create potential traffic and pedestrian issues. Lining up the two intersections is desirable.

7. The proposed exit of the 2nd Avenue lay-by is confusing for both traffic operations and pedestrian safety as it essentially flows into an intersection. A detailed design is required. Crosswalks for 2nd Avenue and the private road should be shown.
8. The plan currently removes many angle parking stalls along 2nd Avenue. There appears to be no compensation for lost public parking.
9. The mid-block pedestrian crossing along Spadina Crescent must be designed and built to City Standards.
10. The proposed lay-by on 19th Street does not appear to serve the public. There are adjacent areas for tree planters, but no sidewalk on City property. There is ample adjacent pedestrian accommodation on the private property, but City policy indicates that there must be at least a 1.5 metre wide clear pedestrian path, which is on City property.
11. Urban Design must be consulted as there may already be a street-scaping plan in the works for 19th Street that should be considered during the design phase.
12. The developer must arrange for an inspection with an Infrastructure Services Department representative to determine the curb and sidewalk conditions adjacent to this site upon final completion of construction. Any damage must be removed and replaced to City standards at the developer's expense.

Note: These comments have been provided to the applicant and will be addressed through the administrative review process. These issues are not expected to have substantial effect on the overall development.

b) Transit Services Branch – Utility Services Department

The Transit Services Branch has no easement requirements for this location.

At present, Saskatoon Transit's closest bus top is approximately 100 metres on the south side of 19th Street just west of 3rd Avenue North. Service is at 20-minute intervals from Monday to Saturday, and at 60-minute intervals on evenings, early Saturday mornings, Sunday, and statutory holidays.

3. Conclusion

It is the opinion of the Community Services Department that this proposal fully conforms to the requirements in the Development Guidelines contained in the DCD1 District.

F. PUBLIC NOTICE

Public Notice, pursuant to Section 3 of Public Notice Policy No. C10-021 is not required.

G. ENVIRONMENTAL IMPLICATIONS

There are no environmental and/or greenhouse gas implications.

H. ATTACHMENTS

- 1) Location Facts
- 2) Site Plan and Conceptual Project Views

Written by: Paula Kotasek-Toth, Heritage and Design Coordinator
Development Review Section

Reviewed by: “Alan Wallace”
Alan Wallace, Manager
Planning and Development Branch

Approved by: “Randy Grauer”
Randy Grauer, General Manager
Community Services Department
Dated: “June 8, 2012”

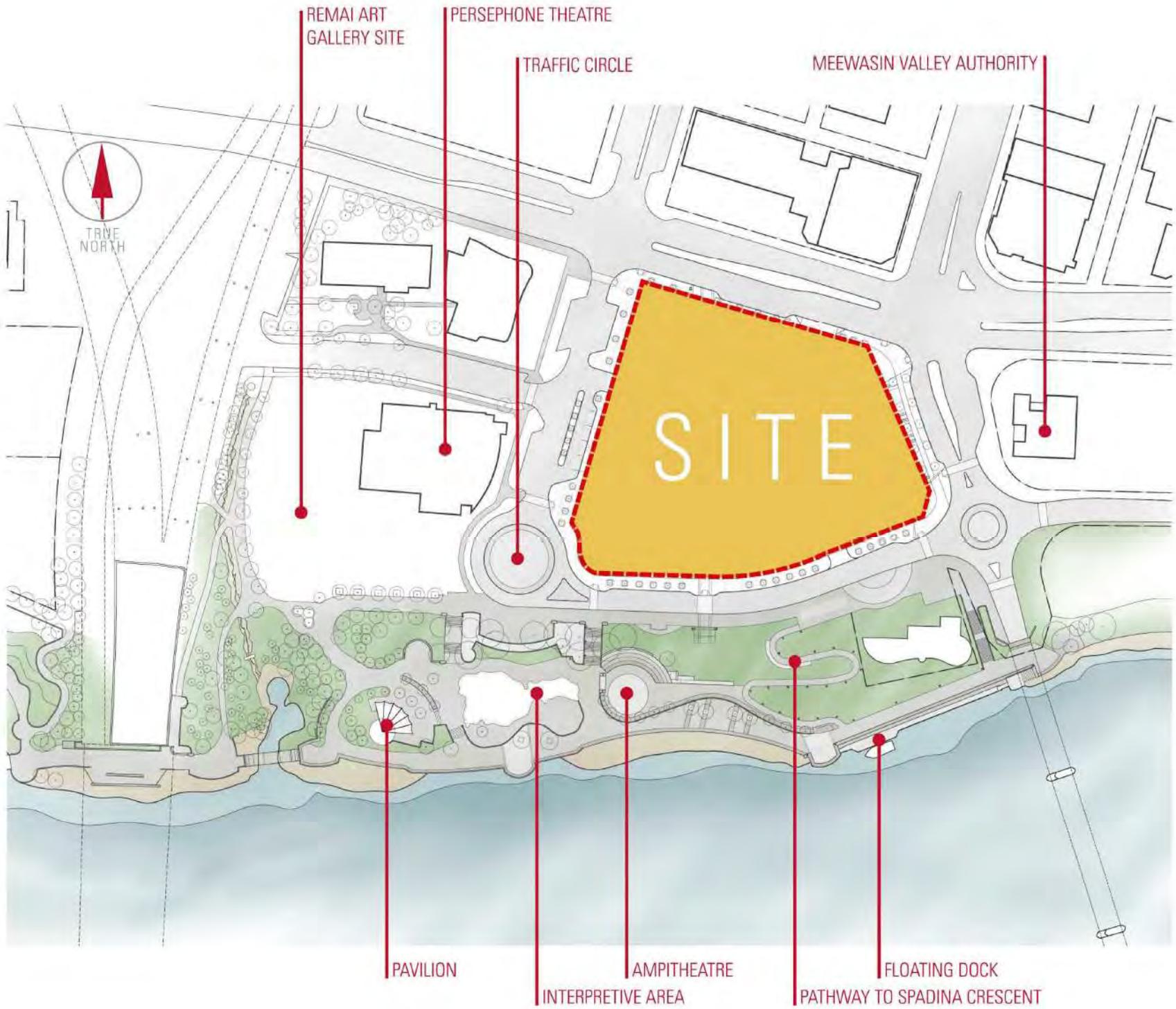
Approved by: “Murray Totland”
Murray Totland, City Manager
Dated: “June 8, 2012”

ATTACHMENT 1

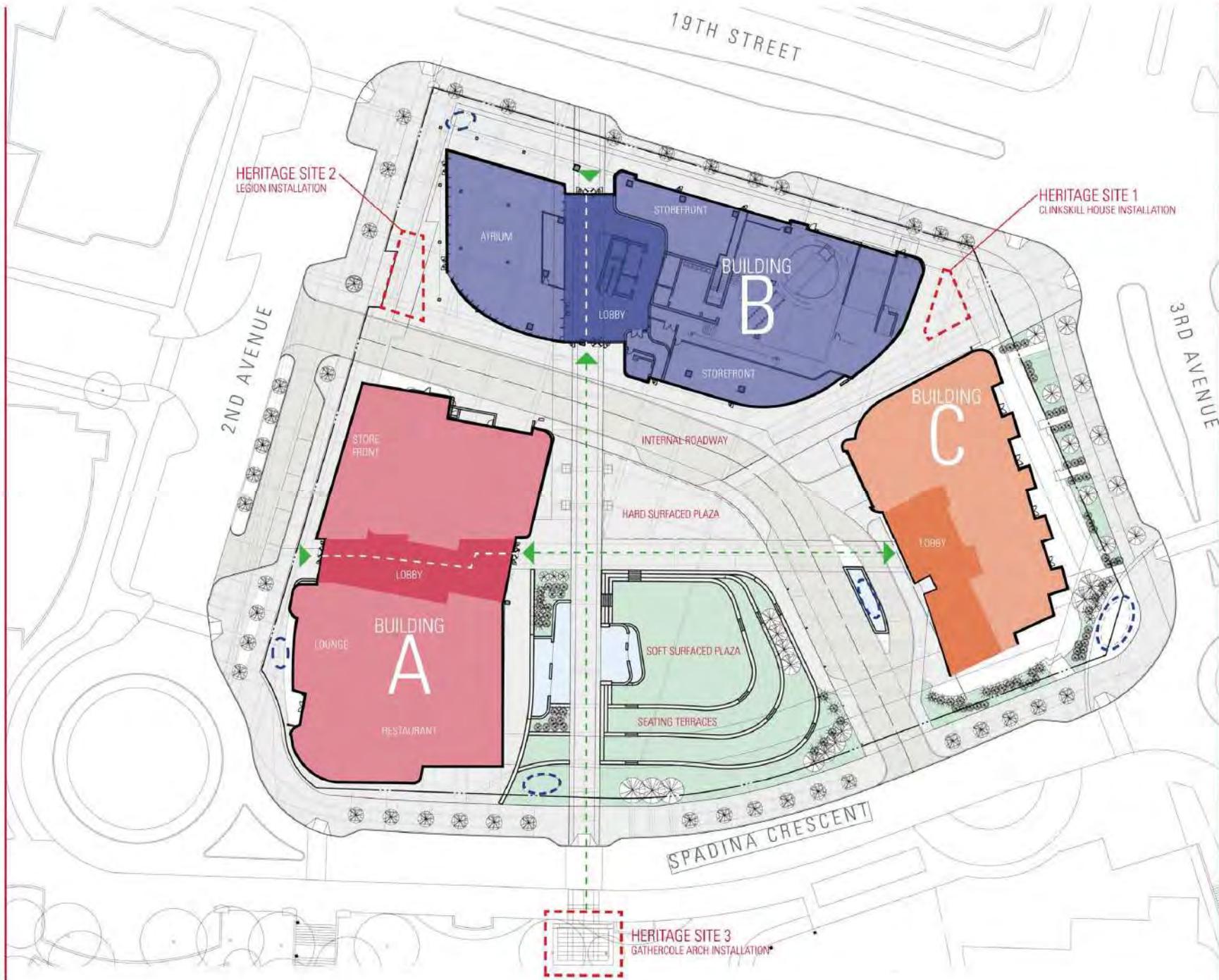
FACT SUMMARY SHEET	
A. Location Facts	
1. Municipal Address	200 Spadina Crescent East
2. Legal Description	Parcel YY, Plan No. 101971807
3. Neighbourhood	Central Business District
4. Ward	1
B. Site Characteristics	
1. Existing Use of Property	Vacant
2. Proposed Use of Property	Hotel, Office Building, Multiple-Unit Dwelling
3. Adjacent Land Uses and Zoning	
North	B6 – Office Building
South	DCD1 – River Bank Park
East	DCD1 – MVA Interpretive Centre, park space
West	DCD1 – Remai Arts Centre, Office Building
4. No. of Existing Off-Street Parking Spaces	0
5. No. of Off-Street Parking Spaces Required	382
6. No. of Off-Street Parking Spaces Provided	486
7. Site Frontage	91.591 metres (19 th Street)
8. Site Area	1.152 hectares (2.847 acres)
9. Street Classification	19 th Street – Arterial, 3 rd Ave N – Collector, Spadina Crescent - Local
C. Development Plan Policy	
1. Existing Development Plan Designation	Direct Control District 1
2. Proposed Development Plan Designation	
3. Existing Zoning District	DCD1 (AC1)
4. Proposed Zoning District	



AERIAL PHOTOGRAPH



CONTEXT PLAN

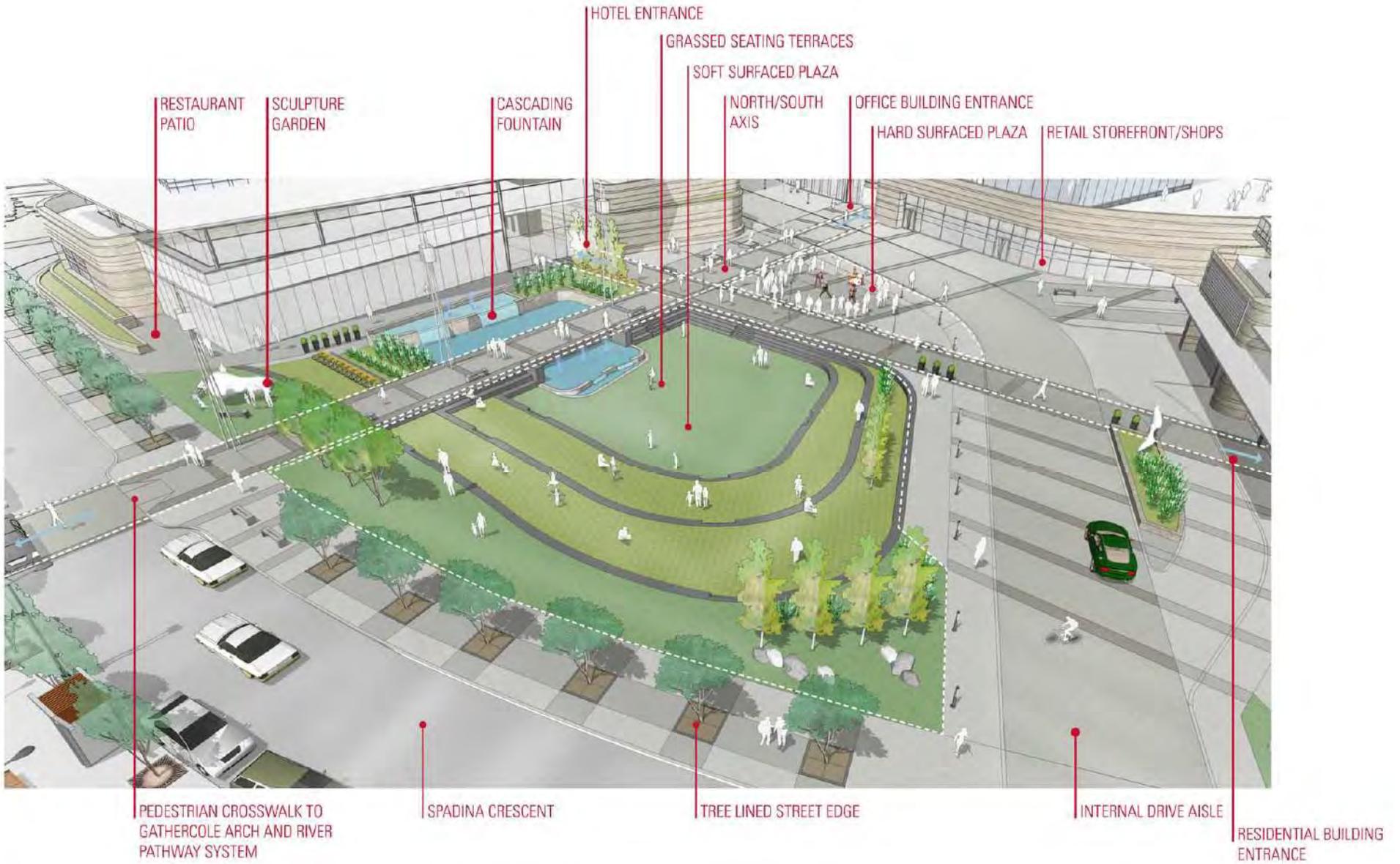


HERITAGE SITE 2
LEGION INSTALLATION

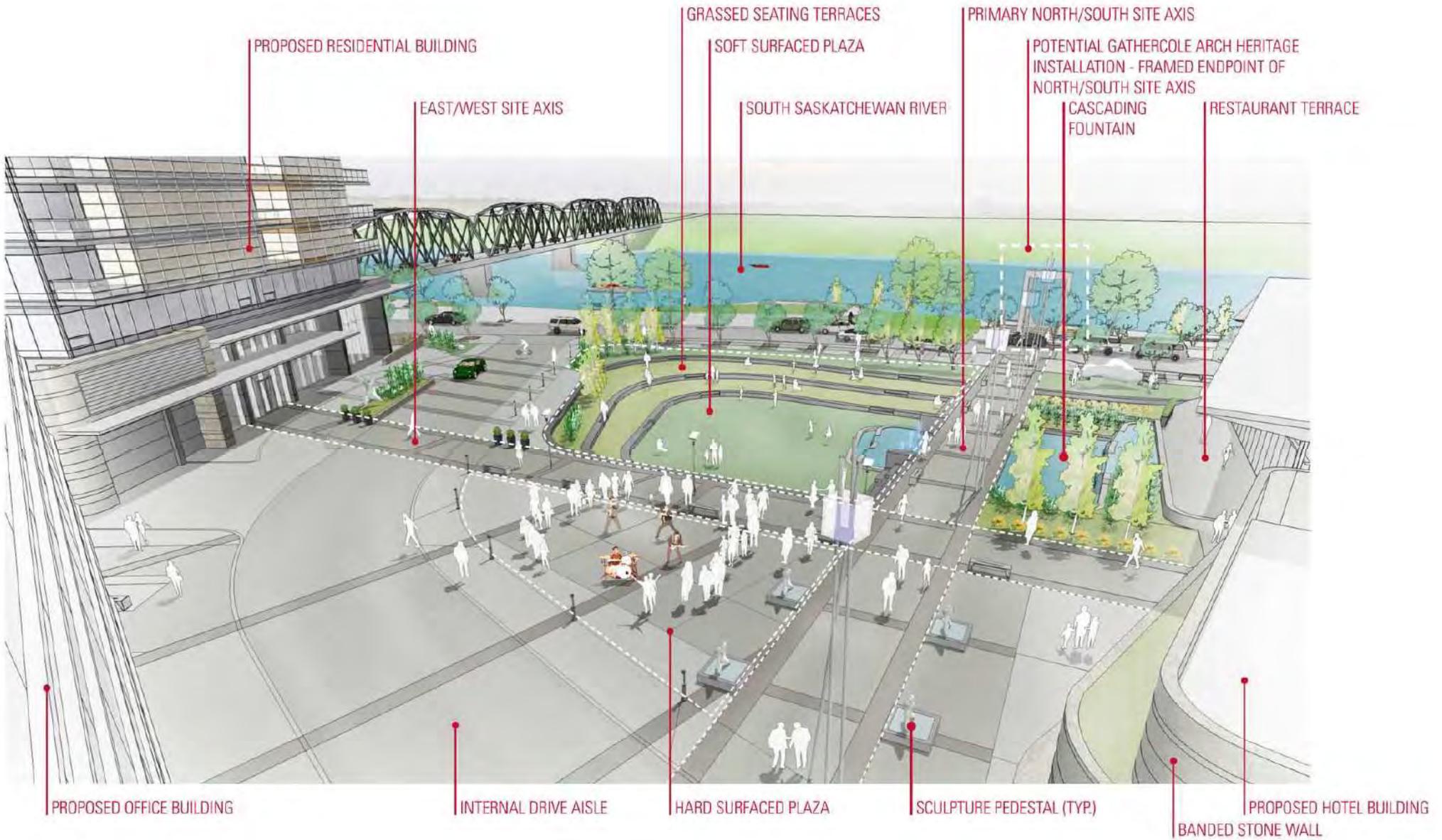
HERITAGE SITE 1
CLINKSKILL HOUSE INSTALLATION

HERITAGE SITE 3
GATHERCOLE ARCH INSTALLATION

-  DENOTES PUBLIC ART INSTALLATION
 -  DENOTES PARKADE ACCESS
 -  DENOTES PRIMARY BUILDING ENTRY
-  NORTH
 SOUTH



PERSPECTIVE VIEW OF PLAZA FROM SOUTH



PERSPECTIVE VIEW OF PLAZA FROM NORTH



DASHED LINE DENOTES CONCEPTUAL BOUNDARY OF RIVER PATHWAY / PUBLIC SPACE

DASHED LINE DENOTES CONCEPTUAL BOUNDARY OF RIVER PATHWAY / PUBLIC SPACE

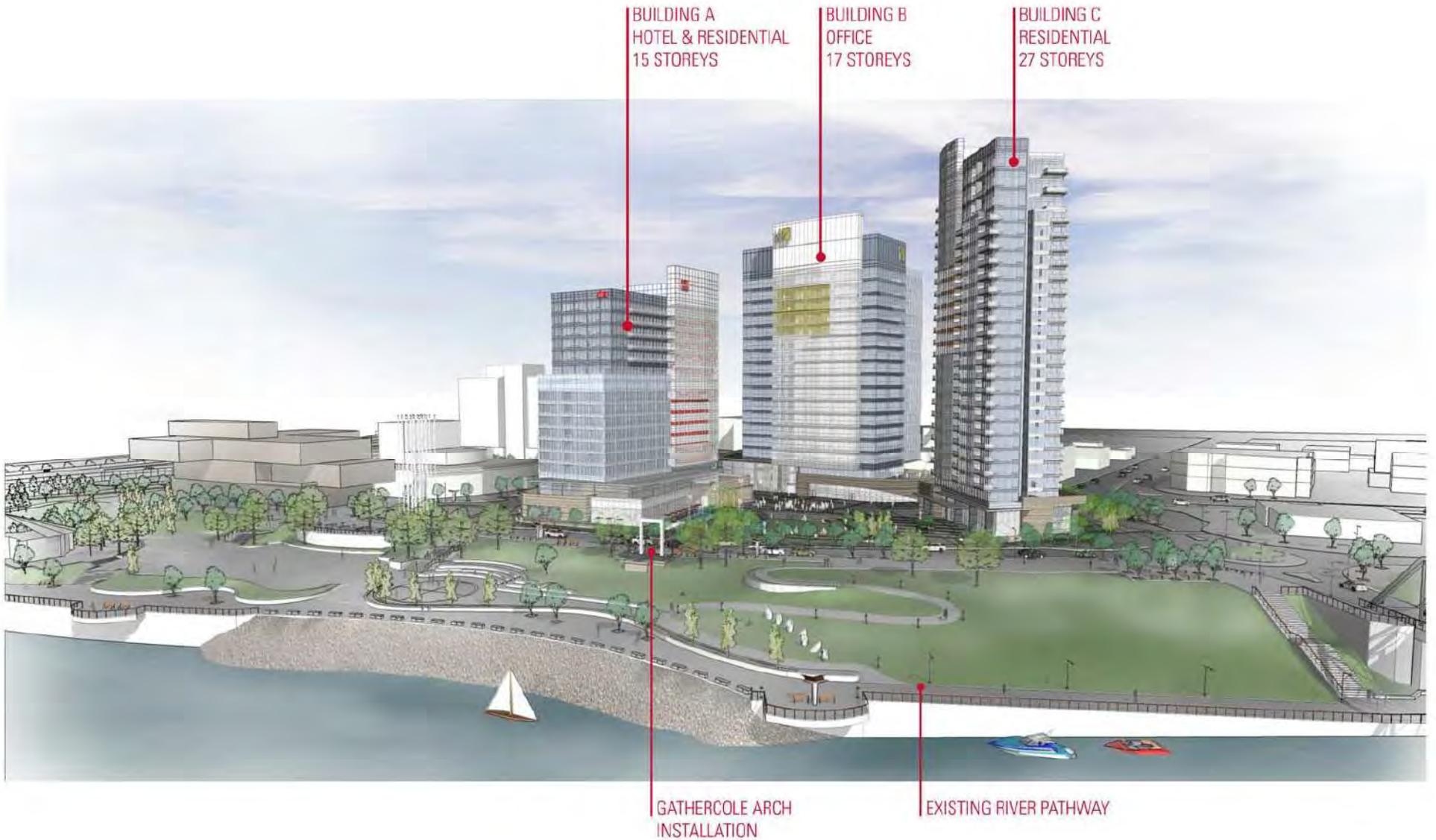
EXISTING PEDESTRIAN PLAZA

SPADINA CRESCENT

EXISTING RIVER PATHWAY

EXISTING EMBANKMENT

CONCEPTUAL AERIAL PERSPECTIVE FROM SOUTH



CONCEPTUAL PERSPECTIVE - AERIAL VIEW FROM SOUTH

BUILDING A
HOTEL & RESIDENCE
15 STOREYS

BUILDING B
OFFICE
17 STOREYS

BUILDING C
RESIDENTIAL
27 STOREYS



SPADINA CRESCENT

AT GRADE PLAZA WITH DIRECT STREET
ACCESS (20 000 SF)

TREE LINED STREET EDGE

CONCEPTUAL PERSPECTIVE -STREETScape FROM SPADINA CRESCENT

His Worship the Mayor and City Council
The City of Saskatoon

REPORT
of the
MUNICIPAL PLANNING COMMISSION

Composition of Commission

Mr. Kurt Soucy, Chair
Mr. Leanne DeLong, Vice Chair
Councillor Charlie Clark
Ms. Carole Beitel
Mr. Laurier Langlois
Mr. Aditya Garg
Mr. Al Douma
Mr. Stan Laba
Ms. Debbie Marcoux
Ms. Kathy Weber
Mr. James Yachyshen
Ms. Janice Braden
Mr. Andy Yuen

**1. Adult Services Land Use Review – Separation Distance
Between Adult Service Agencies
(File No. CK. 4350-012-2)**

- RECOMMENDATION:**
- 1) that City Council approve the advertising with respect to the proposal to amend the Adult Services Licensing Bylaw, 2012, Bylaw No. 9011, as outlined in the report of the General Manager, Community Service Department dated June 29, 2012;
 - 2) that the General Manager, Community Services Department, be requested to prepare the required notice for advertising the proposed amendment;
 - 3) that the City Solicitor be requested to prepare the required amendments to the Adult Services licensing Bylaw, 2012, Bylaw No. 9011; and

- 4) that at the time of the Public Hearing, City Council consider the Municipal Planning Commission's recommendation that the amendment to Adult Services Licensing Bylaw, 2012, Bylaw No. 9011, to provide for a minimum 160 metre separation distance between adult service agencies that may provide in-call services located in the IL1 – Light Industrial and IH – Heavy Industrial Districts, be approved.

Attached is a report of the General Manager, Community Services Department dated June 29, 2012, with respect to the above proposed amendments to the Adult Services Licensing Bylaw, 2012, Bylaw No. 9011.

Your Commission has reviewed the report with the Administration and heard representation from the Executive Director of the Riversdale BID in support of the initiatives as proposed. Your Committee supports the above recommendations.

**2. Zoning Bylaw No. 8770
Text Amendments to DCD1 District
(File No. CK. 4350-012-4)**

- RECOMMENDATION:**
- 1) that City Council approve the advertising respecting the proposal to amend portions of Section 13.1.3 of Zoning Bylaw No. 8770, as outlined in the report of the General Manager, Community Services Department dated June 27, 2012;
 - 2) that the General Manager, Community Services Department, be requested to prepare the required notice for advertising the proposed amendment;
 - 3) that the City Solicitor be requested to prepare the required Bylaw to amend Zoning Bylaw No. 8770; and
 - 4) that at the time of the Public Hearing, City Council consider the Municipal Planning Commission's recommendation that the Zoning Bylaw No. 8770 text amendment be approved.

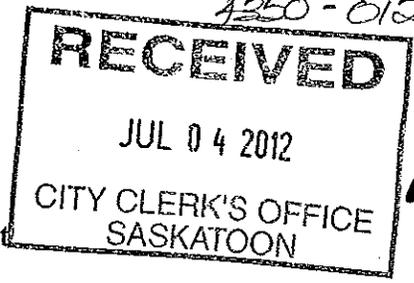
Report No. 5-2012
Municipal Planning Commission
Wednesday, July 18, 2012
Page 3

Attached is a report of the General Manager, Community Services Department dated June 22, 2012, with respect to the above proposed text amendments to the Zoning Bylaw.

Your Commission has reviewed the report with the Administration and supports the above recommendations.

Respectfully submitted,

Mr. Kurt Soucy, Chair



TO: Secretary, Municipal Planning Commission
FROM: General Manager, Community Services Department
DATE: June 29, 2012
SUBJECT: Adult Services Land Use Review – Separation Distance Between Adult Service Agencies
FILE NO.: PL 4350-Z12/12

RECOMMENDATION: that a report be submitted to City Council recommending:

- 1) that City Council approve the advertising with respect to the proposal to amend the Adult Services Licensing Bylaw, 2012, Bylaw No. 9011, as indicated in the attached report;
- 2) that the General Manager, Community Services Department, be requested to prepare the required notice for advertising the proposed amendment;
- 3) that the City Solicitor be requested to prepare the required amendments to the Adult Services Licensing Bylaw, 2012, Bylaw No. 9011; and
- 4) that at the time of a public hearing, City Council consider the Administration's recommendation that the Adult Services Licensing Bylaw, 2012, Bylaw No. 9011 be amended to provide for a minimum 160 metre separation distance between adult service agencies that may provide in-call services located in the IL1 – Light Industrial and IH - Heavy Industrial Districts be approved.

BACKGROUND

During its May 29, 2012 meeting, the Municipal Planning Commission (MPC) considered proposed amendments to Zoning Bylaw No. 8770 pertaining to adult service agencies. The MPC supported the recommendation for advertising the proposed amendments to Zoning Bylaw No. 8770 and resolved, in part:

- “6) that the Administration be requested to report further with respect to strategies to limit concentration of adult service activities in any one area of the city.”

During its June 18, 2012 meeting, City Council resolved:

- “1) that City Council approve the advertising to amend Zoning Bylaw No. 8770, as follows, and as further described in the report and attachments:

- a) to provide a definition of adult service agencies;
 - b) to permit adult service agencies as a home based business on an out-call basis only;
 - c) to limit in-call adult service agencies to the IL1 - General Light Industrial District and the IH – Heavy Industrial District; and
 - d) to include a 160 metre separation distance between in-call adult service agencies and residential properties, schools, parks, and active and passive recreational facilities;
- 2) that the General Manager, Community Services Department, be requested to prepare the required notice for advertising the proposed amendments;
 - 3) that the City Solicitor be requested to prepare the required amendments to Zoning Bylaw No. 8770;
 - 4) that at the time of the public hearing, City Council consider the Administration's recommendation that the bylaw amendments be approved; and
 - 5) that City Council endorse the concept of separation distances between in-call adult service agencies to ensure clustering of adult service businesses does not occur, and that the Administration report back in due course on an implementation strategy."

REPORT

During its July 18, 2012 meeting, City Council will hold a public hearing to consider amendments to Zoning Bylaw No. 8770 to regulate adult services as a land use, and also provide a separation distance of 160 metres as per City Council Resolution No. 1 above.

This report deals with Resolution No. 6 from the May 29, 2012 MPC meeting, and Resolution No. 5 from the June 18, 2012 City Council meeting.

Authority to separate Adult Service Agencies

The Cities Act provides City Council with the authority to specify a minimum distance that two or more businesses within a class, or two or more classes of business, must be separated from one another. This provision of *The Cities Act* was used a few years ago to provide a separation distance of 160 metres between pawn shops in Business License Bylaw No. 8075 in response to a concentration of pawn shops along 20th Street West. The 160 metres was used to ensure that no more than one pawn shop would be established on a block.

Proposed Separation between Adult Service Agencies

In response to concerns noted by the MPC and City Council over the potential impact on safety, real or perceived, and neighbourhood perceptions resulting from the concentration of adult service agencies, a similar separation distance as that used for pawn shops could be applied to adult service agencies.

It is not anticipated that concentration of adult service agencies will be an immediate issue in the city. However, it is possible, over time, for two or three adult services agencies to locate on the same block. This may create a negative perception within the community. In this regard, your Administration is recommending that the Community Services Department proceed with amendments to the Adult Services Licensing Bylaw, 2012, Bylaw No. 9011 to provide for a separation distance of 160 metres between adult services businesses located in the IL1 – Light Industrial (IL1) and IH - Heavy Industrial (IH) Districts. This separation distance would ensure that there is no more than one adult service agency per block.

The decision to act sooner rather than later has been based on the fact that any concentration problems that arise cannot be easily solved later. Once an adult service agency is established, it can only be grand-fathered out if a separation distance is imposed after the fact. In this regard, it is the opinion within the Community Services Department that it is prudent to include a separation distance within the Adult Services Licensing Bylaw, 2012, Bylaw No. 9011 for adult service uses.

Other Municipalities

A review of other Canadian municipalities that currently license adult service businesses was undertaken and previously provided to the MPC. Information was obtained from the City of Calgary, the City of Edmonton, the City of Red Deer, and the City of Winnipeg. Relevant information on separation distances obtained from these municipalities is outlined below.

1. City of Calgary

Recently, Calgary's City Council approved amendments to their Massage Bylaw to differentiate between massage categories. Massage practitioners who are not members to one of the four massage associations in Alberta would be re-classified as "Body Rub Practitioners" and would be subject to enhanced license requirements, such as a separation distance of 500 metres from other body rub centres or a residence. The intent of the amendments is to improve consumer protection and minimize negative impacts created in, or adjacent to, residential uses. Separation distance was particularly established to ensure body rub centres are not "clustering" together and creating body rub districts. These separation distances do not apply to dating and escort services or exotic entertainment businesses.

2. City of Edmonton

The City of Edmonton does not have separation distance requirements.

3. City of Red Deer

Adult entertainment establishments must be located 150 meters from any other drinking establishment or residential district. The City of Red Deer does not have a separation distance for escort service businesses.

4. City of Winnipeg

Adult service businesses and/or adult entertainment establishments located in commercial or industrial districts must be located 1,000 feet (305 metres) or more away from a residential district; park or recreational district; any place of worship; any elementary, middle, or high school; or any other adult service or entertainment use. The separation distance was implemented when the City of Winnipeg approved their X-Rated Stores Bylaw in 1993. The separation distance regulation does not apply to escort agency businesses.

OPTIONS

The MPC does have the option of proposing alternate separation distances; however, your Administration would recommend using the same separation distance as pawn shops because it addresses the same issues, such as negative perceptions within a neighbourhood.

POLICY IMPLICATIONS

Amendments to the text of the Adult Services Licensing Bylaw, 2012, Bylaw No. 9011 will be required to provide a separation distance of 160 metres between adult service agencies located in the IL1 and IH Districts.

FINANCIAL IMPLICATIONS

There are no financial implications.

ENVIRONMENTAL IMPLICATIONS

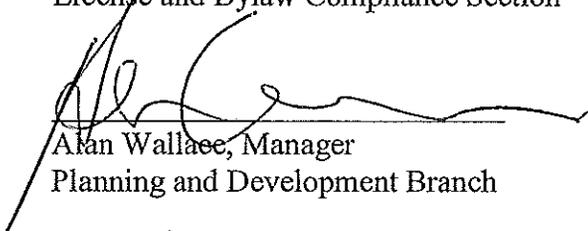
There are no environmental and/or greenhouse gas implications.

PUBLIC NOTICE

If the advertising for the text amendment to the Adult Services Licensing Bylaw, 2012, Bylaw No. 9011 is approved by City Council, the amendment will be advertised in accordance with

Public Notice Policy No. C01-021, and a date for a public hearing will be set. A notice will be placed in The StarPhoenix one week prior to the date on which the matter will be considered by City Council.

Written by: Melissa Austin, Planner; and
Darryl Dawson, Manager, Business
License and Bylaw Compliance Section

Reviewed by: 
Alan Wallace, Manager
Planning and Development Branch

Approved by: 
Randy Grauer, General Manager
Community Services Department
Dated: June 29/12

Approved by: 
fa/ Murray Totland, City Manager
Dated: July 4/2012

2.

REVISED – JULY 9, 2012

COMMUNITY SERVICES DEPARTMENT

APPLICATION NO. Z9/12	PROPOSAL Zoning Bylaw No. 8770 Text Amendments to DCD1 District	EXISTING ZONING
LEGAL DESCRIPTION		CIVIC ADDRESS
		NEIGHBOURHOOD
DATE June 22, 2012	APPLICANT Planning and Development Branch City of Saskatoon	OWNER

LOCATION PLAN

A. COMMUNITY SERVICES DEPARTMENT RECOMMENDATION:

that a report be forwarded to City Council recommending:

- 1) that City Council approve the advertising respecting the proposal to amend Sections 13.1.3 of Zoning Bylaw No. 8770 as outlined in this report;
- 2) that the General Manager, Community Services Department, be requested to prepare the required notice for advertising the proposed amendment;
- 3) that the City Solicitor be requested to prepare the required bylaw to amend Zoning Bylaw No. 8770; and
- 4) that at the time of the public hearing, City Council be asked to consider the Administration's recommendation that the Zoning Bylaw No. 8770 text amendment be approved.

B. PROPOSAL

The Planning and Development Branch, in consultation with the City Manager's Office, is proposing that the Direct Control District 1 (DCD1) District be amended to provide for greater building height and development density on the three development parcels, located in Phase II of River Landing, to address appropriate siting for hotel development, to ensure that parking and loading facilities are appropriately located, and to clarify sign regulations.

C. REASON FOR PROPOSAL (by Applicant)

The amendments related to maximum building height, floor space ratio, and hotels will facilitate the opportunity to have a larger resident population in Phase II of River Landing in order to better utilize the subject sites and to create a critical population mass to support commercial development in the area.

The amendments related to the location of street townhouses and live/work units are intended to encourage developments, adjacent to important pedestrian thoroughfares, to have an active street frontage.

The proposed changes that relate to parking location, vehicle access, and service area access are intended to ensure that vehicle access points to these areas does not detract from the pedestrian oriented environment.

The amendments relating to signage are intended to clarify existing sign requirements.

D. BACKGROUND INFORMATION

These zoning amendments would apply to property, mainly in Phase II of River Landing. This area is zoned Direct Control District 1 (DCD1) and Architectural Control Overlay District (AC1). This zoning is based on the vision for the area, which was developed in the South Downtown Concept Plan 2004 and the South Downtown Local Area Design Plan. Both documents address the importance of building design and massing.

E. JUSTIFICATION

1. Community Services Department Comments

a) Proposed Zoning Amendments

It is proposed that the following provisions of the Direct Control District 1 (DCD1) District be amended:

- 1) Section 13.1.3.1 Linkage and Land Use – that hotels be prohibited on Parcel A (410 Avenue C South) and Parcel BB (426 Avenue B South) (see Attachment 2);
- 2) Section 13.1.3.1 Linkage and Land Use – that the location of street townhouses and live/work units be prohibited on 19th Street West, (west of Avenue B South); Avenue B South (between 19th Street West and Sonnenschein Way); Sonnenschein Way (between Avenue A South and Avenue B South); and on Avenue A South;
- 3) Section 13.1.3.3 a) Maximum Building Height – that the maximum building height for Parcel A and BB be increased from the current limit of 14 metres to 24 metres, and that the maximum building height of Parcel D be increased from 68 metres to 95 metres. The aforementioned maximum building height will be subject to specific review, at the time of a development application, to ensure that it is appropriate to the scale and design of the building, the nature of the adjacent street and landscape, and that appropriate sunlight penetration and wind protection are provided to adjacent areas;
- 4) Section 13.1.3.3 c) Maximum Floor Space Ratio – that the maximum floor space ratio for Parcels A and BB be increased from 2:1 to 4:1;

- 5) Section 13.1.3.4 c) Signage – to clarify that billboards, superboards, electronic message centres, and electronic message centres (mobile) are prohibited;
- 6) Section 13.1.3.5 b) Proposed Parking Location – that all off-street parking is required to be enclosed, covered, underground, within, or upon permitted buildings;
- 7) Section 13.1.3.5 c) Parking Access – that direct access from parking garages will not be permitted onto Sonnenschein Way or Avenue A (south of Sonnenschein Way) or 2nd Avenue or 19th Street west of Idylwyld Drive, Avenue B South between 19th Street and Sonnenschein Way, and Spadina Crescent. Parking access for Parcel D (422 Avenue A South) should be accessed from the rear of the site. When parking access cannot be provided from the rear lane, the access must be designed in a manner which does not detract from the pedestrian realm; and
- 8) Section 13.1.3.5 b) Service Areas – that direct access to garbage collection areas and service loading entrances will not be permitted onto Sonnenschein Way, Avenue A (south of Sonnenschein Way), 2nd Avenue, Spadina Crescent, or 19th Street west of Idylwyld Drive. Service entrance to Parcel D (422 Avenue A South) must be accessed from the rear of the site.

b) Policy Context

The Objectives of the DCD1 District include:

- 1) offering a dynamic blend of diverse and complementary land uses, which will attract people to the River Landing for evening, daily, and year-round activity;
- 2) supporting and enhancing existing and new commercial activities in the Downtown and Riversdale areas by encouraging both public and private investment;
- 3) producing mixed-use developments that will result in an urban environment, which is integrated with public activities conducted on or near the riverbank; and
- 4) creating a distinct identity and sense of place in Saskatoon and encouraging the recognition of the historical richness of the area.

Additional development density will serve to create the opportunity for the development of diverse and complementary land uses, which will enhance both River Landing and surrounding areas. These amendments are intended to ensure that development in River Landing provides a high

quality, well designed environment. These amendments have given detailed attention to the requirements which will serve to enhance the streetscape environment for pedestrians in this area.

Three development parcels in Phase II of River Landing, located west of Idylwyld Drive, will soon be brought to the market. The Planning and Development Branch, in conjunction with the City Manager's Office, is of the view that it is important to review the zoning, prior to the sale of these properties, to ensure that the opportunity is provided for high quality development, which will maximize the potential of River Landing. In this respect, the amendments being proposed are intended to facilitate mixed-use developments that will result in an urban environment that complements the riverfront, the Farmers' Market, and the Riversdale neighbourhood.

c) Meewasin Valley Authority (MVA)

The proposed amendments were prepared, following extensive consultation with MVA's administrative staff. It is very important that the City and MVA maintain complementary development regulations in River Landing. MVA's board will also consider these amendments in due course.

2. Comments by Others

a) Infrastructure Services Department

The proposed amendments, as noted above, are acceptable to the Infrastructure Services Department.

F. COMMUNICATION PLAN

Your Administration has undertaken an extensive consultation process with respect to these amendments. A public information meeting was held last fall addressing the potential for increased density and building height. Overall, support was expressed for increased height and density. Additional comments were noted with respect to retaining public uses, ensuring high quality architectural design, parking issues, and environmental sustainability.

In addition, your Administration held a series of meetings with developers, builders, architects, and real estate professionals regarding these amendments. They noted the significant quality of the development sites in River Landing and noted that opportunities for increased density would enhance the viability of these sites. The feedback received has been incorporated into draft amendments.

Your Administration also met with representatives from the Riversdale Business Improvement District and the Riversdale Community Association. Overall, the proposed amendments were viewed favourably. There were some questions related to the height and density of the future development, as well as concerns about parking in the area. Your Administration will continue to monitor the situation and work with the community with respect to this issue.

If this application is approved for advertising by City Council, a notice will be placed in The StarPhoenix once a week for two consecutive weeks. Notice boards will also be placed on the site. The Riversdale Community Association and the Riversdale Business Improvement District have been notified of this amendment.

G. ATTACHMENTS

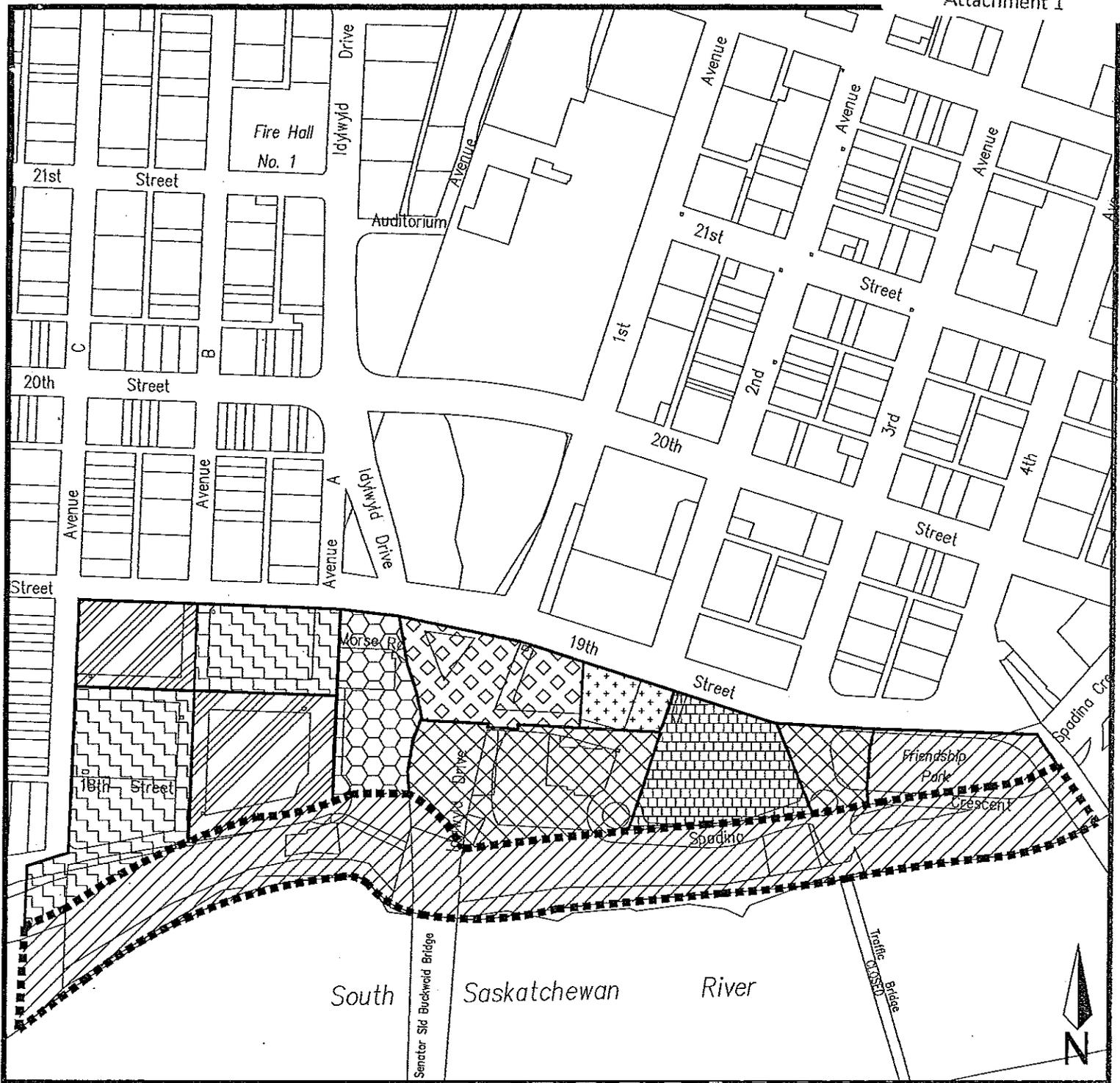
1. DCD1 Maximum Building Height Proposed – Map No. 2
2. Plan of Survey – River Landing – Phase II

Written by: Paula Kotasek-Toth, Heritage and Design Coordinator

Reviewed by: “Alan Wallace”
Alan Wallace, Manager
Planning and Development Branch

Approved by: “Randy Grauer”
Randy Grauer, General Manager
Community Services Department
Dated: “June 29, 2012”

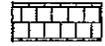
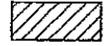
Approved by: “Jeff Jorgenson” for
Murray Totland, City Manager
Dated: “July 4, 2012”



DCD1 MAXIMUM BUILDING HEIGHT PROPOSED

MAP No. 2

- Fourteen Metres - 2:1 FSR 
- Twenty-Four Metres - 4:1 FSR 
- Twenty-Seven Metres - 4:1 FSR 
- Forty-Eight Metres - 3:1 FSR 
- Ninety-Five Metres - 5:1 FSR 
- Sixty-Eight Metres - 4:1 FSR 

- Ninety-five Metres - 6:1 FSR 
- Riverbank Area (11m) - 2:1 FSR 
- 60m from 1991 Shoreline 



His Worship the Mayor and City Council
The City of Saskatoon

ADMINISTRATIVE REPORTS

Section A – COMMUNITY SERVICES

**A1) Land-Use Applications Received by the Community Services Department
For the Period Between June 7, 2012 and July 4, 2012
(For Information Only)
(Files CK. 4000-5, PL. 4132, PL. 4350, and PL. 4300)**

RECOMMENDATION: that the information be received.

The following applications have been received and are being processed:

Condominium

- Application No. 8/12: 419 Nelson Road (55 New Units)
Applicant: Aqua Terra Developments Corp.
Legal Description: Parcel 165206640, Plan No. 102052819
Current Zoning: M3
Neighbourhood: University Heights Suburban Centre
Date Received: June 8, 2012

- Application No. 9/12: 218 Wheeler Street
Applicant: Webb Surveys for Homes Unlimited Inc.
Legal Description: Lot 5, Block 269, Plan No. 101876092
Current Zoning: IL3
Neighbourhood: Marquis Industrial
Date Received: June 13, 2012

- Application No. 10/12: 3703 Kochar Avenue
Applicant: Webb Surveys for 101200414 Sask. Ltd.
Legal Description: Lot 14, Block 923, Plan 101947372
Current Zoning: IL1
Neighbourhood: Marquis Industrial
Date Received: July 2, 2012

Rezoning

- Application No. Z18/12: 1605 Victoria Avenue
Applicant: STC Urban First Nation Services Inc.
Legal Description: Lots 3 to 5, Block 26, Plan No. G229
Current Zoning: M2 by Agreement
Proposed Zoning: Amendment to M2 by Agreement
Neighbourhood: Buena Vista
Date Received: June 7, 2012

Subdivision

- Application No. 53/12: 327 Maple Street
Applicant: Webb Surveys for 101203554 Sask. Ltd.
Legal Description: Lots 6 and 7, Block 31A, Plan No. G636
Current Zoning: R2
Neighbourhood: Queen Elizabeth
Date Received: June 6, 2012
- Application No. 54/12: Pritchard Crescent/Lane and Meadows Boulevard
Applicant: Webster Surveys for City of Saskatoon Land Branch
Legal Description: Parcel F, Plan 102079526
Current Zoning: R1A
Neighbourhood: Rosewood
Date Received: June 12, 2012
- Application No. 55/12: Richardson Road between McClocklin Road
and Glenwood Avenue
Applicant: Webster Surveys for City of Saskatoon Land Branch
Legal Description: Part of Lot K, Block 664, Plan No. 69S08033 and
Part of Parcel A, Plan No. 101880042
Current Zoning: R1A
Neighbourhood: Hampton Village
Date Received: June 12, 2012
- Application No. 56/12: 2517 Haultain Avenue
Applicant: Webb Surveys for 618676 Saskatchewan Ltd.
Legal Description: Lots 10 and 11, Block 14, Plan No. G239 and
Lot 38, Block 14, Plan No. 101323189
Current Zoning: R2
Neighbourhood: Adelaide/Churchill
Date Received: June 15, 2012

- Application No. 57/12: Steeves Avenue/33rd Street (Kensington Phase A1)
Applicant: Meridian Surveys for City of Saskatoon
Legal Description: Part of SE ¼ 2-37-5-W3M
Current Zoning: R1A(H)
Neighbourhood: Blairmore Development Area
Date Received: June 27, 2012

ENVIRONMENTAL IMPLICATIONS

There are no environmental and/or greenhouse gas implications.

PUBLIC NOTICE

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

ATTACHMENTS

1. Plan Proposed Condominium No. 8/12
2. Plan Proposed Condominium No. 9/12
3. Plan Proposed Condominium No. 10/12
4. Plan of Proposed Rezoning No. Z18/12
5. Plan of Proposed Subdivision No. 53/12
6. Plan of Proposed Subdivision No. 54/12
7. Plan of Proposed Subdivision No. 55/12
8. Plan of Proposed Subdivision No. 56/12
9. Plan of Proposed Subdivision No. 57/12

A2) Request For Encroachment Agreement
2311 St. Patrick Avenue
Lots 3 to 5, Block 3, Plan GV
(Files CK. 4090-2, CC. 4090-2 and PL. 4090-2)

- RECOMMENDATION:**
- 1) that City Council recognize the encroachment at 2311 St. Patrick Avenue (Lots 3 to 5, Block 3, Plan GV);
 - 2) that the City Solicitor be instructed to prepare the appropriate encroachment agreement making provision to collect the applicable fees; and

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

The owner of the property located at 2311 St. Patrick Avenue has requested to enter into an Encroachment Agreement with the City of Saskatoon (City). As shown on the attached copy of the site plan, a portion of the detached garage encroaches onto City property in the back lane by up to 0.26 meters. The total area of encroachment is approximately 2.97 square meters; therefore, will be subject to an annual charge of \$50.

ENVIRONMENTAL IMPLICATIONS

There are no environmental and/or greenhouse gas implications.

PUBLIC NOTICE

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

ATTACHMENTS

1. A Request for Encroachment Agreement dated June 2, 2012
2. Copy of Proposed Site Plan

A3) Enquiry – Councillor T. Paulsen (April 30, 2012)
Fitness Classes – River Landing and/or Kinsmen Park
(Files CK. 5500-1 and LS. 5500-1)

- RECOMMENDATION:**
- 1) that the Leisure Services Branch endeavour to offer a small two-week pilot project in late summer 2012, consisting of outdoor fitness classes or activities; and
 - 2) that the Leisure Services Branch report back in due course to City Council through the Planning and Operations Committee, on a formal strategy to offer outdoor fitness classes or activities in the summer of 2013.

BACKGROUND

During the April 30, 2012 City Council meeting, Councillor Paulsen made the following enquiry:

“Could the Administration report on the possibility of holding free fitness classes at River Landing and/or Kinsmen Park over the lunch hour a couple of times a week over the summer. Most large cities have programs such as these and they are very well received by citizens.”

Program Planning Process

When introducing new programs, Leisure Services Branch staff use a four-step program planning process. This process is recognized industry wide and is used to ensure programs meet the needs of participants, support desired outcomes, are safe for all participants, provide a good return on investment, and provide good value to citizens.

1. Program Research – is conducted to find out what other municipalities are currently providing, and what program trends are occurring that would have the best chance of meeting desired program outcomes for participants.
2. Program Design – a program plan is developed that describes the type of activity and associated instructor qualifications, the format (e.g. times, location, equipment), the desired outcomes for the program (e.g. participant skill development, motivated to be more active), and the cost and attendance targets. A program promotion plan and evaluation criteria are also established at this point.
3. Program Delivery – at this stage of the process the new program is delivered to Saskatoon residents at a location that is most likely to ensure cost recovery objectives are achieved in a safe and efficient manner.
4. Evaluation – all programs are evaluated to ensure they are addressing the intended outcomes for program participants and to ensure they are meeting cost recovery objectives.

REPORT

Program staff applied the program planning process outlined above when considering the possibility of offering free fitness classes at River Landing and/or Kinsmen Park. This report will provide an overview of this process.

Program Research

Your Administration posted a request for information on similar free outdoor fitness classes to the Leisure Information Network (www.lin.ca). Municipalities were asked to share their successes and challenges related to similar programs that have been offered in their community. Your Administration received the following feedback:

1. Nanaimo, British Columbia, had considered this type of free outdoor fitness program, but decided against it because of the potential safety issues related to exercising in hot weather. Any potential location would need access to showers, water fountains, shaded areas, etc. Nanaimo did consider other programs, such as relaxing yoga class with minimal equipment, or an organized walk and stretch program as better program alternatives in the summer heat.
2. The Municipality of Clarington (Oshawa, Ontario) has tried free outdoor fitness classes, but they were not well attended because of the midday heat. They also had concerns with hot and inclement weather, availability of appropriate first aid equipment, and emergency cell phones for instructors working alone. They are not offering these programs again this year.
3. Waterloo, Ontario, has partnered with private fitness companies to offer free yoga and drum fit classes to residents. The private company is allowed to promote their business in return for providing the free classes. All free fitness programs have been offered in the evening when it is cooler and there is less risk for program participants. The programs are offered at Waterloo Square where there is an adjacent mall with bathroom facilities and an Automated External Defibrillator (AED).
4. Calgary, Alberta, has offered some free fitness classes at a number of their indoor leisure centres as a promotion to encourage residents to move indoors in the fall. A select number of free fitness classes were offered at the Southland and Village Square Leisure Centres the week of November 28, 2011. Offering the free fitness classes is a way to expose residents to the variety of fitness program options that are available at the leisure centres throughout the winter.

Program Design and Delivery Considerations

The Leisure Services Branch has current cost recovery objectives, which is currently set at 100 percent for adult-structured programs. Leisure Services Fees and Charges Policy No. C03-029

provides for partially subsidized services when it is necessary to promote a program on a short-term basis to attract new participants in order to maximize usage and increase patronage.

A. Location Considerations

Outdoor fitness classes located close to Downtown businesses for easy access over the lunch hour have the greatest potential for success. Access to washroom facilities for participant use is also important, as is adequate parking for those travelling to the program. Kiwanis Park North, Kinsmen Park, and the River Landing sites meet these location requirements.

B. Safety Considerations

Currently, all indoor leisure facilities are equipped with AED's in the event of an emergency situation. An AED must be available at any outdoor fitness program to provide the same level of service and safety as indoor programs. To offer this program, the Leisure Services Branch would have to purchase an AED at a cost of approximately \$3,000 per unit.

The fitness class instructor would also be required to have a cell phone at each class for calling emergency services in the event of a medical emergency.

C. Instruction Considerations

During the summer months, program staff experience challenges in securing enough contract instructors for the indoor fitness program offerings. This is due to many contract instructors having limited availability to teach in the summer months for various reasons, such as vacations. Adding fitness classes in a park or other outdoor location will be faced with the similar challenge of securing a contract instructor during the summer months.

D. Promotion of a Free Outdoor Fitness Class

The Leisure Services Branch uses its Spring/Summer Leisure Guide and Summer Mini Guide as the major marketing initiatives to promote spring and summer programs. Dates for submissions and printing of these two documents were February 17 and April 20 respectively, and both had passed when this enquiry was submitted.

Your Administration will explore offering limited free classes similar to what the City of Calgary offers as a way of encouraging residents to try out some activities they could participate in at leisure centres once the weather starts to turn colder. The Leisure Services Branch will explore the possibility of delivering a two-week pilot project at the end of August or early September. A pilot project could be advertised in local papers, with posters in the Downtown area, on social media

websites, and the City of Saskatoon's (City) website. An AED from outdoor pools could be used for a pilot project in late August or early September 2012.

Free Fitness Classes in 2013

As part of its mandate, the Leisure Services Branch is responsible to promote a healthy and active lifestyle. The Leisure Services Branch sees value in introducing limited free fitness classes as one method of motivating residents to become more physically active.

The Saskatoon Regional Health Authority, University of Saskatchewan College of Kinesiology, and the City's Community Services Department formed an "in motion" partnership to lead the collective action to deliver a physical activity strategy promoting health to make Saskatoon and region the healthiest in Canada. This partnership has a formal working relationship to develop a community-based physical activity strategy.

One of the key functions of the partnership is to support the shared development, marketing, and implementation of healthy physical activity initiatives.

Leisure Services Branch program staff will take this initiative to a future "in motion" Action Committee (Committee) meeting as a discussion item. Preliminary discussions of this initiative with Committee members indicated that it may be viable and would require time to adequately plan for its safe implementation as a potential partnership program in the summer of 2013. Other fitness delivery agencies (e.g. YMCA, YWCA, private clubs) could be contacted to become involved in a program in the summer of 2013.

OPTIONS

There are no options.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPLICATIONS

The financial implications of a 2012 pilot project for two weeks are as follows:

- 1) a contract with a qualified fitness instructor would be approximately \$140 for four sessions; and

- 2) the cost for a typical newspaper advertisement to promote this type of program is approximately \$400.

Any 2013 program delivery would be incorporated into the Leisure Services Branch's budget submission.

ENVIRONMENTAL IMPLICATIONS

There are no environmental and/or greenhouse gas implications.

PUBLIC NOTICE

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

Section B – CORPORATE SERVICES

B1) Recycled Duplicating Paper (Files CK. 1005-1; CS. 1005-2 and CS. 1000-1)

- RECOMMENDATION:**
- 1) that the tenders submitted by Spicers Canada Limited and Grand & Toy Limited for the supply of duplicating paper at a total cost of \$150,029.83, including GST and PST, be accepted for the term of one year from August 1, 2012, to July 30, 2013, with options to renew for a second and third year be approved; and
 - 2) that Purchasing Services, Corporate Services Department, issue the appropriate purchase order.

BACKGROUND

The tendering and acquisition of post-consumer recycled paper aligns with the guiding principles adopted in the Saskatoon Waste and Recycling Plan (SWARP). Requesting this material in a tender and making the commitment to purchase the more-sustainable alternative is a fact of the SWARP Guiding Principles of “Education and Awareness Building”, and shows the City is “walking the talk”. This action is essential to show leadership, and to influence marketing, supply, and behaviour. The City works with local partners to recycle paper and purchase recycled sustainable forest products to support our current recycling programs.

REPORT

With the current contract expiring on July 31, 2012, the City issued a formal Request for Quotation (RFQ) on Friday, March 16, 2012. The RFQ was advertised in the Saturday, March 17, 2012, edition of *The Star Phoenix*. Three quotations were received from three vendors on or before the closing date of the tender, Thursday, April 17, 2012, and included the following proponents:

- Spicers Canada Limited Saskatoon
- Grand & Toy Limited Saskatoon
- Xerox Canada Limited Saskatoon

The Selection Committee consisted of the Manager and the Inventory Analyst of Inventory and Disposal Services, Finance Branch; the Environmental Services Branch; and the Corporate Information Services Branch which tests the paper for use with City equipment. The types of paper were grouped into:

- Non-recycled (virgin);
- 30% post consumer recycled duplicating paper;
- FSC (Forest Stewardship Council) accepted duplicating paper. This designation ensures environmental standards are followed for forest preservation; and

- SFI (Forest Stewardship Council) accepted duplicating paper. This designation ensures environmental standards are audited for forest preservation.

These options allowed your Administration to compare the cost of non-recycled, FSC, and SFI non-recycled and recycled paper and select the best alternative while taking into account the pricing and the environment.

Upon reviewing the submitted proposals, the Selection Committee is recommending that proposals from both Spicers Canada Limited and Grand & Toy Canada Limited be accepted and used in combination with one another. This option provides more recycled paper (20 lb. bond is SFI recycled, 20 lb. colored is 30% recycled post consumer, 24 lb. laser bond is SFI virgin) while taking the overall cost into consideration. The cost difference of \$6,033.50 is the cost of recycled compared to non-recycled and is a reasonable increase in light of the City taking the environment into account.

A breakdown of the annual cost is shown below:

Total	\$136,390.75
G.S.T @ 5%	\$6,819.54
P.S.T. @ 5%	<u>\$6,819.54</u>
Total Cost to the City	\$150,029.83
Less G.S.T. Rebate (100%)	<u>(\$6,819.54)</u>
Net Cost to the City	\$143,210.29

OPTIONS

As noted above, City Council has the option of choosing non-recycled paper at a lesser cost.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPLICATIONS

The costs are included in each Department's operating budget.

ENVIRONMENTAL IMPLICATIONS

Provides for post consumer recycling product to be used by the City of Saskatoon.

Administrative Report No. 11-2012
Section B – CORPORATE SERVICES
Wednesday, July 18, 2012
Page 3

PUBLIC NOTICE

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

Section E – INFRASTRUCTURE SERVICES

E1) Traffic Calming – Balmoral Street and 7th Avenue North (Files CK. 6150-1, x 5200-1)

RECOMMENDATION: that the information be received.

BACKGROUND

City Council, at its meeting held on April 30, 2012, adopted a report of the General Manager, Infrastructure Service Department in response to Councillor Hills's enquiry from City Council held on November 21, 2011, regarding the crosswalk at Balmoral Street and 7th Avenue North.

At the meeting, Councillor Hill had additional questions regarding other traffic calming measures at this intersection due to citizen concerns about children's safety.

REPORT

In determining the need for traffic calming measures within the City, the Administration follows the City of Saskatoon Guidelines to Traffic Calming. This manual includes minimum traffic conditions for the installation of traffic calming and the various types of traffic calming devices utilized throughout the city.

A speed study and traffic count was conducted along 7th Avenue to determine the need for traffic calming devices at the intersection of Balmoral Street and 7th Avenue North. Speed studies measure the 85th percentile speed (the speed at which 85 percent of traffic is travelling at or below). It is typically acceptable for traffic to be travelling within 5 kph of the posted speed limit. The speed study showed that the 85th percentile speed was 55 kph, and the traffic count showed that the average daily traffic was 4,300. Both were found to be within acceptable limits of the guidelines managing traffic calming usage. The Administration is not recommending any traffic calming at this location.

Curb extensions and pedestrian refuge islands are mainly used when the 85th percentile speed is measured to be greater than 5 to 10 kph over the posted speed limit or can be considered for pedestrian safety if there are no other pedestrian safety measures in place. The pedestrian corridor at Balmoral Street and 7th Avenue North has a zebra crosswalk and the maximum level of signage used at a pedestrian crossing. There is also an internally illuminated pedestrian crosswalk sign suspended above the crosswalk to increase the visibility of the crosswalk for motorists and for illumination at night. The current traffic controls, signage, markings and pedestrian crossing device are adequate given the measured traffic conditions. Additional traffic calming will have minimal impact on vehicle speed and volume.

As outlined in the previous report, the intersection of 7th Avenue and Balmoral Street is included on the priority list for future upgrade from a pedestrian corridor to an active pedestrian corridor. However, there is no approved funding currently available for this location.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications.

COMMUNICATION PLAN

A communication plan is not required.

PUBLIC NOTICE

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

ATTACHMENT

1. Excerpt from the minutes of meeting of City Council held on April 30, 2012

E2) School Zone Installation
Lifeway Christian Academy
(Files CK. 5200-5 and IS. 6280-3)

RECOMMENDATION: that new school zone signage be installed for the Lifeway Christian Academy at 701 20th Street West, as per attached Plan 212-0042-001r001 (Attachment 1).

REPORT

Infrastructure Services has been requested to install school zone signing for Lifeway Christian Academy at 701 20th Street West.

Consultation with the principal has resulted in the preparation of a school signing plan. The reduced speed school zone will be located along 20th Street West and Avenue G South. Due to the proximity with White Buffalo Youth Lodge's school zone on 20th Street, the 2 zones will be joined and extend from Avenue H South to Avenue F South. Also because of the proximity with Princess Alexandra's school zone on Avenue G South, these 2 zones will be joined. The proposed changes are acceptable to Infrastructure Services, the school board, and the school's principal.

The Administration is recommending that new school zone signage be installed for the Lifeway Christian Academy, as per attached Plan 212-0042-001r001. If approved, it will be installed in

the summer, so that it is in place for the beginning of the 2012/2013 school year.

OPTIONS

No other options were considered.

POLICY IMPLICATIONS

The installation of the Lifeway Christian Academy speed zone is in accordance with Policy C07-015 – Reduced Speed Zones for Schools.

FINANCIAL IMPACT

The cost to install the school speed zone is approximately \$2,000. Funding is available within approved Capital Project 1506 – Traffic Signing Replacement.

PUBLIC NOTICE

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

ATTACHMENT

1. Plan 212-0042-001r001

**E3) Amendments to Bylaw 7200 – The Traffic Bylaw
Speed Limit Changes
(Files CK. 6320-1 and IS. 6320-1)**

RECOMMENDATION: that a report be submitted to City Council recommending that the City Solicitor be instructed to amend Bylaw 7200 – The Traffic Bylaw and update corresponding Schedule No. 4 – Maximum Speeds as follows:

- a) lower the speed limit from 70 kph to 60 kph on Millar Avenue north of 60th Street;
- b) remove subsection 4(r): 80 kph – Central Avenue from Agra Road to the North City Limit; and
- c) lower the speed limit from 60 kph to 50 kph on Spadina Crescent West south of Schuler Street, to 30 metres south of the crosswalk.

BACKGROUND

Speed limits are set primarily to balance road traffic safety concerns with the effect on travel time and mobility. Infrastructure Services periodically reviews the existing speed limits on roadways and recommends necessary modifications as needed. The changes to maximum allowable speeds are typically prompted by road reclassification, land use changes, driver behaviour and/or safety concerns. The goal is to establish a reasonable and safe speed limit that is appropriate for a particular roadway based on its design and classification. The posted speed limit should also ensure continuity and reflect the behaviour of the majority of drivers under favourable conditions.

REPORT

Millar Avenue north of 60th Street

Traffic volumes on Millar Avenue have been on the rise due to the expansion of the north industrial area. In 2003, the average daily traffic count was 1,015 vehicles per day (vpd), and by 2008, (the last count taken) it had risen to 2,920 vpd. More importantly, for motorists' safety, more vehicles are turning on and off Millar Avenue to access the commercial areas. Once a rural street, Millar Avenue is turning into a busy commercial roadway, and it is necessary to ensure that it operates at a suitable and safe speed. The 60 kph maximum speed is deemed appropriate considering the adjacent land use/access, therefore, a reduction from the existing 70 kph is recommended.

Central Avenue from Agra Road to the North City Limit

According to Bylaw 7200 – The Traffic Bylaw, this portion of Central Avenue is currently included in both the 60 kph and 80 kph sections. It is recommended that it be removed from the 80 kph list, as the width and state of the road may pose a possible safety risk to motorists travelling at the higher speed.

Spadina Crescent West south of Schuler Street

This section of Spadina Crescent has seen an increase in usage over the past few years. In 2006, the average daily traffic count was 587 vpd, and in 2009 it rose to 1,079 vpd. The speed limit of 60 kph does not change to 50 kph until north of Schuler Street, however, there is residential land use and a prominent pedestrian crossing south of Schuler Street, within the 60 kph zone. For pedestrian and resident safety, it is recommended that the 50 kph speed limit be extended to 30 metres south of the crosswalk.

OPTIONS

No other options were considered.

POLICY IMPLICATIONS

If approved, Bylaw 7200, The Traffic Bylaw, will need to be amended.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications.

COMMUNICATIONS PLAN

A public service announcement will be released once the signs have been changed. Also, signage indicating that the speed limit has been changed will be installed for 30 days following the change.

FINANCIAL IMPACT

The implementation costs are nominal and are provided for in the existing operating budgets.

PUBLIC NOTICE

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

**E4) Request for Award of Tender and Post-Budget Approval
Capital Project 1463 – Arterial Road – Marquis Drive
Marquis Drive – Millar Avenue to Idylwyld Drive
(Files CK. 6000-1 and IS. 4111-43-3)**

- RECOMMENDATION:**
- 1) that the tender submitted by ASL Paving Ltd. for the construction of Marquis Drive - Millar Avenue to Idylwyld Drive, at a total estimated cost of \$5,353,591.43, including G.S.T., be approved;
 - 2) that a post-budget increase to Capital Project 1463 – Arterial Road - Marquis Drive, in the amount of \$1,761,000.00, be approved;

- 3) that the post-budget increase of \$1,761,000.00 be funded from the Arterial Road Reserve; and
- 4) that the City Manager and the City Clerk be authorized to execute the contract documents, as prepared by the City Solicitor, under the corporate seal.

REPORT

Capital Budget 1463 – Arterial Road - Marquis Drive, includes approved funding in the amount of \$4,279,000.00 for the construction of two lanes on Marquis Drive from Millar Avenue to Idylwyld Drive. During the design stage, it was realized that an overall cost savings could be achieved by constructing the ultimate 4-lane cross section in 2012 rather than staging the construction between 2 and 4 lanes over multiple years.

Tenders were opened publicly on May 24, 2012, for the construction of 4 lanes on Marquis Drive from Millar Avenue to Idylwyld Drive. Tenders were received from the following three contractors:

<u>BIDDERS</u>	<u>TOTAL TENDERS</u>
ASL Paving Ltd. Saskatoon, Saskatchewan	\$5,353,591.43
Northern Blacktop Holdings Ltd. Saskatoon, Saskatchewan	\$5,715,150.00
Central Asphalt and Paving Inc. Saskatoon, Saskatchewan	\$6,719,572.26

It is recommended that the low bid from ASL Paving Ltd. be accepted. ASL Paving Ltd. has performed similar work for the City and has provided the required bid bond and consent of surety.

The Engineer's estimate for this work prior to tender was \$5,700,000.00.

FINANCIAL IMPLICATIONS

The net cost to the City for the low bid submitted by ASL Paving Ltd. is as follows:

Base Tender	\$5,098,658.50
G.S.T.	\$ 254,932.93

Total Contract Price	<u>\$5,353,591.43</u>
G.S.T. Rebate	<u>\$ (254,932.93)</u>
Net Cost to the City	<u>\$5,098,658.50</u>

The construction costs for the project as identified in the low bid submitted by ASL Paving Ltd. are \$5,353,591.43. When the estimated design, survey, testing, street lighting and construction management costs are included with the construction costs, the total projected cost is \$6,040,000.00. Capital Budget 1463 – Arterial Road - Marquis Drive, includes approved funding in the amount of \$4,279,000.00 in 2012, resulting in a \$1,761,000.00 shortfall.

The Administration is recommending a post-budget increase in the amount of \$1,761,000.00 to be funded from the Arterial Road Reserve. Adequate funding exists within the Arterial Road Reserve.

ENVIRONMENTAL IMPLICATIONS

There are no environmental and/or greenhouse gas implications.

COMMUNICATIONS PLAN

Road restrictions and closures may be required at Millar Avenue and Idylwyld Drive to accommodate a portion of the work. Public service announcements and construction notices will be prepared as required.

PUBLIC NOTICE

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

**E5) Post-Budget Approval
Capital Project 1405 - Land Development - Evergreen
Evergreen Water and Sewer Construction
(Files CK. 4110-41, x 1702-1 and IS. 1700-1)**

- RECOMMENDATION:**
- 1) that a post-budget increase of \$7,756,000 to Capital Project 1405 – Land Development – Evergreen, for the design, engineering and construction of services for an additional 314 residential lots and 9 multi-family parcels, including area grading, water, sanitary and storm sewer, and connections, be approved from the Prepaid Service Reserve;
 - 2) that a post-budget increase of \$2,239,000 to Capital Project 1405 – Land Development – Evergreen, be funded from Property Realized Reserve – New Neighbourhood Land Development Receivable; and
 - 3) that a post-budget increase of \$186,000 to Capital Project 625 – Trunk Sewers Northeast Sector be funded from the Trunk Sewer Reserve.

REPORT

Capital Project 1405 – Land Development – Evergreen and Capital Project 625 – Trunk Sewers – Northeast Sector includes approved funding in 2012 in the amount of \$25,361,000 for the staged construction of area grading, water and sewer services, and roadways and utilities within the Evergreen neighbourhood that will include the completion of 342 lots. In analyzing the level of inventory required to service the building industry in 2013/2014, it was determined that an additional 333 residential lots, including nine multi-family parcels, are required to be partially constructed this year.

Construction of services proposed this year includes area grading, water, sanitary and storm sewer mains, as well as water and sewer connections. The final completion of these lots will include utility services and road construction budgeted in 2013. The cost of a portion of the initial services, including design, engineering and construction was partially included within the approved 2012 Capital Budget.

The Administration is recommending a post-budget increase of \$10,181,000, to be funded from the following reserves:

Prepaid Services Reserves:	\$7,756,000
Property Realized Reserve – New Neighbourhood Land Development Receivable	2,239,000
Trunk Sewer Reserve	<u>186,000</u>
	\$10,181,000

FINANCIAL IMPACT

There is sufficient funding within the Prepaid Service and Property Realized Reserve – New Neighbourhood Land Development Receivable.

OPTIONS

There are no options.

COMMUNICATIONS PLAN

A Communications Plan is not required.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications.

PUBLIC NOTICE

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

Section F – UTILITY SERVICES

F1) Discounted Monthly Bus Pass Program – Letter of Understanding (Files CK. 1905-7 and WT.-1905-5-2)

RECOMMENDATION: that the City Clerk and His Worship the Mayor be authorized to execute the Letter of Understanding between the City of Saskatoon and the Ministry of Social Services (Attachment 2) for a Discounted Bus Pass Program for the period commencing April 1, 2012 to March 31, 2013.

BACKGROUND

During its meeting held January 16, 2012, City Council adopted a report from Administration recommending that the City Clerk and His Worship the Mayor be authorized to execute the Letter of Understanding between the City of Saskatoon and the Ministry of Social Services for the period October 1, 2011 to March 31, 2012. Administration received correspondence from the Ministry dated June 4, 2012 asking the Administration to execute a subsequent one year agreement for a Discounted Bus Pass Program for the period April 1, 2012 to March 31, 2013.

This new Letter of Understanding includes an increased contribution from the Province and is agreeable to Administration.

REPORT

Administration met with representatives from the Ministry of Social Services on June 25, 2012. During this meeting, the two parties discussed the following three changes to the Letter of Understanding:

1. The reporting requirements have changed from annual reporting to quarterly reporting as outlined in Clause 7. The introduction of quarterly reporting means the Ministry will have financial and statistical data available for reconciliation to process sales payments more frequently.
2. The Ministry has amended Clause 8 of the Letter of Understanding to include 60 days advance notice of an increase to the discounted bus pass rate as set by the City. Administration has agreed to include this clause with the understanding that Council has the authority to amend the discounted bus pass rate for the customer, higher or lower, during its annual budget review process.
3. The amended Letter of Understanding includes a \$.50/pass increase (i.e. \$24 to \$24.50) that the Province will contribute to the sale of monthly bus passes to eligible clients and their immediate family.

Administration's continued position is that the full subsidy should be covered by the Ministry. However, this proposal does represent a move in the right direction.

OPTIONS

1. Discontinue the Discounted Bus Pass Program. There is no obligation for the City to continue with this Program.
2. Continue with the Discounted Bus Pass Program based on the funding agreement as submitted.

FINANCIAL IMPACT

Table 1 shows increased revenue from the Province of \$333,697.50 and a decrease in cost of \$82,474.50 to the City between 2010 and 2012. Revenues from the Program client have also increased between 2010 and 2012 in the amount of \$294,610 based on rate increases previously approved by Council and projected pass sales to the end of 2012.

Table 1 – Revenue based on new proposed agreement

Time frame	# Passes Sold	Provincial Funding	Client	City of Saskatoon
Jan-Dec, 2010	30,727	\$553,086.00	\$614,540.00	\$1,013,991.00
Jan-Dec 2011	34,420	\$708,060.00	\$688,400.00	\$1,047,360.00
Jan-Dec 2012	36,366	\$886,783.50	\$909,150.00	\$ 931,516.50

The number of passes sold under this Program has increased substantially (18.35% since 2010) which is partially due to the implementation of Transit's new fare collection system. The new system enables all vendors that sell Transit fare media to sell passes under the Program once the client is registered, thus making it more convenient for the client.

PUBLIC NOTICE

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

ATTACHMENTS

1. Letter dated June 4, 2012 from the Ministry of Social Services
2. Letter of Understanding for period commencing April 1, 2012

Section G – CITY MANAGER

G1) Lease Renewal Senior Citizens Services Association of Saskatoon – 614 11th Street East (Files CK. 520-1 and LA. 4225 60 1)

- RECOMMENDATION:**
- 1) that the lease agreement for the Senior Citizens Services Association of Saskatoon hall at 614 - 11th Street East be renewed for an additional five (5) years in accordance with the terms set forth in this report; and
 - 2) that the City Solicitor be requested to prepare the appropriate agreement and that His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal.

BACKGROUND

On November 21, 1960, the City entered into a lease agreement with the Senior Citizens Services Association of Saskatoon (SCSAS) for the purpose of operating a non-profit senior citizens' recreation centre known as the Cosmo Senior Citizens Centre. The original term of the Lease Agreement between the City and the SSCSA was for 50 years, commencing November 21, 1960, ending November 20, 2010.

Structured to operate on a break-even basis, the SCSAS encountered a financial crisis in 1982 when the building's heating system failed and they were unable to cover the necessary improvement costs. The City agreed to pay to have the heating system replaced on the condition that the SCSAS establish a reserve fund to cover these types of expenses in the future.

A new lease was entered into on April 22, 1982, based on renewable one-year terms.

The other terms of the 1982 agreement were that the SCSAS:

- provide the City with annual financial reports which included a summary of the immediately preceding year's operations, operating and rental policies, and a comparative financial statement;
- maintain a budgeting policy which provided for a replacement reserve that was, in the opinion of the City, sufficient to fund depreciation and repair costs; and
- maintain the building and make all repairs, interior and exterior, structural and non-structural, required to keep the building in good order and condition.

REPORT

Since 1982 the SCSAS has submitted its annual financial statement showing revenue and expenditures, and has not asked the City for any financial help since replacement of the heating system. The SCSAS has also operated the building without calling upon any City resources, and continues to manage, operate, and maintain the building to City standards.

Now 30 years later, the heating system once again requires major repairs at a significant cost. The SCSAS has the necessary funds to complete the improvements to the building. As the investment required by the SSCSA is significant, they are requesting the security of a longer lease before investing a large sum of money into the building. A lease term of five (5) years would provide the SCSAS with the security to make the investment in the building.

In addition, the SCSAS is requesting that the term of use be amended to provide that the building could be used as a community hall rather than just a senior citizens centre, as this would permit the space to be better utilized by the community. The term of use proposed, and agreed to by the SCSAS, is that the building could only be used as a senior citizens recreation centre or as a community hall for family or community events that are not in the nature of a profit-seeking venture.

The key terms of the lease with the SCSAS are as follows:

1. Lease Area: 614 - 11th Street East.
2. Lease Term: Five (5) years.
3. Lease Commencement: January 1, 2012.
4. Option to Renew: One (1) - five (5) year option based on the same terms and conditions.
5. Financial Terms: The tenant is responsible for insurance, maintenance costs attributable to the facility and the premises, which also include the establishment of suitable reserves for the replacement of capital items. The City is responsible for the property taxes.
6. Conditions Precedent: Subject to approval by Saskatoon City Council.

OPTIONS

The first option, which is recommended by your Administration, is to approve the renewal of a five (5) year lease as laid out above.

The second option is to not approve a lease term of five (5) years which may result in the SCSAS cancelling the lease agreement with the City which would leave a vacant building that the City would need to administer.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPLICATIONS

If the renewal of a five (5) year lease is not approved and the SCSAS chooses to vacate the property, the City will resume financial responsibility for the ongoing maintenance and operation of the property.

ENVIRONMENTAL IMPLICATIONS

There are no environmental and/or greenhouse gas implications.

PUBLIC NOTICE

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

Administrative Report No. 11-2012
Section G – CITY MANAGER
Wednesday, July 18, 2012
Page 4

Respectfully submitted,

Randy Grauer, General Manager
Community Services Department

Marlys Bilanski, General Manager
Corporate Services Department

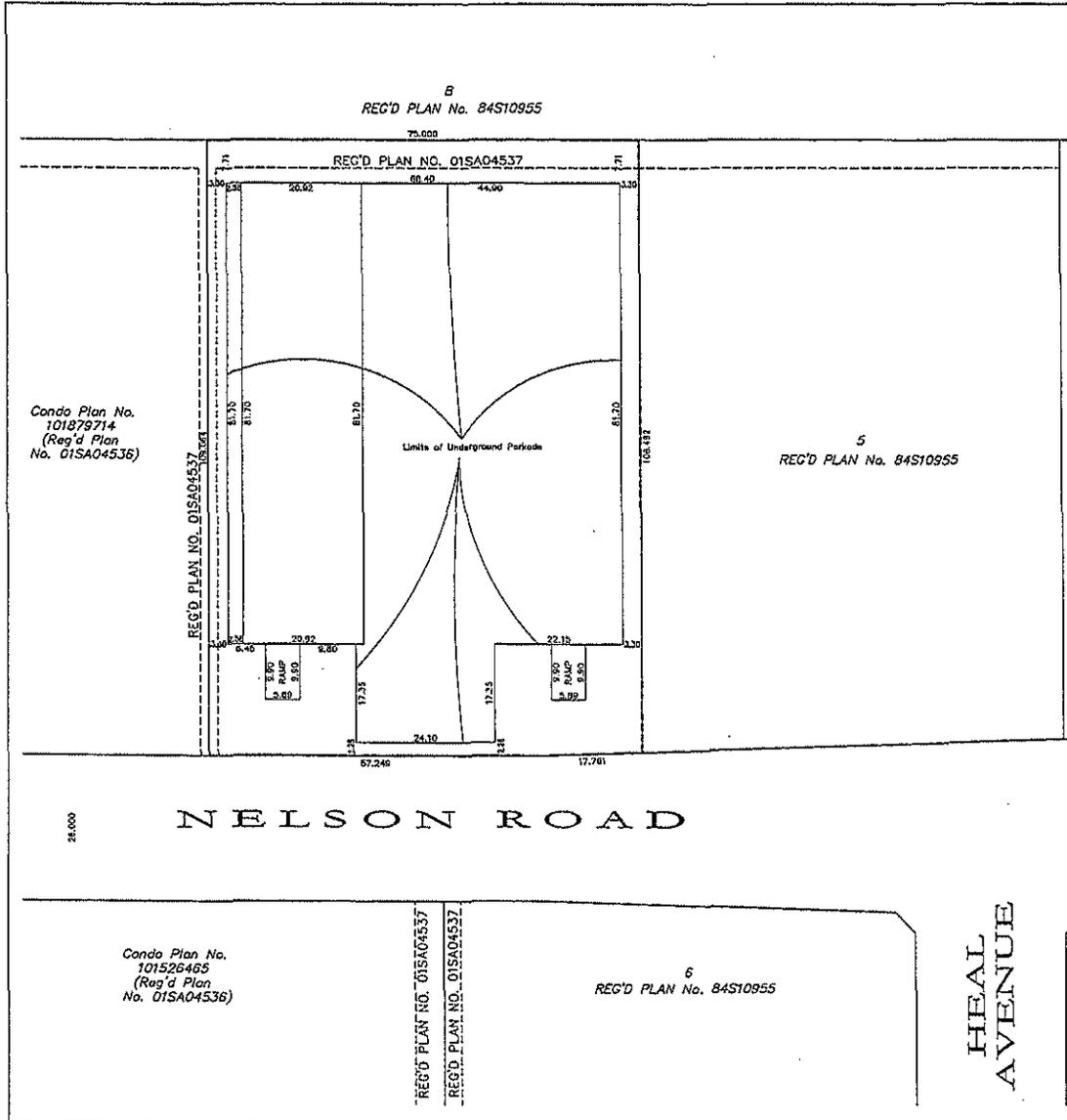
Mike Gutek, General Manager
Infrastructure Services Department

Jeff Jorgenson, General Manager
Utility Services Department

Murray Totland
City Manager

AI

PPS #102052219
Approved: 01-Mar-2011



SHEET NUMBER 1 OF 4
SITE PLAN & LEGEND

SITE PLAN
SCALE 1:500

PLAN OF SURVEY SHOWING SURFACE BUILDING CONDOMINIUM FOR
Lot 4 in Block 436
Reg'd Plan No. 01SA04536
S.W. 1/4 OF SECTION 6
TWP. 37, RGE. 4, W. 3rd MER.
SASKATOON, SASKATCHEWAN
BY T.R. WEBB, S.L.S.
SCALE AS SHOWN
AUGUST 2009 - JULY 2010

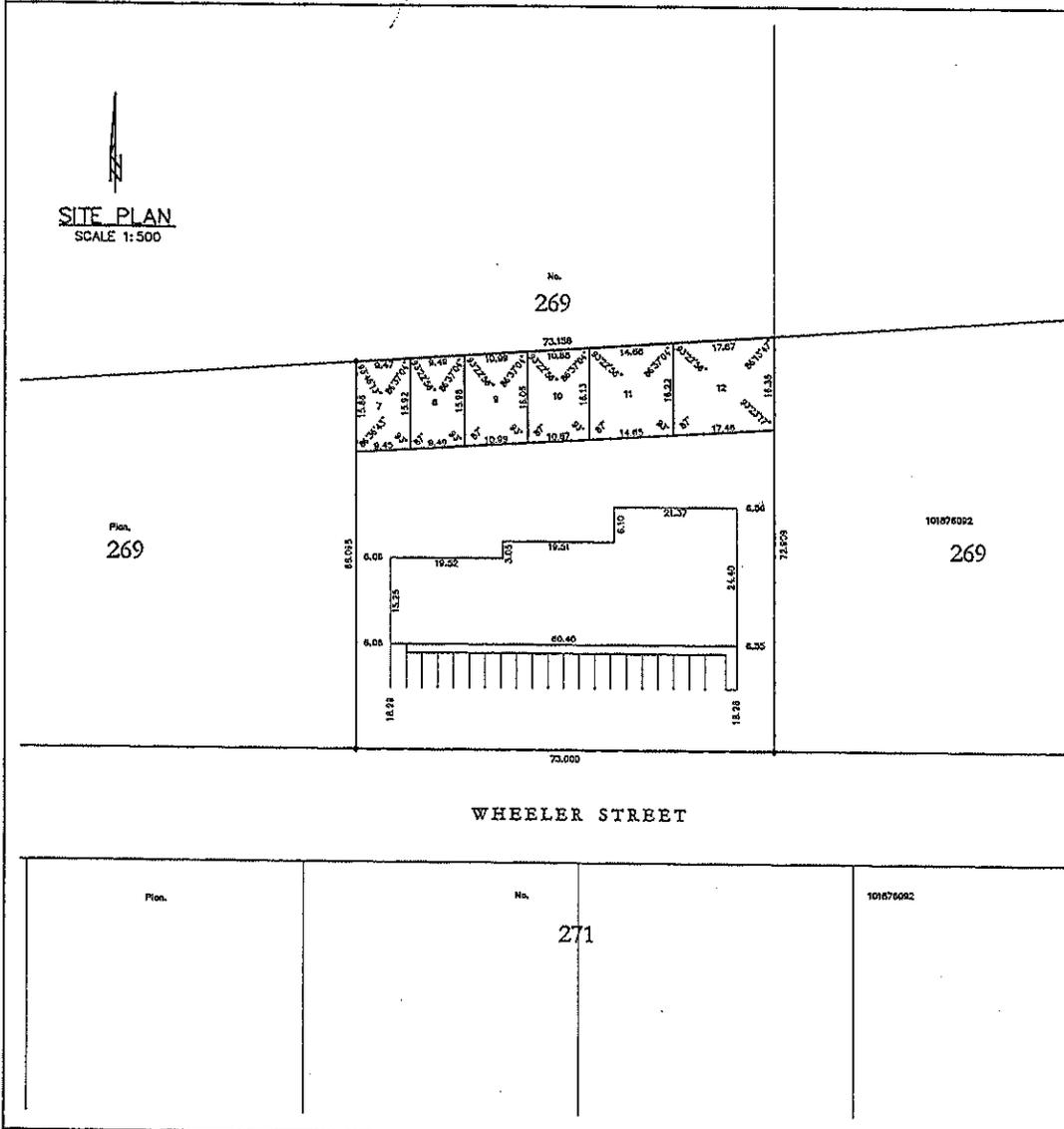
LEGEND

1. Dimensions shown are in metres and decimals thereof.
2. Measurements indicating the position of the building in relation to the outer boundaries of the parcel are taken to the concrete foundation of ground level.
3. Residential and Parking unit numbers are shown as 1, 2, 3, etc. on sheets 2, 3 & 4.
4. Regular residential unit boundaries are shown on Sheets 3 and 4 by a heavy solid line and are defined as follows:
- the exterior surface of any interior finishing material that forms the surface of any common and exterior wall, floor, or ceiling.
5. Regular parking unit boundaries are shown on sheet 2 by a heavy solid line and are defined by measurements on the ground from the foundation walls.
6. The doors and windows form part of the regular residential units.
7. All exterior surfaces are common property.
8. The owner of each regular residential unit shall have exclusive use of that balcony to which that unit has sole access.
9. Parking spaces are in accordance with Section 11(1) of the Condominium Property Act.
10. All areas not designated with a unit number are common property.
11. Area to be approved is outlined by a heavy dashed line.
12. The parcel within the line of approval has an Extension G.

RECEIVED
JUN 08 2012
Building Standards Branch

Prepared by
Webb & Curveys
© 2010
00-17914b B.F.

SITE PLAN
SCALE 1:500



SHEET NUMBER 1 OF 2
SITE PLAN & LEGEND

NOT TO SCALE

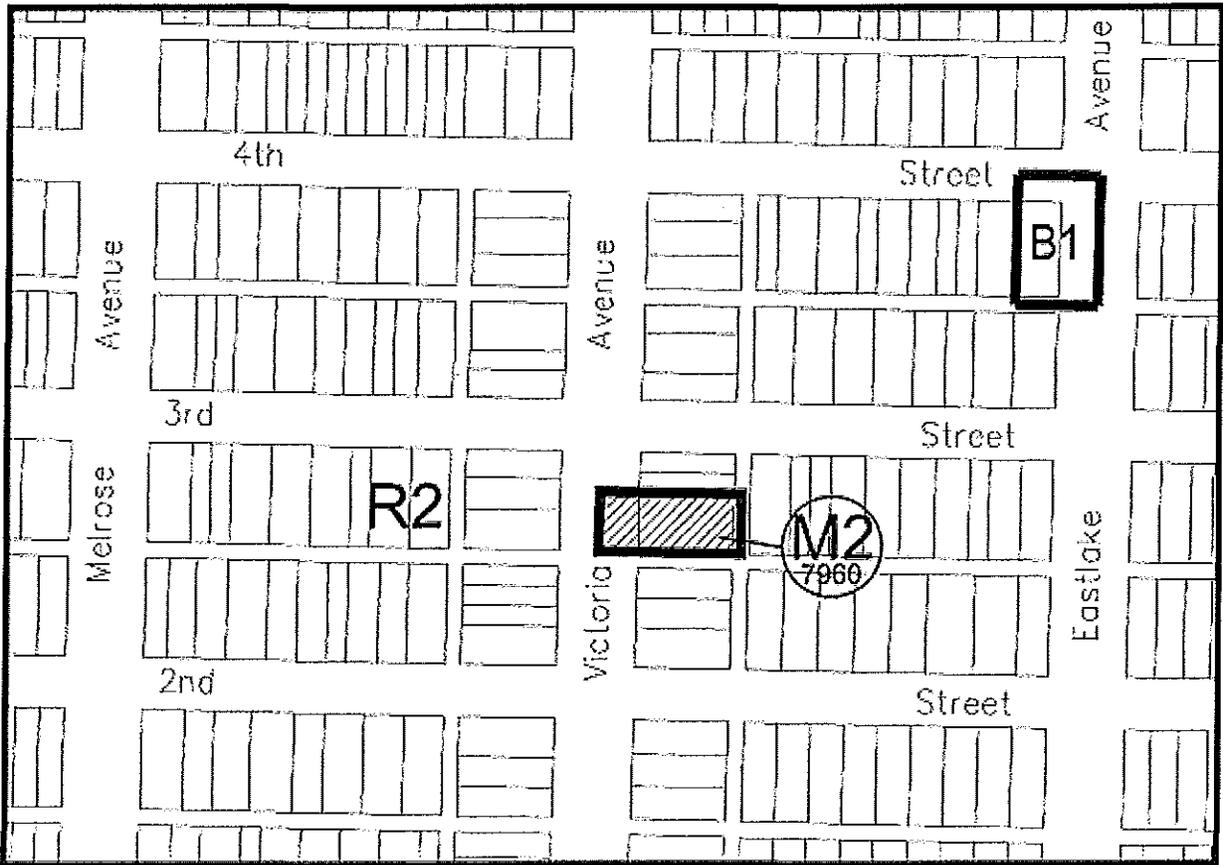
PLAN OF SURVEY SHOWING SURFACE
BUILDING CONDOMINIUM FOR
LOT 5 IN BLOCK 269
PLAN NO. 101876092
S.E. 1/4 OF SECTION 22
TWP. 37, RGE. 5, W. 3rd MER.
SASKATOON, SASKATCHEWAN
BY T.R. WEBB, S.L.S.
SCALE AS SHOWN
DECEMBER 2011 - JUNE 2012

LEGEND

1. Dimensions shown are in metres and decimals thereof.
2. Measurements indicating the position of the building in relation to the outer boundaries of the parcel are taken to the concrete foundation at ground level.
3. Commercial and parking unit numbers are shown as 1, 2, 3, etc. on sheets 1 & 2.
4. Commercial unit boundaries are shown on Sheet 2 by a heavy solid line and are defined as follows:
- the exterior surface of any interior finishing material that forms the surface of any common and exterior wall, floor, or ceiling.
5. Regular parking unit number boundary's are shown on sheet 1 by a heavy solid line and are marked with 0.00 diameter steel fence post set in concrete.
6. The doors and windows form part of the commercial unit.
7. All exterior surfaces are common property.
8. Parking spaces are in accordance with Section 11(2)(b) of The Condominium Property Act.
9. All areas not designated with a unit number are common property.
10. Area to be approved is outlined by a heavy dashed line.
11. The parcel within the line of approval has an Extension O.

Prepared by
Webb Surveys
© 2012
11-2223a1 N.D.

Proposed Amendment to Rezoning to M2 by Agreement No. Z18/12



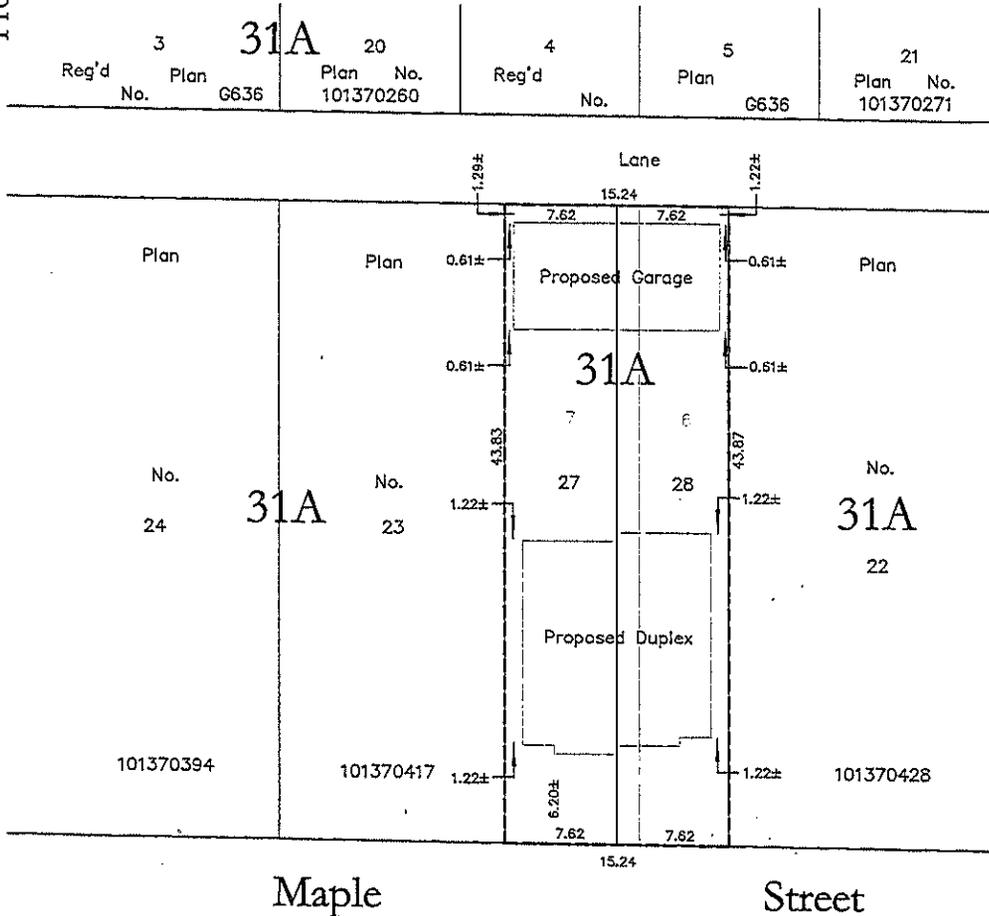
Amendment to the Existing Agreement



City of
Saskatoon

Planning & Development Branch

File No. RZ18-2012



PLAN OF PROPOSED
 SUBDIVISION OF
 LOTS 6 & 7, BLOCK 31A
 REG'D PLAN NO. G636
 S.W. 1/4 SEC. 21
 TWP. 36, RGE. 5, W. 3RD MER.
 327 MAPLE STREET EAST
 SASKATOON, SASKATCHEWAN
 BY T.R. WEBB, S.L.S.
 SCALE 1:400

RECEIVED
 JUN 6 2012
 Building Standards Branch

Dimensions shown are in metres and decimals thereof.

Portion of this plan to be approved is outlined in red with a bold, dashed line and contains 0.07± ha (0.17± ac.).

Distances shown are approximate and may vary from the final plan of survey by ± 0.5 m

T.R. Webb
 T.R. Webb June 5th, 2012
 Saskatchewan Land Surveyor

Seal

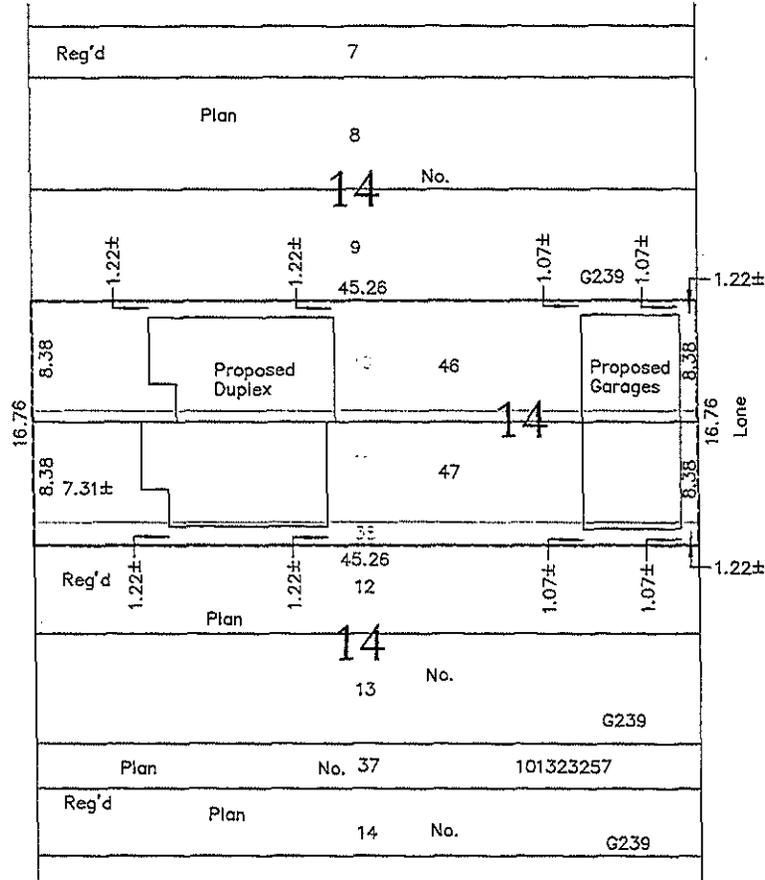
Approved under the provisions of
 Bylaw No. 6537 of the
 City of Saskatoon

_____ Date _____
 Community Services Department

Prepared by

 © 2012
 12-2352sb NLD

Haultain Avenue



Reg'd No.	32	Plan G239
Plan No.	42	101323325
Reg'd		
No.	29	
No.	28	
Plan	27	
	14	
	26	
G239	25	
Plan		
No.	41	
	101328280	
Reg'd		
No.	24	
Plan		
No.	23	
G239		
Plan	39	No.
	101323257	

**PLAN OF PROPOSED
SUBDIVISION OF
LOTS 10, & 11, BLOCK 14
REG'D PLAN NO. G239 &
LOT 38, BLOCK 14
PLAN NO. 101323189
N.W. 1/4 SEC. 15
TWP. 36, RGE. 5, W. 3RD MER.
2517 HAULTAIN AVENUE
SASKATOON, SASKATCHEWAN
BY T.R. WEBB, S.L.S.
SCALE 1:400**

Dimensions shown are in metres and decimals thereof.

Portion of this plan to be approved is outlined in red with a bold, dashed line and contains 0.08± ha (0.19± ac.).

Distances shown are approximate and may vary from the final plan of survey by ± 0.5 m.

T.R. Webb
T.R. Webb June 13th 2012
Saskatchewan Land Surveyor

Seal

Approved under the provisions of
Bylaw No. 6537 of the
City of Saskatoon

_____ Date _____
Community Services Department

Prepared by
Webb Surveys
© 2012
12-2354sb NLD



COMMUNITY SERVICES DEPARTMENT - BUILDING STANDARDS BRANCH
ENCROACHMENT AGREEMENT APPLICATION

February 14, 2012

Page 1 of 1

A2

REQUEST FOR ENCROACHMENT AGREEMENT

Name of Applicant GLORIAN TARASOFF
NEW LOOK RENOVATIONS

Applicant Mailing Address 1210 AVENUE M SOUTH

Applicant Telephone 306 279 0617

Name of Owner(s) HARRY KRISTIE
(Official Name That Will Be On Encroachment Agreement)

Owner's Mailing Address 2311 ST. PATRICK AVE.

Owner's Telephone 306-652-3166

Site Address 2311 ST. PATRICK AVE.

Legal Description of Site Lot 3,4,5 Block 3 Plan H4128

Application must include the following documents:

- Existing Encroachments: Current Real Property Report/Surveyor's Certificate that clearly outlines the encroaching areas including detailed dimensions of all areas that encroach onto City of Saskatoon Property.
- Proposed Future Encroachments: Detailed drawings of the proposed encroaching areas including detailed dimensions of all areas that will encroach onto City of Saskatoon Property. (Once construction is complete, an updated Real Property Report/Surveyor's Certificate will be required to confirm the areas of encroachment).
- A cheque for the \$100.00 Application Fee, made payable to the City of Saskatoon (Fee is to prepare Encroachment Agreement).

Assuming the encroachment is approved, an annual fee will be applied to the tax notice. This fee is based on the area of encroachment, and is calculated at \$3.25 m². The current minimum fee is \$50.00.

Upon receipt of the request, the *Building Standards Branch* of the *Community Services Department* will request approvals from the necessary Departments and Branches, including the *Development Services Branch*, the *Infrastructure Services Departments* and any other *Department or Branch as deemed necessary, depending on the type of encroachment*. Upon receipt of the various approvals and that there are no objections to the request the application will be forwarded to next available meeting of City Council for their approval. Once City Council has approved, the City Clerks office will advise the applicant of Council's decision, and will prepare the agreement. Please note that requests encroachment agreements may take 6 to 8 weeks to process.

Applicant Signature [Signature] Application Date JUNE 7, 2012

PROPOSED SUBDIVISION OF
 Lots 3, 4, & 5 - Block 3
 Reg'd Plan No. H4128
 SE 1/4 Sec 20-36-5-W 3rd Mer
 SASKATOON
 SASKATCHEWAN
 J. Lehmkuhl, S.L.S.
 DATE: February 15, 2012
 Scale 1:250

"That I (we) have no objection to the location of the utility lines on the land being subdivided as shown on the plan and will grant any easement agreements or forms as may be required by the utility company owning a line.
 OWNER:

Harry Klaus Kriese

Project No.: 150047
 Initials: JP

NOTES:

- Area to be subdivided is outlined with a bold, dashed line and contains 0.08 ha (0.20 ac).
- Distances shown are horizontal at general ground level and are expressed in metres and decimals thereof and may vary ± 5.00 metres

Dated at Saskatoon in the Province of Saskatchewan this 21st day of February, 2012.

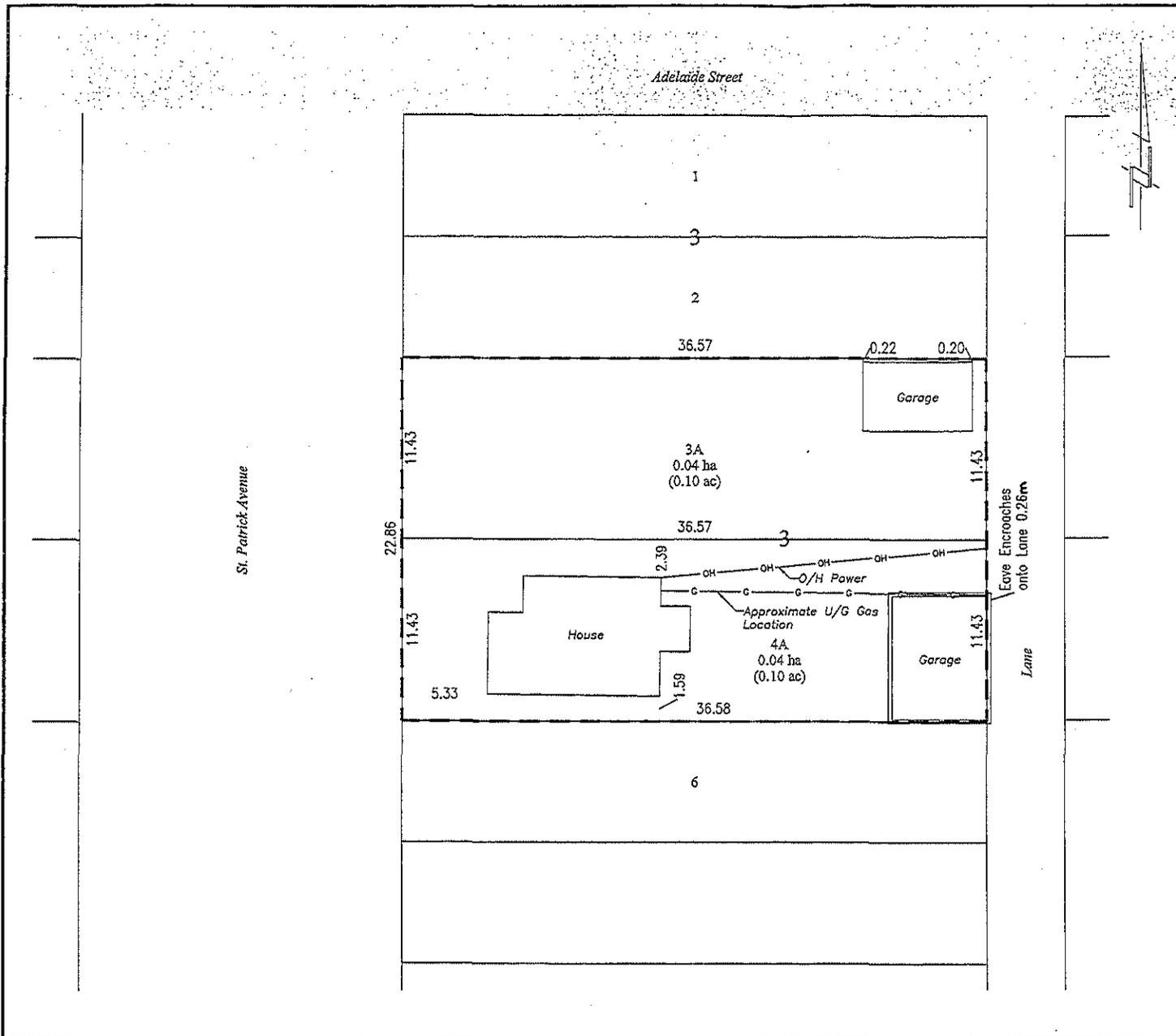
Saskatchewan Land Surveyor



Toll Free: 1-800-465-6233
 www.altusgeomatics.com

Examined: City of Saskatoon
 : Approved under the provisions of ByLaw No. 6537
 of the City of Saskatoon.

: General Manager of the Community Services Department
 Date: _____, A.D. 2012.



The following is a copy of **Clause E2, Administrative Report No. 7-2012** which was **ADOPTED** by City Council at its meeting held on **April 30, 2012**:

E1

Section E – INFRASTRUCTURE SERVICES

**E2) Enquiry – Councillor D. Hill (November 21, 2011)
Crosswalk – Balmoral Street and 7th Avenue North
(Files CK. 5200-1 and 6150-1)**

RECOMMENDATION: that the information be received.

BACKGROUND

The following enquiry was made by Councillor D. Hill at the meeting of City Council held on November 21, 2011:

“Due to citizen concerns about children’s safety – would the Administration please report on potential pedestrian safety enhancements at the intersection of Balmoral Street and 7th Avenue.”

REPORT

City Council, at its meeting held on August 18, 2010, considered a report of the General Manager, Infrastructure Services Department in response to an enquiry from Councillor Hill regarding the possibility of installing enhanced signage or traffic calming at the intersection of Balmoral Street and 7th Avenue North (Attachment 1).

The minimum requirement for the installation of a pedestrian actuated traffic signal is 100 warrant points. The warrant is based on a combination of factors, including the number of traffic lanes, the existence of a median, distance to the nearest protected crosswalk, and pedestrian and traffic volumes. The report advised that studies determined that, due to the lack of pedestrian traffic, the intersection of Balmoral Street and 7th Avenue yielded a 43 point value, indicating that a pedestrian actuated crosswalk and traffic calming devices were not warranted. However, because the pedestrian corridor acts as a direct route to North Park Wilson School, it would be placed on a priority list of locations requiring upgrades to existing pedestrian corridors, which are to be completed upon availability of approved funding.

Updated traffic reviews are conducted on a case-by-case basis, typically when the current review on file has become outdated (approximately five years old), or when significant changes have occurred which could affect the traffic characteristics of the area, such as land or infrastructure development, traffic control modifications, access modifications or major traffic calming installations. As none of these changes took place since the full review was done at the intersection of 7th Avenue and Balmoral Street in 2010, another review has not been completed at this time.

In 2011, the Administration completed a review of all existing pedestrian corridors in the city which warrant an upgrade to an active pedestrian corridor (pedestrian actuated crossing with amber flashing beacons). Locations on the priority list (Attachment 2), which includes the intersection of 7th Avenue and Balmoral Street, are ranked based on pedestrian volume and proximity to schools and other facilities. The list, which is updated annually, currently includes 19 locations, 18 of which are located at a school or en route to a school. The intersection of Balmoral Street and 7th Avenue is currently 14th on the priority list.

Active pedestrian corridor upgrading is funded from Capital Project 2446 - Pedestrian Upgrades and Enhanced Pedestrian Safety. The estimated cost to upgrade a pedestrian corridor to an active pedestrian corridor is \$10,000 to \$20,000, and a new installation is estimated to be \$50,000. Capital Project 2446 received funding for the first time in 2012, in the amount of \$50,000, which has been allocated to the construction of an active pedestrian corridor at 33rd Street and Avenue K.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications.

COMMUNICATION PLAN

A communication plan is not required.

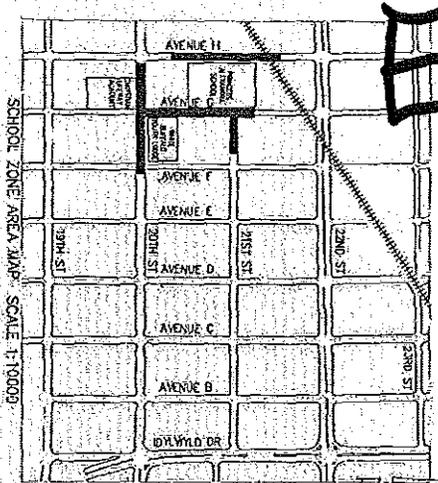
PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy C01-021, Public Notice Policy, is not required.

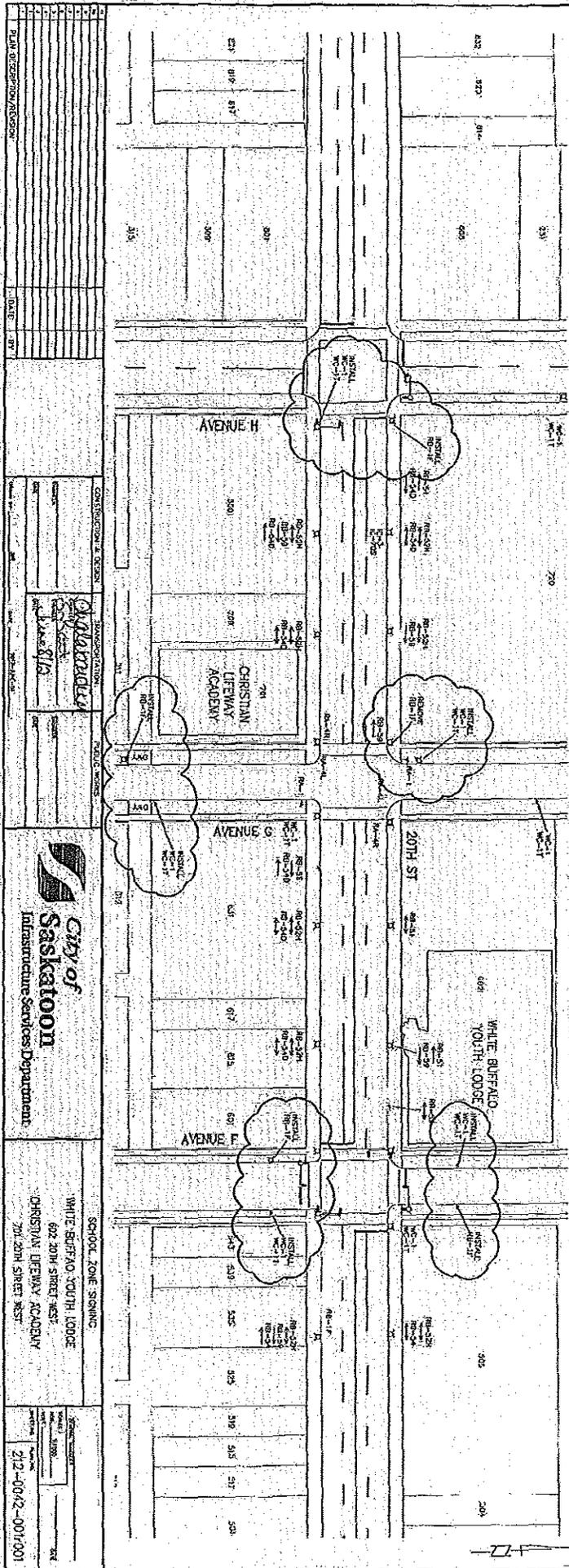
ATTACHMENTS

1. Excerpt from the minutes of meeting of City Council held on August 18, 2010.
2. List of outstanding upgrades for pedestrian corridors.

E2



SCHOOL ZONE AREA MAP SCALE 1:10000



- SIGN LEGEND**
- PA-1 SCHOOL ZONE SIGN
 - RA-4L PEDIESTRIAN CROSSWALK - LEFT SIGN
 - RA-4R PEDIESTRIAN CROSSWALK - RIGHT SIGN
 - LA-MAXIMUM SPEED 50km SIGN
 - NO PARKING SIGN
 - NO PARKING - TUES. THURS. SAT. 0200-0600 SIGN
 - NO PARKING - 0900-1800 M-F SIGN
 - 2H PARKING 0900-1800 M-F SIGN
 - BUS STOP SIGN
 - SCHOOL ZONE SIGN
 - MAXIMUM SPEED 30km 0800-1700 M-F SEPT-JUNE SIGN
 - TRAILER CAMP SIGN
 - BROWN ARROW (STRAIGHT) SIGN

CONTRACTOR'S & DESIGNER'S INFORMATION

QUALTRON

DATE: _____

City of Saskatoon

Infrastructure Services Department

SCHOOL ZONE SIGNING

WHITE BUFFALO YOUTH LODGE
602 20TH STREET WEST

CHRISTIAN LIEWANY ACADEMY
701 20TH STREET WEST

DATE: _____

212-0042-001/001

PH



Ministry of
Social
Services

Income Assistance and
Disability Services

1920 Broad Street
Regina SK
S4P 3V6

Phone: (306) 787-9013
Fax: (306) 798-4450

June 4, 2012

City of Saskatoon
Mitch Riabko, Saskatoon Transit Manager
222 - 3rd Avenue North
SASKATOON, SK S7K 0J5



Dear Mr. Riabko:

Re: Discounted Bus Pass Program – Letter of Understanding

Thank you for your continued support of the Discounted Bus Pas Program in the City of Saskatoon. Enclosed are three signed copies of the proposed Letter of Understanding for the period April 1, 2012 to March 31, 2013. Please arrange for signing by the duly authorized official(s) and return two original copies to my attention.

Please note that there are two changes to the Letter of Understanding. First, the reporting requirements have changed from annual reporting to quarterly reporting as outlined in Clause 7. The introduction of quarterly reporting means the Ministry will have financial and statistical data available for reconciliation to process sales payments more frequently.

Secondly, the Ministry has amended Clause 8 of the Letter of Understanding to include 60 days advance notice of an increase to the discounted bus pass rate as set by the city. If you have questions or concerns about these changes, please call, Teena Tweed, Consultant, Income Assistance and Disability Services, 306-787-6143.

Sincerely,

Jeff Redekop
Executive Director

cc: Linda Gaudet, Manager, Service Delivery Saskatoon

attachments

LETTER OF UNDERSTANDING

between

THE CITY OF SASKATOON

and

**THE MINISTRY OF SOCIAL SERVICES
OF THE GOVERNMENT OF SASKATCHEWAN**

This Letter of Understanding sets forth the agreement between the City of Saskatoon and the Ministry of Social Services (MSS) of the Government of Saskatchewan regarding the Discounted Bus Pass Program for individuals currently participating in MSS programs.

The terms of the agreement are as follows:

1. The Program will be in place for a period of twelve (12) MONTHS commencing on April 1, 2012 to March 31, 2013.
2. Under the Program, eligible clients and their immediate families will be able to purchase monthly bus passes at a reduced rate. Eligible clients must be participating in one of the following programs:
 - (a) Saskatchewan Assistance Program (SAP)
 - (b) Saskatchewan Assured Income for Disability (SAID)
 - (b) Transitional Employment Allowance (TEA)
 - (c) Provincial Training Allowance (PTA)
 - (d) Saskatchewan Employment Supplement (SES)
3. At the time of the discounted bus pass purchase, the client must provide proof they are eligible clients, either through a cheque stub from one of the above mentioned programs and one piece of identification or a letter from a government employee stating the individual is eligible. Only approved individuals will be able to purchase the discounted monthly bus passes.
4. Discounted monthly passes will only be available for purchase at the Transit Information Centre. Eligible clients will be eligible to purchase one bus pass per month per family member.
5. The City of Saskatoon agrees to provide MSS with copies of all records pertaining to the sale of discounted bus passes to MSS clients.
6. MSS agrees to pay the City of Saskatoon \$24.50 per monthly bus pass sold to eligible clients and their immediate family.

7. The City of Saskatoon will submit a quarterly report to the MSS as the financial reconciliation process outlining the number of monthly passes sold no later than:
- (a) July 15, 2012, for the period of April 1, 2012 to June 30, 2012;
 - (b) October 15, 2012, for the period of July 1, 2012 to September 30, 2012;
 - (c) January 15, 2013, for the period of October 1, 2012 to December 31, 2012; and
 - (d) April 15, 2013 for the period of January 1, 2013 to March 31, 2013; or
 - (e) unless otherwise agreed upon.

of which the Ministry will make quarterly sales payments.

8. The City of Saskatoon reserves the right to set the discounted bus pass rate and is required to provide 60 days advance notice to the Ministry of such increases, notwithstanding the established discounted individual rate shall, at a minimum, be \$24.50 below the established public Transit System rates.
9. MSS and the City of Saskatoon retain the right to terminate this Letter of Understanding by providing one month's written notice.
10. All notices or other communications under this Letter of Understanding shall be in writing and will be provided:

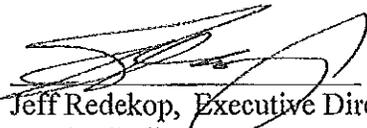
To the City of Saskatoon at:
222 – 3rd Avenue North
Saskatoon, Saskatchewan
S7K 0J5
Attention: Mitch Riabko

To the Ministry of Social Services:
1920 Broad Street
Regina, Saskatchewan
S4P 3V6
Attention: Teena Tweed

ON BEHALF OF THE
CITY OF SASKATOON

ON BEHALF OF THE
MINISTRY OF SOCIAL

Don J. Atchison
Mayor
City of Saskatoon



Jeff Redekop, Executive Director
Service Delivery, Income Assistance
and Disability Services

City Clerk

Date

Date

His Worship the Mayor and City Council
The City of Saskatoon

LEGISLATIVE REPORTS

Section B – OFFICE OF THE CITY SOLICITOR

- B1) Proposed Expansion of the Caswell Hill Residential Parking Boundary
Proposed Expansion of the City Park Residential Parking Boundary
(File No. CK. 6120-4-2)**
-

RECOMMENDATION: that City Council consider proposed Bylaw No. 9039.

City Council, at its meeting held on May 28, 2012, adopted Clause 12, Report No. 9-2012 of the Planning and Operations Committee and instructed the City Solicitor to prepare an amendment to Bylaw No. 7862, The Residential Parking Program Bylaw, 1999, Schedule “A”, to include the 500 block of 32nd Street West between Avenue E North and Avenue F North and the 300 through 600 blocks of Duchess Street between 3rd Avenue North and 7th Avenue North.

The attached Bylaw makes the required amendment to Schedule “A”.

PUBLIC NOTICE

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

ATTACHMENT

1. Proposed Bylaw No. 9039, The Residential Parking Program Amendment Bylaw, 2012.

- B2) Property Acquisition
11th Street West and Circle Drive - Parcel “C”, Plan 101428657
Circle Drive South Project
(Files CK. 4020-12 x CK. 6050-9 and CC. 6050-8)**
-

RECOMMENDATION: that the information be received.

BACKGROUND

The City required approximately 10.75 acres of land beneficially owned by North Ridge Development Corporation (“North Ridge”) as part of the Circle Drive South Project for the

realignment of 11th Street West in the Montgomery Neighbourhood. The City and North Ridge were unable to agree on a price for the land.

At its meeting on July 21, 2010, City Council resolved that the price of the land would be determined through binding arbitration. North Ridge agreed to binding arbitration to set the price for the land. This report is an update for City Council on the matter.

REPORT

The parties agreed that Mr. William F.J. Hood, Q.C. would act as the Arbitrator (“Arbitrator Hood”). The Arbitration Hearing took place August 22 to 26 and November 4, 2011, and Arbitrator Hood issued his Award on June 28, 2012. A copy of the Award is attached to this report.

The main task for Arbitrator Hood was to reconcile the disparity between the two parties’ expert appraisal reports. The City’s appraiser valued the land at \$106,250.00 per acre. North Ridge’s appraiser valued the land at \$548,837.00 per acre.

After weighing all of the evidence and thoroughly considering all of the arguments of the City and North Ridge, Arbitrator Hood valued the land at \$180,000.00 per acre. When this value is applied to the 10.75 acres of required land, the total is \$1,935,000.00. Also, Arbitrator Hood awarded interest to be paid in accordance with *The Pre-Judgment Interest Act* to run from July 21, 2010 to the date of payment. The total interest amount is \$32,938.00. Finally, Arbitrator Hood ordered that the costs of the Arbitration would be shared equally between the parties. The total costs of the Arbitration were \$74,246.36; therefore, the City’s share is \$37,123.18.

As identified in the previous report to Council, all costs of this property acquisition are to be charged to the Circle Drive South Project.

PUBLIC NOTICE

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

ATTACHMENT

1. Arbitration Award of William F.J. Hood, Q.C. dated June 28, 2012.

**B3) Amendments to Council Policy No. C02-030 and Bylaw No. 8174
(File No. CK. 1000-1)**

RECOMMENDATION: that City Council consider Bylaw No. 9043.

At its meeting on June 18, 2012, City Council received a report from the General Manager, Corporate Services Department recommending changes to Bylaw No. 8174, *The City Administration Bylaw, 2003* and the Council Policy No. C02-030, Purchase of Goods, Services and Work Policy. The changes reduce the threshold for requiring public tenders from \$100,000.00 to \$75,000.00. The change to the threshold is the result of the Province signing the New West Partnership Trade Agreement.

The recommendations that City Council adopted were the following:

- “1) that the threshold limit of \$100,000 as stated in Council Policy No. C02-030, Purchase of Goods, Services and Work, be amended to be threshold limit of \$75,000; and
- 2) that the City Solicitor amend Sections 10 and 13 of Bylaw No. 8174, *The City Administration Bylaw, 2003*, to reflect the \$75,000 threshold limit.”

We understand the City Clerk’s Office made the necessary changes to Council Policy No. C02-030, Purchase of Goods, Services and Work Policy.

ATTACHMENT

1. Proposed Bylaw No. 9043, *The City Administration Amendment Bylaw, 2012*.

Respectfully submitted,

Theresa Dust, City Solicitor

BYLAW NO. 9039

The Residential Parking Program Amendment Bylaw, 2012

The Council of The City of Saskatoon enacts:

Short Title

- 1. This Bylaw may be cited as The Residential Parking Program Amendment Bylaw, 2012.

Purpose

- 2. The purpose of this Bylaw is to amend The Residential Parking Program Bylaw, 1999 to expand the Caswell Hill Residential Parking Program zone to include the 500 block of 32nd Street West between Avenue E North and Avenue F North and to expand the City Park Residential Parking Program zone to include the 300, 400, 500 and 600 blocks of Duchess Street between 3rd Avenue North and 7th Avenue North.

Bylaw No. 7862 Amended

- 3. The Residential Parking Program Bylaw, 1999 is amended in the manner set forth in this Bylaw.

Schedule "A" Amended

- 4. Pages 2 and 3 of Schedule "A" showing the Residential Parking Permit Program Boundary for the City Park and Caswell Hill neighbourhoods are repealed and the schedule marked as Schedule "A" to this Bylaw is substituted therefor.

Coming into Force

- 5. The Bylaw shall come into force on the day of its final passing.

Read a first time this	day of	, 2012.
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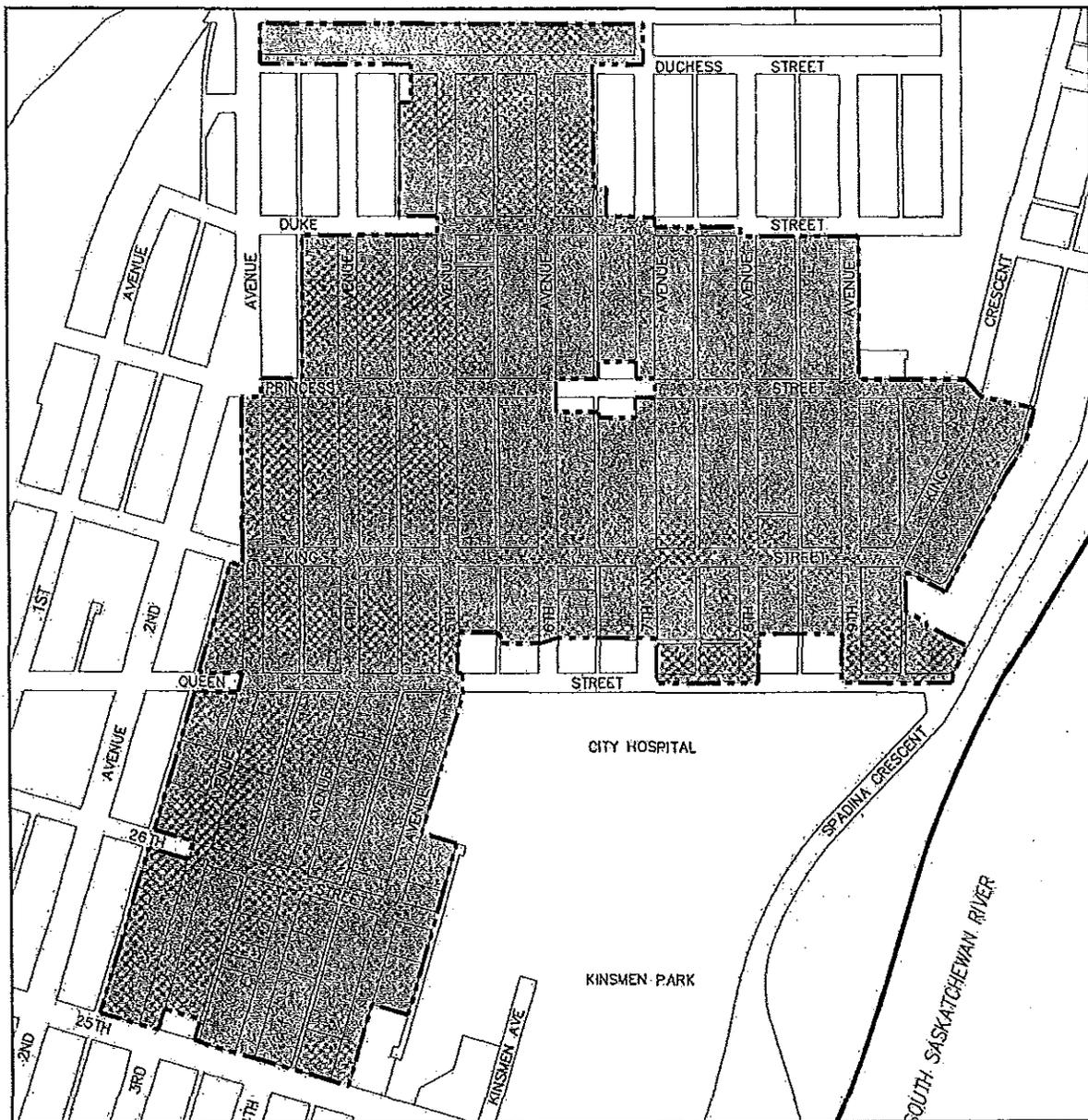
Read a second time this	day of	, 2012.
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Read a third time and passed this	day of	, 2012.
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Mayor

City Clerk

Schedule "A" to Bylaw No. 9039



City Park Residential Parking Permit Zone



- One and two hour time restrictions
- Effective Monday to Friday
- Parking Permits expire April 30 of each year



Streets Designated as the City Park Residential Parking Zone

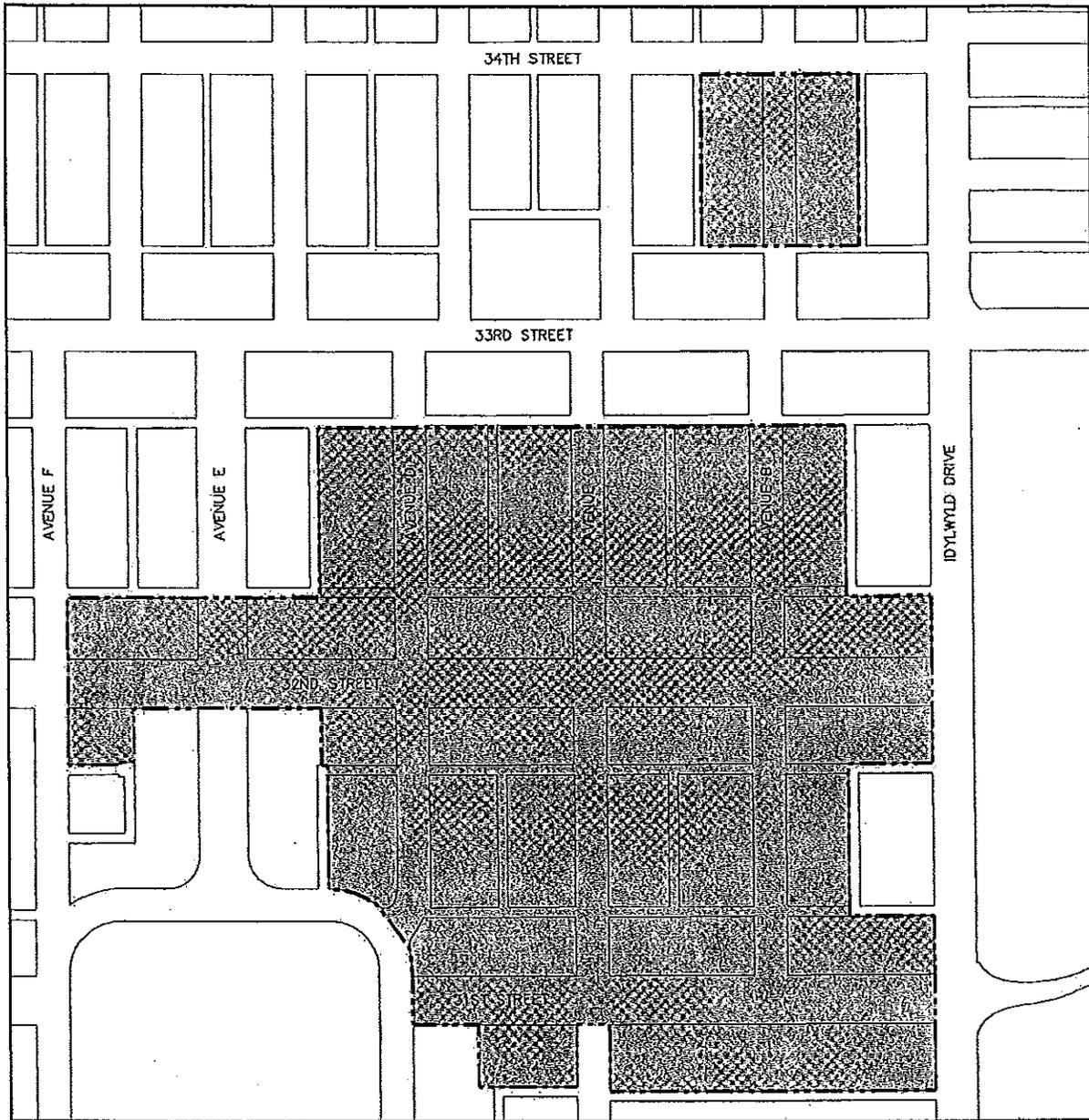
- 3rd Avenue North: 400, 500, 600 & 700 (east side) Blocks
- 4th Avenue North: 400, 500, 600, 700 & 800 Blocks
- 5th Avenue North: 400, 500 (west side), 600, 700, 800 & 900 Blocks
- 6th Avenue North: 600, 700, 800 & 900 Blocks
- 7th Avenue North: 600 (from the lane to King St), 700 & 800 Blocks
- 8th Avenue North: 600, 700 & 800 Blocks
- 9th Avenue North: 600, 700 & 800 (west side) Blocks

- 28th Street East: 300 & 400 Blocks
- Duke Street: 600, 600 & 700 (south side) Blocks
- Princess Street: 300, 400, 500, 600, 700, 800 & 900 Blocks
- Queen Street: 300, 400, 700 (north side) & 900 (north side) Blocks
- King Street: 300, 400, 500, 600, 700 & 800 Blocks
- King Crescent: 1000 Block
- Duchess Street: 300, 400, 500 & 600 Blocks

260-0039-001008
Revised 2014/04

Schedule A - Bylaw # 7862





**Caswell Hill
Residential Parking Permit Zone**



- Two hour time restrictions
- Effective Monday to Friday
- Parking Permits expire May 31 of each year



Streets Designated as the Caswell Hill & Mayfair Residential Parking Zone

- Avenue B: 1000, 1100 (to Lane S. of 33rd Street) & 1200 (from Lane N. of 33rd Street) Blocks
- Avenue C: 1000 & 1100 (to Lane S. of 33rd Street) Blocks
- Avenue D: 1000 & 1100 (to Lane S. of 33rd Street) Block
- Avenue E: 1100 (from 32nd Street to Lane N. of 32nd Street) Block
- 31st Street W: 100, 200 & 300 Blocks
- 32nd Street W: 100, 200, 300, 400 & 500 Blocks

260-0038-001r007
Revised 2/19/2012

Schedule A - Bylaw # 7862



B2

IN THE MATTER OF AN ARBITRATION PURSUANT TO
THE ARBITRATION ACT, 1992 (SASKATCHEWAN)

BETWEEN:

NORTH RIDGE DEVELOPMENT CORPORATION
(hereinafter referred to as "North Ridge")

AND:

CITY OF SASKATOON
(hereinafter referred to as the "City")

BEFORE: William F.J. Hood, Q.C., Arbitrator

APPEARING FOR NORTH RIDGE: Richard W. Danylluk, Q.C. (hearing) and
Neil B. Fisher, Q.C. (argument)

APPEARING FOR THE CITY: Patricia Warwick

DATES: Hearing – August 22 – 26, 2011
Argument – November 4, 2011
Saskatoon, Saskatchewan

AWARD

I. INTRODUCTION:

1. North Ridge and the City entered into a written agreement referring to arbitration the determination of the compensation payable to North Ridge in accordance with section 9 of *The Municipal Expropriation Act* (the "Act") for the 10.75 acres of land owned by North Ridge that the City required in connection with the building of the Circle Drive South River Crossing Project (the "Project").

2. It is not surprising that the parties were unable to agree on the compensation. There is a significant disparity in the opinions of the market value of this land. The City's appraiser is of the view the market value of the land is \$106,250.00 per acre, while North Ridge's appraiser opines the market value is \$548,837.00 per acre.

II. FACTS:

A. Two Agreements

3. The City and North Ridge entered into two agreements that relate to the issue in dispute. The agreement that refers the issue to arbitration states:

PURPOSE:

The City of Saskatoon (the "City") requires certain lands beneficially owned by North Ridge Development Corporation ("NRDC") for the purpose of constructing a road in connection with the building of the Circle Drive South River Crossing Project. The City of Saskatoon requires immediate access to these lands.

The lands to be acquired (the "Roadway Lands") will come out of a parcel of lands beneficially owned by NRDC. The lands which will remain (the "Remaining Lands") will continue to be beneficially owned by NRDC. The City will take 8.71 acres for the roadway and approximately 2.04 acres from the east end of the parcel of lands as outlined in black on the attached Schedule, or as may otherwise be agreed.

The lands being purchased and sold are zoned RM4. For the purposes of valuation under the arbitration process set out herein, the lands shall be considered as being designated as Phase I under the phasing provisions of the City's Official Community Plan. Under the Official Community Plan, Phasing Sequence Number 1 indicates those areas considered to be suitable for development within the next five years.

ISSUE:

The City and NRDC have not agreed on a price for the sale and purchase of these lands. NRDC has obtained an appraisal of the lands and has provided a copy to the City. The City has obtained an appraisal and has provided a copy to NRDC. NRDC may obtain an updated appraisal which will be forwarded to the City.

Both parties have agreed that the land could be acquired by the City by way of municipal expropriation but have agreed to expedite matters by proceeding in a less formal (but binding) arbitration procedure with a mutually agreeable single arbitrator. If there is no agreement on a single arbitrator, a panel of three arbitrators will be chosen in the manner provided for under *The Arbitration Act, 1992*.

The arbitrator shall determine the value of the land in accordance with *The Municipal Expropriation Act*.

TERMS OF REFERENCE FOR THE ARBITRATION:

The arbitrator shall receive evidence and hear representations from each of the City and NRDC. The arbitrator shall act as if he or she were a sole arbitrator determining compensation under *The Municipal Expropriation Act*; provided that the decision of the arbitrator shall be final and binding and that neither NRDC nor the City shall be able to appeal it.

The arbitrator shall determine compensation payable to NRDC in accordance with section 9 of *The Municipal Expropriation Act*.

The parties acknowledge that, depending upon the evidence adduced at the arbitration hearing and in accordance with the applicable principles of expropriation compensation as determined by the arbitrator, there may be an award of compensation to NRDC for damage or diminution of value of the Remaining Land or a reduction in the reward of compensation to NRDC due to the enhancement in the value of the Remaining Land.

The value shall be determined as at the date of this arbitration agreement and shall be based upon the state, condition, and location of lands zoned as RM4.

The arbitration is intended to proceed as expeditiously as possible with the intent that the arbitration shall occur and a decision rendered as expeditiously as possible, subject at all times to timelines to be determined by the arbitration.

4. There are two dates referenced in the arbitration agreement. The signature page states "Dated at the City of Saskatoon, this '29th' day of 'July', 2010." whereas the face page states "THE REFERENCE TO ARBITRATION MADE... THIS '21ST' DAY OF JULY, 2010."

5. The second agreement also has the same dating issue as the arbitration agreement. The face page states July 21, 2010 and the signature page states July 29, 2010. The second agreement between the parties makes reference to "Post Arbitration" and states:

Post Arbitration

Subsequent to the arbitration to determine the compensation payable to North Ridge Development Corporation (NRDC) with respect to the lands required by the City for the Circle Drive South River Crossing Projection (CDSRC), the City agrees to the following:

1. The levy rates specified under any Development and Servicing Agreement required by the City consequential upon subdivision of the Remaining Lands by NRDC shall be \$80,343.64 per acre. The city recognizes that NRDC may undertake a series of subdivisions of the

Remaining Lands. These rates will apply to any subdivision where the application has been filed within 5 years of the approval date of the initial subdivision of the Remaining Lands, applied for by NRDC. Thereafter, the levy rates in force on the date of subdivision approval will apply.

The Municipal Reserve Requirements will be satisfied by the City's purchase of 2.04 acres of land by the City as shown on the Schedule attached to the Reference to Arbitration. Should the City and NRDC agree that the location of municipal reserve on the 2.04 acres is not feasible, either in whole or in part, based on future subdivision applications by NRDC, they will use reasonable efforts to adjust the location of municipal reserve lands through land exchanges or other mechanisms.

There will be no municipal reserve requirement for the Remaining Lands.

2. The City, at its cost, will be responsible for effecting the following:
 - (a) construction of a sound attenuation wall along the realigned 11th Street as part of the CDSRC project. The wall will be constructed to the equivalent standard of existing sound attenuation walls in the City;
 - (b) roadway construction for the extension of Lancaster Boulevard;
 - (c) modification of the existing 11th Street as required;
 - (d) preparation and submission of Development and Servicing Agreements to Council for approval in connection with subdivision applications of the Remaining Lands made by NRDC. The City recognizes the Remaining Lands may be developed on a staged basis;
 - (e) all survey, subdivision and ISC registration fees respecting the creation of the realigned 11th Street and the extension of Lancaster Boulevard; and
 - (f) the seeding and landscaping of all buffer strips created.
3. Upon application by NRDC, the City will process an application under the Official Community Plan to amend the phasing sequence of the Remaining Lands. NRDC acknowledges that this process involves a public hearing pursuant to the provisions of *The Planning and Development Act, 2007* and the Official Community Plan. Accordingly, the City makes no representations as to the outcome of such application.

B. The Land

6. The land acquired (sometimes referred to as the “Roadway Lands” or the “acquired lands”) by the City for the Project is part of a larger parcel of land (the “Parent Parcel”) situated within the City of Saskatoon, having civic address 3130 – 11th Street West, and legally described as Surface Parcel 153886224, Blk/Par C – Plan 101428657, Extension 82, as shown on Plan 101855471, City of Saskatoon.

7. The Parent Parcel is a 29.11 acre parcel of land located on the northwest corner of 11th Street West and Circle Drive in the Montgomery Place neighbourhood in the southwest of the City of Saskatoon.

8. The Parent Parcel has 2,411 feet of frontage along 11th Street West and is irregularly shaped, tapered on its east end to a depth of 175 feet. The railway right of way, containing both CN and CP railway tracks, runs along the northern edge of the Parent Parcel.

9. The neighbouring uses include the existing single-family uses of Montgomery Place to the south (across 11th Street), a significant park and recreation facility to its northeast, a multi-family development to its northwest across the rail tracks, the Viterra grain elevator terminal to the west, beyond the City of Saskatoon off-leash pet park to the west, and Storage Max and former Maple Leaf Foods plant to the east.

10. The Project has a proposed interchange at 11th Street West and Circle Drive, which will now be routed through the site of the former Maple Leaf Foods plant. This will draw the Circle Drive right of way to the east of its present location, farther from the residences than the original routing. The proposed realigned Circle Drive cuts through the westerly part of the current Storage Max site located just north of Maple Leaf Foods. The roadway then cuts southwest to rejoin the existing alignment. The proposal calls for the existing intersection of 11th Street and Circle Drive to be terminated at Dundonald Avenue, for east bound traffic. The 11th Street right of way, south of Circle Drive, will swing in a northerly fashion, then proceed westerly along the existing CP rail right of way as it passes the Parent Parcel. Farther west, within the present off-leash pet park, the realigned 11th Street will swing back to the southwest and rejoin the existing 11th Street right of way. One other important change is involved with this proposed realignment:

Lancaster Boulevard will be extended in a northerly direction to hook up with the new 11th Street right of way that will run along the rail tracks.

11. The acquired lands consist of 7.76 acres all along the north site boundary in the Parent Parcel in a curvature to follow the curve of the rail line and an additional .95 acres for the extension of Lancaster Boulevard through the Parent Parcel to connect with the Circle Drive extension. In addition, the City is acquiring 2.04 acres from the Parent Parcel for municipal reserve. Thus, the total taking by the City out of the Parent Parcel is 10.75 acres, representing 36.9% of the Parent Parcel.

12. This will leave North Ridge with two parcels of land – the east parcel of 7.2 acres and the west parcel of 11.16 acres (the “Remaining Lands”).

13. The Parent Parcel can be accessed by 11th Street, which is paved bi-directional highway. This access will change at the time the realignment is completed as discussed above.

14. The Parent Parcel is zoned RM4. RM4 is a Medium/High Density Multiple-Unit Dwelling District. The zoning allows for up to four-storey multiple-family buildings and a density development of forty units per acre. Permitted uses include single-family dwellings, duplexes and multiple-unit dwellings. Discretionary uses include daycares, community centres, private schools, special care homes and secondary suites – Type II. The other provisions of the Zoning Bylaw #8770 provide the following with respect to RM4 zoning:

- 15 metre height
- 50% site coverage ratio (60% for corner sites)
- 60% (70% for corner sites) for dwelling groups
- 5.0 square metre amenity space for multi-family uses
- 1.0 FAR or “floor area ratio”
- 1.5 parking spaces, plus 0.125 visitor spaces per unit

15. There are services up to the 11th Street edge of the Parent Parcel. These services include electricity, natural gas, water, telephone, sanitary and storm sewers, paved streets, sidewalks and lighting. Both police and fire protection are available to the site.

16. The Parent Parcel itself is unimproved and has no internal services. The City Infrastructure Department has indicated the Parent Parcel currently has outstanding site levies, thus preventing services at the 11th Street edge from being accessed. In addition, there is the issue of an additional payment that would be required to extend the storm sewer along the existing 11th Street frontage, looping the water main to provide fire flow and pavement restoration. More will be said of offsite levies, the direct costs and the exigibility of such costs from the owner in the development of the Parent Parcel.

C. Saskatchewan Arts Board Agreement with North Ridge

17. David Kyle, executive director of the Saskatchewan Arts Board, provided insight into the history of the Parent Parcel and the sale of this land by the Saskatchewan Arts Board to North Ridge.

18. The Mendel-Miller family gifted the Parent Parcel to the Province of Saskatchewan. In 1999 the Province transferred this land to the Saskatchewan Arts Board for \$1.00. The intent was to generate a fund that would create a lasting legacy for the Saskatchewan Arts Board.

19. On July 15, 2005, the Saskatchewan Arts Board sold the Parent Parcel to North Ridge for \$442,677.00. North Ridge also agreed to donate \$32,323.00 to the Saskatchewan Arts Board.

20. The Saskatchewan Arts Board followed an open-bid process to sell the Parent Parcel. The Board set a minimum price of \$425,000.00 for this land. The minimum bid price was based on a .31 acre portion sale by the Board to the City in 2004 for \$4,700.00. This worked out to be \$15,161.00 per acre. The Board relied on the integrity of 2004 sale and did not obtain an appraisal of the Parent Parcel for sale purposes. North Ridge was the only one of three interested developers that met the minimum requirements set by Saskatchewan Arts Board and thus, became the purchaser of the Parent Parcel.

21. The sale agreement provided the Saskatchewan Arts Board would continue to hold title to the Parent Parcel as bare trustee for North Ridge. The Board agreed to execute one or more transfers of all, or a portion of the Parent Parcel, in the name of such transferee(s) as North Ridge required. North Ridge agreed there would be no physical development on any portion of the

Parent Parcel not yet transferred. The Board and North Ridge agreed, in any event, to transfer title of the Parent Parcel to North Ridge by December 31, 2008.

22. In cross-examination, Mr. Kyle acknowledged the Saskatchewan Arts Board was still the registered title holder and the assessed value of the Parent Parcel, for City property tax purposes in 2010, was \$4,309,800.00.

D. The Appraisers and their Appraisals

1. "Highest and Best Use"

23. D. Allan Beatty is an accredited appraiser with the Appraisal Institute of Canada ("AIC"). The City called Mr. Beatty as its witness. Mr. Beatty was qualified as an expert witness to provide opinion evidence in the area of property appraisal and valuation generally, and specifically in the area of analyzing the highest and best use of land; choosing a land valuation methodology for valuation of specific land; comparing and contrasting different land valuation methodologies; choosing comparable land for use in the direct comparison approach; analyzing comparable land for use in the direct comparison approach; and, valuation of the Remaining Lands after a partial taking using the "before and after" method.

24. Mr. Beatty performed a "highest and best use analysis" of the lands and used the "direct comparison approach" to form his opinion that the market value of the acquired lands is \$106,250.00 per acre as of May 1, 2010. Mr. Beatty prepared a report (the "Beatty Report") which, together with his testimony, is the basis for his opinion.

25. W.R.I. "Rick" Brunsdon is also an accredited appraiser with AIC. North Ridge called Mr. Brunsdon as its witness. Mr. Brunsdon was qualified as an expert witness to provide opinion evidence in the area of property and land valuation appraisals and appraisal methodology, including available methods for valuation of specified land and principles for accepting same; use of direct comparison method, including the selection of appropriate comparable properties and the proper analysis of use of the same valuation; use of "highest and best use" in property appraisals; use of "before and after" approach in valuing the Remaining Lands after a taking by an expropriating authority; and trends, prices and land sales within the Saskatoon land market.

26. Mr. Brunsdon also performed the “most probable use” analysis of the acquired lands and used the “direct comparison approach” to support his opinion that the market value of the acquired lands as at July 21, 2010 is \$548,837.00 per acre. Mr. Brunsdon also prepared a report (the “Brunsdon Report”) which, together with his testimony, is the basis for his opinion of market value.

27. The experts do not differ in the methodology. The Beatty Report refers to “highest and best use”. The Brunsdon Report describes it as “most probable use”. Mr. Brunsdon testified that “most probable use” is the same as “highest and best use” and that the words can be used interchangeably.

28. Where the experts disagree is what the “best use” of the lands is. The Beatty Report concludes the subject property’s highest and best use is “subdivision suitable for a mixed density of residential development, predominantly low to medium density multi family sites, inclusive of sound attenuation for the rail tracks and future re-aligned 11th Street right-of-way.” This implies a multi-year time frame in order to sell the parcels created by subdivision, similar to the experience in other developing neighbourhoods.

29. The Brunsdon Report concludes the “most probable use” is as a medium density subdivision and states at page 25:

In summary, the most probable use for the subject property is for residential development to begin immediately as a medium density residential subdivision, with almost nine acres being utilized for the Circle Drive extension, buffer strip and Lancaster Boulevard extension. Development on the site could have started 3 to 5 years ago, if the City would have permitted it.

30. On the surface it appears Mr. Brunsdon and Mr. Beatty have similar opinions on the “highest and best use” of this land but it became readily apparent during the hearing this was not so. They differed on how the Parent Parcel would be developed.

31. Mr. Beatty’s opinion is the “highest and best use” is a subdivision of the land with the sale of the parcels created by the subdivision.

32. Although the Brunsdon Report makes reference to a “residential subdivision”, Mr. Brunsdon was adamant during his evidence in the hearing that the most probable use of the Parent Parcel is the development as a single parcel without subdivision for residential rentals. Mr. Brunsdon testified that “all of a sudden”, in Saskatoon, a 29-acre parcel was within “the realm of possibility” for development developed as a single parcel without subdivision. However, in cross-examination, Mr. Brunsdon acknowledged he “may have unconsciously gone beyond July 21, 2010” regarding factors that he took into consideration.

33. Mr. Brunsdon does not consider it a high probability that subdivision of the Parent Parcel would occur.

2. Cost to Develop the Lands

34. Mr. Brunsdon and Mr. Beatty also differ on the cost necessary to develop the lands.

35. The Beatty Report, at page 20, takes into consideration the cost of outstanding offsite services in the amount of \$2,997,194.00 as well as direct costs of \$467,462.00. The offsite services are costs payable to the City to subdivide the Parent Parcel. The direct costs are payable to the City to provide infrastructure services to develop the Parent Parcel. The Beatty Report, at page 21, concludes “... the Parent Parcel is not in a development ready state, at the present time, from a servicing perspective.”

36. The Brunsdon Report did not take into consideration either the direct costs or the cost of offsite services.

37. Mr. Brunsdon was unaware, prior to the hearing, that direct costs were payable to the City upon the development of the Parent Parcel. Mr. Brunsdon acknowledged that even if the Parent Parcel were developed without a subdivision or condominium plan but as a single parcel, the developer would still be responsible for paying the connection charges in the form of the direct costs.

38. The Brunsdon Report concluded the Parent Parcel is serviced and development ready. Mr. Brunsdon did not factor any offsite costs into his opinion of market value for the Parent Parcel. The Brunsdon Report states at page 31:

*Off-site Levy Costs are not to be considered as the site is serviced and the developer has not applied for subdivision.

and at page 32:

No allowances for off-site levies have been factored into the value as the developer has not applied for a subdivision and the site, **at present, is serviced.**

[emphasis in original]

39. The Brunsdon Report makes the following statement at page 16:

The subject property is currently zoned RM4 which permits low, medium and high density residential development. In Saskatoon, parcels of 30 acres in size are rarely being developed with a single density of development throughout. More likely, the development will take the form of mixed density, as permitted by the RM4 District. Most probably, however, walk-up apartments, townhouses and stacked townhouses.

40. In cross-examination counsel referred Mr. Brunsdon to the following statement at page 22 in the Brunsdon Report:

Currently, there are no internal services on the subject site itself. The City has indicated that the significant offsite levies need to be paid before hook-ups will be allowed for any developments on the site.

41. Mr. Brunsdon said "I don't know why [the above statement] is in there" and the statement is incorrect. Mr. Brunsdon also acknowledged in cross-examination that services within the development are direct services and the Parent Parcel does not have any direct services.

42. Mr. Brunsdon acknowledged that offsite levies are triggered when a plan of subdivision or a condominium plan is registered. In cross-examination, Mr. Brunsdon acknowledged that if the development of the Parent Parcel proceeded by way of condominium development with individual title to units, offsite levies would be triggered. Mr. Brunsdon's opinion is the most probable use of the Parent Parcel is not to subdivide or create condominiums but to develop the site as a single parcel for residential rental use. This would avoid the offsite levies. Mr. Brunsdon acknowledged that if developed as a single parcel the use of the site would be restricted to residential rentals and not the sale of individual residential units or parcels.

43. The Brunsdon Report states at page 30 that “[t]he subject property is an in-fill subdivision and in-fill subdivisions because the potential developers know what the development is around them, have a tendency to have values towards the upper end of the range.” Mr. Brunsdon was questioned in cross-examination again as to the reference to “subdivision” in this statement. Mr. Brunsdon apologized for the wording. He said he “may have worded it poorly”; it should have said “in-fill site” and not “subdivision”.

44. Mr. Brunsdon acknowledged in cross-examination that he was aware North Ridge had submitted proposals to the City for the subdivision of the Parent Parcel.

45. Mr. Brunsdon was asked in cross-examination if his opinion of market value would change if instead of developing the site as a single parcel the development involved subdivision. He said he had not done this analysis and did not know the answer to this question.

46. Mr. Brunsdon relied upon information in a City document to conclude the Parent Parcel was fully serviced. The City document is dated October 12, 2005, the subject of which is a Five-Year Land Development Program 2006-2010 from the General Manager, Community Service Department to Planning and Operations Committee. At page 48 of the document there is a chart referring to the current “Inventory of Serviced, Vacant Multiple-Unit Dwelling Land Within Infill Areas.” There is reference to a 29.4 acre parcel on 11th Street West, zoned RM4 being a serviced vacant lot. Mr. Brunsdon testified he had read the City’s report and this is what he relied upon to conclude the subject property was fully serviced. However, there is an asterisk on this parcel in the report pointing to the statement “Subject to an acceptable site and servicing design.”

3. The Direct Comparison Approach

47. Mr. Brunsdon and Mr. Beatty used the Direct Comparison Approach to estimate the market value of the Parent Parcel.

48. The Direct Comparison Approach involves a comparison of properties similar to the subject property. The Beatty Report states at page 35:

5.2.1 The Direct Comparison Approach

The Direct Comparison Approach requires an analysis and comparison of properties similar to the subject which have sold relatively concurrent to the date of appraisal and thus under similar economic conditions. The Direct Comparison Approach is the preferred method to estimating the market value of land because it reflects typical buyer and seller reactions and the principle of substitution:

“When several similar or commensurate commodities, goods or services are available, the one with the lowest price attracts the greatest demand and widest distribution. This affirms the notion that when a property is replaceable, its upper limit of value tends to be set by the cost of acquiring a similar and equally desirable property, provided there is no delay in making the acquisition.”

[Emphasis in original]

49. The Brunsdon Report has this to say about the Direct Comparison Report at page 28:

7.5 THE DIRECT COMPARISON APPROACH TO MARKET VALUE

The Direct Comparison Approach is based upon the Principle of Substitution; that is, when a property is replaceable in the market, its value tends to be set at the cost of acquiring an equally desirable substitute property, assuming no costly delay in making the substitution. Since no properties are ever identical, the necessary adjustment for differences in quality, location, size, services and market appeal are a function of appraisal experience and judgement. Such differences as financing, location and amenities influence value and therefore require adjustments. Usually the more adjustments required, the less reliable the resulting estimate.

50. Although Mr. Brunsdon and Mr. Beatty agree on the methodology, they disagree on the comparison of properties similar to the Parent Parcel.

51. Brunsdon chose properties that were smaller in size and were either listed for sale or sold as sites for development for sale as condominium residential units.

52. The Brunsdon Report states at pages 28 and 29 that “[t]he following sales were used to estimate the market value of the subject site.” The information that followed is set forth in Table #1 which is attached as Schedule “A” this Award. Table 1 includes listings as well as sales.

53. Mr. Brunson concluded sales on the west side of Saskatoon fell within a range from a low of \$433,000.00 an acre to a high of \$595,000.00 an acre. The Brunson Report states in-fill subdivisions tend to have values towards the upper end of the range and the subject property is an in-fill subdivision. Mr. Brunson concluded the subject site is valued at \$550,000.00 an acre (\$12.60 per square foot after rounding).

54. In cross-examination, Mr. Brunson disagreed that a size adjustment should be made on a 29.1 acre parcel when compared to sales of the smaller properties listed in Table A. Mr. Brunson states at pages 31-32 of the Brunson Report:

The demand for multi-family land is very strong in Saskatoon and local developers are now receiving strong competition from out-of-city and out-of-province developers who are interested in building large-scale, multi-family projects. They are seeking sites substantially larger than the traditional one to three acre sites that [have] been available for the last few years. If you look at the development history of multi-family developments in the city, you will find that as the city has grown and expanded, that the demand for larger sites has increased substantially. Forty to fifty years ago, developers were only developing one apartment building at a time and only required sites in the 100 ft. of frontage by a standard depth of about 140 ft. Approximately 20 years ago, developers started to build multi-building apartment complexes and demanded sites in the one to three acre size. We are now seeing even larger projects being contemplated and sites in the 5-10 acre size are now considered to be good development sites. One of the best examples of this is the purchase by North Prairie Developments of an RMTN site in the Stonegate neighbourhood (Parcel FF) of 10 acres in size. This sale was at \$5,850,000 or \$585[.]00/acre or \$13.43/sq. ft. There are a number of out-of-province developers who are looking extremely seriously at the city and are looking at sites in the 5, 10 and 15 acre size to accommodate multi-building, multi-family developments of a size and scale that they are accustomed to developing. The developer could, through stages without subdivision, have developed all of Parcel C....

55. Mr. Brunson clarified that none of the land sales relied upon for comparison were rental projects. Rather, they were all condominium development sales. Mr. Brunson candidly acknowledged there were no rental project sales to be found "because the market would not support" rental development.

56. All the comparative properties relied upon by Brunson were fully serviced without any further offsite levies.

57. The Beatty Report considered five comparable sales. Four of the sales involved undeveloped land. One sale involved a fully serviced parcel with the typical servicing costs backed out of the sale price to provide an indication of the underlying land value.

58. The five sales are as follows:

Index 1: LSD 4-13-36-5-W3rd

Sold November 2008 for \$1,750,000

Site Area: 37 acres

Comments: This site is immediately southeast of Highways #16 and #11. It is a holding property for future development but is some years away from being annexed, zoned and so forth. It has the capacity to serve an interim use until expansion of the City moves south on the east side of Highway #11.

[\$47,297 per acre]

Index 2: SE 15-36-5-W3rd

Sold September 2007 for \$4,953,000

Site Area: 78 acres

Comments: This 78 acre parcel was purchased as part of the assembly for land that is now under development as the most recent phase of the Stonebridge neighbourhood. At the time of sale, the land had already been annexed into the City. The land had immediate potential for development in a neighbourhood of mixed density, but primarily single family residential, with multi-family land interspersed throughout the area.

[\$63,500 per acre]

Index 3: N1/2 2-37-5-W3rd

Sold September 2007 for \$1,680,000

Site Area: 114.4 acres

Comments: This land is located at 33rd Street West near Dalmeny Road. It was purchased as short to mid-term development land, as part of the Blairmore neighbourhood. The land is within the City limit and is slated to be one of the first areas of Blairmore that will be developed after Hampton Village reaches substantial completion. The site is zoned R1A(H).

[\$14,685 per acre]

Index 4: 2900 Lorne Avenue, part of SE17-36-5-W3rd

Sold June November 2007 for \$3,750,000

Site Area: 54.09 acres

Comments: This land was formerly part of the Saskatoon Golf and Country Club, located to the west of Lorne Avenue immediately south of the Western Development Museum. The site is bounded by rail tracks to the south, and the extension of Circle Drive along its north boundary. Subsequent to the purchase, the owner sold approximately 7 acres to the City of Saskatoon for the Circle Drive right-of-way. The land was sold to the City at the same rate that it was purchased for.

[\$69,329 per acre]

Index 5: 715 Hart Road

Pending Sale by the City of Saskatoon for \$2,596,000

Site Area: 5.06 acres, with 607.7 feet of frontage on Hart Road

Comments: This is a pending sale of a site that is zoned RM2 and located in the developing area of Blairmore. The fully serviced parcel is planned to be developed with a stacked townhouse project of 94 units, in two phases. The servicing cost of the parcel, calculated at the City's 2010 rates, is \$1,833,200, which would suggest the value of the land component, is represented by the balance of \$761,789, or \$150,551 per acre.

[\$150,551 per acre]

59. The Beatty Report contained the following analysis of the comparable sales:

Index	Location	Date	Size	SP/Acre	Time Adj	Adj/Acre
1	Highway 16 E	Nov/08	37.00	\$47,297	10%	\$52,027
2	Southridge	Sept/07	78.00	\$63,500	25%	\$79,375
3	Confederation Park	Sept/07	114.40	\$14,685	25%	\$18,356
4	Exhibition	Nov/07	54.10	\$69,329	25%	\$86,661
5	Blairmore	Current	5.06	\$150,551	0%	\$150,551

60. North Ridge purchased Index 2. Mr. Beatty concluded that Index 4 was the best sale available for comparison with the subject lands. The Beatty report states at pages 39 and 40:

Index 4 is considered to be the best sale available for comparison with the subject. At a time-adjusted \$86,600 per acre this parcel has many similarities with the subject. The 54.09 acre parcel will be subject to a buffering requirement from the track that borders its south boundary. Along the north boundary, a portion of the site was acquired by the City of Saskatoon as part of the Circle Drive extension. It was known at the time of acquisition that some of the land would be required for the Circle Drive right of way. At the time of acquisition it was apparent that about 30% of the 54 acres was not available for subdivision. In other words, the purchase price of about \$70,000 per acre, before time adjustment, contemplated this type of gross to net yield of developable land. Also of similarity with the subject existing services in proximity to this location, that can only be accessed if off-site costs are paid up at the time the services are accessed. The notable differences between this parcel and the subject are the east-side to west-side location and the fact that this parcel currently sits outside the City boundary and therefore will require an annexation agreement before development will occur. It is not zoned under the City of Saskatoon's bylaw at the present time. The purchaser anticipates a mixed use development that may include a commercial component. While these differences are notable, this sale is still the best available evidence of value for the subject.

Index 5 is one of the most recent sales of a multi-family site on the west side of the City. Zoning of the parcel is RM2, which allows a similar density as the subject RM4 designation, although it is somewhat more restrictive in the terms of permitted uses. The sale is analyzed by allocating the price between the servicing costs and the value of the raw land component. The indicated \$150,000 per acre is related to a parcel that is fully development

ready. It is also a net area where all roadway allocations and other requirements have been met. A substantial downward adjustment must be made for these differences. Notwithstanding, this sale is useful in establishing the type of value associated with the land component of a site that is available for immediate development.

61. Mr. Beatty concluded the market value of the subject land is \$106,250.00 per acre and states at pages 40 and 41 of the Beatty Report:

In reconciling this disparate data, the value for the subject could be viewed as adjusting up from the \$80,000 to \$85,000 range indicated by the time-adjusted values for Index 2 and 4, and adjusting down from the \$150,000 suggested by Index 5. Upward adjustment is required to account for the pre-existing zoning of the subject, due to the implications for future land use, and for the partially serviced nature of the subject land that will reduce the servicing cost for any future subdivision of the land. Downward adjustment from the higher figure is required to account for the fact that the subject is not in a fully development ready state. It will require further planning considerations, dedication of buffers and other steps in the process of reaching the stage where it will be available for development.

Adjusting the lower range figure upward by 25% suggests a figure in the \$100,000 to \$106,250 per acre range. A similar downward adjustment of the upper range figure suggests \$112,500 for the subject. A mid-range figure appears to be a reasonable reconciliation of these primary indicators.

Based on the foregoing, the estimate of market value of the subject property's fee simple interest, as a portion of the parent parcel and further considering:

- the Montgomery Place location,
- the RM4 zoning,
- the expected future traffic patterns,
- the ability to attenuate traffic and railway noise with a single measure,
- the pending off-site servicing costs and required servicing costs under existing conditions,
- the site topography, and the expected density of development,

is reflected in the per unit rate of \$106,250: ...

62. Mr. Beatty was asked to explain the difference between his choices of comparable properties with those chosen by Mr. Brunsdon.

63. Mr. Beatty testified the difference was that of wholesale compared to retail value of land. Mr. Brunsdon based the market value of the Parent Parcel on the retail value of properties used

as a comparable. Retail is used in the sense the developer applies for the building permit and is ready to go. Mr. Beatty's approach was to value the land, not at retail, but what he referred to as the wholesale value. Mr. Beatty testified there were several steps required before the Parent Parcel was ready to be developed on a retail basis. Mr. Beatty's view was the Parent Parcel would need to be subdivided into smaller three-to-six acre parcels. Servicing costs in the nature of offsite levies and direct costs would be incurred to bring the Parent Parcel from a wholesale to a retail state.

64. Mr. Beatty compared this difference to the price of meat. One does not pay the same price for a side of beef as a T-bone in the grocery store.

65. Mr. Beatty testified there are many factors a developer takes into consideration in determining the wholesale value based on its retail value. The price of a three-acre parcel cannot be compared to the price of a thirty-acre parcel unless certain costs are taken into consideration. Mr. Beatty testified "you need some stuff done" with a thirty acre parcel and "the stuff is done on the comparable properties chosen by Mr. Brunsdon." Mr. Beatty prepared a calculation to take into consideration the "stuff" that had to be done to compare a thirty-acre site to a three-acre site. In doing this comparison he assumed a profit margin of 25%, a 10-year development period, and an 8% discount rate. One calculation was done with offsite levies and another without offsite levies. Mr. Beatty's calculations are as follows:

NPV – "Before", without off-sites			
29.02	ac	\$450,000	\$13,059,000
Cost of Sales	4%		\$522,360
Servicing	Off-site		
	Direct		\$467,492
Net Sales Proceeds			\$12,069,148
Profit	25%		\$ 3,264,750
Net to Land and Profit			\$ 8,804,398
Discount over 10 years	\$880,440	6.7101	\$ 5,907,839
NPV – "After", without off-sites			
18.35	ac	\$450,000	\$ 8,257,500
Cost of Sales	4%		\$ 330,300
Servicing	Off-site		
	Direct		\$ 467,492
Net Sales Proceeds			\$ 7,459,708

Profit	25%		\$ 2,064,375
Net to Land and Profit			\$ 5,395,333
Discount over 10 years	\$539,533	6.7101	\$ 3,620,322
Difference			\$ 2,287,517
NPV – “Before”, with off-sites			
29.02	ac	\$450,000	\$13,059,000
Cost of Sales	4%		\$ 522,360
Servicing	Off-site		\$ 2,997,294
	Direct		\$ 467,492
Net Sales Proceeds			\$ 9,071,854
Profit	25%		\$ 3,264,750
Net to Land and Profit			\$ 5,807,104
Discount over 10 years	\$580,710	6.7101	\$ 3,896,625
NPV – “After”, with off-sites			
18.35	ac	\$450,000	\$ 8,257,500
Cost of Sales	4%		\$ 330,300
Servicing	Off-site		\$ 1,895,193
	Direct		\$ 467,492
Net Sales Proceeds			\$ 5,564,515
Profit	25%		\$ 2,064,375
Net to Land Profit			\$ 3,500,140
Discount over 10 years	\$350,014	6.7101	\$ 2,348,629
			\$ 1,547,996

66. Mr. Beatty testified that although he did not advocate using the above approach, based on the assumptions he used, the acquired lands (accounting for offsite levies) had a value of \$1,547,996. This is based on a retail price of \$450,000 per acre. The acreages in the above calculations are slightly different than used elsewhere in the evidence and in the reports of Beatty and Brunsdon. The reports indicate the Parent Parcel as having 29.11 acres (not 29.02 acres) and the Remaining Lands as having 18.36 acres after the partial taking (29.11 acres less 10.75 acres), not 18.35 acres.

67. Mr. Brunsdon disagreed with Mr. Beatty’s critique that the Parent Parcel should reflect a wholesale price and the “stuff” necessary to get the land ready for retail. Mr. Brunsdon testified the Parent Parcel is available for immediate development and, in his view, “it is the T-bone.” Mr.

Brunsdon disagreed with Mr. Beatty's assumption of a ten-year sell out for the Parent Parcel. Mr. Brunsdon stated this that was "out of whack" and a two to three-year sell out was possible.

68. Mr. Brunsdon, being of the opinion the Parent Parcel could be developed as one site, could not find comparable sales of parcels of similar size to the Parent Parcel. Mr. Brunsdon, for the most part, criticized the comparable sales used by Mr. Beatty. Mr. Brunsdon stated that Index 1 was not Phase I land ready for immediate development. It was not in the City limits and would have to go through annexation. It was not serviced or zoned. It was gross acres from which streets would be set aside and municipal reserve dedicated, unlike the subject property, which in Mr. Brunsdon's opinion was net acres.

69. Mr. Brunsdon testified Index 2 was not an in-fill site, was not serviced, was not zoned and was gross acres as opposed to the Parent Parcel's net acres. Index 3 had too many unknowns, and was similar to Index 1 and Index 2. Index 4 is not Phase I land ready for immediate development. It is not zoned and it is not within the five-year servicing plan. Mr. Brunsdon questioned whether Index 4 could ever be serviced. Mr. Brunsdon testified there are engineering problems to overcome in the exhibition area where Index 4 is situated.

70. Mr. Brunsdon did agree that Index 5 is a reasonably good comparable, but was of the opinion Mr. Beatty had made a mistake with respect to deducting the servicing costs to arrive at a value comparable to the Parent Parcel. Mr. Brunsdon testified this adjustment to Index 5 should not have been made because Index 5 and the Parent Parcel are both serviced. Index 5 was subdivided. Mr. Brunsdon testified in his opinion the Parent Parcel need not be subdivided. Mr. Brunsdon also testified a favourable adjustment should have been made to the Parent Parcel for zoning because it is zoned RM4 and Index 5 is zoned RM2. RM2 zoning is inferior to RM4. RM2 permits 40% site coverage development. RM4 allows development of up to 60% of the site coverage.

71. Mr. Brunsdon was cross-examined on his understanding of land development starting with a single large parcel of land and the steps required that reduce the available land for its end use (i.e. gross to net acres). Mr. Brunsdon acknowledged that in a normal development the developer starts with raw land and, as a rule of thumb, in the end is left with sixty percent of this land to sell or use. The developer incurs servicing costs in the form of offsite levies and the

direct servicing cost to the land. In going from raw to saleable land dedications are made for municipal reserves, buffering, berms, and parks; further land is set aside for the likes of roadways, sidewalks and curbs within the area developed. The services within the site include sewer and water, natural gas, hydro, telephone, streets and roads, street lighting, sidewalks, landscaping and sound attenuation. Mr. Brunsdon acknowledged that none of the direct services are presently situated in the Parent Parcel.

72. Mr. Brunsdon introduced into evidence two additional spreadsheets with sales figures for multi-family land, which were supplemental to his report. The sales were for the 2004 to 2005 period and the 2009 to 2010 period in Saskatoon. Some of the 2010 sales were the same comparable sales used in the Brunsdon Report.

73. Mr. Brunsdon relied upon the information in the additional spreadsheets to support his opinion of the trend in the “huge” price increase in the City from November 2004 to May 2010. During this period RM2 and RM3 land, the most common zoning for multi-unit residential, increased in price from \$246,985.00 per acre to \$642,074.00 per acre. Mr. Brunsdon was satisfied, based on this analysis, there was a “significant upside pressure” for development of this type of land. The property sales Mr. Brunsdon referred to in 2005 did not include the sale from the Saskatchewan Arts Board to North Ridge. This sale works out to be \$15,184.00 per acre and was not in Mr. Brunsdon’s database. Mr. Brunsdon was unaware of the details of the North Ridge purchase of the Parent Parcel in 2005. He first became aware of these details during the evidence in this hearing.

74. Mr. Brunsdon was doubtful the 2005 sale between the Saskatchewan Arts Board and North Ridge was a valid sale and had exposure to the market. Mr. Brunsdon said he would want to do his own research and did not agree with the proposition put to him by counsel for the City during cross-examination that the 2005 sale with Saskatchewan Arts Board was a market value transaction. Mr. Brunsdon throughout his evidence referred to North Ridge as “my client”. It was unclear if Mr. Brunsdon, during the appraisal process, had asked North Ridge for the details of the 2005 sale. In any event it was clear Mr. Brunsdon did not have this information until disclosed by David Kyle at the hearing.

75. Mr. Brunsdon was also pressed during his cross-examination with the proposition that the difference between the \$240,000.00 per acre that Mr. Brunsdon said was the market value of multi-unit residential land in 2005 and the \$15,000.00 per acre paid by North Ridge for the Parent Parcel was due to the offsite levies. Mr. Brunsdon did not answer this directly. He took the position the Saskatchewan Arts Board 2005 sale did not relate to the value in 2010. Mr. Brunsdon maintained he could not give an opinion on the 2005 sale if he reviewed the agreement.

4. Damage to and/or Increase in Value of Remaining Land after Taking

76. The Beatty Report also addressed two questions asked by the City. The questions were (i) what is the value of the Remaining Lands “after” the taking, and (ii) what is the impact of the value of the work the City has undertaken to complete the acquired lands. The Beatty Report recognized the appraisal value alone does not conform to the basis of the award required under section 9 of the Act. The Beatty Report states at page 3 of Appendix “C”:

A well established method of considering the net effect on property values in a partial taking is called the before and after method. This method considers the value of the parent parcel before the partial taking is made, and contrasts this with the value of the residual parcel after the taking. Thus, if there is any detrimental effect to the remaining parcel after the taking, or if some benefits accrue to the parcel as a result of the taking (or as a result of the works for which the acquisition are made), they are reflected in the process.

77. The Beatty Report considered the changes in the traffic pattern as a result of the re-alignment of 11th Street West. The information provided by Stantec, the consulting engineers in the City’s Infrastructure Service Department, indicated that traffic is expected to increase from 8,520 vehicles per day to 9,500 vehicles per day once the bridge is complete. The posted speed limit will be increased to 60 kilometres per hour, from 50 kilometres per hour. Mr. Beatty noted that with 11th Street re-aligned, the existing portion of 11th Street west of Dundonald Avenue will become a local roadway and will not require sound attenuation. Mr. Beatty concluded the changes in traffic patterns will have no impact on the after value of the Remaining Lands.

78. Mr. Beatty also took into consideration the required contribution to offsite costs. Mr. Beatty noted the offsite services costs related to the Parent Parcel, based on the information

provided to him from the City, was \$2,997,142.00 (the actual information was \$2,997,194.00), or \$102,959.00 per acre. After the re-alignment of 11th Street, the City agreed to accept offsite levies in the amount of \$80,344.00 per acre pursuant to the "post-arbitration agreement". Mr. Beatty's opinion was the difference of \$22,615.00 per acre should be reflected in the "after" value of the Remaining Lands.

79. The third issue that Mr. Beatty considered was the work to be completed by the City in the taking area(s). The City has committed to construct a sound wall to provide sound attenuation at an estimated cost of \$625,000.00 to \$650,000.00. The City has also agreed to pay to extend Lancaster Boulevard at a cost of \$365,000.00, as well as hydro-seeding and landscaping all buffer strips at a minimum cost of \$10,000.00. The City has also agreed to complete the survey, prepare ISC documentation, and pay registration fees and other costs in connection with subdivision requirements. All of these items would normally be costs borne by the land owner. Mr. Beatty concluded that the City will be covering \$1,025,000.00 in costs that are usually the responsibility of the owner and that converts to \$55,828.00 per acre for the Remaining Lands, being 18.36 acres.

80. Mr. Beatty summarized the results of the value of the Parent Parcel "before" the taking was \$3,100,000.00 and "after" the taking was \$3,440,000.00. The "before taking" calculation was Beatty's appraised value of \$106,250.00 per acre for the 29.11 acre parent parcel. The "after taking" calculation added to the appraised value \$22,615.00 per acre for the reduced offsite development costs and \$55,828.00 per acre for the development cost paid by the City normally borne by the developer, for a rate of \$184,693.00 per acre. The Beatty Report then calculates this based on 18.63 acres and rounds the result to \$3,440,000.00. It appears to me the reference to 18.63 acres in the Report was a typographical error. The correct remainder lands are 18.36 acres. The difference is \$50,000.00 rounded.

81. The difference does not affect the opinion of Mr. Beatty. Although after making this adjustment the value of the Remaining Lands after the taking is \$290,000.00 greater, Mr. Beatty stated at page 6 of Appendix "C" of his Report:

In the case at hand, the betterment associated with the agreements the City has made with the land owner more than offset the value of the land taken. Section 9 of the Municipal Expropriation Act is clear on this matter -

compensation is to include the value of the land, any improvements thereto, and any decrease in the value of the remaining land as a result of the taking, offset with increases in the value of the remaining lands due to any work done or to be done on the land. However, despite the math, it is not considered appropriate to ascribe a negative value to the taking, since the owner is giving up a portion of his lands.

82. The Brunsdon Report posed the question as “does the Lancaster Blvd. extension and the 11th Street realignment and the splitting the larger parcel into two smaller parcels confer a benefit to the property owner?” The Brunsdon Report considers the factors, but does not quantify the damage to the Remaining Lands nor the increase in value to the Remaining Lands by virtue of the work done or to be done on the land taken.

83. Mr. Brunsdon was of the opinion that the City was forcing a subdivision on the owner with the taking and the taking reduced the development potential of the land. Mr. Brunsdon testified that although it is a generally accepted notion the smaller the parcel, the greater the price, this notion did not apply to the subject lands. In his opinion, because of the market today, with pent up demand, there was no difference in the price between smaller parcels and larger parcels.

84. In Mr. Brunsdon’s opinion there was no increase in value to the Remaining Lands by including them in Montgomery Place. Mr. Brunsdon stated the perception today is that the lands are part of the Montgomery Place neighbourhood. In the Brunsdon Report the increase in traffic, both high speed and residential speed traffic, both by and through the property, is cited as a negative factor. In cross-examination, Mr. Brunsdon could not say whether the increase in traffic would decrease the value of the Remaining Lands.

85. Mr. Brunsdon testified North Ridge was not “gaining something” as a result of the taking. North Ridge is getting more traffic through the site, but is getting better access and egress. Mr. Brunsdon testified “it’s almost a wash”. Mr. Brunsdon testified, in his opinion, no additional compensation was due to North Ridge and no “huge benefit” was conferred on North Ridge regarding the Remaining Lands.

86. The Brunsdon Report, after considering factors that the taking has on the Remaining Lands, concludes at page 34:

Overall, it is my opinion that the negatives far outweigh the positive factors, if any, to the overall property.

E. Assessment for Property Taxes

87. Donald Davidson, the manager of commercial assessment in the City's Assessment Branch, testified on behalf of the City. Mr. Davidson acknowledged the current assessment of the Parent Parcel based on the 2006 value for property tax purposes was \$4,309,800.00. The Parent Parcel was assessed as serviced, Mr. Davidson said, for assessment purposes, if services are adjacent to the subject lands the lands would be assessed as serviced.

88. Mr. Davidson also explained the difference between a single property appraisal and the market value standard applied in determining the assessed value of properties. The market valuation assessment standard is based on mass appraisal techniques where a value is determined based on a group of properties.

89. The array of sales relied upon by the City to determine the assessment rate consisted of four sales in the market neighbourhood (referred to as West Central South and West) during the period 2000 to 2004. All four were vacant multi-family land. The medium price and land rate used for assessment by the City was \$3.40. The largest parcel was 77,408 square feet and no size adjustment was applied. In determining the assessed value of the Parent Parcel, the assessment rate of \$3.40 per square foot was applied to the 1,268,032 square feet in the Parent Parcel.

90. The 2005 sale by the Saskatchewan Arts Board to North Ridge of the Parent Parcel was not taken into account by the City. The City had not received the information on this sale. Mr. Davidson testified that had the City received this sale information and qualified the validity of the sale, it would have used the mass appraisal assessment. The sale of the Parent Parcel by the Saskatchewan Arts Board worked out to \$0.35 a square foot. Mr. Davidson speculated that the Saskatchewan Arts Board sale might necessitate a need for a land size adjustment to the assessed value of the Parent Parcel.

F. 11th Street Traffic

91. Tom Mercer is a professional engineer. He was initially involved with the design and planning of the Project before being hired by the City in 2008 as the owner's engineer for the

Project. Mr. Mercer is the main person in charge of the entire Project. Mr. Mercer has extensive expertise in traffic. Mr. Mercer testified that he and his firm recommended the realignment of 11th Street west of Dundonald Avenue. The Project would result in an increase in traffic on the realigned 11th Street of 1,000 cars per day. There are many single-family residences on 11th Street and the increase in traffic is generally not a good thing for the Montgomery Place neighbourhood. The realignment of 11th Street to the north removed it as an arterial roadway that would otherwise have separated the existing Montgomery Place neighbourhood from those residents in the Parent Parcel. This realignment was therefore beneficial for the Montgomery Place neighbourhood and the area, as children would not have to cross an arterial roadway to remain within Montgomery Place.

92. Mr. Mercer also testified the work on the 11th Street realignment would include construction of sound walls alongside the Parent Parcel for \$625,000.00.

G. Development of Parent Parcel

93. Valerie Hardy is a Land Development Coordinator with the City. The Land Development department has responsibility for new development as well as re-development of land within the City. Ms. Hardy was personally involved with North Ridge and its considerations in connection with the development of the Parent Parcel.

94. On June 17, 2008 Ms. Hardy responded by letter to Webb Surveys in connection with a proposed subdivision that divided the Parent Parcel into four lots. Webb Surveys was working for North Ridge. The letter states in part:

Re: Proposed Subdivision of
Parcel C, Plan No. 101438657
3130 – 11th Street West – Montgomery Place

The proposed subdivision, as noted above, is acceptable to the Infrastructure Services Department subject to the following conditions:

1. The Developer entering into a servicing agreement with the City of Saskatoon.
2. Offsite servicing levies will be payable at the rates approved by City Council at the time the servicing agreement is entered into. By way of illustration only, an approximate estimate of the offsite charges based on the 2008 rates would be as follows:

Lot 1	\$972,026.62
Lot 2	463,925.08
Lot 3	432,924.62
Lot 4	<u>469,147.63</u>
Total	\$2,338,023.95

3. Sound attenuation is required along the future 11th Street alignment funded by the Developer. This could be in the form of sound walls and/or berming to a minimum of 2.5m above finished roadway grade at a 3.5:1 side slope.
4. A vibration study will be required by the Development Services Branch of the Community Services Department. The study may indicate further setbacks and/or buffer dedication required at the expense of the Developer.
5. Depending upon the outcome of the vibration study, the City will allow the future 11th Street right-of-way to be constructed within the designated vibration area. If the designated vibration area is less than the proposed right-of-way, the City will compensate the Developer for the raw land portion of right-of-way that exceeds the designated vibration area.
6. The City will not compensate the land owner for lost usability of land (if any) as a result of the relocation of 11th Street.
7. Alterations to the existing 11th Street and construction of the future 11th Street will be at the expense of the City of Saskatoon.
8. Construction to the extension of Lancaster Boulevard will be at the expense of the Developer.
9. The seeding and landscaping of all buffer strips created will be at the expense of the Developer.
10. The Developer will be responsible for the cost of constructing a 2.0m chain link fence to City of Saskatoon specifications adjacent to the railway right-of-way.

No additional easements are required by this department.

The cc on this letter indicates that a copy went to "Walter Mah, Northridge Developments Corp., 3037 Faithfull Avenue, Saskatoon, SK S7K 8B3".

95. The offsite levies were based on the City's 2008 rates and particulars of the proposed subdivision. The rates charged for offsite levies are approved by City Council from year to year and apply to all new development.

96. Jeff Jorgenson, then Vice-President of Land Development for North Ridge, by letter of June 27, 2008, responded to Ms. Hardy's letter of June 17, 2008.

97. Mr. Jorgenson was concerned specifically about points 3, 6 and 8 of Ms. Hardy's letter. With respect to point 3, North Ridge did not accept responsibility to fund the construction of sound attenuation and stated:

In contrast [to Stonebridge], the 11th Street site is serviced, zoned property. We are not subdividing because we are developing a neighborhood, we are subdividing because we wish to phase construction of new housing on this site. Neighborhood sound attenuation adjacent to existing properties is funded by various levels of government, based on noise level criteria.

98. Mr. Jorgenson stated with respect to point 6:

As shown on the drawing obtained from the City dated December 4, 2007, our site consists of approximately 29.4 acres of serviced property zoned RM4. With the relocation of 11th Street, which is being done solely to meet the needs of the City, we will lose approximately 8.4 acres of property. We acknowledge that if some of this property could not have been constructed upon due to the results of the vibration study, the value of this land is lower than that of land which can be built upon. However, this land is still of value as it could be incorporated into the sites as green space.

99. Also, in response to point 8, Mr. Jorgenson stated:

The extension of Lancaster Boulevard is required only because of the relocation of 11th Street, and is integral to the realignment. We do not require this roadway in order to build on our property.

100. Mr. Jorgenson then went on to state:

In addition to these concerns, we would like to discuss with you the off-site levies payable. This land is fully serviced and zoned, and the off-site levies you estimate in your June 17, 2008, letter are significant. Before we agree to pay any levies we need to review this issue with you to ensure that we do not pay costs that we are not obligated to pay.

101. The letter indicates that a copy was also provided to Walter Mah, President of North Ridge.

102. Ms. Hardy did certain calculations with respect to the Parent Parcel for offsite levies on May 19, 2010, based on the 2009 prepaid rates. The estimate indicated that the total prepaid

services, without subdivision of the plan into multiple parcels, indicated offsite levies in the amount of \$2,997,194.21 as well as an additional \$467,492.00 for the direct cost of bringing services along 11th Street to the Parent Parcel for the storm sewer, water main and pavement.

103. Ms. Hardy testified the Parent Parcel did not have to be subdivided and, if developed as one site without a subdivision, no offsite levies would be charged.

104. In May 2010, Ms. Hardy discussed with and provided Mr. Beatty her estimate of offsite levies as determined on May 19, 2010.

105. In March 2011, Ms. Hardy was again called upon by North Ridge to prepare another calculation for offsite levies and costs exigible on the proposed development of the Parent Parcel. This calculation was based on a proposed plan to subdivide the land into four parcels, after taking into consideration the realignment of 11th Street West and the extension of Lancaster Boulevard. The offsite levies were \$2,440,839.65, plus the direct costs referred to above of \$467,492.00, for a total of \$2,908,331.65.

106. Ms. Hardy testified that offsite levies benefit the entire neighbourhood and direct services are services for a specific property. Ms. Hardy testified the costs for direct services are the responsibility of the developer.

107. Typically, the developer and the City enter into a Servicing Agreement with respect to lands. The Servicing Agreement sets out the conditions for the development of the lands and the responsibilities of both the developer and the City. Direct service costs and offsite levies are addressed in the Servicing Agreement.

108. Ms. Hardy testified the offsite levies on the Parent Parcel had never been paid to the City.

109. In cross-examination, Ms. Hardy acknowledged in-fill sites are sites located within the City. Ms. Hardy testified, in her view, in-fill sites are not sites located on the City's fringe like the Parent Parcel and that a single lot development within an existing neighbourhood, like the Parent Parcel, would be considered a re-development rather than an in-fill site.

110. In cross-examination, Ms. Hardy agreed there can be variances from the norm as to who pays for what services with respect to the development. Ms. Hardy was referred to the letter of

January 26, 2009 from D.G. Schmidt, the Land Development Manager of the City of Saskatoon, to Walter Mah of North Ridge concerning the proposed development of the Parent Parcel. The letter states:

The City received a letter dated September 8, 2008, from Northridge Development Corporation that outlined concerns regarding our requirements for the development of 3130 – 11th Street West. Specifically, the letter referenced the amount owing for offsite levies totalling \$2,338,023.95 and concluded with an offer to subdivide and carryout the construction of the property upon payment of a modified offsite levy in the amount of \$1,263,185. As a reduction in levies cannot be approved administratively, the Infrastructure Services Department approached the Executive Committee of City Council with your firm's offer. The Executive Committee was receptive to the proposal and approved the reduced amount of \$1,263,185 subject to the Developer entering into a development and servicing agreement with the City of Saskatoon. The contents of that agreement were contained within our letter of June 17, 2008, and have been presented as follows for completeness:

- A. Responsibilities of the Developer
 - 1) Pay for the revised offsite levy amount owing upon execution of the servicing agreement.
 - 2) Construct sound attenuation along the future 11th Street alignment. This could be in the form of sound walls and/or berming to a minimum of 2.5m above finished roadway grade at a 3.5:1 side slope.
 - 3) A vibration study is required by the Development Services Branch of the Community Services Department. The study may indicate further setbacks and/or buffer dedication required.
 - 4) Absorb the land usability loss as a result of the relocation of 11th Street that will reduce the overall development area.
 - 5) Construction of the extension of Lancaster Boulevard.
 - 6) Seeding and landscaping of all buffer strips created.
 - 7) Construction of a 2.0m chain link fence to City of Saskatoon specifications adjacent to the railway right-of-way.
- B. Responsibilities of the City:
 - 1) Prepare and submit a servicing agreement to City Council for approval. This process, after submission of the plan of subdivision, is approximately 3 months.
 - 2) Modify if required the existing 11th Street roadway and construct in the future the relocated portion of 11th Street.

- 3) Depending upon the outcome of the vibration study, the City will allow the future 11th Street right-of-way to be constructed within the designated vibration area. If the designated vibration area is less than the proposed right-of-way, the City will compensate the Developer for the raw land portion of right-of-way that exceeds the designated vibration area.

To move forward with the City's offer, the Developer must commission a vibration study that will determine the construction set back from the rail line. Upon acceptance of the study by the City, the Developer must then proceed to prepare and submit a plan of subdivision. As time is of the essence, we would ask that Northridge forward an acceptance letter to the City of Saskatoon outlining the timing for this year's development schedule.

111. Ms. Hardy acknowledged this proposal from the City to North Ridge changed who paid for what, and how much. However, North Ridge did not proceed any further in the negotiations with the City and the offsite levies were not paid by North Ridge.

112. Ms. Hardy testified the Land Development Branch considers and treats the Parent Parcel as unserviced land.

113. The City produced into evidence a group of forty-seven Servicing Agreements between the City and developers in the last five years. The Servicing Agreements set out the responsibilities of the developer and the City, and typically deal with the issues of offsite levies, direct servicing costs and responsibilities, and the dedication of land requirements. North Ridge was the developer in several of the Servicing Agreements. The Servicing Agreements related to the subdivision and development of land within the City. Ms. Hardy testified every Servicing Agreement is specific to the land at issue.

114. Jeff Balon is currently the Land Manager for North Ridge. Previously, Mr. Balon was the Transit Manager at the City.

115. Mr. Balon was called by North Ridge to identify and introduce into evidence two e-mails. On October 9, 2009 an e-mail from Cal Sexsmith of the City was directed to North Ridge, looking for the answer as to whether or not North Ridge was in agreement with the terms and conditions outlined in Mr. Schmidt's letter of January 26, 2009. Mr. Balon's response was that North Ridge may be in agreement with the terms if they knew the area of right-of-way the City required and what would be paid for the Land outside of the vibration setback. The second e-

mail was from Andrew Hildbrandt of the City on October 21, 2009 to Mr. Balon, advising that the City would be in agreement with North Ridge's request to provide a surface drainage storm water system in the development of the Parent Parcel.

116. Although the matters raised in the e-mails are in connection with a subdivision of the Parent Parcel, Mr. Balon would not admit that North Ridge intended to subdivide the Parent Parcel.

117. North Ridge did not call Walter Mah as a witness.

III. THE ISSUE:

118. The issue for determination is the compensation payable to North Ridge in accordance with section 9 of the Act for the Roadway Lands taken from the Parent Parcel by the City.

IV. THE LAW:

119. The parties have agreed that the compensation payable to North Ridge shall be determined in accordance with section 9 of the Act. Section 9 of the Act states:

Basis of award

9. In estimating the amount to which the claimant is entitled, the judge or the arbitrators shall consider and find:

- (a) the value of the land and all improvements thereon as of the date of the deposit of the plan under section 4; and
- (b) the damage, if any, to the remaining land of the claimant;

and from the amount so found the judge or the arbitrators shall deduct any increased value to the remaining land of the claimant by virtue of work done or to be done on the land taken.

120. The parties also agreed the value shall be determined as at the date of the arbitration agreement made between the parties. As pointed out earlier, the face page refers to the arbitration agreement being made this 21st day of July, 2010, and the signature page indicates that it is dated the 29th day of July, 2010. North Ridge, in its written argument, states the arbitration agreement is dated July 29, 2010. However, the City, in argument, submits the valuation date is July 21, 2010.

121. North Ridge then goes on to state in its written argument that it sees no difference that would affect value as to which of these two dates, July 21, 2010 or July 29, 2010, is chosen. The City did not make it an issue as to which of the July dates was “the date of this arbitration agreement”. It is my view, for the purposes of this Award, whether the date of the arbitration agreement is July 21, 2010 or July 29, 2010, such does not affect the determination of the value of the land and the compensation payable to North Ridge. There was insufficient evidence to determine any difference in the value of the Parent Parcel would result from using either of these two dates.

122. The Brunsdon Report provides an opinion of market value of the acquired lands at July 21, 2010. The Beatty Report provides an opinion of market value as of May 1, 2010. North Ridge has not raised any issue concerning the date of the opinion in the Beatty Report. The parties proceeded on the basis the two reports reflected the authors’ opinions of the market value of the acquired lands on the date relevant for the determination of the core issue of the compensation payable to North Ridge as a result of the City’s taking. The parties did not raise any issue regarding the relevancy of the dates of the opinions in the report, but rather took issue with the value of the acquired lands expressed in the reports. Accordingly, for the purpose of this Award, I accept the evidence from both Mr. Brunsdon and Mr. Beatty as to their opinion of the value of the acquired lands at the relevant date, which is the date of the arbitration agreement.

123. In order to determine the compensation payable to North Ridge, section 9 of the Act requires the following:

- (a) the value of the land and all improvements (referred to in the arbitration agreement as the “Roadway Lands”);
- (b) the damage, if any, to the remaining land (referred to in the arbitration agreement as the “Remaining Lands”); and
- (c) a deduction from the above amount for any increased value to the Remaining Lands by virtue of work done or to be done on the land taken.

124. The arbitration agreement refers to (b) and (c) above as follows:

[T]here may be an award of compensation to NRDC for damage or diminution of value of the Remaining Land or a reduction in the reward of compensation to NRDC due to the enhancement in the value of the Remaining Land.

125. The Supreme Court in *Smith-Roles Ltd. v. Saskatoon (City)*, [1978] 2 S.C.R. 1121 held the trier of fact was required to fix the value to the owner of the expropriated or taken land. The Supreme Court at para. 7 approved the statement of Rand J. in *Diggon-Hibben Ltd. v. R.*, [1949] S.C.R. 712 at 715, from which Spence J., writing on behalf of the Court, quotes:

[T]hat the owner at the moment of expropriation is to be deemed as without title, but all else remaining the same, and the question is what would he, as a prudent man, at that moment, pay for the property rather than be ejected from it.

126. The Supreme Court held the above statement is the prime principle in the fixing of the quantum of compensation upon expropriation.

127. North Ridge does not take issue with the law referred to above. North Ridge referred me to three Saskatchewan decisions. In *Melfort (City) v. Northcott* (1983), 26 Sask R. 58 (Q.B.) ("*Melfort*"), Maher J. held that it was the value to the owner that must be considered, not the value to the expropriating authority.

128. It is also of relevance to this Award that Maher J. in *Melfort* came to the conclusion that he was unable to accept the findings of any of the three appraisers with respect to the value of the subject property. Maher J. stated at para. 50:

In a case where an analysis of the findings of the arbitrators is not sufficient to establish the quantum of compensation to be awarded, an attempt must still be made by the court to find a solution to the problem notwithstanding the lack of available evidence. In *Frigidaire Corp. v. Steedman*, [1934] O.W.N.139, at p. 144, Mr. Justice Masten stated:

Where, as here, the liability has been finally determined, the court will not be deterred from ascertaining the damages by any difficulty in securing complete evidence nor by the impossibility of applying a mathematical measurement so as to ascertain precisely the amount of damages.

and he goes on further on the same page:

To estimate what might probably have happened in circumstances that never arose is in the nature of guessing, but the authorities make it plain that such is the duty of the Court.

129. Maher J., in *Melfort* at para. 54 also held the claimant was entitled to interest in lieu of his right to retain possession of the property until he is fully paid, relying upon Laskin, C.J. in *British Pacific Properties Ltd. v. British Columbia (Minister of Highways & Public Works)*, [1980] 2 S.C.R. 283.

130. In *Smith-Roles, supra*, the Court also awarded interest to the claimant.

131. In *Shamon v. Biggar (Rural Municipality) No. 347*, 2003 SKQB 155, Klebuc J., as he then was, recognized at para. 15 that Saskatchewan courts have consistently applied the approach underpinning the assessment of compensation following an expropriation as stated above by Rand J. in *Diggon-Hibben, supra*.

132. In *R & G Holdings Ltd. v. Moose Jaw (City)* (1981), 16 Sask. R. 397 at para. 14 (Q.B.) Maurice J., as he then was, reiterated the appropriate principles to be applied to owners of expropriated property were laid down by the Supreme Court of Canada in *Diggon-Hibben, supra*.

133. In the *Law of Expropriation and Compensation in Canada*, 2d ed. (Scarborough: Carswell, 1992) author Eric Todd stated there are two recognized methods of determining compensation in partial takings, namely (i) summation or aggregate, and (ii) "before and after". Author Todd writes at 344-347 as follows:

(i) *Summation or aggregate*

The summation or aggregate method involves valuing the land taken and adding to that value compensation for the decrease in value, if any, to the remaining land by reason of severance damage or injurious affection. This method favours the owner who always receives at least the value of the land taken notwithstanding any beneficial effects, or "betterment", which the taking may have conferred on the remaining land. In other words any set-off is not made against the value of the land taken. ...

(ii) *"Before and after"*

The "before and after" method was described in an early leading case [*Davies v. James Bay Ry.* (1910) 20 O.L.R. 534, 550, 10 C.R.C. 225 (Ont. C.A.)] as follows,

The principle on which the injury as to the compensation when some land is taken and some injuriously affected should be proceeded with is to ascertain the value to the claimant of his property, before the taking ... and its value after the part has been taken ... and deduct the one sum from the other.

In a later case [*Canada (National Capital Commission) v. Budd* [1968] 1 Ex. C.R. 402, 405] it was stated that,

In some cases, if not all, cases where an expropriation takes some of a person's land and leaves contiguous land to the former owner, the former owner's compensation may be determined by deducting the value to the former owner of the land that he has left from the value to the former owner of all the land that he had before the expropriation.

It is incorrect to use only part of the method and obviously it cannot be used at all unless evidence is tendered of the before and after valuation.

The "before and after" method is deceptive in its apparent and disarming simplicity. As Mr. Justice Schultz said in the Manitoba Court of Appeal [*Winnipeg Supply & Fuel Co. v. Metropolitan Winnipeg (Municipality)* (1966) 55 D.L.R. (2d) 600, [1966] S.C.R. 336],

Theoretically, but only theoretically, the "before and after" method is ideal, for the result presumably includes in one lump sum all the factors of compensation requiring consideration, namely, value of the land taken, plus severance damage to the remainder, less special benefits arising out of the taking.

In its pure form the "before and after" method favours the expropriating authority because it receives full, or at least partial, credit for any "betterment" to the remaining land. In the absence of statutory provisions or restrictive judicial interpretations to the contrary, the owner, notwithstanding the taking may, as a result of the application of the "before and after" method receive no compensation or even, in theory at least, be placed in a position where he or she should compensate the expropriating authority. Even in cases where there is no "betterment" to the remaining land it may be that on a "before and after" basis the owner suffers no economic loss despite a partial taking. For example, the market value of a residential property may not change after its front or rear yard has been reduced by, say, five feet, or a farm may be worth no less because of the expropriation of a power line right of way. In such circumstances it is practically impossible to convince an owner that theoretically there is no entitlement to any compensation and many expropriating authorities make what amount to *ex gratia* payments based on some arbitrary formula such as so many dollars per foot or acre.

The Ontario Report considered the "before and after" method to be the "more accurate" of the two methods. The Alberta Report more cautiously conceded that the "before and after" method could produce a more accurate estimate of compensation "in some cases" but noted that the method was not in wide use in Alberta where the general practice was "to appraise separately the expropriated land and the injurious affection to the balance.

134. The City submits the wording of the Act mandates the use of the "before and after" method in determining compensation as it requires the value of any "betterment" to the Remaining Lands to be deducted from any award.

135. In order to determine the compensation payable to North Ridge I am required to find the value to the owner of the Roadway Lands. Mr. Brunsdon and Mr. Beatty have provided their opinion of the market value of the Roadway Lands based on the "highest and best use" of such lands. The concept of value based on highest and best use is a recognized methodology in determining the market value of land.

136. The value based on the highest and best use was recognized by the Court in *Smith-Roles* in the determination of the compensation payable to the owner upon expropriation of its land. However, in *Smith-Roles*, the owner's present use of the land was far less than the economic potential for the lands. The lands were situated at the corner of Idylwyld and 22nd Street in Saskatoon, on a main thoroughfare to and from the downtown business section. The owner used these lands for its foundry. All three of the appraisers were of the opinion that the centre of a city is not a desirable place for an industrial operation and the present foundry would be better off if it were located elsewhere. Accordingly, the majority of the Court in *Smith-Roles* held that the value of the expropriated land to the owner was the greater of (i) the market value of the lands for its highest and best use, and (ii) the aggregate of the cost of alternate lands for the purpose of carrying on the foundry business, the value of the buildings and improvements on the taken land and relocation costs, including the cost of business disturbance.

137. In *Expropriation in Canada: A Practitioner's Guide* (Aurora: Canada Law Book Inc., 1988) author Kenneth J. Boyd states at 11:

The determination of the highest and best use of a property is the point of departure and the cornerstone of any attempt to estimate the market value of that property. ...

In Re Valley Improvement Co. Ltd. and Metropolitan Toronto & Region Conservation Authority [(1965), 51 D.L.R. (2d) 481 at p. 491, [1965] 2 O.R. 587 (C.A.)], Roach J.A. said:

... the Board has not decided the basic question of fact which confronted it at the very threshold of its deliberations, *viz.* at the moment of expropriation what was the highest and best use to which the lands in question could reasonably be expected to be put? The answer to that question had to be the corner-stone supporting whether compensation might be awarded to the claimant.

(See also *The Law of Expropriation and Compensation in Canada*, *supra* at 135).

138. In *Expropriation in Canada*, *supra*, author Boyd has this to say about the concept of "highest and best use" at 12:

The specific origin of the term "highest and best use" appears to be unknown and, indeed, a variety of other terms (for example, "most profitable use", "most probable use", "optimum use") are sometimes used, somewhat loosely, to express the concept. In the broadest of terms the concept of highest and best use may be expressed as follows.

At any given point in time a parcel of land will have an existing use. In the marketplace that existing use may be considered to be its "best" use. On the other hand the market may discern and reflect a different "best" use from that which currently exists. For example, the subject property may be currently used as a rooming house. This may or may not be its highest and best use. The property may be ripe for redevelopment for an entirely different use.

and at 13:

An excellent example is the paper entitled *The Concept of Highest and Best Use* by Lincoln W. North [published by the Appraisal Institute of Canada (May 1981)]. ...

North sets out nine factors which must be considered, together with a clear analysis and explanation of them. They are:

- (1) Marketability
- (2) Profitability
- (3) Financial constraints
- (4) Managerial constraints
- (5) Societal constraints
- (6) Statutory limitations
- (7) Regulatory controls

- (8) Titular restrictions
- (9) Physical and functional limitations

139. The concept of highest and best use is not speculation or chance, but probability. In *The Law of Expropriation and Compensation in Canada*, author Todd states at 135:

If the highest and best use would have necessitated rezoning "the highest and best use must be based on something more than a possibility of rezoning. There must be a probability or a reasonable expectation that such rezoning will take place. It is not enough that the lands have the capability of rezoning ... probability connotes something higher than a 50% possibility".

For a higher and better use to be taken into account it must be more than a mere "chance"; it must be based on a *reasonable* expectation and in this context "reasonable" is emphasized to eliminate speculative ventures and over-optimistic expectation.

It should be noted that the legal concept of "highest and best use" is an economic one, *i.e.* "the use that would bring about the highest economic value on the open market." "It is that use of land which may reasonably be expected to produce the greatest net return to the land over a given period of time". ...

140. In *Expropriation in Canada*, author Boyd referred to *Minute Muffler Installations Ltd. v. The Queen in right of Alberta* (1981), 23 L.C.R. 213 (Alta. L.C.B.) and stated at 14-15:

On the facts of *Minute Muffler* the critical factors which required consideration in determining highest and best use were reduced to the following four:

- (1) The use must be legal and must comply with land-use classifications or zoning regulations and with applicable building regulations.
- (2) The use must be probable within a reasonable period of time and not simply possible.
- (3) There must be a demand for the use selected and economic conditions which may it probable that such use will take place.
- (4) The use must be profitable and provide the highest net return to the owner of the land.

Each of the competing positions as to highest and best use had to be considered, tested and assessed with respect to each of the four criteria which had been determined to apply. The use ultimately selected had to meet and satisfy all of those criteria in order to be determined as the highest and best use. It will be observed that to some extent the four critical factors

in *Minute Muffler* overlapped. For example the timing of redevelopment will be affected by:

- (i) the time required to obtain necessary municipal approvals;
- (ii) the physical characteristics and constraints of the property;
- (iii) the market demand for the end product; and
- (iv) the profitability of the end product.

Consequently, in *Minute Muffler* it was necessary to analyze each of the four factors both severally and collectively to ensure a sound conclusion as to highest and best use.

The procedure illustrated by the *Minute Muffler* case must be followed in every valuation to ensure a complete and thorough analysis of all the factors governing highest and best use. Where the factors are isolated and their impact analyzed and weighed, the probability of finding the appropriate and sound highest and best use is greatly enhanced.

141. Both Mr. Brunsdon and Mr. Beatty used the direct comparison approach to estimate the market value of the Parent Parcel and the Roadway Lands. The Beatty Report stated at page 42:

The Direct Comparison Approach is the only approach applicable to the valuation problem at hand, since it reflects the approach that purchasers and vendors take in formulating the decisions that make up the real estate market. ...

The Brunsdon Report stated at page 28:

The Direct Comparison Approach is based upon the Principle of Substitution; that is, when a property is replaceable in the market, its value tends to be set at the cost of acquiring an equally desirable substitute property, assuming no costly delay in making the substitution. Since no properties are ever identical, the necessary adjustment for differences in quality, location, size, services and market appeal are a function of appraisal experience and judgement. Such differences as financing, location and amenities influence value and therefore require adjustments. Usually the more adjustments required, the less reliable the resulting estimate.

142. In *Expropriation in Canada*, author Boyd had this to say about the Direct Comparison Approach at 45-46:

There are a number of methods which may be used to estimate the market value of land. In appraisal practice, the method most frequently used and relied upon is the Direct Sales Comparison Method. In the application of that method a number of sales of other land are selected on the basis that

they are considered to be reasonably comparable to the subject property. Consideration is then given to the adjustments, if any, which must be made to the sales in order to fairly compare them with the subject property.

143. In *The Law of Expropriation and Compensation in Canada*, author Todd stated at 181-182:

The direct sales comparison approach is preferred by courts and tribunals. In general, the other approaches are more complicated and require the use of more judgmental factors which may detract from the reliability of the resultant appraisal.

The direct sales comparison approach compares the subject property with market data, including the sale prices of comparable properties. From this comparison, and after making appropriate "adjustments", the appraiser reaches a conclusion as to the price, or range of prices, for which the subject property might have been sold, had it been available for sale, at the date of expropriation.

However, while acknowledging the apparent greater simplicity of the direct sales comparison approach it is important to recognize its limitations. First, it is obvious that the approach can be used only if there is reliable market data. The approach cannot be used if there have been no sales of comparable properties, or only isolated sales, or if the subject property is of a type which is not usually bought or sold or, because of peculiar circumstances, has no market value.

Secondly, the approach requires that the sale prices of comparable properties and, or, the estimated sale price of the subject property were, or would have been, reached as a result of arm's length negotiations between informed and willing buyers and sellers, none of whom was under any form of compulsion.

Thirdly, even when the comparables are very comparable with the subject property, usually the appraiser must make "adjustments".

144. Although acceptable as evidence, it is questionable as to what weight, if any, the assessed value has in the determination of the market value of the land for the purposes of determining compensation for a compulsory taking. In *The Law of Expropriation and Compensation in Canada*, author Todd stated at 188-189:

Most land and improvements are "assessed" annually in order to establish the base upon which taxes are levied for municipal or provincial purposes. Usually by statute such assessments are supposed to represent market value. In practice this is rarely the case, although the gap between market and assessed values is not as wide today as in former years. The assumption by provincial governments of a great measure of control over assessments has

tended to bring them more into line with current market values. However, sometimes political expediency results in the creation of specific or general restrictions on assessment levels without regard to actual market values.

In *Federal District Commission v. Leaby* [[1940] Ex. C.R. 115, 120] it was stated that in an expropriation matter evidence of the municipal assessment of the subject property was valueless and should be excluded; that such evidence could not be used by the expropriating authority as an implied admission by the owner as to the property's worth because no inference could fairly be drawn against the owner from the failure to protest that the municipal valuation was too low. ...

145. Some of the comparables relied upon by Mr. Brunsdon were not sales, but listings. In *The Law of Expropriation and Compensation in Canada*, author Todd had this to say about listings at 199:

Generally, a listing, *i.e.* the asking price of a comparable property offered for sale, only reflects the maximum price of the hopeful vendor and is of no assistance and should be given no weight in determining market value. However, it has been stated that evidence of listings may serve to provide background information on which an appraisal opinion has been formed, and the "general market trends and expectations in an area." ...

V. ANALYSIS:

A. *Position of City*

146. The City submits that although services run to the perimeter of the Parent Parcel, the Parent Parcel is not serviced. It is raw land. There are no sewer, water or electrical services, nor are there any roadways on the Parent Parcel. The Parent Parcel is not subdivided.

147. The City submits, notwithstanding the evidence of Ms. Hardy, that even if the Parent Parcel was developed as a single parcel, offsite levies would be required to be paid. The City submits sections 169-171 of *The Planning and Development Act, 2007* grant it the authority to pass a Development Levy Bylaw, pursuant to which offsite levies would be payable.

148. In addition, the direct costs to improve the storm sewer along the 11th Street frontage, the looping of the water main to provide fire flow, and pavement restoration would have to be paid in any event upon development.

149. Any subdivision of the Parent Parcel or any stratification of ownership of the Parent Parcel by way of condominium plan triggers offsite levies. While it is possible the Parent Parcel could be developed without a subdivision, any such development would be restricted to rentals and would not permit individual ownership.

150. The City submits it is the Beatty Report and not the Brunsdon Report that properly identifies the highest and best use of the Parent Parcel. The City submits the development of the Parent Parcel as a single parcel is not within the realm of probability. There is no demand or economic support for such development, and such use does not provide the highest net return to the owner. Furthermore, it submits the highest and best use of a single parcel as proposed by Mr. Brunsdon would not be supported by the residents of the Montgomery Park neighbourhood. The City points out that Mr. Brunsdon himself acknowledged that all the comparable properties he relied upon were condominiums that required a subdivision. There were no comparable properties available for a large single parcel developed as a multiple-residential rental project simply because none had taken place in the City for some twenty years. The City submits that all the development of multi-family sites of this nature in Saskatoon have resulted in subdivision of large parcels and condominiums.

151. The City takes issue with the comparable properties chosen by Mr. Brunsdon. Some of the comparable properties were not sales, but were listings, and are of little value. As pointed out above, all comparables provided by Mr. Brunsdon did not compare like use to like use. The comparable properties chosen by Mr. Brunsdon were condominium developments, not rental developments. The City submits Mr. Brunsdon erred by not making any adjustment for the size of the comparable properties to the Parent Parcel. The City submits and refers to Mr. Beatty's critique of the comparable properties used in the Brunsdon Report. The primary criticism was that all comparable properties were net land, while the Parent Parcel is gross land. The Brunsdon Report failed to take into consideration the offsite levies and the direct costs to put the Parent Parcel into the same state of development as the comparable properties chosen by Mr. Brunsdon. The City submits that both the Saskatchewan Arts Board and North Ridge appear to have been of the view in 2005 that the Parent Parcel was not serviced and offsite levies not paid. The Parent Parcel sold for approximately \$15,000.00 per acre when fully serviced land was selling for \$240,000.00 per acre.

152. The City submits that both Mr. Brunsdon and Mr. Beatty concluded there would be no reduction in the value to the Remaining Lands after the taking. With respect to whether or not there is any increased value to the Remaining Lands, by virtue of the work done or to be done on the acquired lands, the City submits the Brunsdon Report is silent or inconclusive on the issue of betterment to the remainder of the Parent Parcel. The City submits the Beatty Report, insofar as betterment is concerned, should but did not take into consideration the full extent of all the work and the value of such work the City was doing in connection with the realignment of 11th Street. The City points out that the Beatty Report, using the before and after method, determined the value of \$3,100,000.00 before and an after value of \$3,440,000.00. The City submits that given all of these considerations, the value of the remainder of the Parent Parcel is higher after the taking than before the taking and, as a result, no compensation is payable to North Ridge. In essence, the City submits the betterment to Remaining Lands exceeds the value of the acquired lands, which Mr. Beatty determined to be \$1,140,000.00.

153. The City also submits that an adverse interest should be drawn from the failure of North Ridge to call Walter Mah to testify. The City relies upon *Murray v. Saskatoon*, [1952] 2 D.L.R. 499 (Sask. C.A.). The City submits that had Mr. Mah testified, his evidence would support the intentions of North Ridge to subdivide the Parent Parcel and that the second agreement, the Post-Arbitration Agreement, was to be treated as part of the compensation for the acquired lands.

B. *Position of North Ridge*

154. North Ridge submits the Parent Parcel has unique characteristics that should positively affect its value. North Ridge identifies the following characteristics:

1. Location. It is an "in-fill" site.
2. Size. 29 acres within the City, rather than at the edge, is uncommon.
3. Zoning. RM4 land for multi-unit residential development is one of the most permissive zoning designations available.
4. Servicing. The services are right there and the Land is considered serviced by the City's assessment department.

5. Timing. The Land is part of phase I and ready to be developed now.

155. North Ridge submits that in Saskatchewan an owner will receive compensation for the land expropriated based on the value. The value will consist of all advantages of the land applicable to its "highest and best use".

156. North Ridge refers to *Shamon v. Biggar, supra* wherein Mr. Justice Klebuc, as he was then, characterized the analysis to be undertaken as follows:

1. Determine what a prudent person would pay rather than be ejected from the expropriated lands.
2. Determine what damages, if any, the claimant is entitled to for injury caused to the remaining lands.
3. Consider whether the expropriation increased the value of the claimant's remaining lands.

157. North Ridge argues it would not have sold a "t-shaped" portion of the land with a vertical axis of the "t" running through the middle of its land without expecting further compensation. However, in my view, there was insufficient evidence to support the factual underpinnings for this argument.

158. North Ridge submits that little reliance, if any, should be placed on the forty-seven servicing agreements relating to other lands that were entered into evidence by the City. North Ridge submits the evidence of Ms. Hardy was that there is no standard or typical agreement relating to servicing, and that a servicing agreement is unique to the property in question.

159. North Ridge also relies upon Ms. Hardy's evidence and submits the Parent Parcel could be developed as a single parcel that would not attract offsite levies. Offsite levies were only triggered upon a subdivision or stratification by way of condominium title. North Ridge submits the applicable offsite levies for servicing are those referred to in the post-arbitration agreement and not the offsite levies testified to by Ms. Hardy.

160. North Ridge refers to the 2005 sale by the Saskatchewan Arts Board of the Parent Parcel to North Ridge and, while acknowledging the sale was between a “willing buyer and seller”, submits the price paid has not been proven to reflect market value at the time.

161. North Ridge furthermore submits that services run right by the Parent Parcel and all an owner would have to do is connect to these services. North Ridge submits that the fact the City, for tax assessment purposes, considers this land fully serviced, is of consequence.

162. North Ridge also refers to the *City of Saskatoon v. Murray, supra* and submits that if this were a civil case North Ridge would request that an adverse interest be drawn against the City on the selling price of multi-unit residential land in 2010. North Ridge submits no one from the Lands Branch of the City testified and the City is the largest player in the land development business locally.

163. North Ridge submits the evidence of Mr. Brunsdon should be preferred over the evidence of Beatty for reasons that include:

1. Mr. Beatty’s lack of attention to detail is demonstrated in his company having been struck from the Corporate Registry in Saskatchewan by failing to file an annual return.
2. The Beatty Report referred to the property tax assessment system, which was outdated when the report was written, having been replaced with a new tax assessment system a year earlier.
3. Mr. Beatty resides outside the Province of Saskatchewan and is not intimately familiar with the Saskatoon market.
4. Mr. Beatty placed too much weight on information received from his client and did not attempt to obtain information from North Ridge.
5. Mr. Beatty, in concluding that a multi-year timeframe was required to develop and market the units, ignored the growing demand for larger sites in a market with low vacancy rates coupled with “one of the strongest real estate markets in the country.”

6. The comparables chosen by Mr. Beatty included sites that were not Phase I ready for immediate development, were not serviced, were outside the City and were not zoned. Index 5, which was within the City, had inferior zoning and should have been used to upward adjust the Parent Parcel value and the lands taken by the City.

164. North Ridge submits there is a major flaw in Mr. Beatty's evidence. Mr. Beatty wrongfully assumed the Parent Parcel would be subdivided and therefore attract offsite levies. North Ridge submits given the size of the site and the permissive nature of RM4 zoning, a staged development which North Ridge submits is "one which is becoming more and more common and is being used by North Ridge currently makes more sense than it ordinarily might." In my view, there was insufficient evidence that North Ridge used a staged development that would avoid subdivision and offsite levies.

165. North Ridge submits that while Mr. Beatty and Mr. Brunsdon followed the same methodology by using comparables in determining the highest and best use of the land, it was Mr. Brunsdon who determined the value of the land to the owner, whereas Beatty valued the land to the taker. North Ridge submits Mr. Brunsdon's comparables, i.e. multi-unit sales, "makes more sense"; that his approach in getting information from numerous sources, including the City, was "more balanced" and there are "no glaring errors" in his report as in Mr. Beatty's. North Ridge, therefore, submits Mr. Brunsdon's valuation "simply makes sense."

166. North Ridge submits the key issue for determination is whether offsite levies are to be deducted from Mr. Brunsdon's value.

167. North Ridge submits that it was a flaw for Mr. Beatty never to speak with anyone at North Ridge.

168. North Ridge submits that if the Remaining Lands are not subdivided, North Ridge will be penalized if offsite levies are factored into the valuation at this stage. North Ridge submits the City will not lose its "opportunity" to collect offsite levies and servicing costs if and when the Remaining Lands are subdivided.

169. North Ridge claims interest at the prime rate plus five percent, or alternatively, at the pre-judgment interest rate. In support of the claim for interest at prime plus five percent, North Ridge

refers to an agreement between the City and North Ridge that was not entered into evidence in the hearing. North Ridge submits interest to the City on late payment under this agreement amounts to 7.5%. North Ridge also submits interest should run from May 21, 2010, or alternatively, from January 21, 2010. In support of the May 21, 2010 date, North Ridge submits this is the date the City first received permission to access the Parent Parcel. North Ridge, in argument, referred to an e-mail dated May 21, 2010, which also was not entered into evidence in the hearing. This e-mail is from a Doug Dreaver at the City Manager's office noting that permission was received from North Ridge to work on the land and North Ridge was to be contacted to let them know when the City would start the work.

170. North Ridge also claims a "significant" cost award in its favour. North Ridge argues the property was not developed and was effectively sterilized as a result of the City's Project. The City was not willing to resolve the valuation issue reasonably, there were numerous delays in the course of the arbitration that were solely attributable to the City, and the City ignored its tax assessment of the Land, which treated the property as serviced. North Ridge submits that because of these factors, an argument could be made that this amounts to bad faith in bargaining on the part of the City.

C. Intended Use of Land by Owner

171. Much evidence and argument was directed to North Ridge's intention to develop the Parent Parcel. The City submits North Ridge intended to subdivide it. North Ridge submits this is not necessarily the case and that it kept the option open to develop the Parent Parcel in stages as a single parcel without subdivision.

172. In my view, the intended use of the land by the owner in the present circumstances is not a determining factor as "what a prudent man at the moment [of expropriation] would pay for the property rather than be ejected from it." As pointed out in *Smith-Roles, supra* an owner does not always use, let alone intend to use, his property to its full economic potential. It is not the actual or intended use by the owner that determines the market value of the lands; rather it is the economic potential or the "highest and best use" of the lands that determines the market value. Spence J., writing on behalf of the majority of the Court in *Smith-Roles Ltd. v. Saskatoon, supra* states at para. 11:

The lands have the same market value whether they are used for a business or whether they are standing vacant. Sometimes an owner does not use his property for its full economic potential but the economic potential is in the lands and the value of that economic potential is the market value of the lands. ...

173. Unlike the circumstances in *Smith-Roles*, this is not a case where there is a business being carried on, or for that matter intended to be carried on, by the owner on the lands and the lands are being used for less than their full economic potential. There is no need to consider relocation costs to ascertain market value. The owner need not relocate to other lands to carry on its business. The sole purpose of these vacant lands to the owner is for development.

174. In my view, a prudent owner, especially one like North Ridge, would have accepted the market value of this vacant land based on its "highest and best use".

D. Highest and Best Use

175. In my view, the "highest and best use" of the subject land is a subdivision suitable for mixed density residential development of predominantly low to medium density multi-family sites. I conclude this for several reasons.

176. This was the opinion of Mr. Beatty. Mr. Beatty's Report and his evidence during the hearing firmly and unequivocally supported this conclusion.

177. Mr. Brunsdon's opinion was different. The Brunsdon Report concluded that the most probable use for the subject land was for residential development as a medium density residential subdivision. However, at the hearing this opinion changed. Mr. Brunsdon testified the development was not by subdivision, but rather as a single parcel without subdivision or stratification. Mr. Brunsdon testified the most probable use of the subject land was to develop the site without a subdivision.

178. The difference between subdivision and single title is of great significance. It is only subdivision that provides the owner the option to sell or rent the parcels created by the subdivision, or conversion to condominium title. Development by way of a single title, even if the development is staged, restricts the owner's rights so that he may only lease rather than sell the units. In a subdivision, the potential revenue is generated from income on sales. Development

by way of a single parcel restricts the income to rentals. The single parcel can be sold as one transaction, but the developer loses the opportunity to sell individual units within the single parcel.

179. While I respect Mr. Brunson's many years of experience in the real estate appraisal business and his close ties to Saskatoon, the problem I have with his opinion on highest and best use is that it does not reflect the evidence as to the realities in the marketplace in Saskatoon at the time market value was to be determined. Mr. Brunson did not choose comparable properties that were rentals, but rather chose comparable properties that were condominiums that could be sold or rented. Why did he do this? It was not by choice, but rather by default. There were no rental comparables in the marketplace. Why was this? In my Mr. Brunson's own words there were no rental comparables because the market would not support it. There had not been a residential multi-family rental development in Saskatoon for twenty years. Multi-family residential development proceeded by condominium not rental without condominium status.

180. Mr. Brunson testified national developers were now looking for larger parcels of land between fifteen to twenty-five acres, and "all of a sudden" twenty-nine acres was within the "realm of probability" to be developed as a single parcel. In my view, this opinion was not supported by the evidence and was speculative. In cross-examination, Mr. Brunson acknowledged that in making this statement he may have gone beyond the relevant date of July 21, 2010. The other problem I have with Mr. Brunson's opinion on this point is that it was unclear as to whether developers were seeking larger parcels to do larger condominium developments, or larger parcels to do rental developments. In my view, there was insufficient, if any, evidence to support Mr. Brunson's opinion that the real estate market in Saskatoon had changed on the relevant date such that the market value of land paid for condominium development would now support a rental development.

E. Offsite Levies and Direct Service Costs

181. I am satisfied from the evidence that direct service costs would have to be paid by the owner even if the land was developed as a single parcel. I am also satisfied, in the circumstances, that the \$467,462.00 referred to in evidence is the amount that should be taken into consideration in determining the value of the land.

182. Mr. Brunsdon was unaware there was a direct service cost in this amount to develop the subject property and Mr. Brunsdon did not take this into consideration in his report, or in his determination of his opinion of the market value of the land. Mr. Brunsdon also ignored and did not take into consideration any expense with respect to offsite services. He was of the view the land was serviced and there would be no subdivision. In my view, having determined the highest and best use of the land involves a subdivision, I am satisfied that offsite levies, as well as direct costs, should be taken into consideration in determination of market value. Mr. Brunsdon was unwilling to offer a revised opinion on market value taking into consideration the direct costs and the offsite levies.

183. Mr. Beatty, in forming his opinion of market value, relied upon offsite services in the amount of \$2,997,194.00. This was the information provided to him by Ms. Hardy when the plan was to develop the full twenty-nine acre site, presumably by way of stratification. I conclude this because it is the only way Ms. Hardy's evidence that this amount of offsite levies would be paid if the site was developed as one parcel reconciles with her evidence that offsite levies were only exigible in the event of subdivision or stratification of title. Mr. Beatty did not take into consideration the subsequent calculation by Ms. Hardy of offsite levies determined on the basis that the Parent Parcel was subdivided into four parcels. This amount was \$2,440,839.65.

F. Comparables

184. Both Mr. Brunsdon and Mr. Beatty agreed that the direct comparison approach was the proper approach for use in determining market value. This approach analyzes and compares properties similar to the subject property and makes necessary adjustments for such matters as quality, location, size, services and the like. Mr. Brunsdon's report indicates that usually the more adjustment required, the less reliable the resulting estimate.

185. Mr. Brunsdon chose condominium properties as comparable properties, but did not make any adjustments to the comparable properties to reflect the subject land was gross land rather than net land, unserviced land as opposed to serviced land, and land upon which offsite levies were exigible when the comparable properties were not subject to such expense.

186. Mr. Beatty, for the most part, chose comparables that were larger tracks of gross land, not serviced, upon which offsite levies would be exigible. The one exception was Index 5. Mr. Brunsdon agreed Index 5 was a good comparable, but disagreed that Beatty should have made any negative adjustments to that comparable. In my view, it was an error for Mr. Brunsdon, in the circumstances, to compare without adjustment properties that were condominium to the subject land. In my view, significant adjustments were required to the land sales comparisons chosen by Mr. Brunsdon that were condominiums to reflect offsite levies, service costs and the reduction in land size left in the Parent Parcel after required dedications, streets and the like were taken from the land upon subdivision. Mr. Brunsdon agreed that from raw to saleable a reduction in land size of forty percent was reasonable. This reduction occurs through the dedication of lands, municipal reserves, buffering, berms, parks, streets and the like. The rule of thumb is the developer is left that sixty percent of the gross land.

187. In the circumstances, I agree Mr. Beatty's analogy is applicable to the Parent Parcel: the price paid per pound for a side of beef is less than the cost of a T-bone steak. I also find support in this position in the 2005 transaction when North Ridge acquired the Parent Parcel from the Saskatchewan Arts Board. The price, at the time, was approximately \$15,000.00 per acre. Mr. Brunsdon testified the market value of multi-unit residential land in the City that was being sold for condominium purposes at the time was priced at \$250,000.00 per acre. While Mr. Brunsdon refused to provide any opinion as to whether or not the 2005 purchase by North Ridge was a fair market value price, I do place some significance that it was more likely the price was significantly less than fully serviced multi-family condominium land because the Parent Parcel was not serviced, was raw land and would be subject to all of the additional costs and land reduction referred to in order to get it to a position where it could be compared to the land that was selling at \$250,000.00 per acre. The same applies in 2010.

188. Mr. Brunsdon testified he was not aware of the details of the 2005 land sale between North Ridge and the Saskatchewan Arts Board. I find this somewhat disconcerting in that it was North Ridge, his client, who was privy to the transaction. I am somewhat concerned Mr. Brunsdon had not seen fit to inform himself, through his client, of the details of the 2005 transaction to at least put him in a position to determine if that was a fair market value transaction at that time. On the other hand, if Mr. Brunsdon had attempted to do this and his

client refused to provide this information then he ought to have been a little suspicious as to why that information was not forthcoming.

G. Murray and the City of Saskatoon

189. Having determined that the highest and best use of the land is by way of a subdivision, it is unnecessary for me to consider whether an adverse interest should be drawn against North Ridge to establish that fact. As pointed out above, North Ridge also seeks to use this case to draw an adverse interest against the City as far as the market value of land is concerned. I am not inclined to do so in the circumstances. The land sales used for comparison by Mr. Brunsdon were land sales from the City. There is no reason to believe that by not calling someone from the Lands Department the City was somehow thwarting North Ridge from determining fair market value of land. Mr. Brunsdon testified he sought and was provided with information from the City on land sales. If any party was impeding information, it would appear to be North Ridge with respect to the details concerning its 2005 purchase.

H. General Observations of Beatty and Brunsdon

190. I do not agree with North Ridge's submissions that I should place little weight on the Beatty evidence and significant weight on the Brunsdon evidence. The fact that Mr. Beatty had failed to register his company in Saskatchewan and its registration had lapsed is of no consequence to his opinion. Mr. Beatty's demeanour, when this was brought to his attention in cross-examination, looked of embarrassment due to an oversight which, in my view, is minor. I do not find the errors in the Beatty Report to be glaring or so serious as to undermine its foundation. On the other hand, I find there were "glaring" errors in Mr. Brunsdon's report and several inconsistencies between his report and the evidence he provided during the hearing.

I. Ability of City to Impose Offsite Levies on Land Developed without Subdivision

191. I do not find it necessary to address the City's argument that it would be entitled to levy offsite levies even if the land was developed as a single parcel. The point is moot.

J. Value of the Land

192. In my view, fixing the value of the taken land is not as simple as accepting Mr. Beatty's opinion of market value and rejecting Mr. Brunsdon's opinion. In the circumstances, the value lies somewhere in between.

193. The starting point is to attempt to reconcile Mr. Beatty's value with that of Mr. Brunsdon. Mr. Beatty used the 2009 offsite levies with the direct service costs for an aggregate expense of \$3,464,686.21 or \$119,020.48 per acre. Ms. Hardy, of the City, determined if the Parent Parcel was divided into four parcels the offsite levies and direct service costs were \$2,908,331.65 or \$99,908.34 per acre. If Mr. Beatty had taken the reduced offsite levies and direct service costs into consideration, the costs attributable to the Roadway Lands would have been reduced by \$205,446 (10.75 acres x \$19,112.15 per acre).

194. Mr. Beatty considered Index 5 as a comparable property, but did not give it 100% weighting in his determination of market value. Mr. Beatty determined the adjusted value of Index 5 was \$150,551 per acre. This was the upper range of the market value of the comparable properties selected. In my view based on the comparable properties identified by Mr. Brunsdon I am not inclined to make the downward adjustment made by Mr. Beatty to Index 5. The difference in using the full amount of Index 5 for the value of the acquired lands is \$44,301 per acre, or \$476,236 for the 10.75 acres.

195. This adjusts the Beatty value for the acquired lands to \$1,821,682.00 (rounded to \$169,460 per acre) calculated as follows:

Original Valuation	\$1,140,000
Offsite Adjustment	\$205,446
Index 5 Adjustment	\$476,236
Adjusted Value	\$1,821,682

196. Mr. Brunsdon determined the value of the land was \$5,900,000 or \$548,837 per acre. The Brunsdon valuation did not take into consideration the downward land size adjustment from raw to saleable land. Following the rule of thumb from raw to saleable sixty percent of the land remains; 6.45 acres would remain from the 10.75 acres in the taking. Using that same value of

\$548,837 per acre the net land has a value of \$3,540,000 representing a downward adjustment of \$2,360,000.

197. The Brunsdon valuation did not take into consideration the direct service costs and offsite levies which, being consistent, is \$2,908,331.65 for the Parent Parcel or \$99,908 per acre. The taken land is 10.75 acres. The reduction in value to reflect these costs is \$1,074,015. If this were taken dollar for dollar off the adjusted net land value of \$3,540,000, it would yield a value on the taken land at \$2,465,985 or \$229,394 per acre.

198. Mr. Brunsdon valued the land at \$12.60 per square foot. Several of the comparable properties identified by Mr. Brunsdon on the west side of Saskatoon in proximity to the subject land were valued at less than \$12.60 per square foot. The west side comparable properties were not based on actual sale prices but rather on an asking prices. Index 1 was \$9.97 per square foot, Index 8 was \$12.09 per square foot, Index 9 was \$11.22 per square foot, and Index 10 was \$11.94 per square foot. Index 2 was valued greater than \$12.60 per square foot with an asking price by the City of \$13.66 per square foot. Notably, the price for the land on the east side of Saskatoon was greater than on the west side. Several of the comparable properties on the east side of Saskatoon were based on actual sales. If a downward adjustment of \$1.50 per square foot to \$11.10 per square foot is made, the value of the land is reduced from \$548,837 per acre to \$483,497 per acre. If the same procedure is followed to adjust raw land to saleable land as well as taking into consideration the direct service costs and offsite levies, the result is a value of \$190,190 per acre.

199. Even after this reconciliation process, there is still a difference between the adjusted Beatty value of \$169,460 per acre and the adjusted Brunsdon value of \$190,190 per acre.

200. I have also taken into consideration the calculation by Mr. Beatty in Exhibit C15 to estimate of the net present value of the subject land. This calculation took into consideration the offsite levies and with the stated assumptions determined a net present value of \$1,547,996 for the taken land or \$144,000 per acre. This analysis was prepared on the basis of a selling price of \$450,000 per acre, did not make any deduction for raw to saleable land and used the higher amount for offsite levies. Mr. Beatty did not advocate this method of calculation, but merely

offered it as an example of how one might, in his view, compare the value of wholesale to retail and to apply his analogy of side of a beef to a T-bone.

201. It is of interest, but perhaps purely coincidental, that if \$450,000.00 per acre is substituted in lieu of the \$548,837 per acre, the same procedure followed to adjust raw land to saleable land and to take into consideration the direct servicing costs with the offsite levies, but without any further reduction of \$1.50 per square foot, the resulting value of \$170,092 per acre reconciles quite favourably with the adjusted Beatty valuation of \$169,460.00 per acre referred to above.

202. In my view an analysis of the findings of the two appraisers is not sufficient to establish with exact precision the value of the acquired lands. I am not persuaded to pick one appraisal to the exclusion of the other even after the above adjustments are made.

203. Even after an attempt is made to reconcile what I view as reconcilable differences, the difference in the two opinions after the adjustments is \$20,730 per acre. In my view value of the taken land should reflect both opinions after the adjustments and lie somewhere in between. Accordingly it is my view the value of the acquired lands is \$180,000 per acre. It is my conclusion that the value of the acquired lands is \$1,935,000.00.

K. Damage to the Remaining Lands

204. I accept the opinion of Mr. Brunsdon and Mr. Beatty, the essence of which, being, all factors considered, there is no damage to the Remaining Lands as a result of the taking.

L. Increased Value to Remaining Lands by Virtue of Work Done on the Land Taken

205. Mr. Beatty carefully considered the market value of the Parent Parcel before the taking to the value of the Remaining Land after the taking and the work to be done by the City in the taken area. Mr. Beatty also considered the post-arbitration agreement and the City's acceptance of offsite levies upon subdivision of the Remaining Lands in the amount of \$80,344 per acre. Mr. Beatty considered this was a \$22,615 per acre reduction in offsite levies. He also took into consideration the \$55,828 per acre of costs to be borne by the City that (but for the post-arbitration agreement) are usually the responsibility of the owner. Mr. Beatty was fully cognizant of the obligation under section 9 of the Act to deduct from the value of the taken land the

increase in value of the remaining land due to work done or to be done on the land taken. Despite the math, he did not consider it appropriate to ascribe a negative value to the taking since the owner was giving up a portion of his lands.

206. There is a problem with Mr. Beatty's logic in the statement "since the owner was giving up a portion of the lands". Remaining lands exist only if all of the owner's lands are not taken. The time when a deduction is to be made from the value of the taken lands due to an increase in value of the remaining lands materializes only if an owner is giving up a portion and not all of his lands.

207. The post-arbitration agreement states "Subsequent to the arbitration to determine the compensation payable to North Ridge... with respect to the lands required by the City for the... Project, the City agrees to the following:" It is doubtful what value can be ascribed to the obligations in the post-arbitration agreement before this arbitration is determined. Although the Act provides the increase in value to the remaining land is by virtue of work done or to be done on the land taken, it is unclear if the obligations of the City in the post-arbitration agreement were to be considered in this arbitration. If such obligations were to be considered, then the parties should not have used the words in quotation above.

208. The Act appears to limit deduction for the increased value to the remaining land to work done on the taken land. It is not clear from the evidence to what extent any increase in value flowing from the post-arbitration agreement related to work on the acquired lands. Some of the mathematical increase in value identified by Mr. Beatty was due solely to obligations relating to the Remaining Lands. The reduced offsite levies applied to subdivision of the Remaining Lands and do not appear to have anything at all to do with work done on the acquired lands.

209. Also the reduced offsite levies applied only upon on the subdivision of the Remaining Lands. Subdivision had not occurred at the time of the hearing.

210. All facts considered, I am satisfied in the circumstances the City has failed to prove on a balance of probabilities in this arbitration that there is an increase in the value of the remaining land by virtue of work done or to be done on the land taken

M. Interest

211. No evidence was presented during the hearing regarding a rate of interest. The documents referred to in argument by North Ridge relating to interest required to be paid by North Ridge to the City for late payment were not part of the hearing and have no bearing at this juncture. Also, there was little evidence, if any, as to the date from which interest should run. There was insufficient evidence in the hearing to support any of the dates referred to by North Ridge in argument.

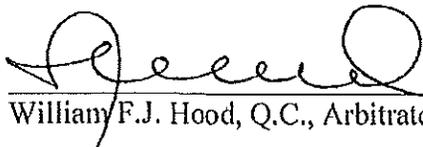
212. However the claimant is entitled to interest in lieu of his right to retain possession of his property until he is fully paid. No evidence was tendered by either party as to the applicable rate of interest or the date from which interest should run.

213. In the circumstances, North Ridge is entitled to interest pursuant to *The Pre-judgment Interest Act* to run from the date of the agreement referring this matter to arbitration, which for the purpose of calculating the interest, I determine is July 21, 2010.

N. Costs

214. The success is divided. Accordingly each party shall bear its own costs and an equal share of the costs of this arbitration hearing and award.

DATED at the City of Saskatoon, in the Province of Saskatchewan, this 28th day of June, 2012.



William F.J. Hood, Q.C., Arbitrator

**TABLE #1
LAND SALES COMPARISON
Subject Lot Size 43,560 sq.ft. or 1.00 acres**

Index #	1	2	3	4	5	6	7	8	9	10	11	12
Address	55 Borden Crescent	310 Hampton Circle	1010 Stensrud Road	810 & 910 Stensrud Rd	210 & 215 Willowgrove Ln	310 & 315 Willowgrove Ln	110 Shepherd Willowgrove	L 36, B 1 Hampton Circ.	1022 Hampton Circle	Parcel E Hampton Circ	410 Hunter Road	415 Hunter Road
N'hood	Confod Park	Hampton Vill	Willowgrove	Willowgrove	Willowgrove	Willowgrove	Willowgrove	Hampton Vill	Hampton Vill	Hampton Vill	Stonebridge	Stonebridge
Legal Plan	82S03197	not reg'd	101894215	101884215	101874764	101884215	101884215	not reg'd	101893721	not reg'd	101961828	101961851
Block	180	C	527	518 & 520	519 & 521	520 & 522	518	1	Parcel C	Parcel E	Parcel PP	Parcel QQ
Lots	B		A	E & A	A & A	C & A	D & F	36				
Parcel	#118165552		#161622244	#161622940	#161598471	#161622716	#161622480		#161621647		#164243527	#164243527
Vendor	City of Saskatoon	City of Saskatoon	City of Saskatoon	City of Saskatoon	City of Saskatoon	City of Saskatoon	City of Saskatoon	Dundee Realty	S'toon Land Devco Ltd.	Dundee Realty	Dundee Realty Corp.	Dundee Realty Corp.
Purchaser	request for proposals	request for proposals	not available	not available	Riverbend Developments	Riverbend Developments	not available	not sold	not sold	not sold	not sold	GDP Trillium Project Inc.
Sale Price	\$782,000	\$1,469,700	\$1,505,400	\$1,643,900	\$1,380,510	\$1,341,270	\$1,798,600	\$1,375,000	\$1,750,000	\$1,300,000	\$1,690,000	\$2,820,000
Sale Date	asking price	asking price			Jan. 2010	Jan. 2010		asking price	asking price	asking price	asking price	Nov. 2009
Front Ft	irreg.	irreg.	irreg.		irreg.	irreg.	irreg.	irreg.	irreg.	irreg.	irreg.	irreg.
Depth												
Sq.Ft. Size	78,408	107,593	110,207	111,949	94,961	92,347	111,949	113,692	155,945	108,900	120,661	200,376
Acres	1.800	2.470	2.530	2.570	2.180	2.120	2.570	2.610	3.580	2.500	2.770	4.600
Zoning	RM3	RMTn Stacked	RMTn Group	RMTn Street	RMTn Street	RMTn Street	RMTn Street	RM3	RMTn	RMTn	RMTn	RM3
No. of Units	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
Density/acre	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
Price/acre	\$434,444	\$595,020	\$595,020	\$639,650	\$633,261	\$632,675	\$699,844	\$526,820	\$488,827	\$520,000	\$610,108	\$613,043
Price/unit	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
Comments	tendered until April 2010	tendered until April 2010	tendered Mar 2009	tendered Mar 2009	tendered Mar 2009 at	tendered Mar 2009 at	tendered Mar 2009	privately owned land	privately owned land	privately owned land	privately owned land	privately owned land
Indication					\$1,533,900	\$1,490,300						
per sq. ft.	\$9.97	\$13.66	\$13.66	\$14.68	\$14.54	\$14.52	\$16.07	\$12.09	\$11.22	\$11.94	\$14.01	\$14.07

SCHEDULE "A"

B3

BYLAW NO. 9043

The City Administration Amendment Bylaw, 2012

The Council of The City of Saskatoon enacts:

Short Title

1. This Bylaw may be cited as *The City Administration Amendment Bylaw, 2012*.

Purpose

2. The purpose of this Bylaw is to amend Bylaw No. 8174, *The City Administration Bylaw, 2003* by decreasing the public tender threshold limit from \$100,000.00 to \$75,000.00 to ensure that the City's bylaws conform to requirements of the New West Partnership Trade Agreement.

Bylaw No. 8174 Amended

3. *The City Administration Bylaw, 2003* is amended in the manner set forth in this Bylaw.

Section 10 Amended

4. Section 10 is amended by:
- (a) striking out "\$100,000.00" and substituting "\$75,000.00" in Clause 1(c); and
 - (b) striking out "\$100,000.00" and substituting "\$75,000.00" in Clause 2(c).

Section 13 Amended

5. Section 13 is amended by striking out "\$100,000.00" and substituting "\$75,000.00".

Coming into Force

6. This Bylaw shall come into force on the day of its final passing.

Read a first time this _____ day of _____, 2012.

Read a second time this _____ day of _____, 2012.

Read a third time and passed this _____ day of _____, 2012.

Mayor

City Clerk

His Worship the Mayor and City Council
The City of Saskatoon

REPORT

of the

PLANNING AND OPERATIONS COMMITTEE

Composition of Committee

Councillor C. Clark, Chair
Councillor P. Lorje
Councillor R. Donauer
Councillor B. Dubois
Councillor M. Loewen

**1. Request to Use Parks/Meewasin Valley Trail to Operate Seasonal Business
(Files CK. 4205-5; LS 4205-1)**

- RECOMMENDATION:**
- 1) that the use of the Kiwanis Memorial Park sites identified on page 4 of the June 21, 2012 report of the General Manager, Community Services Department, under items b) and c), and any other area of Kiwanis Memorial Park, as well as option d) regarding the use of two hooded meters, be removed from any consideration as temporary bicycle rental locations;
 - 2) that through a 2012 post capital budget submission, at an estimated cost of \$25,000, a study be conducted to review possible policy and guidelines to facilitate commercial enterprises in City of Saskatoon parks; and
 - 3) that a previous Council enquiry regarding food trucks be joined to the file and included as part of the above proposed study.

City Council, at its meeting held on March 12, 2012, considered a request from Mr. Eric Farries to use City parks and the Meewasin Valley Trail to operate a seasonal bicycle rental business. City Council referred the matter to the Administration to report to the Planning and Operations Committee.

Your Committee, at its meeting held on June 12, 2012, considered a report of the General Manager, Community Services Department dated May 28, 2012, proposing that the request by Saskatoon Bicycle Rentals to operate in a City of Saskatoon park or along the Meewasin Valley Trail be declined until further studies can be prepared. At this same meeting, your Committee heard presentations by Mr. Eric Farries and Mr. Todd Brandt, President and CEO, Tourism Saskatoon, supporting further review of possible options for this year. The Committee deferred consideration of the report for two weeks and asked the Administration to convene a meeting of all interested parties to explore options for a location for Saskatoon Bicycle Rentals for a report back in two weeks.

Your Committee considered a further report of the General Manager, Community Services Department dated June 21, 2012 regarding potential temporary locations and proposing further review in 2012, rather than 2013, on the general matter of commercial enterprises in City of Saskatoon parks. Your Committee reviewed these locations with the Administration and received a number of presentations, as summarized below:

- Mr. Mike Velonas, Meewasin Valley Authority, submitted an email outlining issues regarding the proposed location north of the boat launch, noting that it would not be suitable for bike storage and should be re-vegetated and restored. He supported further review of any possible locations in terms of the potential for conflict with other users as well as logistical issues that would need to be looked at any location, including the Kiwanis Park North and behind the Mendel. He advised your Committee that he want to be involved in any further consultation.
- Mr. Jerry Helfrich, Chair, Committee on Kiwanis Memorial Park, Kiwanis Club of Saskatoon, expressed opposition to any commercial activity within Kiwanis Memorial Park except those currently in place relating to special events in the park. With reference to the historical significance of the park and the importance of ensuring that the park remains accessible for all, he asked that the park be exempted from the proposed study. He would also like to be involved in any further stakeholder discussions.
- Mr. Terry Scaddan, Executive Director, The Partnership, indicated that while there was agreement at recent meetings that bicycle rental is a positive thing for Saskatoon, finding an appropriate location is the issue. He would not support the suggestion for a temporary location at two hooded meters in that this would take away from much needed parking in the downtown. Further study and review must be done prior to making any change to existing policy regarding use of parks.

- Mr. Eric Farries, Saskatoon Bicycle Rentals, outlined the need for flexibility in terms of policy to deal with the changing market to provide for new businesses, such as bike rental, and changes in attitudes about physical fitness. He reviewed the proposed locations with your Committee, noting that the hooded meter proposal raises safety concerns and does not provide adequate space to teach those who have never ridden tandem bikes. In addition, bicycles are not allowed to be ridden on sidewalks. He expressed appreciation to the City for reconsidering the matter and indicated that he is looking forward to working to find a mutually agreeable solution. He would like the opportunity to be part of the proposed study. He suggested a location by the new washroom facility on the north side of the Bessborough, towards the riverbank, situated so as not to interfere with existing uses and events in the park. His proposal would be for bicycle rental only.

Following review of further potential locations with Mr. Farries, such as those within River Landing, private parking lots, Tourism Saskatoon locations, and adjacent to local hotels, your Committee determined that these sites were not suitable to Mr. Farries for a number of reasons, including lack of appropriate space, safety concerns, visibility, access to services, and liability issues.

In light of your Committee's review of this matter and the issues identified, your Committee is recommending that the proposed temporary locations within Kiwanis Memorial Park and the location at any two hooded meters not be considered. Your Committee would not support any location within Kiwanis Memorial Park. The remaining proposed temporary location at the Kinsmen Park parking lot could be looked at further in terms of suitability. Your Committee would also note that the options previously identified on the River Landing site and in the MVA parking lot remain available to the applicant.

Your Committee also reviewed the need for the proposed study, including interest expressed from other businesses and the inclusion within the study of the previous enquiry on food trucks. It was determined from the Administration that the intent of the review is to bring back a list of potential businesses that might be suitable for parks or adjacent to parks for further discussion with respect to what might be acceptable in some parks in terms of potential commercial services. Your Committee is recommending that the proposed study proceed in 2012.

The above reports and background information noted are attached for City Council's information.

2. Vacant Lot and Adaptive Reuse Incentive Program
724 Avenue J South – Merc Developments
(Files CK. 4110-45 and PL. 4110-71-25)

- RECOMMENDATION:**
- 1) that a five-year tax abatement equivalent to 72 percent of the incremental taxes for the redevelopment of 724 Avenue J South be approved;
 - 2) that the five-year tax abatement take effect in the next taxation year following completion of the project; and
 - 3) that the City Solicitor be requested to prepare the appropriate agreement, and that His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal.

Attached is a report of the General Manager, Community Services Department dated June 7, 2012, regarding an application under the Vacant Lot and Adaptive Reuse Incentive Program.

Your Committee has reviewed the matter with the Administration and is supporting the above recommendations.

3. Vacant Lot and Adaptive Reuse Incentive Program
317 Avenue J North – Stewart Property Holdings Ltd.
(Files CK. 4110-45 and PL. 4110-71-27)

- RECOMMENDATION:**
- 1) that a five-year tax abatement equivalent to 76 percent of the incremental taxes for the redevelopment of 317 Avenue J North be approved;
 - 2) that the five-year tax abatement take effect in the next taxation year following completion of the project; and
 - 3) that the City Solicitor be requested to prepare the appropriate agreement, and that His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal.

Attached is a report of the General Manager, Community Services Department dated June 7, 2012 regarding the above application.

Your Committee has reviewed the matter with the Administration and is supporting the above recommendations.

**4. Affordable Housing Reserve – Budget Allocation for Innovative Housing Incentives
(Files CK. 750-4 and PL. 950-20)**

- RECOMMENDATION:**
- 1) that the information be received; and
 - 2) that the Administration provide a further report on potential funding options prior to the 2013 Business Plan and Budget Review.

Attached is a report of the General Manager, Community Services Department dated June 15, 2012 providing an update on the above.

Your Committee has reviewed the matter with the Administration and is forwarding the report to City Council for information. Your Committee was advised that the Administration will be reporting further regarding potential funding options and that the City's role in affordable housing will be reviewed and reported on further as part of the 2013 Housing Business Plan.

**5. Access to Armistice Way
(Files CK. 6320-5 x 4350-62; IS. 6320 – 01)**

- RECOMMENDATION:** that the information be received.

Attached is a report of the General Manager, Infrastructure Services Department dated May 29, 2012, providing a summary of City Council's previous consideration of access to Armistice Way and reporting on a number of options looked at in response to a further request for access to the Dover Heights Condominiums via Parkinson Lane.

Your Committee has reviewed this matter on a number of occasions and has considered the above report, as well as the following additional reports and correspondence, copies attached:

- Enquiry – Councillor Penner – Population Density – Market Mall Area – Requesting a report on density in this area with recommendations regarding maximum development controls in the area and regarding what can be done in the future to make certain these issues do not reoccur;
- Letter dated June 15, 2011 from Cliff Price, Dover Heights Condominium Association, along with his presentation to City Council on June 27, 2011;
- Report of the General Manager, Infrastructure Services Department dated July 27, 2011;
- Excerpt from the Planning and Operations Committee meeting held on August 16, 2011, along with a presentation from Mr. Price;
- Report of the General Manager, Community Services Department dated September 27, 2011;
- Presentation from Mr. Price to the October 18, 2011 meeting of the Planning and Operations Committee, along with petition with approximately 217 signatures, representing those living in units in Legion Manor, Liberty Court, Versailles Place and Dover Heights Condominiums, requesting further consideration of the matter;
- Excerpt from the October 18, 2011 Planning and Operations Committee meeting, at which time it was resolved, in part, that the Administration provide a further report with respect to the options for further access/egress to Parkinson Lane, including costs, implications, timelines, funding options, and cost-sharing opportunities.

Your Committee has explored the options with the Administration and is not recommending any changes with respect to access, as outlined further in the May 29, 2012 report of the General Manager, Infrastructure Services. Your Committee is forwarding the reports and background information to City Council for information.

Respectfully submitted,

Councillor Clark, Chair

TO: Secretary, Planning and Operations Committee
FROM: General Manager, Community Services Department
DATE: June 21, 2012
SUBJECT: Request to Use Parks/Meewasin Valley Trail to Operate Seasonal Business
FILE NO: CK 4205-5, x 300-1 and LS 4205-1

RECOMMENDATION: that a report be submitted to City Council recommending:

- 1) that this report be received as information; and
- 2) that through a 2012 post capital budget submission, at an estimated cost of \$25,000, a study be conducted to review possible policy and guidelines to facilitate commercial enterprises in City of Saskatoon parks.

BACKGROUND

During its March 12, 2012 meeting, City Council considered a request from Saskatoon Bicycle Rentals (SBR) to use a Downtown park and Meewasin Valley Authority (MVA) trails to operate a seasonal business. City Council passed a motion that the matter be referred to the Administration for a report to the Planning and Operations Committee.

SBR's proposal included changing Facilities and Parks Usage Bylaw No. 7767 to permit a private business to operate a bike rental business for tourism purposes. SBR has requested to locate the bicycle rental business between the Broadway Bridge and 25th Street Bridge. SBR's ideal location would be in Kiwanis Park North, immediately north of the Delta Bessborough Hotel (Bessborough) (see Attachment 1).

SBR currently operates a bicycle rental business at a location immediately south of the Farmer's Market. In 2011, Mr. Eric Farries, owner of SBR, and your Administration collaborated to create a three-year agreement, whereby SBR could use the location from May to October at a cost of \$240 plus Goods and Services Tax (G.S.T.) per year. The agreement with SBR included, in part, the following conditions:

- 1) the River Landing site is to be used in such a manner as to not restrict access to the land and park;
- 2) only one trailer and a fenced area may be placed at the River Landing site;
- 3) an inspection of the River Landing site is to occur daily to advise the City of Saskatoon (City) of any safety issues on the site;
- 4) litter must be picked up in the area around the site on a daily basis; and
- 5) signage advertising the bike rental services must receive prior approval from the City.

In July 2011, SBR approached the Administration and requested to use City park space near the Bessborough. SBR indicated that there was not enough business uptake at the current location near the Farmer's Market. SBR was of the opinion that the Bessborough location would provide better access for tourists and hotel guests to take advantage of the bicycle rental service.

Your Administration advised SBR that Facilities and Park Usage Bylaw No. 7767 does not allow for a commercial business to be located in City parks. In assisting SBR to find a more suitable location, your Administration investigated various parcels of public and private land to accommodate SBR's business. A mutually agreeable location could not be found that satisfied SBR's specific business requirements and/or was complementary to existing park program activities.

Throughout the relocation investigation process, your Administration suggested to SBR to work with the local Hotel Association, The Partnership – the Saskatoon Downtown Business Improvement District (The Partnership), parking lot owners, and empty lot owners for a suitable location that meets the business plan objectives of SBR.

During its June 12, 2012 meeting, the Planning and Operations Committee requested:

- “1) that the report of the General Manager of Community Service Department dated May 28, 2012, be deferred two weeks; and
- 2) that the Administration convene a meeting of all interested parties to explore options for a location for Saskatoon Bicycle Rentals and report back at the next Planning and Operations Committee meeting.”

REPORT

Facilities and Parks Usage Bylaw No. 7767 regulates the use of parks and recreation facilities owned by the City. This bylaw was developed in 1998 to provide a management framework on the allocation and appropriate use of parks and recreation facilities.

The Facilities and Parks Usage Bylaw No. 7767 identifies permissible use of a park if:

- “a) the use is compatible with the physical capabilities of the park;
- b) the use does not cause permanent damage to the park or extra expense for the City;
- c) the use is compatible with the other activities and events previously approved and can occur simultaneously in the park;
- d) the use does not jeopardize public safety;
- e) the use does not include soliciting of any kind; and
- f) the sale of goods is not the primary purpose for the use.”

The Leisure Services Branch has been approached in the past by commercial enterprises (e.g. concessionaires in Meewasin Park, water taxi, Segway Rentals, miniature golf, etc.) to locate businesses in park locations. The Leisure Services Branch has not approved these requests unless the commercial venture complements an event, such as festivals, concerts, or theatre performances.

The City Solicitor's Office has advised that Facilities and Parks Usage Bylaw No. 7767 permits the City (i.e. the Leisure Services Branch) to control what happens in a park, but it is not an absolute; all activities must have prior written permission from the Administration. Furthermore, a business could be permitted to operate within a park as long as it:

- a) enhances the user's park experience;
- b) complements existing park activities; and
- c) does not hinder the general use of the park.

To date, the Leisure Services Branch has not permitted solicitation (i.e. a seller initiating a sale versus a buyer initiating a sale) of any kind when the commercial business does not complement an event (e.g. PotashCorp Children's Festival, Sasktel Saskatchewan Jazz Festival, A Taste of Saskatchewan).

Bicycle Rental Location in Kiwanis Park North (Next to the Bessborough)

SBR has requested to locate its business in Kiwanis Park North for the following reasons:

- a) ease of access;
- b) lack of seasonal conflict with the ice rink;
- c) ample parking in the area; and
- d) its location near Downtown hotels.

SBR also proposed to lease the Cameco - Meewasin Skaters' Lodge (Skaters' Lodge) owned by the MVA for use in the summer season. Your Administration has explored this idea with the MVA's administration. The MVA indicated the Skaters' Lodge is not designed for summer use and is not aesthetically pleasing when the snow is removed from around the perimeter of the building. In addition, Kiwanis Park North is well used in the summer by the general public and events and it may not be desirable to assign a large area of public land to a private business. Currently, the Skaters' Lodge has been removed from this site and is in storage until fall 2012.

Commercial Business Along the River Valley

The development of the City's riverbank parks and the MVA trail system has facilitated greater access to the river valley by all types of users, including citizens, visitors, and event organizers for nature appreciation, exercise, socializing, and entertainment. The popularity of the Downtown parks brings with it an increase in pedestrian density, which creates an opportunity for an individual or a company to request permission from the City to establish a commercial business in City parks.

Your Administration and the MVA support the concept of enhancing the river valley amenities and understand the value in creating more opportunities for entrepreneurial activity. This includes allowing more vendors to operate in City parks and on the MVA trail system. However, a comprehensive review is required to establish policy and guidelines to permit commercial enterprises to locate a business in City parks. This study will address issues such as:

- 1) types of businesses that complement and support public use of City parks and provide the most public benefit;
- 2) appropriate locations that do not impact programming or other amenities;
- 3) a fair process for selecting potential private operators; and
- 4) establish fair market rental rates for use of City parks for commercial businesses.

By exploring entrepreneurial opportunities within City parks, your Administration is complying with the City's strategic goal of Economic Diversity and Prosperity by being open to alternative business options. However, the Leisure Services Branch needs to be good stewards of the City's parks system and the MVA trail system, as these public assets directly contribute to quality of life for Saskatoon citizens. A balance must be sought to ensure each strategic goal works in harmony.

During its June 12, 2012 meeting, the Planning and Operations Committee requested the Administration to facilitate a meeting of interested stakeholders to explore options for a location for SBR. Attending the meeting on June 15, 2012, was Mr. Eric Farries, owner of SBR; as well as representatives from Tourism Saskatoon; The Partnership; MVA; and staff from the Leisure Services Branch. The premise of the meeting was to collectively explore options that may not have been previously investigated with Mr. Farries. The participants at the meeting had an opportunity to suggest and provide feedback on each location presented. Suggested locations ranged from the Weir parking lot, the Mendel Art Gallery parking lot, a "pop up" store front on 2nd Avenue North, and hooding meters at a street location. Various concerns and issues were identified but it was agreed further investigation would be required.

In addition to the meeting on June 15, 2012, Tourism Saskatoon representatives toured various Downtown and area locations with Mr. Farries on Saturday, June 16, 2012. Mr. Farries was encouraged to contact the various property owners about securing a suitable location for the remainder of the 2012 summer season.

Since the exploratory meeting, the Leisure Service Branch has continued to investigate options for SBR. At this time, the Leisure Service Branch is suggesting additional SBR options for the 2012 season:

- a) Kinsmen Park parking lot;
- b) Kiwanis Memorial Park North;
- c) parking SBR trailer at the boat launch with access to a small area in Kiwanis Memorial Park South; and
- d) any two hooded meters, at cost to applicant.

Your Administration will compile administrative conditions for each location. Some locations will have additional site specific administrative conditions. If Mr. Farries is in agreement to the administrative conditions of the preferred location, a lease agreement will be completed for the temporary location. The Leisure Services Branch will monitor and evaluate this temporary pilot commercial enterprise throughout the 2012 summer season. The evaluation will be included in the recommended study on commercial enterprises in City parks.

OPTIONS

City Council could choose not to support the recommended 2012 capital project, estimated at \$25,000, to review possible policy and guidelines to facilitate commercial enterprises in City parks. Your Administration does not support this option. The commercial enterprise study will establish guidelines and policies that will assist in identifying compatible commercial enterprises within City parks when future requests are received. An approval at this time also ensures that revised policy options are available for the 2013 summer season.

STAKEHOLDER INVOLVEMENT

As outlined in this report, your Administration convened the June 15, 2012 meeting, between SBR's owner Mr. Eric Farries, the MVA, Saskatoon Tourism, and The Partnership.

POLICY IMPLICATIONS

There are no policy implications, assuming an approval for SBR to operate in a park location as temporary pilot project for 2012.

FINANCIAL IMPLICATIONS

Your Administration will submit a 2012 post capital project, estimated at \$25,000, to review possible policy and guidelines to facilitate commercial enterprises in the City parks. The proposed funding source for this review will be 2012 Business License revenues. As of May 31, 2012, Business License revenues are showing a projected surplus of \$32,000.

ENVIRONMENTAL IMPLICATIONS

There are no environmental and/or greenhouse gas implications.

PUBLIC NOTICE

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

ATTACHMENT

1. Map of Kiwanis Park North

Written by: Cary Humphrey, Manager, Leisure Services Department
Nancy Johnson, Open Space Consultant

Reviewed by: “Cary Humphrey”
Cary Humphrey, Manager
Leisure Services Branch

Approved by: “Randy Grauer”
Randy Grauer, General Manager
Community Services Department
Dated: “June 21, 2012”

Approved by: Murray Totland”
Murray Totland, City Manager
Dated: “June 22, 2012”

ATTACHMENT 1



TO: Secretary, Planning and Operations Committee
FROM: General Manager, Community Services Department
DATE: May 28, 2012
SUBJECT: Request to Use Parks/Meewasin Valley Trail to Operate Seasonal Business
FILE NO: CK 4205-5; LS 4205-1

RECOMMENDATION: that a report be submitted to City Council recommending:

- 1) that City Council decline the request by Saskatoon Bicycle Rentals to operate in a City of Saskatoon park or along the Meewasin Valley Trail until further studies can be prepared;
- 2) that through a 2013 capital project, at an estimated cost of \$25,000, a study be conducted to review possible policy and guidelines to facilitate commercial enterprises in City of Saskatoon parks; and
- 3) that a copy of this report be referred to the 2013 Business Plan and Budget review.

BACKGROUND

During its March 12, 2012 meeting, City Council considered a request from Saskatoon Bicycle Rentals (SBR) to use a downtown park and Meewasin Valley Authority (MVA) trails to operate a seasonal business. City Council passed a motion that the matter be referred to the Administration for a report to the Planning and Operations Committee.

SBR's proposal included changing the Facilities and Parks Usage Bylaw No. 7767 to permit a private business to operate a bike rental business for tourism purposes. SBR has requested to locate the bicycle rental business between the Broadway Bridge and 25th Street Bridge. SBR's ideal location would be in Kiwanis Park North, immediately north of the Bessborough (see Attachment 1).

Saskatoon Bicycle Rentals (SBR) currently operates a bicycle rental business at a location immediately south of the Farmer's Market. In 2011, Mr. Eric Farries, owner of SBR, and your Administration collaborated to create a three-year agreement, whereby SBR could use the location from May to October at a cost of \$240 plus Goods and Services Tax (G.S.T.) per year. The agreement with SBR included, in part, the following conditions:

- 1) the River Landing Site is to be used in such a manner as to not restrict access to the land and park;
- 2) only one trailer and a fenced area may be placed at the River Landing Site;
- 3) an inspection of the River Landing Site is to occur daily to advise the City of Saskatoon (City) of any safety issues on the site;
- 4) litter must be picked up in the area around the site on a daily basis; and
- 5) signage advertising the bike rental services must receive prior approval from the City.

In July 2011, SBR approached the Administration and requested to use City park space near the Delta Bessborough Hotel (Bessborough). SBR indicated there was not enough business uptake at the current location near the Farmer's Market. SBR was of the opinion that the Bessborough location would provide better access for tourists and hotel guests to take advantage of the bicycle rental service.

Your Administration advised SBR that Facilities and Park Usage Bylaw No. 7767 does not allow for a commercial business to be located in City parks. In assisting SBR to find a more suitable location, your Administration investigated various parcels of public and private land to accommodate SBR's business. A mutually agreeable location could not be found that satisfied SBR's specific business requirements and/or was complementary to existing park program activities.

Throughout the relocation investigation process, your Administration suggested to SBR to work with the local Hotel Association, the Downtown Business Improvement District (BID), parking lot owners, and empty lot owners for a suitable location that meets the business plan objectives of SBR.

REPORT

The Facilities and Parks Usage Bylaw No. 7767 regulates the use of parks and recreation facilities owned by the City. This bylaw was developed in 1998 to provide a management framework on the allocation and appropriate use of parks and recreation facilities.

The Facilities and Parks Usage Bylaw No. 7767 identifies permissible use of a park if:

- a) the use is compatible with the physical capabilities of the park;
- b) the use does not cause permanent damage to the park or extra expense for the City;
- c) the use is compatible with the other activities and events previously approved and can occur simultaneously in the park;
- d) the use does not jeopardize public safety;
- e) the use does not include soliciting of any kind; and
- f) the sale of goods is not the primary purpose for the use."

The Leisure Services Branch has been approached in the past by commercial enterprises (e.g. concessionaires in Meewasin Park, water taxi, Segway Rentals, miniature golf, etc.) to locate businesses in park locations. The Leisure Services Branch has not approved these requests unless the commercial venture complements an event, such as festivals, concerts, and theatre performances.

The City Solicitor's Office has advised that the Facilities and Parks Usage Bylaw No. 7767 permits the City (i.e. the Leisure Services Branch) to control what happens in a park, but it is not an

absolute; all activities must have prior written permission from the Administration. Furthermore, a business could be permitted to operate within a park as long as it:

- a) enhances the user's park experience;
- b) complements existing park activities; and
- c) does not hinder the general use of the park.

To date, the Leisure Services Branch has not permitted solicitation (i.e. a seller initiating a sale versus a buyer initiating a sale) of any kind when the commercial business does not complement an event (e.g. PotashCorp Children's Festival, Sasktel Saskatchewan Jazz Festival, A Taste of Saskatchewan).

Bicycle Rental Location in Kiwanis Park North (Next to the Bessborough)

SBR has requested to locate its business in Kiwanis Park North for the following reasons:

- a) ease of access;
- b) lack of seasonal conflict with the ice rink;
- c) ample parking in the area; and
- d) its location near downtown hotels.

SBR also proposed to lease the Cameco - Meewasin Skaters' Lodge (Skaters' Lodge) owned by the MVA for use in the summer season. Your Administration has explored this idea with the MVA administration. The MVA indicated the Skaters' Lodge is not designed for summer use and is not aesthetically pleasing when the snow is removed from around the perimeter of the building. In addition, Kiwanis Park North is well used in the summer by the general public and events and it may not be desirable to assign a large area of public land to a private business. Currently, the Skaters' Lodge has been removed from this site and is in storage until fall 2012.

Commercial Business Along the River Valley

The development of the City's riverbank parks and the MVA trail system has facilitated greater access to the river valley by all types of users including citizens, visitors, and event organizers for nature appreciation, exercise, socializing, and entertainment. The popularity of the downtown parks brings with it an increase in pedestrian density, which creates an opportunity for an individual or a company to request permission from the City to establish a commercial business in City parks.

Your Administration and the MVA support the concept of enhancing the river valley amenities and understand the value in creating more opportunities for entrepreneurial activity. This includes allowing more vendors to operate in City parks and on the MVA trail system. However, a comprehensive review is required to establish policy and guidelines to permit commercial enterprises to locate a business in City parks (e.g. downtown parks). This study will address issues such as:

- 1) types of businesses that complement and support public use of City parks and provide the most public benefit;
- 2) appropriate locations that do not impact programming or other amenities;
- 3) a fair process for selecting potential private operators; and
- 4) establish fair market rental rates for use of City parks for commercial businesses.

By exploring entrepreneurial opportunities within City parks, your Administration is complying with the City's strategic goal of Economic Diversity and Prosperity by being open to alternative business options. However, the Leisure Services Branch needs to be good stewards of the City's parks system and the MVA trail system, as these public assets directly contribute to quality of life for Saskatoon citizens. A balance must be sought to ensure each strategic goal works in harmony.

OPTIONS

As an alternative, City Council could approve SBR's request to permit private business to operate in City parks subject to several administrative conditions, which may include:

- 1) a one-year temporary term (June to October 2012);
- 2) MVA is in agreement with the location chosen;
- 3) SBR will pay rent at a fair market value plus G.S.T.;
- 4) SBR will maintain the area in good repair including garbage pickup, turf maintenance, and general aesthetics;
- 5) SBR will repair, at their expense, any damages to the site;
- 6) SBR will provide a detailed layout and description of the bicycle compound;
- 7) agree that any damage or destruction of SBR property will not be the responsibility of the City; and
- 8) any additional administrative conditions needed based on the specific location identified.

Your Administration does not support this option, preferring a review of policy and guidelines prior to a commercial enterprise operating in City parks. In addition, SBR continues to have the opportunity to operate the business at its current location near the Farmer's Market.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPLICATIONS

Your Administration will submit a capital project estimated at \$25,000 to conduct the noted review. The proposed funding source is the Reserve for Capital Expenditures. This capital project will be brought forward at the 2013 Business Plan and Budget review.

ENVIRONMENTAL IMPLICATIONS

There are no environmental and/or greenhouse gas implications.

PUBLIC NOTICE

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

ATTACHMENT

1. Map of Kiwanis Park North

Written by: Cary Humphrey, Manager, and
Nancy Johnson, Open Space Consultant

Reviewed by: “Cary Humphrey”
Cary Humphrey, Manager
Leisure Services Branch

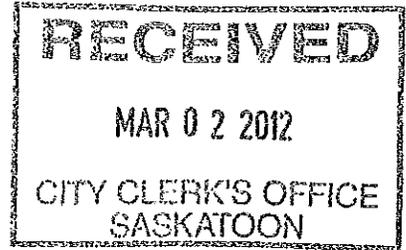
Approved by: “Randy Grauer”
Randy Grauer, General Manager
Community Services Department
Dated: “May 28, 2012”

Approved by: “Murray Totland”
Murray Totland, City Manager
Dated: “May 29, 2012”

ATTACHMENT 1



4205-5



Saskatoon Bicycle Rentals

Proposed location change and changes to bylaw 7767 concerning the use of City of Saskatoon parks property by private business, on a seasonal basis, for tourism purposes.

Submitted by Eric Farries

Owner,

Saskatoon Bicycle Rentals

Eric Farries
620 9th Ave. N.
Saskatoon, Sk.
S7K-2Y7
306-270-9985
ericfarries@yahoo.com

His Worship, Mayor Atchison and Council
222 3rd Ave. N.
Saskatoon, Sk. S7K 0J5

This proposal is for the rezoning of the Meewasin Valley and parks in Saskatoon, to accommodate seasonal tourism businesses with the intent of increasing tourism and local use on the river trail system.

Saskatoon Bicycle Rentals (SBR) is proposing the rewriting of the recreation facilities and parks usage bylaw, to accommodate small, temporary and seasonal businesses to assist tourists in fully utilizing the river bank while providing the services that people have come to expect in tourist orientated areas.

As Saskatchewan's economy continues to gain strength the province has been attracting an increasing number of tourists to Saskatoon. Although Saskatoon has not traditionally been a tourist center it is gaining a strong reputation as a beautiful and enjoyable summer destination. This has presented many opportunities for the City of Saskatoon and entrepreneurs to offer services that have not traditionally been available. In response to the demand from tourists to have a safe and enjoyable form of transportation, SBR opened its doors in summer 2011. Providing rental bicycles for tourists of all ages to explore the river trail system, it was quickly realized that the location negotiated with the city for the seasonal home of SBR was not providing the services needed by tourists due to the hard to find nature of the business location and the lack of any tourist activities or attractions in the area. SBR owner, Eric Farries, approached the City of Saskatoon administration on the possibility of relocating, but was unable to do so due to the bylaw (#7767) currently in effect.

Saskatoon Bicycle Rentals does not feel it can return to a location that does not provide the accessibility for tourists or a local population with financial ability to rent cycles. It has been expressed by Tourism Saskatoon and the Meewasin Valley Authority that it is important to have cycles available for rent. This is a service that is available in almost all other metropolitan centers. Having cycles available for rent is a both a tourist attraction and benefit to downtown residents. This is clearly evident in the dozen plus calls received by Tourism Saskatoon requesting cycles to rent and the regular calls to Saskatoon cycle shops requiring the same service. Due to the present location it is clearly impractical for either tourist or local, and Saskatoon residents regularly commented on not feeling comfortable in the evenings as this is perceived as a higher crime area. SBR has also suffered significant theft losses of cycles and repeated break-in's due to local criminal activity, despite working with local youth and local businesses. In the later months of summer, construction material storage behind SBR gave perfect concealment allowing for 4 separate acts of vandalism and losses of 1/3 of my fleet of rental cycles.

Cycle rental is commonly a service provided in areas that are easy to access and find, have large amounts of foot traffic, are near hotels and office buildings, and are easy for tourists to access without complicated directions. Although the farmer's market area will eventually be a nice tourist attraction it is still several years away from completion. When SBR opened it was with my understanding that construction would be happening at a faster pace. As often happens with construction things have fallen behind schedule and have caused many problems like excessive blowing dust, leading to many

mechanical issues and expenses such as bearing and chain damage. When coupled with the current hesitation of investors to develop new areas around this neighbourhood, SBR does not feel it can remain in its current location and succeed.

In order to provide all the services to both tourists and locals alike, Saskatoon Bicycle Rental should be located somewhere between the 25th St. Bridge and Broadway Bridge. Ideally SBR would like to share a site with the rink on the north side of the Delta Besberough hotel where the city has redeveloped the upper riverbank. This is the ideal place for a service like SBR for many reasons including the ease of access to most of Saskatoon's major hotels, lack of seasonal conflict with the rink on the space use, lots of parking in the area, good access to people working down town encouraging exercise and the use of inter modal transportation. SBR would also like to propose that it be leased the skate shack building for use in the summer season so as to help offset the expense of this unit and assist in seeing that it is fully utilized year round. SBR would help maximise the use of this area and contribute to turning the park into a year round activity center.

Due to the harsh seasonal conditions it is impractical to purchase a permanent year round building to use only six months of the year, and short term leases are not available. SBR is applying to have the bylaw amended to allow for small, seasonal, tourist orientated service businesses under special licenses to be operated on Saskatoon's parks property, in a temporary location. SBR would be required to sustain a standard in appearance and professionalism set by the city or their license would be revoked. A good example where an idea like this is already successfully in practice in our own city is the private leasing of the concession at Kinsmen Park. This concession has been open and operating for many years, significantly contributing to the usability of the park by families and adults alike, and having no negative affect on the park. In fact it has been such an asset to the park it will remain even when the renovations are completed.

SBR is offering to work closely with the City of Saskatoon in this proposed experimental program on the impact of businesses located on city parks property. As Saskatoon Bicycle Rentals is a pilot project or experimental business by the City, it is ideally poised to undertake this kind of a partnership by participating in this mutually beneficial opportunity. This would allow SBR to relocate to an area of much improved public access while assisting the city to provide a valuable tourism service in an area where it is often requested. SBR is also working closely with Tourism Saskatoon and the Meewasin Valley Authority with their full approval and support towards the mutually beneficial goal of having more people cycling on the river trails. I have included some letters of recommendation for such a program to be made available.

Thank you for taking the time to consider this proposal and the far reaching and positive impact it could carry in our community.

Sincerely Eric Farries
Owner, Saskatoon Bicycle Rentals

February 16, 2012

His Worship Don Atchison and Council
222 3rd Avenue North
Saskatoon, SK S7K 0J5

RE: Letter of Support – Saskatoon Bicycle Rentals

Your Worship and Council;

Tourism Saskatoon has had the pleasure of working with Mr. Eric Farries over the past year as he endeavours to develop a sustainable model for his business in Saskatoon. Saskatoon as a destination is particularly well-suited to cycling experiences with an active bicycle transportation plan in place, and the Meewasin Valley Trail as a key amenity that links many of our riverbank attractions and events.

The secret to most business' success is location. Mr. Farries' research on this topic clearly indicates that he needs to relocate his core operation from its current location to one with increased visibility and better access to visitors staying in the core downtown riverbank hotel properties, in order to generate the exposure and volume necessary to succeed. The physical setup he requires is relatively benign, and would be completely in keeping with tourist expectations and services provided in other similar destinations.

I encourage you to support his interest, and those wishing to explore our dynamic city by bicycle. It is green, interactive, and meets the needs of our visitors.

Sincerely,



Todd Brandt
President & CEO

Todd\lobby\tsbr

SPOKE N SPORT

31A-2105 8th Street East
Grosvenor Park Centre
Saskatoon, Saskatchewan S7H 0T8
Phone: 306-373-4224 Fax: 306-955-2502 E-mail: spokensport@sasktel.net

February 13, 2012

To: Your Worship The Mayor, Councillor's and Saskatoon Tourism

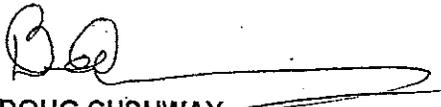
This letter is in support of Saskatoon Bicycle Rentals and its efforts to secure a better location for its business. The location north of the Broadway Bridge on the Westside of the Saskatchewan River would be a more ideal location for both the business and the people who seek their service, tourists.

Last year Saskatoon Bicycle Rentals struggled through their first year. I believe in a large part due their location. New businesses require a lot of hard work and having the ideal location aids in the success of the business. I truly believe that if the business is not provided with a better location the business will fail no matter how much work is done. Location is the key to its survival. Bike shops have tried to provide rentals but have a hard time with being successful because of the cost of storage, the seasonality of rentals and not having that direct access to the tourist.

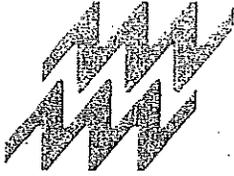
Saskatoon is a beautiful city but we have very little of offer the tourist in terms of interactive activities such as bicycle rentals. Saskatoon Bicycle Rentals provides this service.

It is in the city's best interest to change the "rules" in order to offer Saskatoon Bicycle Rentals a better location and thus give Saskatoon Bicycle Rentals a chance to succeed and to continue to offer the Saskatoon tourist a service that no one else provides. Saskatoon Bicycle Rentals requires walk by traffic in order to succeed.

REGARDS,



DOUG CUSHWAY
OWNER
DOUG'S SPOKE'N SPORT



Meewasin Valley Authority
402 - 3rd Avenue South
Saskatoon, Saskatchewan
S7K 3G5
Phone (306) 665-6887
Fax (306) 665-6117

Meewasin

March 1, 2012

Mayor Don Atchison and City Council
City of Saskatoon
222 Third Avenue North
Saskatoon, SK . S7K 0J5

Your Worship and Council,

Letter of Support – Amenities on the Meewasin Trail

Meewasin administration has been in discussions with a variety of stakeholders, including Tourism Saskatoon, city administration, and local business, on the concept of allowing more vendors to operate on the Meewasin Trail.

Meewasin is supportive of this concept as enhancing the river valley with amenities is part of our mandate. There is an existing privately run business on the trail at River Landing (Prairie Fare café, in the concession building built by Meewasin and the City) along with temporary stands in parks downtown. Meewasin sees the value in creating more opportunities for such entrepreneurial activity.

Meewasin administration will continue to work with the city staff and other agencies to explore this opportunity.

Sincerely,

Susan Lamb
Chief Executive Officer

*Received with
no title - June 26/12*

Kanak, Diane (Clerks)

To: Kanak, Diane (Clerks)
Subject: FW: Vendors in Kiwanis Memorial Park

For Planning and Operations Committee as forwarded by the Administration.

From: Mike Velonas [<mailto:mvelonas@meewasin.com>]
Sent: June 25, 2012 2:56 PM
To: Johnson, Nancy (CY - Leisure Services)
Cc: Humphrey, Cary (CY - Leisure Services)
Subject: Vendors in Kiwanis Memorial Park

Meewasin would like to speak to the report going to the Planning and Operation Committee on June 26, 2011 regarding a "Request to Use Parks/Meewasin Valley Trail to Operate Seasonal Business". We offer the following comments.

Meewasin is supportive of accommodating these types of amenities and has explored, and will continue to explore, appropriate locations for such a use in the immediate term. We have offered use of our parking lot, as well as identified River Landing as place that is specifically intended for this type of activity.

Meewasin is concerned with the recommendation in the report that Kiwanis Park North and the boat launch are appropriate locations for a vendor to establish a business. In 1994 Meewasin adopted the Kiwanis Memorial/Friendships Park Conceptual Development Plan, prepared by KLA Group, Inc, in consultation with city administration. This plan was developed to ensure development of the park, based on the concepts of the Kiwanis/Riverbank Parks Program Plan (developed in 1989/90 by city administration), occurred in an orderly fashion. The plan discusses "park amenities and services" such as drinking fountains, bike racks, and information kiosks/signage. The plan does not contemplate vendors or seasonal business in Kiwanis Park.

The area immediately north of the boat launch was recently disturbed when city crews completed repairs to underground infrastructure. We would like this area to be remediated and re-vegetated as soon as possible. Protecting the riparian edge is critical.

Kiwanis is one of our city's most beloved parks and is in many ways the heart of our city. As such, the demand for use is very high, both from the public seeking a passive recreation area and from entrepreneurs seeking to establish businesses within the park. Balancing the needs and desires of a wide variety of users groups is difficult. To do so without an established process and protocol invites conflict and unforeseen logistical issues.

While we recognize that there is merit in re-evaluating the Kiwanis Memorial/Friendship Park Conceptual Development Plan and see the value of providing additional amenities in our parks, we feel the best approach is to do this in a considered manner. We look forward to working with the city on a strategic plan to identify potential locations for entrepreneurial activity that complement park use. This plan will also help identify logistical problems associated with each site and ensure that there is a proper process in place to deal with such issues. The plan should also establish a process for how to fairly evaluate the requests of prospective vendors, both in the selection of vendors and accommodation of their needs.

Thank you.

Mike Velonas | *Resource Planning Manager*
Meewasin Valley Authority
Ph. 477-9126 Fax 665-6117
www.meewasin.com

TO: Secretary, Planning and Operations Committee
FROM: General Manager, Community Services Department
DATE: June 7, 2012
SUBJECT: Vacant Lot and Adaptive Reuse Incentive Program
724 Avenue J South – Merc Developments
FILE NO.: CK. 4110-45 and PL. 4110-71-25

RECOMMENDATION: that a report be submitted to City Council recommending:

- 1) that City Council approve a five-year tax abatement equivalent to 72 percent of the incremental taxes for the redevelopment of 724 Avenue J South;
- 2) that the five-year tax abatement take effect in the next taxation year following completion of the project; and
- 3) that the City Solicitor be requested to prepare the appropriate agreement, and that His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal.

BACKGROUND

During its March 7, 2011 meeting, City Council approved the Vacant Lot and Adaptive Reuse (VLAR) Incentive Program. The VLAR Incentive Program is designed to encourage infill development on chronically vacant sites and adaptive reuse of vacant buildings within Saskatoon's established neighbourhoods.

Applicants have the choice of a five-year tax abatement or a grant, with the maximum incentive amount calculation based on the increment between the existing municipal taxes and the taxes owing upon completion, multiplied by five years. Applications are scored against an evaluation system where points are awarded for features included in a project that meet a defined set of policy objectives. The score, out of 100, that a project earns determines what proportion of the maximum incentive amount it receives.

During its May 14, 2012 meeting, City Council approved a series of amendments to VLAR Incentive Program Policy No. C09-035. The required time that eligible sites must be vacant prior to development was increased from 12 months to 48 months. Maximum grants were also established, while no restriction was placed on the potential value of a tax abatement.

REPORT

On March 22, 2012, the Planning and Development Branch, Neighbourhood Planning Section, received an application under the VLAR Incentive Program from Merc Developments for the construction of a one-unit dwelling at 724 Avenue J South in the King George neighbourhood. The project is located on an existing vacant site that meets the 12-month vacancy criteria

required prior to the policy amendments approved on May 14, 2012. Because the application was received prior to the effective date of these amendments, this project is not subject to the new conditions.

The application was reviewed using the program's evaluation system, which awards points to a maximum of 100, to determine the percentage of the total maximum incentive amount that a project is eligible for. All proposals are automatically granted 50 base points. Additional points are awarded for development features that achieve a range of policy objectives.

The project at 724 Avenue J South received a total of 72 points out of 100, for 72 percent of the maximum incentive amount. The project received 50 base points, plus 10 points for a residential one-unit dwelling, 6 points for being located approximately 100 metres from an existing transit stop, and 6 points for including sustainable features, such as Energy Star appliances and a high efficiency mechanical system.

The applicant is applying for a five-year tax abatement of the incremental property taxes. According to the Office of the City Assessor, the incremental increase in annual property taxes for the property is estimated to be \$938, based on the 2011 tax year. The maximum incentive amount would be \$993, multiplied by five years, or \$4,690. The value of this abatement over the five-year period, based on an earned incentive amount of 72 percent, is estimated to be \$3376.80.

After a review of this application, your Administration has concluded that this project is consistent with the intent of VLAR Incentive Policy No. C09-035. Your Administration is recommending that City Council approve the five-year property tax abatement commencing in the next taxation year after completion of the project.

OPTIONS

City Council could decline support of this project. Choosing this option would represent a departure from the VLAR Incentive Policy No. C09-035. Your Administration is not recommending this option.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPLICATIONS

The incremental property tax abatement for the project at 724 Avenue J South is forgone revenue and will not impact the VLAR Incentive Reserve. However, the City of Saskatoon will forgo 72 percent of the increase in tax revenue resulting from this project over a five-year period.

ENVIRONMENTAL IMPLICATIONS

There are no environmental and/or greenhouse gas implications.

PUBLIC NOTICE

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

ATTACHMENT

1. Location Map – 724 Avenue J South

Written by: Brent McAdam, Planner

Reviewed by: “Alan Wallace”
Alan Wallace, Manager
Planning and Development Branch

Approved by: “Randy Grauer”
Randy Grauer, General Manager
Community Services Department
Dated: “June 14, 2012”

Approved by: “Murray Totland”
Murray Totland, City Manager
Dated: “June 18, 2012”

Location Map – 724 Avenue J South



TO: Secretary, Planning and Operations Committee
FROM: General Manager, Community Services Department
DATE: June 7, 2012
SUBJECT: Vacant Lot and Adaptive Reuse Incentive Program
317 Avenue J North – Stewart Property Holdings Ltd.
FILE NO.: CK. 4110-45 and PL. 4110-71-27

- RECOMMENDATION:** that a report be submitted to City Council recommending:
- 1) that City Council approve a five-year tax abatement equivalent to 76 percent of the incremental taxes for the redevelopment of 317 Avenue J North;
 - 2) that the five-year tax abatement take effect in the next taxation year following completion of the project; and
 - 3) that the City Solicitor be requested to prepare the appropriate agreement, and that His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal.

BACKGROUND

During its March 7, 2011 meeting, City Council approved the Vacant Lot and Adaptive Reuse (VLAR) Incentive Program. The VLAR Incentive Program is designed to encourage infill development on chronically vacant sites and adaptive reuse of vacant buildings within Saskatoon's established neighbourhoods.

Applicants have the choice of a five-year tax abatement or a grant, with the maximum incentive amount calculation based on the increment between the existing municipal taxes and the taxes owing upon completion, multiplied by five years. Applications are scored against an evaluation system where points are awarded for features included in a project that meet a defined set of policy objectives. The score, out of 100, that a project earns determines what proportion of the maximum incentive amount it receives.

During its May 14, 2012 meeting, City Council approved a series of amendments to VLAR Incentive Program Policy No. C09-035. The required time that eligible sites must be vacant prior to development was increased from 12 months to 48 months. Maximum grants were also established, while no restriction was placed on the potential value of a tax abatement.

REPORT

On April 25, 2012, the Planning and Development Branch, Neighbourhood Planning Section, received an application under the VLAR Incentive Program from Stewart Property Holdings Ltd. for the construction of a one-unit dwelling at 317 Avenue J North in the Westmount neighbourhood. The project is located on an existing vacant site that had been used as a side

yard for an adjacent residence. There are no records indicating any prior development on the site. While this application was received prior to the May 14, 2012 policy amendments and is not subject to the new 48-month vacancy criteria, it does meet this time requirement.

The application was reviewed using the program's evaluation system, which awards points to a maximum of 100, to determine the percentage of the total maximum incentive amount that a project is eligible for. All proposals are automatically granted 50 base points. Additional points are awarded for development features that achieve a range of policy objectives.

The project at 317 Avenue J North received a total of 76 points out of 100, for 76 percent of the maximum incentive amount. The project received 50 base points, plus 10 points for a residential one-unit dwelling, 6 points for being located approximately 100 metres from an existing transit stop, 2 points for providing racks and lockable storage for bicycles, and 8 points for including sustainable features, such as Energy Star appliances, an insulated concrete form (ICF) basement, high efficiency heating, Low-E argon filled windows, and dual flush, low volume toilets.

The applicant is applying for a five-year tax abatement of the incremental property taxes. According to the Office of the City Assessor, the incremental increase in annual property taxes for the property is estimated to be \$1,530, based on the 2011 tax year. The maximum incentive amount would be \$1,530, multiplied by five years, or \$7,650. The value of this abatement over the five-year period, based on an earned incentive amount of 76 percent, is estimated to be \$5,814.

After a review of this application, your Administration has concluded that this project is consistent with the intent of VLAR Incentive Policy No. C09-035. Your Administration is recommending that City Council approve the five-year property tax abatement commencing in the next taxation year after completion of the project.

OPTIONS

City Council could decline support of this project. Choosing this option would represent a departure from VLAR Incentive Policy No. C09-035. Your Administration is not recommending this option.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPLICATIONS

The incremental property tax abatement for the project at 317 Avenue J North is forgone revenue and will not impact the VLAR Incentive Reserve. However, the City of Saskatoon will forgo 76 percent of the increase in tax revenue resulting from this project over a five-year period.

ENVIRONMENTAL IMPLICATIONS

There are no environmental and/or greenhouse gas implications.

PUBLIC NOTICE

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

ATTACHMENT

1. Location Map – 317 Avenue J North

Written by: Brent McAdam, Planner

Reviewed by: “Alan Wallace”
 Alan Wallace, Manager
 Planning and Development Branch

Approved by: “Randy Grauer”
 Randy Grauer, General Manager
 Community Services Department
 Dated: “June 14, 2012”

Approved by: “Murray Totland”
 Murray Totland, City Manager
 Dated: “June 18, 2012”

Location Map – 317 Avenue J North



TO: Secretary, Planning and Operations Committee
FROM: General Manager, Community Services Department
DATE: June 15, 2012
SUBJECT: Affordable Housing Reserve – Budget Allocation for Innovative Housing Incentives
FILE NO: CK. 750-4 and PL. 950-20

RECOMMENDATION: that a report be submitted to City Council recommending:

- 1) that this report be received as information; and
- 2) that the Administration provide a further report on potential funding options prior to the 2013 Business Plan and Budget Review.

BACKGROUND

At its July 16, 2007 meeting, City Council set the goal of creating 500 new affordable housing units per year in response to a growing shortage of affordable housing in the city. To support this goal, City Council allocated capital funding of \$2.5 million per year to the Affordable Housing Reserve for a five-year period (2008 to 2012). At its December 3, 2007 meeting, City Council adopted the 2008 Housing Business Plan, which outlined the strategies to be used in attaining the City of Saskatoon's (City) affordable housing goals.

During its December 20, 2010 meeting, City Council approved the 2011 Operating and Capital Budgets, which included permanent funding for the Housing Business Plan of \$1.5 million per year beginning in 2011. This funding was to be included in the annual operating budget and would be phased-in with incremental annual provisions of \$250,000 per year for six years beginning in 2011 and ending in 2016. The Neighbourhood Land Development Fund would contribute the difference required each year to bring the funding up to the \$1.5 million level.

During its September 26, 2011 meeting, City Council approved a cost sharing agreement with the Province of Saskatchewan (Province) to help fund the affordable housing programs. This new funding allowed the City to re-allocate funds previously committed within the Affordable Housing Reserve. This re-allocation of funding was projected to be sufficient to fund the City's affordable housing incentives to the end of 2013. Therefore, City Council deferred consideration of a permanent funding source for affordable housing until the end of 2013.

During its February 27, 2012 meeting, City Council received the status report on the 2011 Housing Business Plan, which indicated that funding for affordable housing projects had been committed to the end of 2012. It was reported that this funding was supporting the creation of 2,239 new affordable, entry level, and purpose built rental units, or an average of 448 units per year over the five year period (2008 to 2012).

Since February 27, 2012, City Council has approved five projects for completion in 2013 and early 2014 totaling \$1,523,900 that will result in the creation of 104 new affordable housing

units. These projects have reduced the uncommitted balance in the Affordable Housing Reserve to \$131,242.

REPORT

Innovative Housing Incentives – Capital Grants for Affordable Housing

Demand for the City's funding from the housing program has been much higher than expected. The City has received a number of enquiries for future projects. Existing funding has been committed for projects to the end of 2013. As a result, the City is now in a position of not being able to support any new supportive or affordable housing projects until 2014. The uncommitted balance of \$131,242 is sufficient for contingencies only. The administration of the City's Affordable Housing Program is funded through the \$250,000 annual allocation from the City's operating budget.

The Innovative Housing Incentives Policy No. C09-002 provides capital grants of up to 10 percent of the total cost for affordable housing projects that serve low-income residents of Saskatoon. This funding supports projects such as emergency shelters, transitional housing, and affordable ownership housing. Your Administration has one application for funding that it is holding currently and is aware of other groups that are working on proposals for completion in 2014.

The need for shelter beds, transitional housing, and affordable (social) housing is continuing to grow in Saskatoon. During its October 11, 2011 meeting, City Council received The Saskatoon Housing and Homelessness Plan (2011-2014), which identifies priorities for Saskatoon that include the creation of additional shelter spaces, additional transitional housing units, and additional affordable housing units.

Federal funding under the Homelessness Partnering Strategy will be available for new shelter beds and transitional housing units that must be completed by March 31, 2014. A Request for Proposals is expected in the fall of 2012 for over \$1 million in available funding for Saskatoon projects. Typically, the Federal funding is combined with City funding and other sources of capital to make a project viable. Final decisions on the Federal funding may be delayed until the City's funding is in place.

In order to take advantage of potential funding under the Homelessness Partnership Strategy, your Administration is recommending that at least \$250,000 be added to the Affordable Housing Reserve for 2013. Potential funding sources will be identified in a further report.

Mortgage Flexibilities Support Program

The City's Mortgage Flexibilities Support Program is funded by a grant from the Province and by the re-direction of property taxes on homes sold under the program to the Affordable Housing Reserve. The City has a funding commitment from the Province until the end of 2015 to support this program. An increased budget allocation is not needed to continue this program.

The New Rental Construction Land Cost Rebate Program

The City's New Rental Construction Land Cost Rebate Program is funded through incremental tax abatements and a matching grant from the Province. The City has a funding commitment from the Province until the end of 2015 to support this program. An increased budget allocation is not needed to continue this program.

OPTIONS

This is primarily an information report. City Council will have an opportunity to consider 2013 funding options for affordable housing subject to a further report.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPLICATIONS

There are no specific financial implications at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental and/or greenhouse gas implications.

PUBLIC NOTICE

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

Written by: Daryl Sexsmith, Housing Analyst

Reviewed by: “Alan Wallace”
Alan Wallace, Manager
Planning and Development Branch

Approved by: “Randy Grauer”
Randy Grauer, General Manager
Community Services Department
Dated: “June 18, 2012”

Approved by: “Murray Totland”
Murray Totland, City Manager
Dated: “June 18, 2012”

To: Planning and Operations Committee
From: General Manager, Infrastructure Services Department
Date: May 29, 2012
Subject: Access to Armistice Way
File No. CK. 6320-5 x 4350-62; IS. 6320 - 01

RECOMMENDATION: that the information be received.

BACKGROUND

City Council, at its meeting held on June 28, 2010, during Matters Requiring Public Notice, resolved that a median opening be constructed at the intersection of Preston Avenue South and Armistice Way to allow left-turn movements for southbound traffic from Preston Avenue to eastbound Armistice Way; and for westbound traffic from Armistice Way to southbound Preston Avenue. Although the median opening does not fully comply with Policy C07-012 - Median Openings in that the current volume of traffic does not exceed 150 left turns into the site, it was the Administration's opinion that, due to development in the area, this requirement would be met in the future.

Additionally, the following enquiry was made by Councillor B. Pringle at the meeting of City Council held on June 28, 2010:

“Would the Administration, with some urgency, please find an additional permanent and satisfactory access route to and from Armistice Village and Dover Heights for reasons of more effective traffic flow and vehicle and pedestrian safety.”

City Council, at its meeting held on December 20, 2011, adopted a report from the Administration which recommended against creation of an additional access point into Armistice Way properties via Parkinson Lane as it was determined that the existing conditions, including the newly created median opening, provided adequate service into and out of the development.

City Council, at its meeting held on June 27, 2011, considered a presentation from Mr. Cliff Price expressing concerns with regard to the lack of access to Armistice Way for residents of Dover Heights. Council passed a motion that the matter be referred to the Administration to report to the Planning and Operations Committee, and that the letter be joined to an enquiry from Councillor Penner regarding population density in the Market Mall area.

The Planning and Operations Committee, at its meeting held on October 18, 2011, considered reports from the General Managers, Infrastructure Services and Community Services Departments, regarding access to Armistice Way and development density in multi-unit residential districts, as well as a further presentation from Mr. Cliff Price. The report of the General Manager, Infrastructure Services Department, outlined the acceptable transportation levels-of-service provided by the existing median opening at Armistice Way, as well as the safety hazards associated with creating an additional access/egress at Parkinson Lane, recommending against creation of an additional access. The Committee resolved, in part:

“that the Administration provide a further report with respect to the options for further access/egress to Parkinson Lane, including sharing costs, implications, timelines, funding options, and cost-sharing opportunities.”

REPORT

Armistice Way is a cul-de-sac with three condominium complexes and two senior-care facilities. The local street intersects with Preston Avenue, a minor arterial roadway, where a median opening, approved by Council in June 2010 was recently constructed. The median opening was recommended by the Administration in response to concerns from residents regarding lack of safe access to Armistice Way and its properties, as well as correspondence from Saskatoon Fire and Protective Services supporting a median opening at the intersection due safety concerns on their part as the lack of a median opening caused slow response times into the development.

In response to concerns brought forward by Dover Heights Condominiums residents regarding lack of additional access and egress to their property, the Administration reviewed several other options for additional access into the Armistway Way development, in addition to the recently constructed median opening to Armistice Way at Preston Avenue. These options primarily made use of Parkinson Lane, the lane privately-owned by the Legion Manor, just north of the Armistice development, and were presented in the report of the General Manager, Infrastructure Services at the October 18, 2011, Planning & Operations Committee meeting (Attachment 1):

- Option 1: Additional median opening at Parkinson Lane (either full access or egress only)
- Option 2: Additional access to Parkinson Lane via adjacent park through to McEown Avenue

Both options were discussed in detail and dismissed, as outlined in the report found in Attachment 1. It was determined that there is more than sufficient access to all Armistice Way properties.

In response to the Planning and Operations Committee’s resolution for the Administration to provide a further report with respect to further options for access/egress, the Administration reviewed two additional options.

Option 3: Continuous Two-Way Left-Turn Lane

An option to remove the median along Preston Avenue from Armistice Way to Parkinson Lane was considered in order to create a continuous two-way left-turn lane (an example of this can be seen along 51st Street). However, this option was dismissed due to safety concerns.

Continuous two-way left-turn lanes are typically used as an access to properties and not as an additional median opening, as this creates the opportunity for numerous turning points and potential vehicular conflict points (collisions). Furthermore, the Transportation Association of Canada’s *Geometric Design Guide for Canadian Roads* (TAC Guide) indicates that continuous two-way left-turn lanes with a width greater than 5.0 metres should generally be avoided due to

operational problems. In this case, the median running along Preston Avenue has a width 10.67 metres (Attachment 2), more than double the recommended maximum width. Two-way left turn lanes greater than 5.0 metres may create the Driver perception the the area can accommodate two through lanes. In this case, at 10.67 metres, a two-way left-turn lane would be able to accommodate two through lanes, significantly increasing the potential for head-on collisions. The TAC Guide also indicates that the installation of unwarranted continuous two-way left-turn lanes are also prone to improper use. Some of the potential operational problems include, but are not limited to:

- Left-turning vehicles may enter the continuous two-way left-turn lane too far in advance of the access where the left turn is to be made, and thereby impede or risk collision with opposing left-turning traffic in the continuous two-way left-turn lane;
- Through vehicles may use the continuous two-way left-turn lane as a passing lane to overtake slower moving vehicles in the through lanes;
- Cyclists may perceive the two-way left-turn as a relatively protected area, and ride along it for long distances;
- Pedestrians may be placed at a greater risk, due to the wide cross section and the lack of a physical refuge area.

Option 4: Conversion of Parkinson Lane to a City-owned local roadway

Another option considered was to acquire the appropriate land adjacent to Armistice Way to convert the Legion Manor's Parkinson Lane to a City-owned roadway, which would extend through the Dan Warden Park, and would provide access to the Dover Heights Condominium complex via Adelaide Street (Attachment 2). As Parkinson Lane serves as an extended driveway from Preston Avenue to the Legion Manor, Preston Avenue is currently considered the City frontage for Legion Manor. The converted roadway would require, at minimum, a "local" roadway classification, as a lane (back alley), would remove all frontage from the Legion Manor.

In order to begin the process of converting Parkinson Lane to a local roadway, consultation with the adjacent property owners would be required.

- Residential properties along the north block face of Armistice Way (Dover Heights Condominiums, Versailles Place Condominiums, and Liberty Heights Condominiums)
- The condominiums at 2221 and 2309 Adelaide Street (Fremai Towers and Chalet Gardens, respectively)
- The Saskatchewan Ministry of Education (on behalf of Walter Murray Collegiate)
- Nutana Veterans Housing (Legion Manor)
- City of Saskatoon Parks Branch
- City of Saskatoon Land Branch

Once in agreement, the Administration would require acquisition of 3326 square-metres of land from Walter Murray Collegiate, Legion Manor, and the Land Branch in order to re-construct Parkinson Lane into a standard local roadway and connect to a newly constructed standard lane leading to Adelaide Street. The land acquisition procedure would require the full consent of Walter Murray Collegiate, as legal courts have consistently ruled that a body which has the power of expropriation cannot exercise that power with respect to lands owned by another body

which also has the power of expropriation. In this case, although the the City has the power to expropriate land for municipal purposes under the provisions of *The Municipal Expropriation Act*, the Public School Board also has the power of expropriation under section 345 of *The Education Act, 1995*. Therefore, the City cannot expropriate the land from Walter Murray Collegiate in order to construct the local roadway. The School Board can voluntarily dispose of land by sale or lease. However, these dispositions are subject to the approval of the Minister of Education pursuant to section 347 of *The Education Act, 1995*.

Under expropriation law in Canada, compensation for land is recoverable not only for the value of land taken, but for consequential damage to other property sustained by the owner, to his adjoining lands, because of the severance. Such consequential damage is referred to as “injurious affection”. As seen in Attachment 2, the location of the new local roadway would directly interfere with the current location of the school running track. The total property acquisition would require detailed analysis but would require relocation of the running track and compensation for the loss of the school’s park space at the relocation site. Due to the injurious affections sustained by Walter Murray Collegiate, it may be difficult to acquire the land required for the project.

Assuming successful land acquisition from all parties, the estimated land value of the acquisition is \$360,000, not including consideration of the aforementioned injurious affection, the cost of which is difficult to estimate due to the various factors involved. It is estimated that the total construction cost, including utility work, for the local roadway and the additional lanes leading to Adelaide Street, would be approximately \$395,000, bringing the total capital project cost to \$755,000 before consideration of injurious affection costs. Additionally, annual operating costs, such as roadway maintenance, sweeping, and snow clearing, would also require further review. It is estimated that this project, including discussions with stakeholders, land acquisition, and construction would take two years’ time.

As noted in Mr. Price’s most recent presentation, maintenance of Parkinson Lane is currently provided by the Legion Manor, as it is their property, although it is available for use by Armistice Way residents, as per the previously-discussed easement agreement between Legion Manor and Land Star Development. The conversion of Parkinson Lane to City right-of-way does provide the advantage to residents, primarily the Legion Manor, in that it becomes the City’s responsibility to maintain. However, it should also be noted by adjacent residents that local roadways and lanes are considered lowest of roadway maintenance priorities and maintenance concerns along local roadways and lanes are typically dealt with on a request-basis, as they are not included in the regular street sweeping, cleaning, and snow clearing programs.

It should also be noted, that creation of this additional access may invite short-cutting traffic, who may wish to avoid Preston Avenue, and may cause increase in average daily traffic volumes along Parkinson Lane and the back lanes adjacent to the Preston Park Retirement Residence II, and the Fremai Tower and Chalet Gardens Condominiums. Further concerns noted include that the access at Adelaide Street is located at a highly used active pedestrian corridor (crosswalk with overhead amber-flashing beacons) and may decrease pedestrian safety at the location.

Although Option 4 is the most feasible from a safety perspective, the Administration's position still remains that it is less safe than a do-nothing option and that creation of an additional access to Armistice Way via Parkinson Lane or any other means is unnessecary and not recommended, based on prior traffic studies indicating that the current accesses into the area, including the newly-constructed median opening and the six-metre available easement between Parkinson Lane and the Dover Heights and Vesailles Place Condominiums, are more than sufficient given the current traffic volumes.

There is currently no capital funding available for this project. Should Council wish to pursue any of the above options further, discussions will be conducted with the adjacent property owners to further outline opportunities for cost-sharing.

PUBLIC COMMUNICATION PLAN

No public communication plan is required.

ENVIRONMENTAL IMPLICATIONS

While there are no environmental impacts at this time, should Option 4 proceed, consideration should be given to the loss of the associated green space and existing trees. Trees and green space benefit the environment by contributing to clean water, clean air, flood prevention, and soil stabilization. When this green infrastructure is removed it must be replaced with expensive investments in "grey infrastructure", such as storm sewers, water treatment plants, bigger power plants, etc. In order to construct the local road, as per Option 4 outlined above, two to three trees would require removal. The environmental value of each tree is estimated at \$40,000.

PUBLIC NOTICE

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

ATTACHMENTS

1. Report of the General Manager, Infrastructure Services to the Planning and Operations Committee, dated August 16, 2011
2. Concept Plan of Armistice Way and Parkinson Lane

Written by: Rosemarie Draskovic, Traffic Safety Engineer
Transportation Branch

Reviewed By: Angela Gardiner, Manager
Transportation Branch

Approved by: “Mike Gutek”

Mike Gutek, General Manager
Infrastructure Services

Dated: “June 14, 2012”

Copy to: Murray Totland
 City Manager

PO RD ArmisticeAdditionalAccess.doc

To: Planning and Operations Committee
From: General Manager, Infrastructure Services Department
Date: Tuesday, August 16, 2011
Subject: Access to Armistice Way
File No. CK. 6320-5

RECOMMENDATION: that the information be received.

BACKGROUND

City Council, at its meeting held on June 27, 2011, considered a presentation from Mr. Cliff Price expressing concerns with regard to the lack of access to Armistice Way for residents of Dover Heights. Council passed a motion that the matter be referred to the Administration to report to the Planning and Operations Committee, and that the letter be joined to the enquiry from Councillor Penner regarding population density in the Market Mall area.

The following enquiry was made by Councillor G. Penner at the meeting of City Council held on June 28, 2010:

“Tonight a number of concerns were expressed about the density of population in the area surrounding Market Mall. Could I have a report on this density issue with recommendations regarding maximum development controls in an area. What can we do in the future to make certain these issues do not reoccur.”

The following report addresses the concerns brought forward by Mr Cliff Price. The Community Services Department will address the density issues outlined in Councillor Penner’s enquiry at a future date.

REPORT

City Council, at its meeting held on June 28, 2010, during Matters Requiring Public Notice, resolved that a median opening be constructed at the intersection of Preston Avenue South and Armistice Way to allow left-turn movements for southbound traffic from Preston Avenue to eastbound Armistice Way; and for westbound traffic from Armistice Way to southbound Preston Avenue. Although the median opening does not fully comply with Policy C07-012 - Median Openings it was the Administration’s and Fire and Protective Service’s opinion that the additional access would be required for safety reasons.

As explained in the report of the General Manager, Infrastructure Services Department, which was considered by Council at its meeting held on December 20, 2010, the main access to Preston Avenue South for residents of Dover Heights Condominiums, which is currently bounded by private property on all but the west side, is via Parkinson Lane, which is a private lane owned by Legion Manor. However, in order to provide a means of access and egress, an easement agreement between Legion Manor and Land Star Development Corporation (the original developer of the area), allows residents of Dover Heights and others on the north side of Armistice Way free and unobstructed use of Parkinson Lane. This easement agreement is

registered on the unit titles for all three condominium parcels (Dover Heights, Versailles Place and Liberty Heights), as well as the title for Nutana Veteran Housing Limited (Legion Manor). Further to this, an additional easement access agreement exists between the three condominiums which states that, should access to Parkinson Lane ever become compromised, a six metre wide access strip is available for the free and unobstructed use of all aforementioned properties at the rear of the three north condominium parcels on Armistice Way. This easement agreement is also registered on the unit titles for all three condominium parcels. This six metre access easement is the width of a standard rear lane, and is located on the respective condominium properties, not as part of Parkinson Lane.

Previous trip generation studies indicated that the Dover Heights Condominium would only generate two left-turns at Parkinson Lane during the afternoon peak hour (5:00 p.m. to 6:00p.m.). An additional trip generation study was conducted to determine what effect all north properties would have on the turning movement patterns at the intersection of Parkinson Lane and Preston Avenue. Results of the study indicated that, if all north condominium properties (Dover Heights, Versailles Place and Liberty Heights), as well as Legion Manor, accessed Preston Avenue via Parkinson Lane, a total of 27 trips would be generated (14 trips entering, 13 trips exiting) during the afternoon peak hour, as illustrated in Attachment 1. Policy C07-012 – Median Openings states that actual or projected traffic volumes must exceed 150 left turns during the peak traffic hour into the site to warrant a median opening.

Policy C07-012 also states that the occurrence of median openings must be minimized, and that a median opening cannot be located within 150 metres, in either direction, from an existing signalized intersection or another median opening. Furthermore, the policy states that the location of the median opening must not pose a safety hazard to roadway users and must not negatively impact adjacent/neighbouring residential properties (i.e. creating shortcutting of traffic through a neighbourhood). The median opening at Armistice Way is located approximately 90 metres south of Parkinson Lane. An additional median opening at this location would create the opportunity for shortcutting, for those wishing to use it as a U-turn location. It would also create too many U-turns in a row (Adelaide, Armistic and Parkinson) increasing the potential for vehicle conflicts.

A level of service (LOS) analysis for Parkinson Lane and Preston Avenue South was conducted, based on a worst case trip generation, traffic volumes and current intersection configuration (ie. closed median). A LOS defines the operating conditions on a transportation facility, such as an intersection, based on speed, travel time, delay, traffic interruptions and convenience. It is based on a scale, A through F, to describe a range of operating conditions on a facility. LOS A represents ideal free-flow traffic conditions, where drivers experience no delay and are unaffected by the manoeuvres of surrounding motorists, while LOS F represents a situation where the traffic demand exceeds the capacity and where drivers experience long periods of delay. It is typically acceptable for the LOS to be as low as D in urban situations, where higher traffic volumes and higher levels of congestion are expected.

The analysis indicated that the intersection operates at an overall LOS A, with some instances of LOS B during peak hours; therefore, most drivers will not experience significant delays. Results

of the study indicate that the current configuration at Parkinson Lane and Preston Avenue South provides more than adequate accessibility as an access and egress.

Access to lanes, local roads and collector roads is typically limited along major arterial roadways, and the roadway configuration at Preston Avenue and Parkinson Lane is not atypical. For example, further south, along Preston Avenue, no median access exists at Guppy Street (local street), although Guppy Street leads to a greater number of dwellings; is an entrance to the Nutana Park neighbourhood; and serves as a direct route to Harold Tatler Park and an elementary school.

Although it may be inconvenient for those wishing to make the southbound left turn into and/or westbound left-turn out of Parkinson Lane, given the low level of traffic demand and the acceptable levels of service, the Administration's position remains, that additional access routes to and from Armistice Village and Dover Heights are not required, particularly given the significant safety risks it poses to the greater transportation system.

An option, as requested by a resident of Dover Heights, to designate the left lane of northbound Preston Avenue South (between Armistice Way and Parkinson Lane) as a southbound lane, in order to access the median opening at Armistice Way, is not recommended. Traffic travelling in opposite directions on major arterial roadways is typically divided by a physical median for safety reasons. Designating a portion of the northbound lane as a southbound lane would increase the potential for head-on collisions and right-angle collisions, due to driver unfamiliarity.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy C01-021, Public Notice Policy, is not required.

ATTACHMENTS

1. PM Peak Hour Traffic Projections (Dover Heights, Versailles Place, Liberty Heights & Legion Manor).

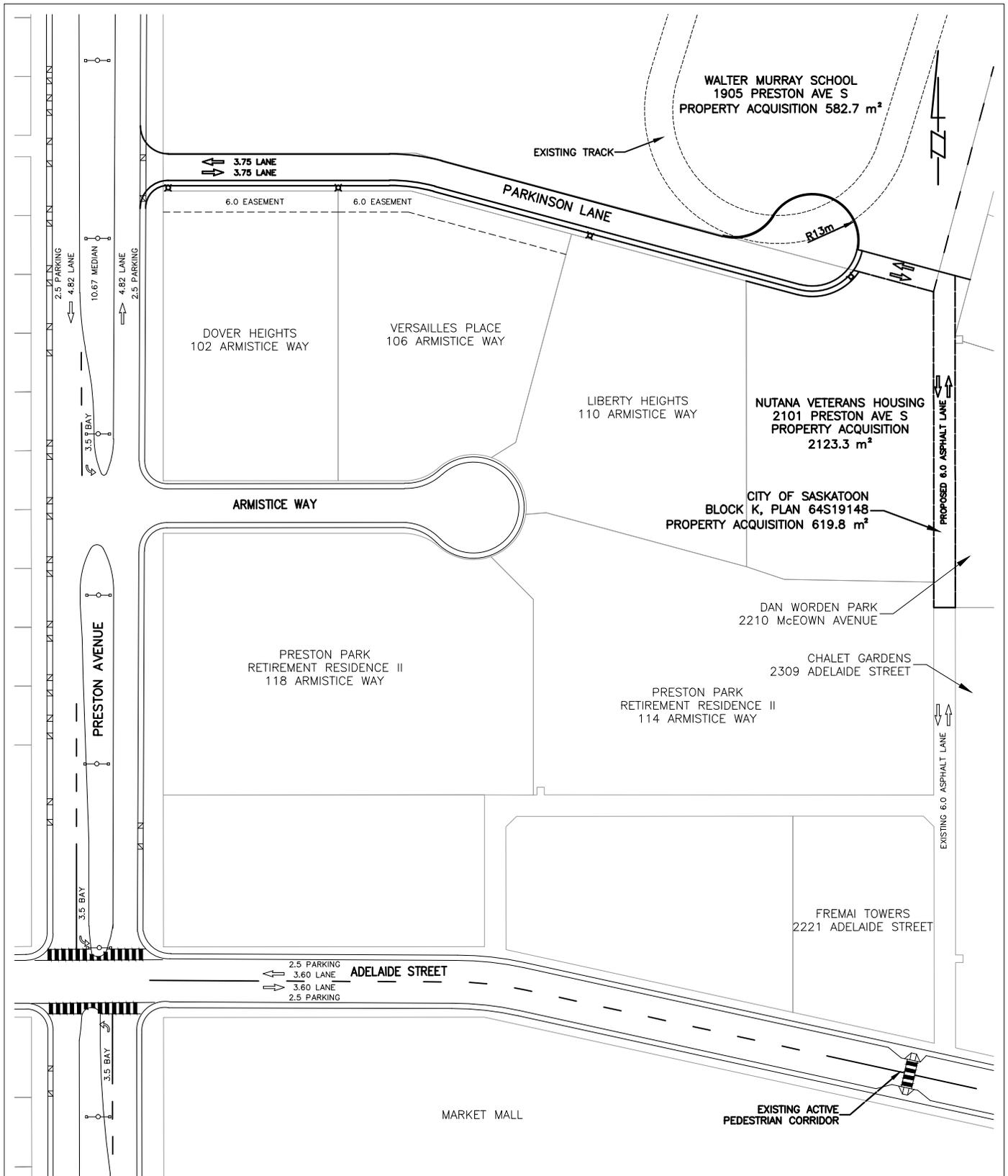
Written by: Rosemarie Sexon, EIT, Traffic Safety Engineer
Transportation Branch

Reviewed by: Angela Gardiner, Manager
Transportation Branch

Approved by: "Mike Gutek"
Mike Gutek, General Manager
Infrastructure Services
Dated: "July 28, 2011"

Copy to: Murray Totland
 City Manager

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PLAN DESCRIPTION/REVISIONS	
4	
3	
2	
1	
DRAWN BY <u>BAJ</u>	
DATE <u>2012-MAY-17</u>	
SCALE : HOR. <u>1:1500</u> VERT. _____	



**City of
Saskatoon**
Infrastructure Services Department

PARKINSON LANE
PROPOSED RECONSTRUCTION

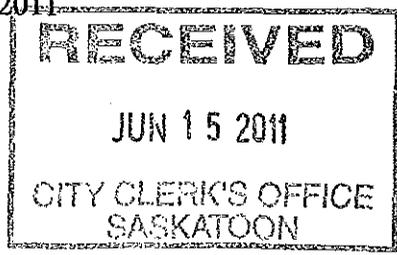
APPROVED	
GENERAL MANAGER	_____
ENGINEER	_____
ENGINEER	_____
PLAN NO.	250-0023-004r001

6390-5

Cliff Price
409 -102 Armistice Way
Saskatoon Sk. S7J 2Z6

15 Jun 2011

City Clerk
222 - 3rd Ave North
Saskatoon, Sk.
S7K 0J5



- Re: 1. Councillor Pringle's enquiry at City Council meeting 28 Jun 2010.
- 2. Administrative Report No. 21-2010 regarding above enquiry.

On behalf of Dover Heights Condominium Association the following observations regarding the above references are submitted.

Clause E3 Administrative Report No. 21-2010 at Council Meeting Dec 20, 2010 states, Armistice way is a cul-de-sac with three condominium complexes and a senior care facility, with plans for another senior care facility, and that cul-de-sacs are typically built with one point of access which is designed to accommodate projected traffic volumes in the area.

It is not noted in this Administrative Report that plans were approved with Dover Heights, one of the condominiums, having no access to Armistice Way for any of its underground parkade or 37 surface parking stalls and only a walk in door on Armistice Way. Another condominium, Versailles Place, has 14 parking stalls with no access to Armistice Way.

City Administration in the investigation seemed to focus entirely on a few solutions that were suggested to them. In conversation with Councillor Pringle at the time it was our understanding that the investigation by Administration would find the best solution to remedy a problem. This problem was created when the plans, for the Condominiums on Armistice Way, didn't ensure all vehicle parking areas had access to Armistice Way, as this is the only Public road available to us.

In the report it is stated that an agreement between Legion Manor and North Ridge Developments allows residents of Dover Heights the use of Parkinson Lane. It is our understanding that North Ridge no longer own Condominium Complexes or property in this area. If this is true then it would seem that their interest in first right of refusal would be for the purchase of Legion Manor, if the occasion arises, and not Parkinson Lane. Parkinson Lane would only be sold as part of Legion Manor. An agreement such as this does not give us secure guaranteed use of Parkinson Lane for the projected life of our Condominium.

At a meeting of City Council held on Jun 28,2010 the report from General Manager Infrastructure Services stated, there is currently access to the condominiums via Parkinson Lane, however this lane is privately owned by Legion Manor and the Administration has no control over its usage or development .

If City Administration knew they had no control of Parkinson Lane, and that cul-de-sacs are designed to accommodate projected traffic volumes in the area, why would the plans for this total complex be approved without ensuring there was access to the cul-de-sac for all residents..

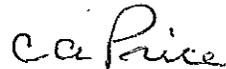
The main problem facing our residents is having no south bound exit and therefore must travel 1.6 km. around a Collegiate and High School to go south on Preston Ave or get to Market Mall. If we had access to Armistice Way there would be no problem, after the median opening is completed.

It is felt that Administration could have explored more options, to remedy this poor planning, such as an exit lane only from Parkinson Lane, could be included to merge into the south bound entry to the median opening.

We realize that we are not Traffic Engineers, but think those that are available to the City can find a suitable solution to a problem that was caused mostly by bad planing. Please remember that we are not interested in why any suggestions cannot be done, but what CAN BE DONE. As stated in the report that the trees removed are "living" assets we agree and hope that the Seniors of 109 units of Dover Heights and Legion Manor are thought of with the same respect when finding the solution.

I request to speak at the City Council Meeting when this matter is discussed.

Yours Truly,



Cliff Price
242-0184
caprice@sasktel.net

The following is a copy of **Clause E3, Administrative Report No. 21-2010** which was **ADOPTED** by City Council at its meeting held on **December 20, 2010**:

Section E – INFRASTRUCTURE SERVICES

E3) Enquiry – Councillor B. Pringle (June 28, 2010)
Access and Egress
Armistice Village/Dover Heights Condominium
(File No. CK. 6320-5)

RECOMMENDATION: that the information be received.

BACKGROUND

The following enquiry was made by Councillor B. Pringle at the meeting of City Council held on June 28, 2010:

“Would the Administration, with some urgency, please find an additional permanent and satisfactory access route to and from Armistice Village and Dover Heights for reasons of more effective traffic flow and vehicle and pedestrian safety.”

Council, at its meeting held on June 28, 2010, during Matters Requiring Public Notice, resolved that a median opening be constructed at the intersection of Preston Avenue South and Armistice Way to allow left-turn movements for southbound traffic from Preston Avenue to eastbound Armistice Way; and for westbound traffic from Armistice Way to southbound Preston Avenue. Although the median opening does not fully comply with Policy C07-012 - Median Openings in that the current volume of traffic does not exceed 150 left turns into the site, it was the Administration’s opinion that, due to development in the area, this requirement would be met in the future.

REPORT

Armistice Way and Preston Avenue Intersection/Median Opening

Armistice Way is a cul-de-sac with three condominium complexes and a senior care facility, with plans underway for the development of another senior care facility. The street intersects with Preston Avenue South, where the median opening, which was approved by Council in June, 2010, will be constructed.

Cul-de-sacs are typically built with one point of access, which is designed to accommodate projected traffic volumes in the area. Cul-de-sacs, such as Luther Place and Chaben Place (off of 8th Street East) exhibit similar geometric and population density characteristics as Armistice Way. Neither location has any known history of safety concerns.

In order to determine the need for an additional access route to and from Armistice Village and Dover Heights, traffic projections were re-analysed to include all completed condominium buildings, Preston Park Retirement Residence and the future Preston Park Retirement Residence II. A traffic trip generation computer model was used, based on dwelling use and number of units, to calculate the level of service (LOS) at the intersection of Armistice Way and Preston Avenue South. A LOS defines the operating conditions on a transportation facility such as an intersection based on speed, travel time, delay, traffic interruptions and convenience. Each LOS is given a letter, A through F, to describe a range of operating conditions on the facility. LOS A, which represents ideal free-flow traffic conditions where drivers experience no delay and are unaffected by the maneuvers of surrounding motorists, is ranked the highest. LOS F represents a situation where the traffic demand exceeds the capacity and where drivers experience long periods of delay. It is typically acceptable for the LOS to be as low as D in urban situations, where higher traffic volumes and higher levels of congestion are expected.

Results of the model indicated that 117 combined vehicles will enter and exit Armistice Way during the evening peak hour, once development is complete on Armistice Way. Approximately half of those vehicles will do so via the median opening. Attachment 1 illustrates the worst case scenario modelled, which is the turning movements of the expected evening peak volume at the intersection. This data suggests that the median opening, which was designed to accommodate 150 left-turns during the peak hour, will operate well below its design capacity. (Note: When conducting a computer model, only the worst case scenario is evaluated, not both the morning and evening peak hour). In order to illustrate what that volume would be like, the intersection of Taylor Street and McKercher Drive generates approximately 150 northbound left turns during the 8:00 a.m. peak hour. The model also indicates that the intersection will operate at an overall LOS A, with some instances of LOS C during peak hours; therefore, most drivers will not experience significant delays. Results of the study indicate that the median opening at Preston Avenue South and Armistice Way will operate within standard acceptable LOS thresholds and will provide more than adequate access for residents of Armistice Way.

Parkinson Lane and Preston Avenue

The main access to Preston Avenue South for residents of Dover Heights Condominium, which is currently bounded by private property on all but the west side, is via Parkinson Lane, which is a private lane owned by Legion Manor. An agreement between Legion Manor and North Ridge Developments allows residents of Dover Heights and others on the north side of Armistice Way complete and unobstructed use of the lane. It is the Administration's understanding that the agreement includes a first right of refusal for North Ridge Developments to purchase the lane in order to maintain access to Preston Avenue.

Further trip generation results indicated that Dover Heights Condominiums, whose 58 dwelling units would be the primary user of an additional median opening at Parkinson Lane, would only generate two left-turns during the peak hour (Attachment 1). Although, it may be inconvenient for those wishing to make the southbound left turn into and/or westbound left-turn out of Parkinson Lane, projected volumes are not high enough to warrant a median opening at the intersection of Parkinson Lane and Preston Avenue. In addition, the median opening at Armistice Way is located approximately 90 metres south of Parkinson Lane. Policy C07-012 states that the occurrence of median openings must be minimized and that median openings cannot be located within 150 metres, in either direction, from an existing signalized intersection or another median opening. Constructing multiple accesses in close proximity often results in increased collision rates at at-grade intersections.

An option could be to construct an access (paved lane) from Taylor Street or McEown Avenue at an estimated cost of \$150,000, plus land costs. Neither of these options is recommended as they would require the use of existing park space, zoned M3 (General Institutional Service District), as there is currently no public right-of-way available and no funding is currently available.

Given that the existing access points have been determined to adequately serve the development in Armistice Way, the Administration does not recommend any additional access routes to and from Armistice Village and Dover Heights.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications.

PUBLIC NOTICE

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

ATTACHMENT

1. Peak hour traffic projections.

The following is an excerpt from the minutes of meeting of City Council held on June 28, 2010:

MATTERS REQUIRING PUBLIC NOTICE

- 8c) **Proposed Median Opening
Armistice Way and Preston Avenue South
(File No. CK. 6320-5 and IS. 6320-1)**

REPORT OF THE CITY CLERK:

“The following is a report of the General Manager, Infrastructure Services Department dated June 17, 2010:

RECOMMENDATION: that a median opening be constructed at the intersection of Preston Avenue South and Armistice Way to allow left-turn movements for southbound traffic from Preston Avenue to eastbound Armistice Way, and for westbound traffic from Armistice Way to southbound Preston Avenue.

BACKGROUND

Armistice way is a cul-de-sac with three condominium complexes and a senior care facility, with plans underway for the development of another senior care facility. The street intersects with Preston Avenue south, which has a centre median that does not allow for left turns.

Liberty Court Condominium Corporation and Versailles Place Condominium Corporation have raised a safety concern with respect to access into Armistice Way. An incident which occurred in October, 2008, involving Saskatoon Police Services, resulted in the closure of Preston Avenue, leaving no access in or out of the cul-de-sac. The residents living in the condominium complexes felt that there was lack of an escape route in the case of an emergency.

Correspondence has also been received from Chief Brian Bentley, Saskatoon Fire and Protective Services (SFPS), supporting a median opening at Preston Avenue South and Armistice Way. The letter indicated that the current roadway configuration restricts and slows response times into Armistice Way, which often requires SFPS travelling southbound on Preston Avenue to negotiate a U-turn at Preston Avenue and Adelaide Street, which is a tedious procedure, especially for multi-unit responses, and difficult in winter conditions.

At a Ward Meeting held on January 20, 2009, residents expressed concerns regarding the inadequate number of accesses into and out of Armistice Way, and proposed that an additional access point be created by extending the lane behind Extendicare on Adelaide Street to Armistice Way, to be opened to both vehicle and pedestrian traffic. The Administration reviewed the feasibility of this proposal and contacted North Ridge Developments, the property owners, to confirm that a temporary lane could be constructed, until a more permanent solution could be reviewed. North Ridge Developments agreed to this proposal, with the stipulation that the temporary lane be removed when the property was sold. The temporary lane was constructed in 2009. North Ridge Developments has recently advised that the lane must be removed by June 30, 2010, as they are in the final stages of selling the property. The cost of construction and removal of this lane, funded by Public Works, Roadways Section, is \$20,000.

REPORT

Currently, access into Armistice Way is limited to northbound right-turn movements off of Preston Avenue South. Motorists travelling southbound on Preston Avenue wishing to access Armistice Way need to make a U-Turn at the intersection of Preston Avenue and Adelaide Street. There is currently access to the condominiums via Parkinson Lane, located north of Armistice Way, which runs west to east to Legion Manor. However, this lane is privately owned by Legion Manor, and the Administration has no control over its usage or development.

The Administration has reviewed opening the centre median on Preston Avenue to allow for left-turn movements, as per the criteria set out in Policy C07-012 - Median Openings, which states that the adjacent land use must have significant traffic generation characteristics or other special circumstances, such as restricted access/egress; and that actual or projected traffic volumes must exceed 150 left turns during the peak traffic hour into the site.

Based on traffic studies which were conducted in January 2009, approximately 17 left turns into the site were projected, well below the requirement of 150. It is important to note that current and future left-turn projections are difficult to predict, and although the requirement has not been met, it is likely it will be met in the future based on the following:

- Presumably, not all units of the condominium complexes have been sold or are being occupied;
- The new senior care facility in the southwest corner of Armistice Way has not yet been constructed;

- Presumably, the completed senior care facility in the southeast corner of Armistice Way is not at full capacity; and
- Both senior care facilities will generate traffic volumes non-typical of other local streets, due to special vehicle requirements such as employee vehicles, ambulances, hearses, visitors, etc.

All other conditions of Policy C07-012 were met.

In order to improve safety and provide direct access to Armistice Way, the Administration is recommending that a median opening be created at the intersection of Preston Avenue South and Armistice Way, allowing southbound traffic on Preston Avenue to turn left into Armistice Way and westbound traffic on Armistice Way to turn left onto Preston Avenue. If approved, the median opening would be constructed in 2010.

OPTIONS

The Administration considered purchasing the land from North Ridge Developments in order to make the temporary gravel lane behind Extendicare on Adelaide Street, which is currently being used, permanent. However, this option is not recommended as it is undesirable for a lane to provide permanent access for the following reasons:

- It would not be classified as a priority street for snow removal purposes. Therefore, during the winter months, it would not be maintained, making driving conditions difficult and causing possible delays in emergency vehicle response times;
- Residential lanes are not designed to carry large traffic volumes. Creating a permanent access lane would increase traffic volumes significantly;
- It is undesirable to encourage vehicular and pedestrian traffic in the same area. As a lane, there would be no sidewalks, which is a safety hazard.

POLICY IMPLICATIONS

Although the proposed median opening at Preston Avenue South and Armistice Way does not fully comply with Policy C07-012 - Median Openings in that the current projected volume of traffic does not exceed 150 left turns into the site, it is the Administration's opinion that this requirement will be met in the future, as a result of future development.

The proposed median opening requires that two trees, which are located on the median, be removed. Policy C09-011 – Trees on City Property was created in order to affirm that trees on City property are “living” assets, owned by the City of Saskatoon; and to protect them from unnecessary destruction, loss and damage. It is the Administration’s opinion that removal of these trees is necessary in order to improve safety of the residents on Armistice Way. In order to offset the environmental impact of removing these trees, two replacement trees will be planted elsewhere within the community.

FINANCIAL IMPACT

Material and construction costs for the proposed median opening are estimated to be \$90,000. In addition, the value of the two trees which will need to be removed has been assessed at \$42,000, and the cost for replacement trees is \$3,500.

Funding is available within approved Capital Project 1512 – Neighbourhood Traffic Management. In addition, the owner of All Seniors Care Home, located on Armistice Way, has committed to a contribution of \$10,000 towards the median opening.

ENVIRONMENTAL IMPACT

Trees benefit the environment by contributing to clean water, clean air, flood prevention, and soil stabilization. When this green infrastructure is removed it must be replaced with expensive investments in “grey infrastructure”, such as storm sewers, water treatment plants, bigger power plants, etc. The two trees, which will need to be removed from the median, if the opening is approved, will be replaced in the community; therefore, there will be no environmental impact.

PUBLIC NOTICE

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

- Advertised in The StarPhoenix on the weekends of June 19 and 26, 2010;
- Posted on the City Hall Notice Board on Friday, June 18, 2010;
- Posted on the City of Saskatoon website on Friday, June 18, 2010; and
- Flyers distributed to affected parties on Thursday, June 17, 2010.

ATTACHMENTS

1. Plan of Proposed Median Opening; and
2. Copy of Public Notice.””

The City Clerk distributed copies of the following letters:

- *C.A. Price, undated, submitting comments; and*
- *Mildred Kluey, dated June 28, 2010, submitting comments.*

General Manager, Infrastructure Services Gutek presented his report.

Ms. Mildred Kluey, on behalf of the Liberty Court Condo Board and residents living in Armitage Village, spoke regarding the density of the condos in the area and the need for better traffic movement.

Mr. Bob Fehr, resident of Liberty Court, spoke regarding the density of condos in the area and expressed concerns for the safety of seniors due to in adequate traffic flow.

Moved by Councillor Pringle, Seconded by Councillor Heidt,

THAT a median opening be constructed at the intersection of Preston Avenue South and Armistice Way to allow left–turn movements for southbound traffic from Preston Avenue to eastbound Armistice Way, and for westbound traffic from Armistice Way to southbound Preston Avenue.

CARRIED.

1.

Distributed to City ~~Council~~
Council.
June 27, 2011 A1)

YOUR WORSHIP CITY COUNCILLORS AND ADMINISTRATION GOOD EVENING.

I'M CLIFF PRICE AN UNHAPPY OWNER OF A CONDOMINIUM IN DOVER HEIGHTS ON ARMISTICE WAY.

I REALIZE YOU HAVE MULTI MAJOR PROJECTS AND DECISIONS TO MAKE, AND THIS MATTER MAY SEEM INSIGNIFICANT, BUT TO THE RESIDENTS OF 109 UNITS OF LEGION MANOR AND DOVER HEIGHTS, PLUS VISITORS AND SERVICE PERSONNEL, IT IS A MAJOR PAIN TO HAVE TO TRAVEL 1.6 KM JUST TO GET BACK WHERE YOU STARTED, IN ORDER TO TRAVEL SOUTH ON PRESTON AVE.

WHEN WE PURCHASED OUR CONDO, AT THE BEGINNING OF CONSTRUCTION, WE WERE NOT INFORMED THAT OUR UNDERGROUND PARKADE, OR SURFACE PARKING STALLS, EXIT ONTO PARKINSON LANE, WHICH IS PRIVATE PROPERTY, AND THAT PLANS HAD BEEN APPROVED WITH NO ACCESS TO ARMISTIC WAY.

IN RESPONSE TO COUNCILLOR PRINGLE'S ENQUIRY AT THE JUNE 28 2010 COUNCIL MEETING, QUOTE WOULD THE ADMINISTRATION WITH SOME URGENCY PLEASE FIND AN ADDITIONAL PERMANENT AN SATISFACTORY ACCESS ROUTE TO AND FROM ARMISTICE VILLAGE AND DOVER HEIGHTS FOR REASONS OF MORE EFFECTIVE TRAFFIC FLOW AND PEDESTRIAN SAFETY, CLAUSE E3 OF ADMINISTRATIVE REPORT 21-2010 DID NOT CONSIDER DOVER HEIGHTS PART OF ARMISTICE VILLAGE , WHICH WE WOULD BE IF PLANS WOULD HAVE ENSURED WE HAD ACCESS TO ARMISTICE WAY.

THIS MATTER OR PROBLEM WITH THE PLANS FOR THIS AREA WAS PRESENTED AT THE JUNE 28 2010 COUNCIL MEETING WHEN THE MEDIAN OPENING AT THE INTERSECTION OF PRESTON AVE AND ARMISTICE WAY WAS APPROVED.

AT THE TIME OF THIS COUNCIL MEETING DOVER HEIGHTS WAS A CORPORATION OWNED BY NORTH RIDGE DEVELOPMENTS AND THE FEW RESIDENTS OF COMPLETED UNITS HAD NO KNOWLEDGE OF PLANS BEING PRESENTED FOR THE MEDIAN OPENING..

SOME OF THE REASONS PRESENTED IN THE REPORT TO SUPPORT THE MEDIAN OPENING CONCERN LEGION MANOR AND DOVER HEIGHTS BUT THE OPENING AS COMPLETED IS OF NO HELP TO US.

TO ILLUSTRATE THE LACK OF KNOWLEDGE OF THIS AREA AND PROBLEM, IT IS STATED IN CLAUSE E3 OF ADMINISTRATIVE REPORT 21-2010, THAT THE 58 UNITS OF DOVER HEIGHTS WOULD BE THE PRIMARY USER OF A MEDIAN OPENING IT DOES NOT CONSIDER THE 51 UNITS OF LEGION MANOR OR 19 PARKING STALLS OF VERSAILLES PLACE.

IT ALSO STATES, GIVEN THAT THE EXISTING ACCESS POINTS HAVE BEEN DETERMINED TO ADEQUATELY SERVE THE DEVELOPMENT OF ARMISTICE WAY THE ADMINISTRATION DOES NOT RECOMMEND ANY ADDITIONAL ACCESS ROUTES TO AND FROM ARMISTICE VILLAGE AND DOVER HEIGHTS.

THE REPORT TOTALLY IGNORES THE FACT THAT THE PLANS FOR THE AREA WERE APPROVED WITH DOVER HEIGHTS AS PART OF ARMISTICE VILLAGE, HAVING NO ACCESS TO ARMISTICE WAY FOR VEHICLES, AND THEREFORE THE APPROVED MEDIAN OPENING IS USELESS TO US.

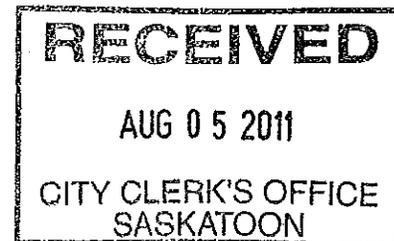
IF AN EXIT LANE ONLY FROM PARKINSON LANE WAS CONSTRUCTED TO MERGE INTO THE SOUTH BOUND PRESTON AVE ENTRY LANE OF THE MEDIAN OPENING, IT COULD BE CONSIDERED ONE COMPLETE MEDIAN OPENING, SATISFYING A REQUIREMENT OF POLICY C07-012, AND HELP CORRECT POOR PLANNING OF THE AREA.

POLICY C07-012 ALSO CONSIDEREDS SPECIAL CIRCUMSTANCES, SUCH AS RESTRICTED ACCESS EGRESS, COULD BE CONSIDERED. SPECIAL CIRCUMSTANCES SHOULD BE CONSIDERED TO CORRECT OUR PROBLEM.

WHEN THE MEDIAN OPENING WAS APPROVED THE 109 UNITS OF LEGION MANOR AND DOVER HEIGHTS WERE NOT CONSIDERED, EVEN THOUGH WE PAY THE SAME TAXES AND HAVE THE SAME PROBLEMS THAT THE OTHER RESIDENTS OF ARMISTICE VILLAGE HAD. PLEASE IT IS TIME TO STUDY THE SITUATION AND FIND A SUITABLE SOLUTION.

6320-5

To: Planning and Operations Committee
From: General Manager, Infrastructure Services Department
Date: July 27, 2011
Subject: Access to Armistice Way
(File No. CK. 6320-5)



RECOMMENDATION: that the information be received.

BACKGROUND

City Council, at its meeting held on June 27, 2011, considered a presentation from Mr. Cliff Price expressing concerns with regard to the lack of access to Armistice Way for residents of Dover Heights. Council passed a motion that the matter be referred to the Administration to report to the Planning and Operations Committee, and that the letter be joined to the enquiry from Councillor Penner regarding population density in the Market Mall area.

The following enquiry was made by Councillor G. Penner at the meeting of City Council held on June 28, 2010:

“Tonight a number of concerns were expressed about the density of population in the area surrounding Market Mall. Could I have a report on this density issue with recommendations regarding maximum development controls in an area. What can we do in the future to make certain these issues do not reoccur.”

The following report addresses the concerns brought forward by Mr Cliff Price. The Community Services Department will address the density issues outlined in Councillor Penner’s enquiry at a future date.

REPORT

City Council, at its meeting held on June 28, 2010, during Matters Requiring Public Notice, resolved that a median opening be constructed at the intersection of Preston Avenue South and Armistice Way to allow left-turn movements for southbound traffic from Preston Avenue to eastbound Armistice Way; and for westbound traffic from Armistice Way to southbound Preston Avenue. Although the median opening does not fully comply with Policy C07-012 - Median Openings it was the Administration’s and Fire and Protective Service’s opinion that the additional access would be required for safety reasons.

As explained in the report of the General Manager, Infrastructure Services Department, which was considered by Council at its meeting held on December 20, 2010, the main access to Preston Avenue South for residents of Dover Heights Condominiums, which is currently bounded by private property on all but the west side, is via Parkinson Lane, which is a private lane owned by Legion Manor. However, in order to provide a means of access and egress, an easement agreement between Legion Manor and Land Star Development Corporation (the original developer of the area), allows residents of Dover Heights and others on the north side of Armistice Way free and unobstructed use of Parkinson Lane. This easement agreement is

registered on the unit titles for all three condominium parcels (Dover Heights, Versailles Place and Liberty Heights), as well as the title for Nutana Veteran Housing Limited (Legion Manor). Further to this, an additional easement access agreement exists between the three condominiums which states that, should access to Parkinson Lane ever become compromised, a six metre wide access strip is available for the free and unobstructed use of all aforementioned properties at the rear of the three north condominium parcels on Armistice Way. This easement agreement is also registered on the unit titles for all three condominium parcels. This six metre access easement is the width of a standard rear lane, and is located on the respective condominium properties, not as part of Parkinson Lane.

Previous trip generation studies indicated that the Dover Heights Condominium would only generate two left-turns at Parkinson Lane during the afternoon peak hour (5:00 p.m. to 6:00p.m.). An additional trip generation study was conducted to determine what effect all north properties would have on the turning movement patterns at the intersection of Parkinson Lane and Preston Avenue. Results of the study indicated that, if all north condominium properties (Dover Heights, Versailles Place and Liberty Heights), as well as Legion Manor, accessed Preston Avenue via Parkinson Lane, a total of 27 trips would be generated (14 trips entering, 13 trips exiting) during the afternoon peak hour, as illustrated in Attachment 1. Policy C07-012 – Median Openings states that actual or projected traffic volumes must exceed 150 left turns during the peak traffic hour into the site to warrant a median opening.

Policy C07-012 also states that the occurrence of median openings must be minimized, and that a median opening cannot be located within 150 metres, in either direction, from an existing signalized intersection or another median opening. Furthermore, the policy states that the location of the median opening must not pose a safety hazard to roadway users and must not negatively impact adjacent/neighbouring residential properties (i.e. creating shortcutting of traffic through a neighbourhood). The median opening at Armistice Way is located approximately 90 metres south of Parkinson Lane. An additional median opening at this location would create the opportunity for shortcutting, for those wishing to use it as a U-turn location. It would also create too many U-turns in a row (Adelaide, Armistic and Parkinson) increasing the potential for vehicle conflicts.

A level of service (LOS) analysis for Parkinson Lane and Preston Avenue South was conducted, based on a worst case trip generation, traffic volumes and current intersection configuration (ie. closed median). A LOS defines the operating conditions on a transportation facility, such as an intersection, based on speed, travel time, delay, traffic interruptions and convenience. It is based on a scale, A through F, to describe a range of operating conditions on a facility. LOS A represents ideal free-flow traffic conditions, where drivers experience no delay and are unaffected by the manoeuvres of surrounding motorists, while LOS F represents a situation where the traffic demand exceeds the capacity and where drivers experience long periods of delay. It is typically acceptable for the LOS to be as low as D in urban situations, where higher traffic volumes and higher levels of congestion are expected.

The analysis indicated that the intersection operates at an overall LOS A, with some instances of LOS B during peak hours; therefore, most drivers will not experience significant delays. Results

of the study indicate that the current configuration at Parkinson Lane and Preston Avenue South provides more than adequate accessibility as an access and egress.

Access to lanes, local roads and collector roads is typically limited along major arterial roadways, and the roadway configuration at Preston Avenue and Parkinson Lane is not atypical. For example, further south, along Preston Avenue, no median access exists at Guppy Street (local street), although Guppy Street leads to a greater number of dwellings; is an entrance to the Nutana Park neighbourhood; and serves as a direct route to Harold Tatler Park and an elementary school.

Although it may be inconvenient for those wishing to make the southbound left turn into and/or westbound left-turn out of Parkinson Lane, given the low level of traffic demand and the acceptable levels of service, the Administration's position remains, that additional access routes to and from Armistice Village and Dover Heights are not required, particularly given the significant safety risks it poses to the greater transportation system.

An option, as requested by a resident of Dover Heights, to designate the left lane of northbound Preston Avenue South (between Armistice Way and Parkinson Lane) as a southbound lane, in order to access the median opening at Armistice Way, is not recommended. Traffic travelling in opposite directions on major arterial roadways is typically divided by a physical median for safety reasons. Designating a portion of the northbound lane as a southbound lane would increase the potential for head-on collisions and right-angle collisions, due to driver unfamiliarity.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy C01-021, Public Notice Policy, is not required.

ATTACHMENTS

1. PM Peak Hour Traffic Projections (Dover Heights, Versailles Place, Liberty Heights & Legion Manor).

Written by: Rosemarie Sexon, EIT, Traffic Safety Engineer
Transportation Branch

Reviewed by: Angela Gardiner, Manager
Transportation Branch

Approved by:

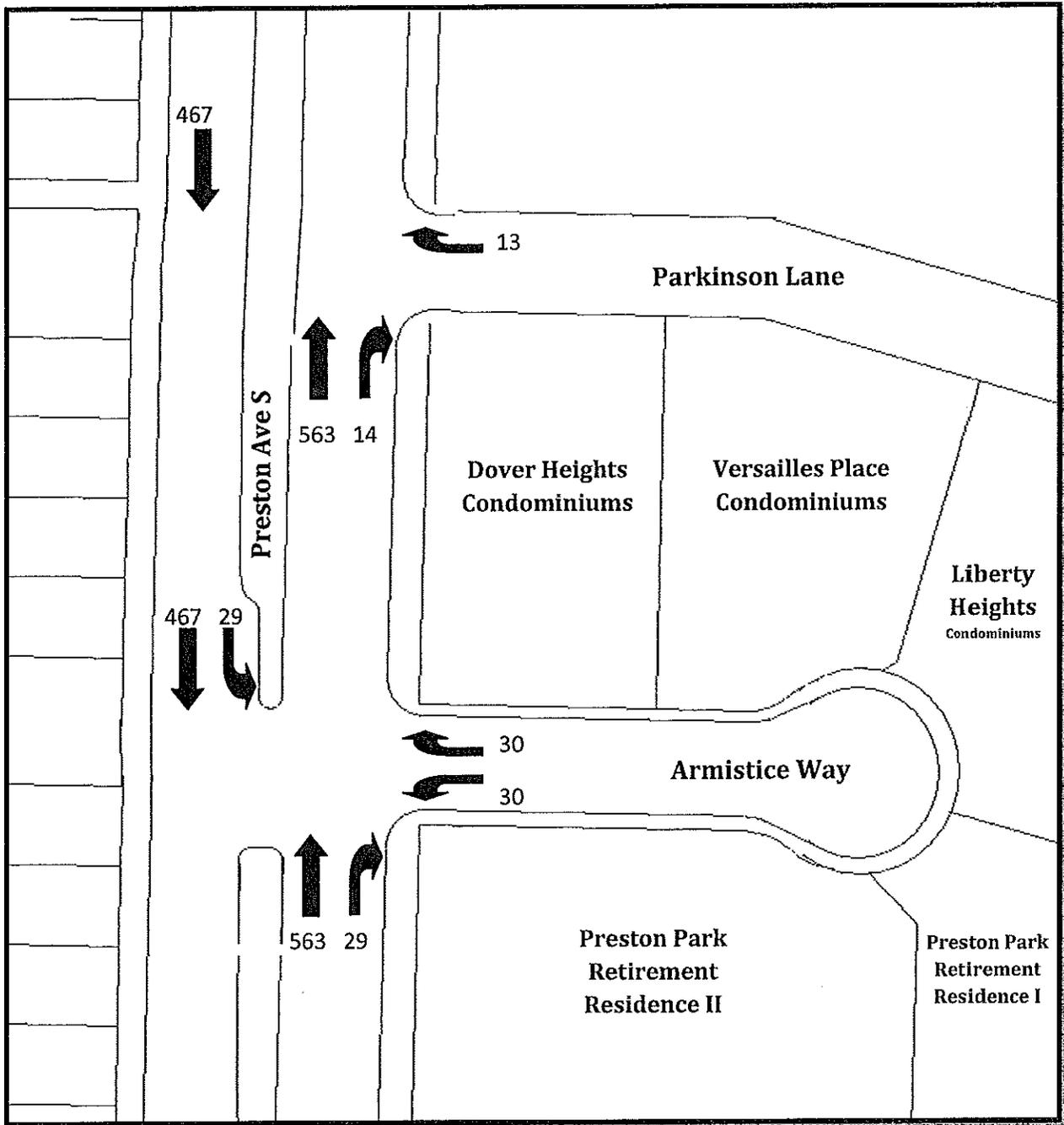


Mike Gutek, General Manager
Infrastructure Services

Dated: July 28, 2011

Copy to: Murray Totland
City Manager

**Attachment 1: PM Peak hour traffic projections
(Dover Heights, Versailles Place, Liberty Heights & Legion Manor)**



The following is an excerpt from the minutes of meeting of the Planning and Operations Committee (Open to the Public) held on August 16, 2011:

2. Access to Armistice Way
(File No. CK. 6320-5)

The Deputy City Clerk submitted a report of the General Manager, Infrastructure Services Department dated July 27, 2011, responding to a Council referral on the above matter.

The Deputy City Clerk also submitted, as background information, the letter dated June 15, 2011 from Mr. Cliff Price, resident at Dover Heights Condominium, with respect to the above matter.

The following were in attendance for discussion of the matter:

Mr. Cliff Price, representing Dover Heights Condominium Board;
Ms. Angela Gardiner, Manager, Transportation Branch, Infrastructure Services;
Mr. Mike Gutek, General Manager, Infrastructure Services; and
Mr. Randy Grauer, Manager, Planning and Development Branch, Community Services.

Transportation Branch Manager Gardiner provided background information with respect to the matter and reviewed the submitted report dated July 27, 2011. She addressed questions with respect to the easement agreement in place relating to Parkinson Lane and a further easement for a six-metre access at the rear of the three north condominium parcels on Armistice Way, to allow the creation of a lane on the parking lot, should access to Parkinson Lane ever become compromised.

Mr. Price addressed the Committee on behalf of the Dover Heights Condominium Board. He reviewed his submitted presentation, as circulated to the Committee at the meeting, with respect to their request for southbound access from Parkinson Lane to Preston Avenue and a suggested option for this.

General Manager, Infrastructure Services Gutek and Transportation Branch Manager Gardiner reviewed with the Committee the level of service analysis for Parkinson Lane at Preston Avenue, in terms of the current right-in, right-out movement, as well as the traffic study analysis that was done on the impact of the north properties would have on turning movement patterns at Parkinson Lane and Preston Avenue, as discussed in the submitted report.

Discussion followed. It was suggested that further consideration of the matter be deferred until the report on density of that area is available. The referral from Council had included the enquiry from Councillor Penner on residential density in the area and it was suggested that these reports should be considered together. Further to this, it was suggested that there be continued dialogue with representatives from the area to discuss possible solutions and that further information be provided with respect to costs relating to the various options, such as median openings and extending the roadway down to McEown Avenue.

Excerpt – Item 2
Planning and Operations Committee Meeting
August 16, 2011
Page 2

Mr. Grauer provided clarification on the role of the Planning and Development Branch in the development of this site and considerations relating to access issues and indicated that the Community Services Department expects to report back on the density issue in October.

RESOLVED: that consideration of the matter be deferred and considered along with a further report which will be submitted in response to the enquiry from Councillor Penner on density in the Market Mall area and that further information be included in the report with respect to possible options and applicable costs.

*Presentation to P&O Cttee -
Aug 16, 2011*

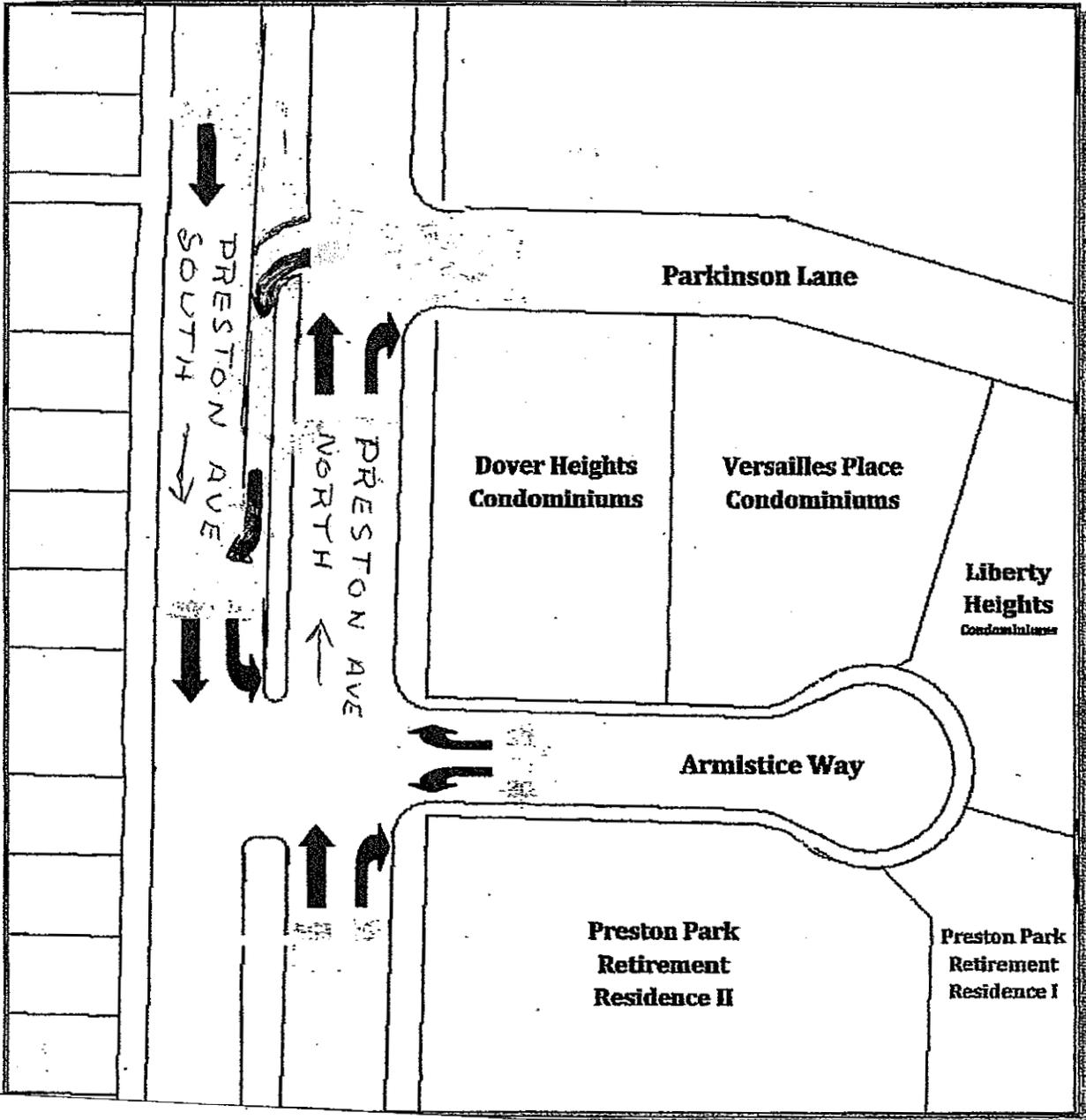
Presentation to Saskatoon City Planning and Operations Committee at Aug 16, 2011 meeting regarding Dover Heights Condominium egress problems.

When reading Infrastructure Services Department report dated Jul 27, 2011, I find it hard to believe that the Department is serious in correcting a problem that was apparently caused by the City approving the plans for the development of Armistice Village and in particular Dover Heights without ensuring the Condominiums were situated with access to Armistice Way. It appears that the Department wrote this report without studying the problem thoroughly. We realize that at this late date it may be impossible to gain access to Armistice Way from our parkades but feel that a solution could be found to ensure that our Residents have the same ability to egress to the south as other Armistice Village Residents. The following excerpts from reports may confirm this.

It states- No median access exists at Guppy Street etc. It fails to point out that Guppy St. is a short one block street and there is access to Preston Ave for southbound traffic and access to Woodward Ave and thus Louise Ave for all directions. The map handed out shows this.

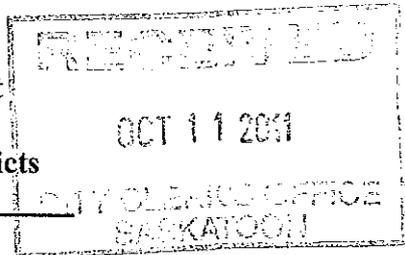
It states – Although it may be inconvenient for those wishing to make the southbound left turn into and/or westbound left turn out of Parkinson Lane etc. There is no inconvenience in making a southbound access by using the Armistice Way median opening and a U turn. It is not understood what is meant by a west bound left turn out of Parkinson Lane. Our only problem, which has been stated in the past, is having to travel 1.6 km around two High Schools in order to gain south access to Preston Ave.

It states – An option, as requested by a resident of Dover Heights, to designate the left lane of northbound Preston Ave south as a southbound lane etc. This option is ridiculous and was never made as such. Our letter to City Council dated Jun 15, 2011 stated in part, an exit lane only from Parkinson Lane could be included to merge into the southbound entry to the median opening. The diagram handed out may clarify this. We think that the criteria of Policy C07-012 would be met in that; -



4350-62
x 4131-1

TO: Secretary, Planning and Operations Committee
FROM: General Manager, Community Services Department
DATE: September 27, 2011
SUBJECT: Development Density – Multi-Unit Residential Districts
FILE NO: PL 6295-1 and PL 4131-1



- RECOMMENDATION:**
- 1) that a copy of this report be forwarded to City Council for information; and
 - 2) that the issue of infill development policy on large or multi-parcel sites be referred to the Administration for consideration as part of the Official Community Plan Bylaw No. 8769 and Zoning Bylaw No. 8770 review process.

BACKGROUND

During its June 28, 2010 meeting, City Council approved construction of a median opening at the intersection of Preston Avenue and Armistice Way to address vehicle and traffic concerns related to development on Armistice Way. Specific concerns had been raised about the impact the multi-unit residential developments have had on safety and traffic. The following enquiry on residential density in the Market Mall area was submitted by Councillor Penner as a result of concerns noted by residents of, and adjacent to, the developments on Armistice Way:

“Tonight a number of concerns were expressed about the density of population in the area surrounding Market Mall. Could I have a report on this density issue with recommendations regarding maximum development controls in an area. What can we do in the future to make certain these issues do not reoccur?”

REPORT

The Official Community Plan (OCP) Bylaw No. 8769 establishes policies for residential land use, neighbourhood design, and infill housing development. In general, infill development projects are evaluated based on consideration of transportation, infrastructure, compatibility, amenities and the ongoing need to promote a compact and efficient city form.

Currently, the following zoning districts are most prevalently used in accommodating medium- and high-density residential development outside of the downtown area:

- M2 – Community Institutional Service District;
- M3 – General Institutional Service District; and
- RM4 – Medium-/High-Density Multiple-Unit Dwelling District.

Further, it is recognized that these three particular zoning districts are substantially underdeveloped and may be attractive for redevelopment to accommodate a market demand for medium- to high-density residential units. With increased development, or redevelopment, comes the potential for unintended development impacts.

As shown on the table below, all M3 clusters are developed at a significantly lower gross floor space ratio than the bylaw permits, averaging between 0.63:1 and 1.63:1, with an overall average gross floor space ratio of approximately 1.02:1.

M3 Zoning District Cluster	Total Site Area - Multi-Unit Residential Land Use	Average Gross Floor Space Ratio *
Lawson Heights - Cree Crescent	46,998 m ² (11.61 acres)	0.97:1
University Heights – Attridge Drive, Nelson Road, Lowe Road, and Heath Avenue	93,611 m ² (23.13 acres)	0.65:1
Lawson Heights - Pinehouse Drive	80,177 m ² (19.81 acres)	0.63:1
Confederation - Laurier Drive and Bennett Place	48,959 m ² (12.10 acres)	0.93:1
Market Mall - Preston Avenue, Armistice Way, McEown Avenue, Arlington Avenue, Louise Street, and Porter Street	159,363 m ² (39.38 acres)	1.63:1

*In some instances, gross floor space ratio information was not available for some parcels with existing multi-unit residential development. These parcels were not included in the averaging process.

The Market Mall Suburban Centre (including Armistice Way) is the most densely developed M3 zoning cluster, although, with an average gross floor space ratio of 1.63:1 is well below the maximum density permitted.

Based on the compilation of existing gross floor space ratios within the M3 zoning clusters, there were no parcels of land identified as being developed to the maximum density permitted. Existing development within the M3 zoning is characterized by medium-density three- and four-storey apartment and condominium buildings. While these areas could see significant redevelopment in the future, most of the existing development within these areas provides a high quality residential development and are unlikely to be redeveloped in the short- to mid-term future.

Major Parcels with Potential for Redevelopment

In addition to assessing the current situation with respect to development density in M3 zoned areas, consideration was given to identifying M3 parcels of land that are currently underdeveloped, and have reasonable potential for development activity.

For this assessment, we have not considered the parcels within the newly developing neighbourhoods that have an M3 zoning, such as University Heights or Blairmore. It is anticipated that comprehensive concept plans for development of these areas will address any potential issues and concerns. In addition, parcels providing park and open space, or developed with institutional uses such as community centres, hospitals, or schools were not considered for future redevelopment potential.

Through this review two areas within established neighbourhoods currently zoned M3 were identified as having potential for future redevelopment:

Mount Royal – Jubilee Residences / Porteous Lodge / Fairview Court (See photo - Attachment 1)

- Total site area: 17.37 acres
- Bounded by Avenue P (east), 29th Street (south), Avenue R (west), and 31st Street (north)
- Building permits date back to the 1950's and 1960's; demolition permits were issued for removal of some units on the north-westerly parcel in 2004

Taylor Street – Cosmopolitan Courts (See photo – Attachment 1)

- Total site area: 8.5 acres
- Bounded by Holy Cross High School (east), multi-unit residential development (south), Walter Murray High School (west), and Taylor Street (north)
- Building permits date back to 1964

In addition, we note that a 36 unit apartment building at 2326 Arlington Avenue (just north of Louise Street) was demolished in 2010, and that this 0.813 acre parcel of land is available for redevelopment. However, as a relatively small site, the development opportunity is limited.

Summary

While development density of multi-unit dwellings in the M3 Zoning District is generally well below the maximum permitted, issues and concerns related to residential density have arisen. Specifically, the developments on Armistice Way have resulted in traffic concerns triggered, in part, because of the number of multi-unit residential developments fronting onto a cul-de-sac. It is suggested that more consideration be given to ensure that concept plans submitted for multi-unit residential development proposals address both on-site and off-site development concerns. This includes an assessment of cumulative impacts that may occur from clusters of medium to higher density residential developments.

The parcels identified as having potential for redevelopment are located on corner sites with multiple access points. As a result, issues relating to traffic flow and other development concerns can be more readily accommodated at these locations.

Consideration might be given to reviewing the maximum gross floor space ratio permitted in the M3 Zoning District to determine if this development standard is appropriate. A review of OCP Bylaw No. 8769 and Zoning Bylaw No. 8770 is currently underway, and will include development of an Infill Development Strategy, intended to assist the City of Saskatoon and development industry in achieving high-quality residential infill, which is sensitive to the existing community. Further consideration of these issues will be explored in this study.

OPTIONS

The option does exist to place a "holding" provision on the properties with significant redevelopment potential. Such parcels would require an appropriate concept plan prior to commencing development.

POLICY IMPLICATIONS

The OCP Bylaw No. 8769 and Zoning Bylaw No. 8770 establish policy and development standards to accommodate desired densities of residential development. Amendments to the policies in these bylaws may be required if it is determined that modifications to density provisions and/or development standards are desirable.

FINANCIAL IMPLICATIONS

There are no financial implications.

ENVIRONMENTAL IMPLICATIONS

Infill development supports an increased urban density which contributes to more compact and sustainable forms of development. Positive environmental benefits can be expected through any measures implemented that minimize the urban footprint of the city.

PUBLIC NOTICE

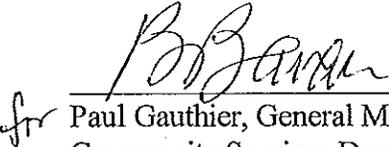
Public Notice, pursuant to Section 3 of the Public Notice Policy No. C01-021, is not required.

ATTACHMENT

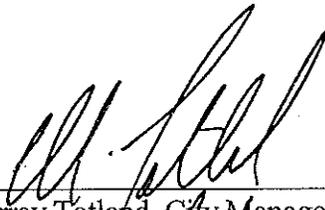
1. Aerial Photos – Redevelopment Opportunities

Written by: Jo-Anne Richter, Senior Planner II
Development Review Section

Reviewed by: 
Randy Grauer, Manager
Planning and Development Branch

Approved by: 
for Paul Gauthier, General Manager
Community Services Department
Dated: Oct 26, 2011

Approved by:



Murray Totland, City Manager
Dated: Oct 11/11

Redevelopment Opportunities

Mount Royal – Jubilee Residences / Porteous Lodge / Fairview Court



Taylor Street - Cosmopolitan Courts



Presentation to City P&O Committee at Oct 18, 2011 meeting.

YOUR WORSHIP CITY COUNCILLORS AND ADMINISTRATION

SINCE OUR PREVIOUS WARD 7 COUNCILLOR-- B PRINGLE MADE AN ENQUIREY AT THE JUNE 28, 2010 CITY COUNCIL MEETING -----

WOULD THE ADMINISTRATION WITH SOME URGENCY PLEASE FIND AN ADDITIONAL PERMANENT AND SATISFACTORY ACCESS ROUTE TO AND FROM ARMISTICE VILLAGE AND DOVER HEIGHTS FOR REASONS OF MORE EFFECTIVE TRAFFIC FLOW AND VEHICLE AND PEDESTRIAN SAFETY.

I WOULD ARGUE THAT MORE EFFECTIVE TRAFFIC FLOW AND PEDESTRIAN SAFETY WOULD MEAN NOT TRAVELLING 1.6 KM AROUND 2 HIGH SCHOOLS TO GO SOUTH OR TO GO TO THE MALL ACROSS THE STREET.

ADMINISTRATION IN ITS REPORTS AND VERBAL STATEMENTS APPEARS TO HAVE SKIRTED THE PROBLEM ---- WHICH THEY STATED, MAY BE A MINOR INCONVENIENCE ---THEY SEEM TO THINK IT IS THEIR JOB TO FIND POLICIES, LOS ANALYSIS OR OTHER REASONS WHY THEY ARE UNABLE TO FIX A PROBLEM THAT WAS CREATED BY CITY STAFF.

1. WE HAVE BEEN COMPARED TO GUPPY ST----WHICH HAS NO SIMILAR PROBLEM --- THIS REPORT MUST HAVE BEEN PREPARED BY STAFF WHO ARE UNFAMILIAR WITH THIS AREA.
2. THEY HAVE STATED THAT A COMPLETE MEDIAN OPENING AT PARKINSON LANE WOULD CREATE THE OPPORTUNITY FOR TOO MANY U TURNS ---- WE HAVE STATED THAT ONLY AN EGRESS IS NECESSARY --- OR MAYBE A NO - U TURN SIGN COULD BE INSTALLED.
3. WE HAVE BEEN TOLD THAT IT IS OK TO RELAX A POLICY FOR A MEDIAN OPENING ON BUSY 8TH STREET -- IF A LARGE RETAILER PAYS FOR IT ---BUT IT IS TOO DANGEROUS ON PRESTON AVE WHEN IT IS SIMPLY TO RECTIFY A HUGH MISTAKE MADE BY THE

CITY --- THAT AFFECTS A FEW HUNDRED RESIDENTS.

- 4. THEY HAVE REPORTED THE MANY EASEMENTS THAT ARE ON THE PROPERTIES TO ENSURE OUR USE OF PARKINSON LANE--- THEY DID NOT STATE THAT WE ARE RESPONSIBLE FOR REPAIRS MAINTENANCE AND SNOW REMOVAL ON PARKINSON LANE -- WHEN PROPER PLANNING WOULD HAVE ENSURED ACCESS TO ARMISTICE WAY --AND OUR TAX DOLLARS WOULD HAVE PAID FOR THESE SERVICES.

- 5. WE HAVE BEEN TOLD THAT THE POLICY THAT EXISTED WHEN THE LAST CONDIMINIUM --- DOVER HEIGHTS --WAS CONSTRUCTED----- ALLOWED A DEVELOPER TO MAKE CHANGES AFTER A PLAN HAD BEEN APPROVED WITHOUT GETTING CITY APPROVAL.----- IT IS HARD TO BELIEVE THAT A CITY THE SIZE OF SASKATOON WOULD ALLOW SUCH A POLICY TO EXIST. BUT IF IT DID IT IS EASY TO SEE WHY YOU HAVE CREATED THIS MESS.

IN THE LATEST REPORT WE RECEIVED ----THE EGRESS FROM PARKINSON LANE IS JOINED TO THE DENSITY ISSUE FOR THE AREA AND OUR ISSUE SEEMS TO BE COVERED IN PARAGRAPHS 1 AND 2 OF PAGE 2 OF THE REPORT YOU HAVE BEFORE YOU.

IT STATES IN PART ----THE CONCERNS SURROUNDING THE DENSITY OF DEVELOPMENT AT THIS PARTICULAR AREA AROSE IN CONJUNCTION WITH THE ACCESS AND EGRESS RESTRICTIONS FOR RESIDENTS OF THE THREE CONDOMINIUMS ON THE NORTH SIDE OF ARMISTICE WAY. ACCESS TO UNDERGROUND PARKING IS PROVIDED VIA AN EASEMENT REGISTERED ON A PRIVATE LANEWAY ---PARKINSON LANE WHICH EXTENDS ALONG THE REAR PROPERTY LINE --- A RIGHT ONLY TURN ONTO PRESTON AVE NORTHBOUND IS THE ONLY OPTION WHEN EXITING THE SITES.

IT GOES ON ---THIS SITUATION WHILE NOT OPTIMAL WAS FELT TO BE A REASONABLE COMPROMISE TO DEVELOP ARMISTICE WAY WHILE PROVIDING ADEQUATE ACCESS AND EGRESS FOR THE SITE.

WE FEEL A REASONABLE COMPROMISE WOULD HAVE BEEN TO ENSURE THAT THE BUILDING PLANS WHEN APPROVED HAD ACCESS TO ARMISTICE WAY-- AND NOT TO A PRIVATE LANE BY EASEMENTS ---- WHICH THE RESIDENTS ARE RESPONSIBLE FOR REPAIRS, MAINTENANCE AND SNOW REMOVAL.

THERE IS A LOT MORE THAT I COULD SAY IF I HAD TIME BUT I AM SURE YOU HAVE READ IT ALL IN THE REPORTS THAT YOU HAVE RECEIVED.

I THINK IT IS TIME FOR OUR ELECTED OFFICIALS TO SERIOUSLY STUDY THIS ISSUE ---ADMIT THAT A MAJOR ERROR HAS BEEN MADE ON THEIR WATCH ---THAT AFFECTS HUNDREDS OF RESIDENTS AND ENSURE A SUITABLE SOLUTION IS FOUND.

THIS IS WHAT COUNCILLOR PRINGLES ENQUIRY REQUESTED IN THE FIRST PLACE.

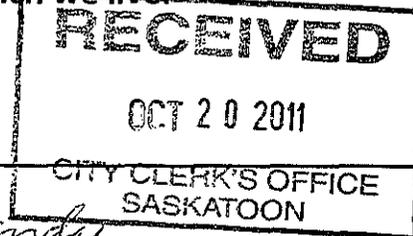
THANK YOU

Cliff Price
409 – 102 Armistice Way

242 -0184nn

217 SIGNATURES

The following signatures represent those living in units in Legion Manor, Liberty Court, Versailles Place and Dover Heights Condominiums. We wish to express our concern and demand for some consideration and action from the City of Saskatoon regarding a second exit road from our properties. This has been discussed and promised for six years by different City of Saskatoon departments, including the Mayor, our councillors and planning department officials (ever since the opening of Liberty Court in 2005). However, no answer has been forthcoming to this extremely unsafe situation in which we live.



Dover Heights

Unit #	Name	Signature	Address
113	SALLY SANDY	<i>Sally Sandy</i>	113-102 ARMISTICE WAY
107	JOAN SPROWLE	<i>Joan Sproule</i>	107-102 ARMISTICE WAY
105	MARY KOLIBAB	<i>Mary Kolibab</i>	105-102 ARMISTICE WAY
114	EVA WENINGER	<i>E. Weninger</i>	114-102 Armistice Way
114	Rizzie Weninger	<i>Rizzie Weninger</i>	114-102 Armistice Way
109	LILY WACHS	<i>Lily Wachs</i>	#109-102 ARMISTICE WAY
#109	KEN WACHS	<i>Ken Wachs</i>	#109-102 ARMISTICE WAY
108	CAROLYN TOY	<i>Carolyn Toy</i>	108-102 ARMISTICE WAY
115	Carol Buhar	<i>Carol Buhar</i>	115-102 Armistice Way
115	David	<i>David Buhar</i>	115-102 Armistice Way
110	Lawrence MARTIN	<i>Lawrence Martin</i>	110-102 Armistice Way
110	Ruth MARTIN	<i>Ruth Martin</i>	110-102 Armistice Way
106	MERU HARTMAN	<i>Meru Hartman</i>	106 102 Armistice Way

The following is an excerpt from the minutes of meeting of the Planning and Operations Committee (Open to the Public) held on October 18, 2011:

2. Access to Armistice Way
AND
Development Density – Multi-Unit Residential Districts
(Files CK. 6320-5 and 4350-62 x 4131-1, PL. 6295-1 and 4131-1)

Report of the Deputy City Clerk:

“The Committee, at its meeting held on August 16, 2011, considered a report of the General Manager, Infrastructure Services Department providing information on the matter of access to Armistice Way. The Committee also received a presentation from Mr. Cliff Price, outlining concerns regarding access.

The Committee resolved that consideration of the matter be deferred and considered along with a further report which will be submitted in response to the enquiry from Councillor Penner on density in the Market Mall area and that further information be included in the report with respect to possible options and applicable costs.

Attached is a report of the General Manager, Community Services Department dated September 27, 2011, responding to an enquiry from Councillor Penner, with respect to development density in multi-unit residential districts.

Also attached, as background information, are copies of the following:

- Report of General Manager, Infrastructure Services Department dated July 27, 2011;
- Excerpt from the Committee’s meeting on August 16, 2011;
- Presentation to the Planning and Operations Committee, from Cliff Price; and
- Letter dated June 15, 2011 from Cliff Price.”

Councillor Penner was in attendance for discussion of this matter.

Mr. Tim Steuart, Development Review Manager, presented the report.

Discussion followed. The Committee reviewed with the Administration issues relating to maximum density allowed within the M3 zoning district; density in the Market Mall area; redevelopment potential relating to M3 properties as identified in the report, as well as a further property north of Montgomery along 11th Street; review of infrastructure requirements, including transportation, by departments in advance of redevelopment, as part of a subdivision application process; and opportunities to work with developers in ensuring these issues are addressed appropriately, which could include a review of their concept plans.

Planning and Building Manager Grauer provided information on further reporting that will occur with respect to the future growth strategy and infill development as part of the strategic planning process and the issues that will need to be considered in terms of appropriate density and related infrastructure issues.

Councillor Penner was excused from the meeting at 11:50 a.m.

Mr. Cliff Price, representing Dover Heights Condominium Board of Directors, presented information in support of their request for an additional permanent and satisfactory access route to and from Armistice Village and Dover Heights to provide for more effective traffic flow and vehicle and pedestrian safety. He noted that a petition with approximately 200 signatures in support of this was available. A copy of his presentation was provided for the file.

Ms. Angela Gardiner, Transportation Branch Manager, discussed with the Committee the Administration's position regarding the request for additional egress from Armistice Village and Dover Heights, as outlined in the July 27, 2011 report of the General Manager, Infrastructure Services. She reviewed factors taken into consideration and the options for possible alternate access/egress points that were looked at during review of this matter and the previous enquiry relating to Armistice Way.

General Manager, Infrastructure Services Gutek discussed traffic volumes in terms of the right-in/right-out access and egress provided at this location, similar situations where this type of access is provided, and the standards and guidelines with respect to traffic demand and level of service provided.

- RESOLVED:
- 1) that the issue of infill development policy on large or multi-parcel sites be referred to the Administration for consideration as part of the Official Community Plan Bylaw No. 8769 and Zoning Bylaw No. 8770 review process;
 - 2) that the Administration provide a further report on the option to place a "holding" provision on larger parcels with significant redevelopment potential, as outlined in the September 27, 2011 report of the General Manager, Community Services Department;
 - 3) that the Administration provide a further report with respect to the options for further access/egress to Parkinson Lane, including costs, implications, timelines, funding options, and cost-sharing opportunities.

His Worship the Mayor and City Council
The City of Saskatoon

REPORT

of the

ADMINISTRATION AND FINANCE COMMITTEE

Composition of Committee

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

1. **2011 Annual Report – Water and Wastewater**
(File No. CK. 430-1)

RECOMMENDATION: that the information be received.

Your Committee has considered the attached report of the General Manager, Utility Services Department dated May 7, 2012 forwarding the 2011 Water and Wastewater Treatment Branch Annual Report. The report is being forwarded to City Council as information.

Copies of the 2011 Water and Wastewater Report have already been circulated. A copy is available for viewing in the City Clerk's Office and on the City's website at www.saskatoon.ca, City Clerk's Office, Reports and Publications.

Respectfully submitted,

Councillor G. Penner, Chair

Attachment No. 1

TO: Secretary, Administration and Finance Committee
FROM: General Manager, Utility Services Department
DATE: May 7, 2012
SUBJECT: 2011 Annual Report - Water and Wastewater
FILE NO: WT 430-2



RECOMMENDATION: that the information be received.

REPORT

The attached 2011 Water and Wastewater Treatment Branch Annual Report highlights details of services provided; customers served; safety; operation and capital revenues and costs; and year end financial status for 2011.

Due to extremely high river flows and an associated deterioration in river water quality, compounded by a combination of mechanical and process interruptions, four weeks of mandatory water restrictions were required in 2011. The situation required the coordination and intense commitment of maintenance and operations personnel to investigate and develop appropriate strategies to overcome the many factors that attributed to the process and equipment problems.

Although not as prevalent as in 2010, revenues collected in 2011 were significantly lower than budget due to the wetter than normal spring and summer months. This revenue shortage was offset by deferring maintenance and capital work, reducing operating costs and deferring debt reduction payments.

Through the on-going dedication of the employees, the City of Saskatoon was able to continue to supply exceptionally high quality water and wastewater services in a cost effective and reliable manner, and continue to be positioned to meet future growth and demand. The quality of the water produced continues to meet all Health Canada and Saskatchewan Ministry of Environment guidelines and is in compliance with the Permits to Operate.

ENVIRONMENTAL IMPLICATIONS

There are no environmental and/or greenhouse gas implications.

PUBLIC NOTICE

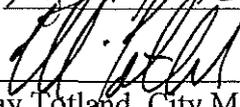
Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

ATTACHMENT

- 1. 2011 Annual Report - Water and Wastewater

Written by: Reid Corbett, Manager, Water and Wastewater Treatment Branch

Approved by: 
Jeff Jorgenson, General Manager
Utility Services Department
Date: May 18/12

Approved by: 
Murray Totland, City Manager
Date: May 18/12

His Worship the Mayor and City Council
The City of Saskatoon

REPORT
of the
EXECUTIVE COMMITTEE

Composition of Committee

His Worship Mayor D. Atchison, Chair
Councillor C. Clark
Councillor R. Donauer
Councillor B. Dubois
Councillor M. Heidt
Councillor D. Hill
Councillor A. Iwanchuk
Councillor M. Loewen
Councillor P. Lorje
Councillor T. Paulsen
Councillor G. Penner

1. Appointments to Saskatoon Safe Streets Commission
(File No. CK. 175-55)

RECOMMENDATION: that Ms. Jennifer Campeau and Mr. Paul Merriman be named as Directors of the Safe Streets Commission until the end of the 2014 annual meeting of the Commission.

City Council, at its meeting held on May 14, 2012, established the Safe Streets Commission and made appointments thereto. Your Committee is of the opinion that the work of the Safe Streets Commission would be greatly enhanced by the addition of the above-noted MLAs and is pleased to submit the recommendation for same.

Respectfully submitted,

His Worship Mayor D. Atchison, Chair

COMMUNICATIONS TO COUNCIL

MEETING OF CITY COUNCIL – WEDNESDAY, JULY 18, 2012

A. REQUESTS TO SPEAK TO COUNCIL

1) Lori Prostebby, dated June 25

Requesting permission to address City Council regarding needle exchange. (File No. CK. 3000-1)

RECOMMENDATION: that Lori Prostebby be heard.

2) Frances M. Fortugno, dated June 22

Requesting permission to address City Council regarding St. Mary's School. (File No. CK. 710-1)

RECOMMENDATION: that Frances Fortugno be heard.

B. ITEMS WHICH REQUIRE THE DIRECTION OF CITY COUNCIL

1) Gertrude Armburst, dated June 15

Commenting on condominium laws. (File No. CK. 127-1)

RECOMMENDATION: that the information be received.

2) Andre Laroche, dated June 20

Commenting on the appearance of the city. (File No. CK. 150-1)

RECOMMENDATION: that the information be received.

3) Leslie Potter, dated June 20

Requesting an extension to the time where amplified sound can be heard under the Noise Bylaw from 6:30 p.m. to 11:30 p.m. on Sunday, July 29, 2012, for an art opening. (File No. CK. 185-9)

RECOMMENDATION: that the request for an extension to the time where amplified sound can be heard under the Noise Bylaw, from 6:30 p.m. to 11:30 p.m. on Sunday, July 29, 2012, at 813 Broadway Avenue, for an art opening be approved subject to any administrative conditions.

4) Heather Arnold, Saskatoon Road Runners Association, dated June 21

Requesting an extension to the time where amplified sound can be heard under the Noise Bylaw, from 7:00 a.m. to 11:30 a.m., on Sunday, August 12, 2012, at River Landing, for the annual River Run Classic road race. (File No. CK. 185-9)

RECOMMENDATION: that the request for an extension to the time where amplified sound can be heard under the Noise Bylaw, from 7:00 a.m. to 11:30 a.m., on Sunday, August 12, 2012, at River Landing, for the annual River Run Classic road race be approved subject to any administrative conditions.

5) **Heather Arnold, Saskatoon Road Runners Association, dated June 21**

Requesting temporary road/lane closures for the annual River Run Classic road race being held on Sunday, August 12, 2012. (File No. CK. 6295-1)

RECOMMENDATION: that the request for temporary road/lane closures for the annual River Run Classic road race being held on Sunday, August 12, 2012 be granted subject to any administrative conditions.

6) **Simone Cote, Redline Harley Davidson and Dave Bilanski, Chair, 5th Prairie Regional Harley Davidson Rally, dated June 16**

Requesting the temporary closure of 20th Street East, between Spadina Crescent and 4th Avenue South, from July 12 to July 14, 2012, for a bike parking mall and show and shine for the 5th Prairie Regional Harley Owners Group rally. (File No. CK. 205-1) (As the event falls before the next meeting of City Council, this request has been handled administratively.)

RECOMMENDATION: that the request for the temporary closure of 20th Street East, between Spadina Crescent and 4th Avenue South, from July 12 to July 14, 2012, for a bike parking mall and show and shine for the 5th Prairie Regional Harley Owners Group rally be granted subject to any administrative conditions.

7) **Bob Korol, Chief Executive Officer, TCU Place Board, dated June 26**

Submitting Annual Disclosure Report for Centennial Auditorium & Convention Centre Corporation. (File No. CK. 1600-5)

RECOMMENDATION: that the information be received.

8) **Terry Scaddan, Executive Director, The Partnership, dated June 27**

Requesting City Council appoint Ms. Roxanne Woodley to The Partnership Board of Management, replacing Mr. Ray Penner. (File No. CK. 175-48)

RECOMMENDATION: that City Council appoint Ms. Roxanne Woodley to The Partnership Board of Management, replacing Mr. Ray Penner.

Items Which Require the Direction of City Council
Wednesday, July 18, 2012
Page 3

9) **Joseph and Marguerite Hounjet, dated June 30**

Commenting on prayer. (File No. CK. 150-1)

RECOMMENDATION: that the information be received.

10) **Lois Thorne, dated July 3**

Commenting on fire pits. (File No. CK. 375-1)

RECOMMENDATION: that the direction of Council issue.

11) **Otto Kamenzin, dated July 6**

Advising of Grey Cup 100 Tour. (File No. CK. 205-1)

RECOMMENDATION: that the information be received.

12) **Lisa Krol, dated July 6**

Commenting on noise from recent Wakeride event. (File No. CK. 185-9)

RECOMMENDATION: that the direction of Council issue.

13) **Thomas Bell, Pub Manager, Winston's English Pub, dated July 9**

Requesting an extension to the time where amplified sound can be heard under the Noise Bylaw outside Winstons's Pub, 243 21st Street East, on July 28, 2012, from 10:00 p.m. to 12:30 a.m. on July 29, 2012.

RECOMMENDATION: that the request for an extension to the time where amplified sound can be heard under the Noise Bylaw outside Winstons's Pub, 243 21st Street East, on July 28, 2012, from 10:00 p.m. to 12:30 a.m. on July 29, 2012 be granted subject to any administrative conditions.

Items Which Require the Direction of City Council
Wednesday, July 18, 2012
Page 4

14) Thomas Bell, Pub Manager, Winston's English Pub, dated July 9

Requesting a temporary alley closure between Senator Hotel and Glengarry Building on July 28, 2012 from 12:00 p.m. to 3:00 a.m. the next morning for Roofstock event.

RECOMMENDATION: that the request for a temporary alley closure between Senator Hotel and Glengarry Building on July 28, 2012 from 12:00 p.m. to 3:00 a.m. the next morning for Roofstock event be approved subject to any administrative conditions.

15) Randy Pshebylo, Executive Director, Riversdale Business Improvement District dated July 5

Requesting City Council appoint Ms. Carla Duval-Tyler as the representative of the Riversdale Improvement District on the Municipal Heritage Advisory Committee, to the end of 2012, replacing Ms. Cecilia Elizabeth. (File No. CK. 225-18)

RECOMMENDATION: that Ms. Carla Duval-Tyler be appointed as the representative of the Riversdale Improvement District on the Municipal Heritage Advisory Committee, to the end of 2012, replacing Ms. Cecilia Elizabeth.

16) Lenita Hanson, Board Member, Family Service Saskatoon Foundation, dated July 9

Requesting City Council approval fund-raising event, Family Walk, Roll and Stroll in Friendship Park on Sunday, September 9, 2012. (File No. CK. 205-1)

RECOMMENDATION: that the request to hold a fund-raising event, Family Walk, Roll and Stroll in Friendship Park on Sunday, September 9, 2012, be approved subject to any administrative conditions.

17) Janet Bennett, dated July 10

Requesting to fly the United Nations flag at City Hall on August 9, 2012. (File No. CK. 205-1)

RECOMMENDATION: that the request to fly the United Nations flag at City Hall on August 9, 2012 be approved subject to any administrative conditions.

**Items Which Require the Direction of City Council
Wednesday, July 18, 2012
Page 5**

18) Shellie Bryant, Secretary, Development Appeals Board, dated June 14

Submitting Notice of Hearing of the Development Appeals Board regarding the property located at 414 Avenue U South. (File No. CK. 4352-1)

RECOMMENDATION: that the information be received.

19) Shellie Bryant, Secretary, Development Appeals Board, dated July 5

Submitting Notice of Hearing of the Development Appeals Board regarding the property located at 1105 12th Street East. (File No. CK. 4352-1)

RECOMMENDATION: that the information be received.

20) Bryant, Secretary, Development Appeals Board, dated July 6

Submitting Notice of Hearing of the Development Appeals Board regarding the property located at 442 Stonebridge Common. (File No. CK. 4352-1)

RECOMMENDATION: that the information be received.

C. ITEMS WHICH HAVE BEEN REFERRED FOR APPROPRIATE ACTION

1) Todd Yauck, dated June 14

Commenting on grass cutting on bike paths. (File No. CK. 4139-1) (Referred to the Administration to respond to the writer.)

2) Ian McCaig, dated June 14

Commenting on various concerns. (File No. CK. 6120-1) (Referred to the Administration to respond to the writer.)

3) Clint Sherdahl, dated June 15

Commenting on traffic calming measures on Parkdale Road. (File No. CK. 6315-1) (Referred to the Administration to respond to the writer.)

4) Morgan Epp, dated June 15

Commenting on an incident where pot holes caused tire damage. (File No. CK. 6315-1) (Referred to the Administration to respond to the writer.)

5) Joann Lavenuik, dated June 17

Commenting on the condition of 1600 block of Avenue C North. (File No. CK. 6315-1) (Referred to the Administration to respond to the writer.)

6) Richard Bender, dated June 17

Commenting on a parking ticket received. (File No. CK. 5301-1) (Referred to the Administration to respond to the writer.)

7) Donna Jamieson, dated June 17

Commenting on sprinklers in Willowgrove Park. (File No. CK. 4205-1) (Referred to the Administration to respond to the writer.)

Items Which Have Been Referred for Appropriate Action
Wednesday, July 18, 2012
Page 2

8) Roberta Jamieson, CEO, Indspire, dated June 18

Requesting a grant in the amount of \$25,000 towards the 20th Annual Indspire Awards (formerly the National Indigenous Achievement Awards) being held in Saskatoon on February 15, 2013. (File No. CK. 205-1) (Referred to Administration for a report.)

9) Dan and Stella Armstrong, dated June 18

Commenting on recent tree trimming. (File No. CK. 4139-4) (Referred to the Administration to respond to the writer.)

10) Jeanette Merriman, dated June 19

Commenting on parking tickets received at sporting events. (File No. CK. 6120-1) (Referred to the Administration to respond to the writer.)

11) Alan Manson, dated June 20

Commenting on future growth. (File No. CK. 4110-1) (Referred to the Administration to respond to the writer.)

12) Marlene Thomas, dated June 20

Commenting on bus service on Melville Street. (File No. CK. 7310-1) (Referred to the Administration to respond to the writer.)

13) Kaela Tennent, dated June 21

Commenting on fragrance allergies. (File No. CK. 375-1) (Referred to the Administration to respond to the writer regarding civic facilities, and to Saskatoon District Health regarding other public places.)

Items Which Have Been Referred for Appropriate Action
Wednesday, July 18, 2012
Page 3

14) Doug Pierce, dated June 25

Commenting on program for young golfers at Silverwood Golf Course. (File No. CK. 4135-3)
(Referred to the Administration to respond to the writer.)

15) Travis Knaus, dated June 28

Requesting information on the status of the skateboard park at Taylor Street and Albert Avenue.
(File No. CK. 5500-1) **(Referred to the Administration to respond to the writer.)**

16) Ray Herzog, dated June 28

Commenting on difficulties encountered parking at Royal University Hospital. (File No. CK. 6120-1) **(Referred to Saskatoon Health Region for further handling.)**

17) Ken Ellis, dated June 28

Commenting on parking tickets received while attending children's sporting activities. (File No. CK. 6120-1) **(Referred to the Administration to respond to the writer.)**

18) Cynthia Berry, dated June 29

Suggesting that citizenship ceremonies be held on Canada Day. (File No. CK. 205-1) **(Referred to the Administration to respond to the writer.)**

19) Cameron Stewart, dated July 1

Commenting on loud music coming from Rotary Park. (File No. CK. 185-9) **(Referred to the Administration to respond to the writer.)**

20) V. Romancia, dated July 2

Commenting on traffic concerns on Clarence Avenue. (File No. CK. 6320-1) **(Referred to the Administration to for consideration and response to the writer.)**

**Items Which Have Been Referred for Appropriate Action
Wednesday, July 18, 2012
Page 4**

21) Larry Oleksuk, dated July 3

Commenting on storm water rates. (File No. CK. 1905-2) (Referred to the Administration to respond to the writer.)

22) Tracey Laroque, dated July 4

Commenting on transit issues. (File No. CK. 7310-1) (Referred to the Administration to respond to the writer.)

23) Shirley Fourney, dated July 6

Commenting on lack of disabled parking for Canada Day Celebrations. (File No. CK. 150-1) (Referred to Canada Day Celebration organizers for response to writer.)

24) Connie Abrook, dated July 6

Commenting about the state of the sidewalk on Main Street, between Louise and Grosvenor Avenues. (File No. CK. 6220-1) (Referred to the Administration to respond to the writer.)

25) Laura Cook, dated July 6

Commenting on garbage pickup on the 2500 block of Irvine Avenue. (File No. Ck. 7830-3) (Referred to the Administration to respond to the writer.)

26) John Juzkow, dated July 7

Commenting on transit issues. (File No. CK. 7310-1) (Referred to the Administration to respond to the writer.)

27) Marsha Stratechuk, Saskatoon Baseball Council Inc. and Saskatoon Minor Baseball dated July 9

Requesting City Council representation at Baseball Canada Pee Wee Western Championship Tournament. (File No. CK. 205-1) (Referred to Administration for further handling.)

Items Which Have Been Referred for Appropriate Action
Wednesday, July 18, 2012
Page 5

28) Syed Usama Saeed, dated July 9

Requesting employment information. (File No. CK. 150-1) (Referred to the Administration to respond to the writer.)

29) Brigitte Scott, dated July 10

Commenting on property assessment and city infrastructure. (File No. CK. 1616-1) (Referred to the Administration to respond to the writer.)

30) Lorraine Fajt, dated July 10

Submitting a petition with approximately 80 signatures to eliminate speeding on Balfour Street. (File No. CK. 205-5) (Referred to Administration for a report.)

RECOMMENDATION: that the information be received.

D. PROCLAMATIONS

1) Ann Pacik, dated June 13

Requesting City Council proclaim Tuesday, November 25, 2012 as National Philanthropy Day®.
(File No. CK. 205-5)

**2) Cindy Toy, Saskatchewan Association of Veterinary Technologists President-Elect
dated June 20**

Requesting City Council proclaim the week of October 14 to 20, 2012 as National Veterinary Technician Week. (File No. CK. 205-5)

**3) Mark Anderson, on behalf of the Saskatchewan Right to Know Committee
dated June 28**

Requesting City Council proclaim the week of September 24 to 28, 2012 as Right to Know Week.
(File No. CK. 205-5)

**4) Lesley McGilp and Margaret Kuzyk, Sask Innovation Week 2012 Co-Chairs
dated July 10**

Requesting City Council proclaim September 16 to 22, 2012 as Innovation Week 2012. (File No. CK. 205-5)

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

3000
AD

From: CityCouncilWebForm
Sent: June 25, 2012 12:55 PM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Lori Prostebby
1521 Ave F North
Saskatoon
Saskatchewan
S7L 0V7

EMAIL ADDRESS:

vaganza@shaw.ca

COMMENTS:

Myself and some concerned residents/business owners of Mayfair/Caswell would like to voice our concerns about a Needle Exchange in a residential area. What we would like to purpose is the same zoning bylaws as the massage parlors, escort agencies. We are finding drug dealers are hanging around the needle exchange as they know the police are for the Harm Reduction/Needle Exchange Programs here in Saskatoon. There is less of a chance of being arrested outside the very place that gives them needles to use their drugs. They are pretty much left to do what they want. Its a scary situtaion for children in the area. Not to mention adults. They are very open, not shy about dealing in the immediate area. Plus we are experiencing alot more discarded needles, actual people injecting at back of businesses in the area.

Below is from mins of your last city hall meeting.

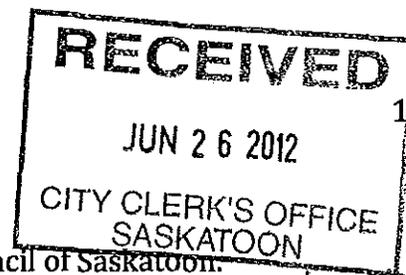
27) Lori Prostebby, dated June 11
Commenting on needle exchange. (File No. CK. 3000-1) (Referred to Board of Police Commissioners [regarding allegations of illicit drug trade activities], to the Administration [regarding zoning issues] and to the Ministry of Health [regarding the issue of needle exchange programs] for consideration and response to the writer.)
RECOMMENDATION: that the information be received.
Moved by Councillor Dubois, Seconded by Councillor Paulsen,
THAT the information be received.
CARRIED.

Thank you for your time.

Lori Prostebby

Has requested to speak to Council

Saskatoon, Sask.,
June 22, 2012.



710-1
A2

His Worship, the Mayor, and Members of the City Council of Saskatoon.

c.c. Paula Kotasek-Toth, MCIP, Heritage and Design Coordinator,
Planning and Development Branch, City of Saskatoon

(We wish to speak.)

Thank you for the letter of reply to our letter of May 11, 2012, regarding the proposed demolition of St. Mary's 1913 School structure. Thank you as well for the enclosure of a site map.

We must add, however, that we still remain opposed to the City's plan to destroy our historic treasure. St. Mary's 1913 School was the first Catholic Elementary School built in Saskatoon and one of the first built in Saskatchewan. We remain concerned and perplexed in this unfortunate situation.

In the letter of reply, reference is made to following the recommendations in the Pleasant Hill Local Area Plan (LAP). In 2003 we attended the seven, early Pleasant Hill Local Civic Committee (LCC) Meetings chaired by Livia Kellett, Local Civic Committee Coordinator. We have a copy of each set of the related minutes: June 24, 2003, to March 16, 2004. As well, we were all given a copy of the Pleasant Hill LAP Final Report, issued June 24, 2002, by the Community Services Department, City Planning Branch. At no time during the community meetings did we hear, and nowhere in the Pleasant Hill LAP did we see, even an **inkling** of a suggestion that St. Mary's 1913 School Building should, could, or would be demolished. If there had been such a suggestion, undoubtedly it would have been met with much opposition by the citizens of Pleasant Hill, especially the citizens associated with St. Mary's Parish. We were unconcerned because we were aware that conserving and celebrating history (Pleasant Hill's historic buildings) was one of the goals directly expressed in the Pleasant Hill LAP. A picture of St. Mary's 1913 School is even one of the pictures on the **front cover** of the Pleasant Hill LAP Final Report, June 24, 2002.

We all received, as well, a copy of the "Status of the Implementation of the Recommendations in the Pleasant Hill Local Area Plan" of November 26, 2003, and that of March 16, 2004. From the March 16, 2004, issue, we wish to quote:

"6.1 Conserving History

LAP Recommendation

That the Community Services Department, Development Services Branch advise the owners of the Nurse's Residence, **St. Mary's School**, Pleasant Hill School and the Bosnia Club of the potential opportunities presented by the Municipal Heritage Designation and the City's Heritage Conservation Program.

Comments

The Development Services Branch advised by letter, the owners of the Nurses' Residence, **St. Mary's School**, Pleasant Hill School and the Bosnia Club of the potential opportunities in **June, 2003.**"

On June 17, 2005, we all happily learned “that the Pleasant Hill Local Area Plan has won an FCM-CH2M HILL Sustainable Community Award! The Pleasant Hill LAP has received recognition for demonstrating innovative approaches to citizen engagement in the Sustainable Community Planning Award Category. FCM and CH2M HILL offer national recognition for projects that demonstrate leadership and environmental responsibility through sustainable community development.”

We wish to comment on “**citizen engagement**” and “**environmental responsibility**”.

With reference to “**citizen engagement**”:

We are realistic enough to understand that boards and committees cannot be expected to call a citizen’s meeting for every single matter or issue that arises. However, for something as serious as demolishing one of the four suggested Heritage Structures in the Pleasant Hill Area, we believe that a public consultation or a public vote should have taken place. The majority of citizens that we have heard talking about this topic are opposed to the idea of demolishing St. Mary’s 1913 School. Most of the residents of this area are not in high-income brackets, feel they have no say or power in City matters, are more the submissive type than the “boat-rocker” type, tend to be resigned to accepting whatever happens, whether they like it or not, and tend to internalize their feelings of loss.

The City of Saskatoon seems to pay more attention to people in high-income brackets, than to those in lower-income brackets. Yes, financial gain for the City is important; but other human values and benefits should not be disregarded. If an area expresses its desire to preserve a still-solid building which represents its valued heritage, it is not right to ignore this.

With the exception of the plan to demolish St. Mary’s 1913 School and Gymnasium, the Pleasant Hill Village Redevelopment Plan of 2007 appears to be a good thing. We don’t know how much public consultation took place; in any case, surely most of the people appreciate the new housing construction and the new St. Mary’s Wellness and Education Centre.

Rumors of possible demolition of St. Mary’s 1913 School had been disconcerting until we saw that the new school was being built across the street, at which time we breathed a sigh of relief. In April, 2012, we were shocked and dismayed to learn that this, our precious heritage building, was slated for destruction, **a building which is one of the four buildings in this area designated as potential heritage buildings in the recommendations stated in the Pleasant Hill LAP (2002).**

We learned from the **Heritage Canada website** that over time citizens have spoken up, only to be turned down. These include:

- Group(s) who want(s) to create rental apartments in St. Mary’s 1913 School,
- Group(s) who want(s) to create offices in it,
- Saskatoon Heritage Society,
- Tourism Saskatchewan.

Recently, concerned citizens have suggested using this building as an interactive children's museum/art gallery. This suggestion, too, was in vain.

This is not reflective of adequate "**citizen engagement**".

We understand that citizens who manage **Guadalupe House**, 426 Ave. J South, are looking for a bigger centre. Perhaps they could use part of St. Mary's 1913 School and/or Gymnasium.

It does not make sense to demolish this historic structure to create a park. There is presently park-space on the west side of the building and an existing park on the north side of the building; but as we have just learned, the plan is to convert these two park-areas to housing areas and destroy St. Mary's 1913 School to create a park-area. Why sacrifice an important historic heritage structure for a park-area when presently there are two existing, adjacent park-areas? Yes, we do love park-sites; but not if the park-site is created by destroying a treasured historic, heritage building.

Almost 100 years ago this site in Pleasant Hill started out as park-space. Instead of progressing, we would be regressing by demolishing this sturdy structure. By conserving a product of the efforts of our forefathers, we are honoring them, showing appreciation for their knowledge, wisdom and vision, and making it easier for future generations to relate to them and better appreciate them. By choosing to destroy what our forefathers have produced, a structure which has admirably weathered almost 100 years of existence, we are choosing **not** to honor our pioneers and their efforts **in the very best way possible**. A future child learning about the history of this structure could look at this building in wonder and admiration and say, "Wow, this building is 200 years old!" How many of our new box-buildings will be standing 100 years from now?

Can there not be a compromise in this unfortunate controversial situation?

1. **Build housing only on the west side** of St. Mary's 1913 School and Gymnasium, after removing the portable classrooms.
2. **Retain St. Mary's 1913 School and Gymnasium** as an important historic structure, a worthy tourist attraction, a source of pride for one of the oldest areas in Saskatoon, and at the same time a useful building (even possibly residential).
3. **Beautifully landscape the east side** of St. Mary's 1913 School and Gymnasium to blend in with the existing park on the north side.
4. **Build more housing elsewhere.**

Conserving some selected parts and marking a historic site with a plaque are not the same as having the **actual original structure**, especially if the structure is still solid, unique, useful, and extremely **meaningful** for most of the citizens associated with the surrounding area.

With reference to “**environmental responsibility**”:

To demolish St. Mary’s 1913 School and Gymnasium would be to waste what today would cost a **good 50 or more million dollars** to rebuild to the same standard of artistic style, unique design and quality of materials.

The cost of demolition would be very high, and also subject to escalation because of the greater difficulties that would be encountered, given the great strength of the original high-quality construction. We understand that it was for this reason that the sad demolition of the Gathercole Centre cost more than originally budgeted; and it is very likely that this would be the case with St. Mary’s 1913 School.

Demolition would release vast amounts of harmful particles that would fill the air (and citizens’ lungs), and subsequently settle on land and water.

Demolition would result in vast amounts of unnecessary materials that would be added to the landfill.

The City of Saskatoon seems to be giving priority to providing business for demolition companies, over satisfying the legitimate wishes of resident citizens.

The City of Saskatoon urges all its citizens to be environmentally responsible. St. Mary’s 1913 School Building and Gymnasium are still **reusable** as intact structures. **Reuse** is an important part of environmental responsibility. The City of Saskatoon has a good opportunity to lead by example, by being **first promoter of the reuse of St. Mary’s 1913 School Building and Gymnasium**.

Any problems that may exist with this solid structure are not beyond a solution:

1. Why tear down a building because there is some roof leakage? We are aware of relatively new buildings in Saskatoon that have roof-leakage problems (Saskatoon Field House, Shaw Centre, Holy Spirit Church).
2. If mold is a concern, this can be dealt with by reverting to the original proper access to fresh air and sunshine, and by dealing with any possible leakage in foundation walls.
3. If the furnace is a concern, it can be replaced.
4. If there is asbestos in the plastered walls, by not disturbing the walls, the asbestos is not harmful.
5. For greater attraction, the exterior surface of the building can be professionally cleaned.

Instead of demolition, why not **give away** the structure to a worthy organization or company, or even **sell it at a reasonable price**? (of course, only **after** it has been officially declared a Heritage Building)

Yes, rehabilitation will be costly; but we don’t believe it will be as costly as rumors indicate. Funds can come from different sources: the resources of the new owners, Heritage Programs, income from renters, donations, fund-raising, tax-breaks, etc. “Where there’s a will, there’s a way.”

We respectfully submit a citizen request that the present Government of the City of Saskatoon reconsider and **amend** the City's 2009 position and **allow St. Mary's 1913 School and Gymnasium to be declared a Heritage Building, as recommended in the Pleasant Hill LAP, 2002, page 135.**

This would put a special smile on many faces, especially of the citizenry of one of Saskatoon's oldest, less prestigious areas, areas which are designated as "the alphabet streets".

This would be beneficial as well for the rest of Saskatoon and for all of Canada, by providing another important, priceless Heritage Edifice to visit.

In trying to put "pleasant" back into "Pleasant Hill", we should not diminish the "beautiful" in "Beautiful Saskatoon": tourists travel long distances to seek out **Heritage Buildings** for their unique **artistic beauty**, their fascinating cultural history and their great historic significance!

Sincerely,

Frances M. Fortugno

Frances M. Fortugno, senior citizen,
on behalf of concerned citizens who want to **Save St. Mary's!**

308 Ave. J North, Saskatoon, Sask., S7L 2K2,
244-4014, 955-8440

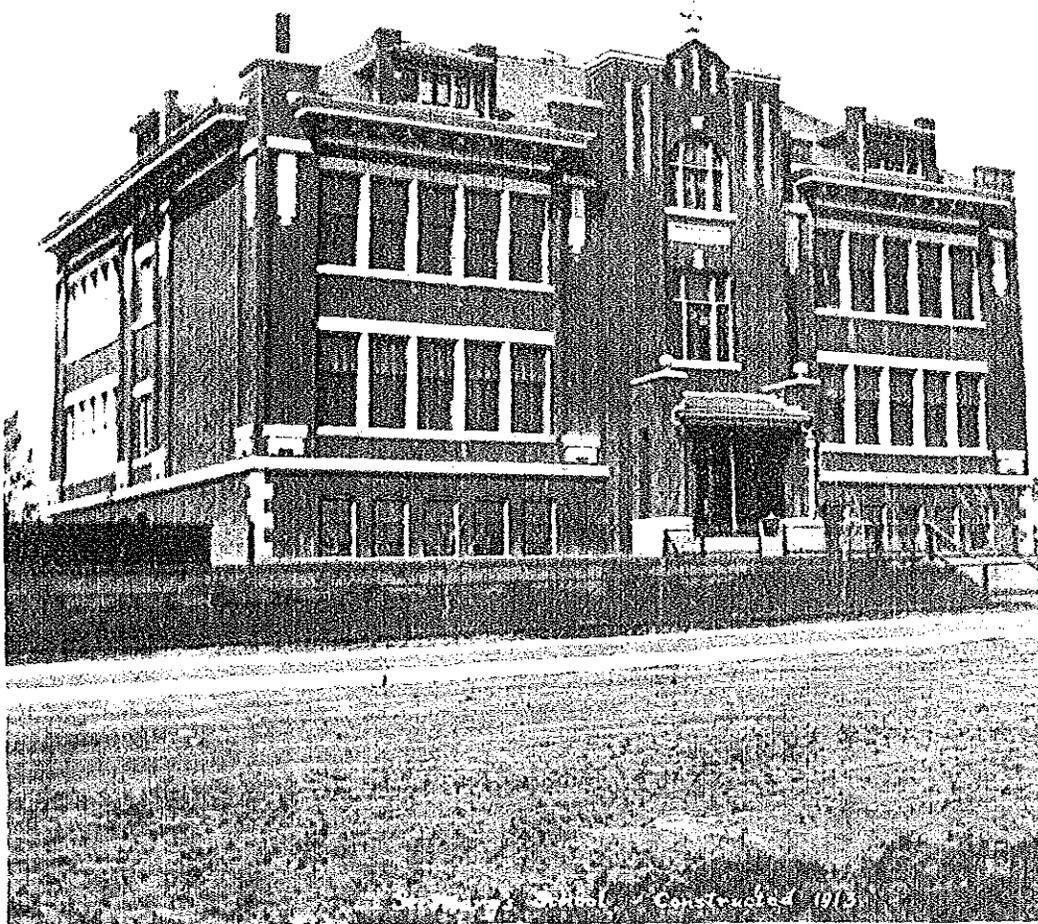
c.c. Saskatoon Heritage Society,
Box 7051, Saskatoon, Sask., S7K 4J1

c.c. Saskatchewan Heritage Foundation,
9th Floor, 1919 Saskatchewan Drive,
Regina, Saskatchewan, S4P 4H2

c.c. Heritage Canada Foundation,
190 Bronson Ave.,
Ottawa, Ontario, K1R 6H4

c.c. Tourism, Saskatchewan,
189-1621 Albert Street,
Regina, Sask., S4P 2S5

c.c. Saskatoon Star Phoenix,
204 5th Ave. North,
Saskatoon, Sask., S7K 2P1



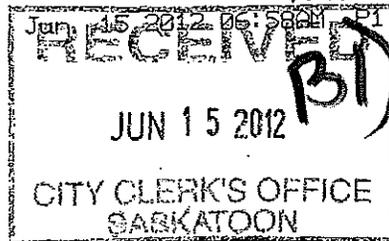
Save
St. Mary's!



FROM : Kiyomi Tomita

FAX NO. : +1-416-944-9480

127-1



Ms. Gertrude Armburst
1508-330 Dixon Road, Toronto, ON, M9R 1S9

Ph. 416-242-3823, Email - gertrudearm@sympatico.ca

To *Neighbours of 330, 320-340 Dixon Rd.
Senators, Members of Parliament, Members of Provincial &
Mayors, Members of Municipal Council — Parliament*

Re: Failure of Law Makers to update and upgrade outdated Condominium laws causing millions of dollars in frauds.

Let me take the opportunity to implore you and all other lawmakers throughout Canada that outdated Condominium Act is causing the millions of citizens to bear immense burden of losing money because these laws have no bearing in the present day. As a lawmaker, you have the responsibility and acumen to provide the relief to the residents and the citizens of this great country by updating and upgrading the Condominium laws to enlighten the people.

First, I would request all the lawmakers to simplify the language of Condominium Act so that we, the residents of the condominiums, could understand our rights and responsibilities. The Victorian era language of the Condominium Act has afforded the lawyers and judges the prospect to steal and milk millions of dollars from the residents. For example, we, the volunteer residents, don't have any right to see the original bills and receipts from the vendors, to confirm the actual expenses of the Condominium corporations. Could the lawmakers not simplify the language of the laws so that even a school going student understand his or her rights and responsibilities? The condominium residents are suffering from colossal financial loses and going through harrowing times. Senior citizens and poor people are paying through their noses especially, because we don't have any other avenue to seek redressal of our troubles.

In this scenario, I would like to remind you that I had written another letter regarding Volunteers' contribution to the society and their unresolved problems. You were requested to enact a law to protect them from threatened lawsuits by the Property Managements and provide them a bulletin board to advertise about available volunteer work, and a safe and secure place to carry out their activities. Please ensure that only volunteers run the condominium boards and no court appointed administrator, who cost us millions of dollars. That law has yet to see the light of the day. So, I beseech all the lawmakers, from coast to coast to coast, to present a bill in the respective provincial legislatures and municipal councils as early as possible to discuss the present situation and simplify the language of the Condominium Act(s) by ensuring the paramount role of Volunteers and make Volunteerism a valued activity in our communities. Hope to hear from you on this issue anxiously.

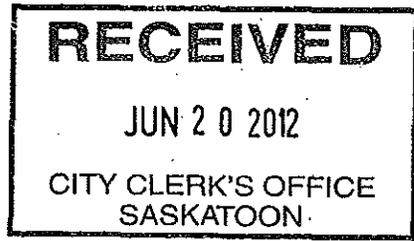
Regards

Gertrude Armburst, 5 June 2012

Ms. Gertrude Armburst

150-1
B2

From: CityCouncilWebForm
Sent: June 20, 2012 8:51 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

André Laroche
170-2800 St.-Jean-Baptiste
Quebec
Quebec
G2E 6J5

EMAIL ADDRESS:

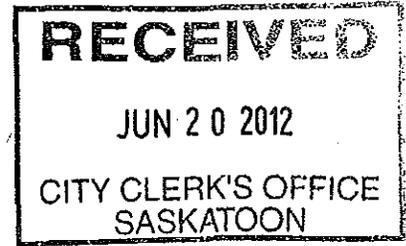
Axlaroche@videotron.ca

COMMENTS:

Poor Saskatoon !
I am in Saskatoon for the first time in my life and let me tell you that i have not been impressed by your town.
Since last monday I discover a Poor Town but more, à town with no proud as all is kept dirty and outdated.
It's évident that the streets have not been cleaned at all since the end of the winter, sidewalks are decrepited and in bad shape and grass grow at the bottom of the litle trees along the streets.
Let me tell you that you should go outside more often and walk in your city to see how much this poor look is destructive for your city, for tourism and mainly for local peoples.
Please let them see a new energy in Saskatoon and clean, repair and restore your town before it's too late!
..a friend of Saskatoon!

185-9
B3

From: CityCouncilWebForm
Sent: June 20, 2012 10:54 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Leslie Potter
813 Broadway Avenue
Saskatoon
Saskatchewan
S7N 1B5

EMAIL ADDRESS:

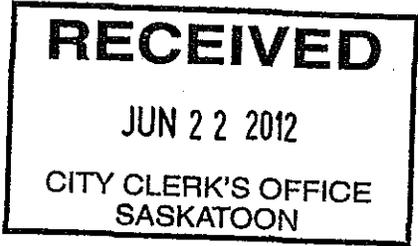
scc.exhibitions@sasktel.net

COMMENTS:

The Saskatchewan Craft Council will be having an art opening on Sunday July 29 from 6:30-11:30 at our gallery at 813 Broadway Avenue. We will be fencing off our back parking area in order to have a live band and serve liquor. We would like permission to extend the noise bylaws for that evening.

183-9
B4D

From: CityCouncilWebForm
Sent: June 21, 2012 5:09 PM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Heather Arnold
155 Mellicke Road
Saskatoon
Saskatchewan
S7LK 5V5

EMAIL ADDRESS:

heather.arnold@saskatoon.ca

COMMENTS:

The Saskatoon Road Runners Association, Annual River Run Classic road race is being held on Sunday, August 12, 2012. This event will start at River Landing, Phase I. We are asking for an extension to the noise bylaw for race set up and a minimal amount of amplified sound from 7:00 am - 11:30 am.

Thank you for your consideration and approval.

BS)
6295-1

From: CityCouncilWebForm
Sent: June 21, 2012 5:05 PM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Heather Arnold
155 Meillicke Road
Saskatoon
Saskatchewan
S7K 5V5

EMAIL ADDRESS:

heather.arnold@saskatoon.ca

COMMENTS:

Saskatoon Road Runners Association, Annual River Run Classic road race, sheduled for Sunday, August 12, 2012, 5:30 am - 11:30 am.
Requesting temporary road/lane closures as per proposed race route.

Half Marathon Course

The course mainly follows a scenic out and back route along Spadina Crescent . The race starts at River Landing, Phase I, (100 Spadina Cres E) and proceeds north, passing the MVA centre and crossing the Broadway Bridge, to follow Broadway Ave to 9th Street. Turn right onto 9th Street to Eastlake Ave. Right on Eastlake Ave to 11th St. Right on 11th St to Broadway Ave. Left at Broadway to go back down Broadway bridge.

From the Broadway Bridge, pass the MVA building again and loop north along Spadina Cres/Whiteswan Drive all the way to the north end of Whiteswan Dr at turn around point. Return along same route to the start/finish line.

10km and 5km Courses

Both follow the half marathon route and have turnaround points on Spadina Crescent

Course Restrictions:

The right hand lane going up the Broadway Bridge will be closed till approx 9:00 am. The right hand lane along Spadina and Whiteswan Drive will be closed to public traffic for duration of race. Volunteers, orange traffic cones and some road blocks will be used to help mark the course and direct traffic.

205-1
B6)

June 16, 2011

City Council
City of Saskatoon
222-3rd Avenue North
Saskatoon, Saskatchewan
S7K 0J5



ATTENTION: City Clerk

Dear Madam:

The Saskatoon HOG (Harley Owners Group) Chapter is pleased to advise you that we have been awarded the 5th Prairie Regional HOG (Harley Owners Group) Rally to be held in Saskatoon on July 12th through July 14th, 2012. It is anticipated that between 500 and 900 members will attend from across Canada, and the northern United States. The rally will include planned rides through Saskatoon to outlying towns, a bike parade, and on and off bike games.

The Raddison is the host hotel. We are requesting the temporary closure of 20st Street East between Spadina and 4th Avenue South. This area will be used as a bike parking mall, will also host a motorcycle Show and Shine and will be used for the on and off bike games.

In addition, we are requesting your approval for a parade route, which will also require temporary street closures.

We appreciate your consideration of this matter and can be contacted at 222-4095.

We look forward to showing off our city to our members.

Yours truly,

Simone Cote, Redline Harley Davidson
Dave Bilanski, Chair, 5th Prairie Regional Harley Davidson Rally

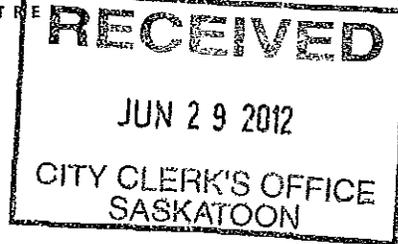
TCU
PLACE

.....
SASKATOON'S
ARTS & CONVENTION
CENTRE

35 - 22nd Street East
Saskatoon, Saskatchewan
Canada S7K0C8

1600-5
B7)

T 306 975 7777
F 306 975 7804
info@tcuplace.com
www.tcuplace.com



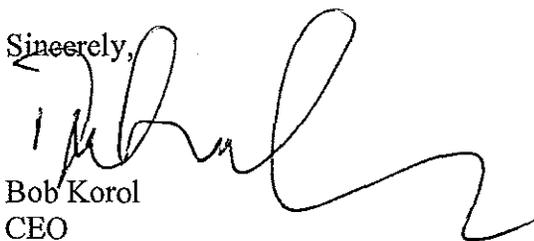
June 26, 2012

Janice Mann
Office of the City Clerk
City Hall
222 - 3rd Avenue North
Saskatoon, Saskatchewan
S7K 0J5

Re: Annual Disclosure Report for Centennial Auditorium & Convention Centre Corporation

Enclosed please find a copy of the Annual Disclosure Report to be forwarded to City Council.

Sincerely,


Bob Korol
CEO

for TCU Place Board

**Annual Disclosure Report
From
Saskatoon Centennial Auditorium and Convention Center
Year Ending December 31st 2011**

1. Introduction

This report is being prepared in accordance with Article 5.6 of The Board Governance Manual; City Council Disclosure Requirements, and is intended to provide the City of Saskatoon with salient information regarding the operation of TCU Place during 2011.

2. Board of Directors

a. Membership As at December 31st 2011

Don Ravis – President*
Jill Reid – Vice President*
Paul Jaspar – Treasurer*
Lorne Mysko – Secretary*
Jo Custead – Past President*
Don Atchison – Mayor
Murray Totland – City Manager
Tiffany Paulsen – Councillor
Glen Penner – Councillor
Kirk Cherry - Director
Deborah Fortosky - Director
Peggie Koenig - Director

* Member, Executive Committee

b. Mandate

The Board is accountable to City Council and its mandate is to:

- provide stewardship of TCU Place on behalf of the City of Saskatoon
- to supervise and evaluate the management of the Auditorium's business and affairs
- to maintain the corporation's financial strength
- to oversee the Auditorium's strategic direction
- to oversee its organizational structure and the succession planning of senior management

The Board's key responsibilities are:

- Strategic Planning
- Risk Assessment/Management
- Internal Controls
- Management & Evaluation
- Stakeholder Strategies/Communications

The Board carries out its mandate through the Chief Executive Officer (CEO) using the following directives:

- Approving Board Policies
- Conducting an annual review of the Corporation's strategic plan
- Conducting an annual performance review of the CEO
- Approving the annual budget
- Monitoring the Organization's financial performance

c. Governance Structure, Policies and Practices

During the 2011 fiscal year, the Board used five Board Committees and five Working Groups to assist in fulfilling its mandate.

○ **Board Committees**

○ **Executive Committee**

This is an advisory committee appointed by and accountable to the Board. It acts on important issues, if and when required between regular meetings.

○ **Audit & Finance Committee**

The committee is appointed by the Board and is responsible for the policies and practices relating to internal controls and financial reporting. During the year, the Audit Committee reviewed both the monthly and audited financial statements with management and the external auditors. Based on these discussions, the Audit Committee agreed that the company's financial statements were fairly presented and conforms with Canadian Generally Accepted Accounting Principles. TCU Place used Garman and Associates to review our ticket sales revenue collection system.

○ **Nomination Committee**

The Nominating Committee, chaired by the Past President, presented a slate of officers to the Board at the Annual General Meeting.

○ **Chief Executive Officer Performance Evaluation Committee**

The committee consisting of four members was appointed by the Board to complete the annual performance review of the Chief Executive Officer. A 360 degree evaluation tool was used.

○ **Paul Peters Memorial Bursary Selection Committee - Chair - Co-Chairs - Jill Reid, Peggie Koenig**

The Paul Peters Memorial Bursary was established in 1990 in memory of the late Paul Peters. The Bursary is awarded annually by the Board of Directors. The 2011 winner of the \$500 bursary was

Emilee Kowaliuk, a grade twelve student from St. Joseph High School.

- **Board Working Groups**

- **Governance Working Group – Chair – Jill Reid**

- This year updates to the Governance Manual focused on reporting procedures to the City of Saskatoon. It also completed a comprehensive review of the Board's executive positions with emphasis on senior appointments.

- **TCU Place Futures Working Group - Co Chairs – Don Ravis and Bob Korol**

- The Committee met with Mr. Randy Grauer from the Planning Department to guide our discussions related to the many potential changes that will be occurring around the TCU Place property. Changes in transportation corridors, potential new private development in our neighbourhood and the new hotel across the street will all impact on our future planning and operation.

The enhancement of the TCU experience remains high on our agenda with such initiatives as opening the existing link to Midtown Plaza and establishing a specialty coffee shop.

Centennial Hall in the lower level continues to be one of the challenges facing TCU Place given its outdated narrow stairway entrance and the need for a more modern appearance. Funding has been allocated by Infrastructure Services to update this space and the Futures Committee will recommend an appropriate plan of action.

- **Board Self Evaluation Working Group - Chair – Kirk Cherry**

- The working group administered a survey that was completed by all Board members. The comments from this process were positive.

- **Strategic Planning - Chair - Don Ravis**

- The Board participated in a one day strategic planning event with Catherine Gryba acting as facilitator. Our discussions focused on TCU's strategic direction in the context of City of Saskatoon's new Cultural Plan and the city's "Saskatoon Speaks" initiative. It resulted in new core values and revisions to our strategic plan.

3. Senior Management

a. Management Team

Bob Korol – Chief Executive Officer
Pam Kilgour - Director of Finance
Rhonda Chelack – Director of Events
Donna Melnychuk - Director of Sales
Tammy Watt – Director of Operations

b. Departments (See Organization Chart – Appendix A)

o SALES

The department consists of CEO, Director of Sales, Sales Manager, three Sales Coordinators, Communications Clerk and a Sales Clerk. This department is responsible for booking Theatre Events – Ballet/Dance, Concerts, Family Shows, Live Theatre, Movies/Film, and the Symphony, and Non Theatre Events – Banquets, Cabarets, Conventions, Graduations, Meetings, Trade Shows, Weddings, Self-Created Events, and Outside Events.

o EVENTS

The events department consists of Director of Events and three Events Coordinators. The Events Department is responsible coordinating the details of booked events from start to finish including catering, AV, room setup and any other services required to stage the event.

o THEATRE

The Theatre department consists of Stage Carpenter, Audio Technician, Lighting Technician and IATSE crews. This department is responsible for setting up and restoring the Stage for theatre events, and lighting and sound production.

o BOX OFFICE

This department consists of Client Services Sales Coordinator, Client Services Technician and Client Services attendants. This department is responsible for providing customer service and ticket sales utilizing TCU's new Audience View system.

o GUEST SERVICES/INVENTORY

Guest Services: This department consists of Theatre Sales Manager, Event Captains, Head Hostess and Guest Services Attendants. This department is responsible for providing Bartender, Greeter, Coat Check and Ticket Taker services to guests.

Inventory: This department consists of Inventory Control Clerk, and Inventory Control Clerk Assistant. This department is responsible for the inventory of liquor and bar services.

○ **TECHNICAL SERVICES**

This department consists of Technical Services Manager and Facility Technicians. Responsibility includes Audio Visual, lighting and technical requirements for events.

○ **SECURITY SERVICES**

This department consists of the Security Services Supervisor and Stage Door Attendants. This service is responsible for security at events and stage door, shipping and receiving.

○ **EVENT SERVICES**

This department consists of an Event Services Supervisor, Lead Event Attendants, and Event Attendants. Responsibility includes building cleaning and the setup of rooms for events.

○ **BUILDING OPERATIONS**

This department consists of a Resident Building Operator and Building Operators. This department is responsible for building operations 24 hours per day 7 days per week - maintenance of building and equipment and building temperature control.

○ **ADMINISTRATION**

This department consists of CEO, Director of Finance, Director of Operations, Accounting Clerks and a Receptionist. Responsibilities include the management, financial management and all office and computer systems maintained and operating for TCU Place. This area also produces financial and operational reports for/to staff and stakeholders, identify strengths and weaknesses in the operations, and maintain its assets and operations. It also implements the strategic plan and represents TCU Place as a key venue to the community and its members. This department ensures that TCU Place grows to its full potential in the direction identified by the Board.

4. Key Performance Indicators

Management has developed key indicators to measure the performance of the Corporation. Examples include the number of, attendance and the contribution from each type of event. The Audit and Finance Committee receives and reviews monthly financial statements that show the Corporation's budgeted and actual contribution for the current month, Balance Sheet as well as year to date and presents them to

the Board. Also received is a monthly aged trial balance of all accounts receivable together with a report on collection initiatives.

5. Risk Management

This year, the Audit & Finance Committee completed a review of our risk management matrix with numerous revisions approved by the Board.

6. Parking

There are two major parking challenges facing TCU Place which will become more problematic in the near future. As vacant land is being developed in a one block radius of TCU Place, parkades are disappearing making availability a serious concern. Secondly, parking is becoming more expensive particularly for parking over five hours in the Midtown Parkade. This could be a factor when organizations are choosing between our facility and competing venues that have free parking.

7. Financial Performance and Market Conditions

- The nature of TCU's business goes in cycles and this past year has been a pleasant surprise in our overall performance and financial picture. The credit goes to our CEO, Mr. Bob Korol, and his senior staff for their team leadership and attention to controlling overhead costs.
- TCU Place continues to see increased competition from facilities such as Prairieland, the Casino and Credit Union Center. TCU Place has benefited from other changes including an increased demand for more choice in entertainment, a growing population and a demand for fine dining options in an upscale environment.

8. Piano

- After many years of attempting to find a new piano for TCU, we have been very fortunate to a donor to purchase a Grand piano donated. A charitable tax receipt and appropriate recognition of the donors is forthcoming.

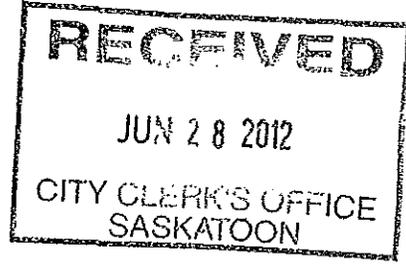
9. Infrastructure

- Fire suppression deficiencies are on ongoing issue in the building. The tender process was completed on this project with only one bidder at twice the original budget. Infrastructure Services is currently looking at options to get this project back on track.

175-48
B8)



THE PARTNERSHIP
Saskatoon Downtown Business Improvement District



June 27, 2012

Office of the City Clerk
City of Saskatoon
222 Third Avenue North,
Saskatoon, SK S7K 0J5

ATTENTION: Janice Mann, City Clerk

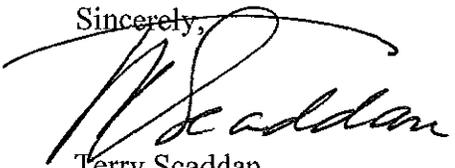
RE: Board of Management Appointment
Ms. Roxanne Woodley – *Tonic Urban Boutique*

Please be advised that *The Partnership* Board of Management at its Wednesday, May 16th meeting made a motion to approve the appointment of Ms. Roxanne Woodley of *Tonic Urban Boutique Inc.* to the Board. Ms. Woodley meets the criteria for membership on *The Partnership* Board of Management and we respectfully request her affirmation.

The new appointments will fill the recent vacancy left by Mr. Ray Penner of Tap Communications.

If you have any questions, or if we can be of further assistance, please do not hesitate to contact the undersigned by calling our office at 665-2001.

Thank you for your attention to this matter.

Sincerely,

Terry Scaddan
Executive Director

TS/dlm

150-1

Mayor Don Atchison
City Council
Saskatoon

RECEIVED
JUL 06 2012
CITY CLERK'S OFFICE
SASKATOON

St. Denis, Sask.
June 30th, 2012

Sir,

Re: people being offended because prayers are said in public.

As Canadians born in Canada we are OFFENDED by people who want to change and disrupt our way of doing things, of challenging our way of life..

Please saveguard the principles, convictions and morals our forefathers have struggled so hard to hand down to us -----a country with freedom of speech and freedom of religion.

We are proud of our Canada and we hope we will continue to be proud of who we are and what we stand for.

Trusting you will stand firm on this matter and know that the majority of the people believe in keeping our freedom.

Yours truly

Joseph & Marguerite Haenig
Box 24
St. Denis, Sk
S0K 3W0

305-10
Bio

From: CityCouncilWebForm
Sent: July 03, 2012 1:41 PM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Lois Thorne
415 3rd Street East
Saskatoon
Saskatchewan
S7H 1L6

EMAIL ADDRESS:

Lois

COMMENTS:

I submitted a letter a short while ago. I believe part of a sentence was missing. I am resending. Thank you.

I am writing in the hopes that the City Bylaw regard fire pits can be changed.

I have developed asthma and, unfortunately, smoke seriously affects me. I was delighted when the smoking bylaws for indoor public locations were amended as I could, once again, enjoy going out for an evening in a variety of venues.

I am, however, unable to enjoy spending my own back yard. I have a wonderful backyard and love to sit in my gazebo during the warm months. However, the home directly across the lane from me enjoys their fire pit on a regular basis. My next door neighbor adjacent to the alley has occasional fires as do the neighbours across the street from 419 3rd Street East.

On Friday, June 22, I had company for the evening. The smoke was very strong and my company commented it was just like a campfire. I couldn't remain in the back yard so we went to sit on the front deck in the hopes the smell would be better. It was not. Additionally, the house across the street from 419 had a fire going. I had to have my company come into my wonderful but hot home. I do not have air-conditioning, I am unable to keep my windows open and I cannot access fresh air...I know I am not the only person who has a lung/health condition that is negatively affected by this bylaw.

Please do consider that second hand smoke is an unfair bylaw in a City environment.. It is harmful to many individuals health and is a pollution issue. I am attaching one of many sites on the internet for your perusal. Thank you for your attention to this matter.

<http://www.openfile.ca/vancouver/vancouver/file/2011/03/urban-wood-smoke-burning-problem>

Lois Thorne

BH

From: CityCouncilWebForm
Sent: July 06, 2012 11:55 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Otto Kamenzin
33 Bloor Street East, Suite 1601
Toronto
Ontario
M4W3H1

EMAIL ADDRESS:

okamenzin@gmrmarketing.ca

COMMENTS:

Dear City of Saskatoon,

This year marks an important milestone for the Canadian Football League - the celebration of the 100th Grey Cup which will be played in Toronto on November 25, 2012. The Canadian Football League invites you to join us as we celebrate the 100th Grey Cup with a national train tour across Canada this fall.

Starting in Vancouver, the Grey Cup 100 Tour will span ten weeks and wind its way across our great country, visiting all CFL cities and local communities, and will close on Grey Cup weekend in Toronto. The Grey Cup 100 Tour will connect Canadians directly to the iconic Cup with a unique opportunity to celebrate a historic milestone in Canadian cultural and sporting history while providing a once in a lifetime engagement experience for fans of all ages across Canada.

We are excited to announce the Grey Cup 100 Tour will visit the City of Saskatoon, at the VIA Rail Train Station (TBD), on October 1, 2012 and invite you and your dignitaries to join in the celebration. We want to work with you to create a unique experience in your community to help us celebrate this monumental 100th Grey Cup Year. To assist with planning and coordination of details, updates and guidelines on the Grey Cup 100 Tour, we ask the city to appoint a main contact who will act as a liaison with the CFL.

Community involvement and opportunities include:

- mayor and council's involvement
- community awareness
- volunteer recruitment
- local entertainment
- interact with existing community events
- permits and approvals
- Civic services i.e. security, emergency/medical services and waste management

More information on the Grey Cup 100 Tour, participation, schedule and next steps will follow in the coming weeks.

We look forward to working with you on the Grey Cup 100 Tour.

With kind regards,

Otto Kamenzin

Tour Director, Grey Cup 100 Tour

p. 416-342-5511 | m. 604-365-2221

185-9
B12

From: CityCouncilWebForm
Sent: July 06, 2012 9:53 PM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Lisa Krol
1501 Lorne Ave
Saskatoon
Saskatchewan
S7H 1X9

EMAIL ADDRESS:

l.krol21@yahoo.ca

COMMENTS:

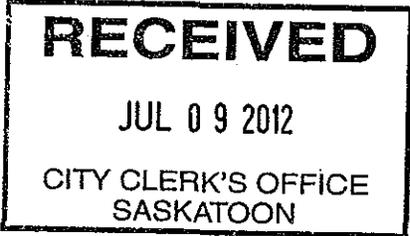
I am writing to complain about the WakeRide Event held this weekend. I live in Buena Vista and the music is SO LOUD that my 6 year old can't sleep. It's been pumping since 6:00pm and it's nearly 10:00. From the website I see it's not to finish until midnight! We have air conditioning and even with it running the bass is shaking the pictures on the walls and we're at least 8 blocks away!

Last year this event was new to Saskatoon or at least it was the first year it was audible. This year is no better and probably worse. I can't believe this event is allowed to proceed at the expense of so many neighbours.

I'm all for fun events in Saskatoon but this is insane. Lots of events take place in that park - why is this one allowed to be that loud?

185-9
B13

From: CityCouncilWebForm
Sent: July 09, 2012 8:43 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Thomas Bell
350 Allegretto Cres
Saskatoon
Saskatchewan
S7K6R5

EMAIL ADDRESS:

thbb05@hotmail.com

COMMENTS:

Hello,

I am e-mailing in regards to File no. CK.185-9 which was a request by The Hotel Senator to have a noise extension. In my previous request, which was approved by city council, on June 18 2012, I had submitted the wrong date for which the noise extension was needed. I am writing to request the noise bylaw be extended from July 28 at 10:00pm to 12:30am of July 29th for our annual Roofstock event.

Thank you for the extra time taken to re-review this request.

Thom Bell
Pub Manager, Winstons English Pub

6295-1
B14

From: CityCouncilWebForm
Sent: July 09, 2012 10:24 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Bell Thom
350 Allegretto Cres
Saskatoon
Saskatchewan
S7K6R5

EMAIL ADDRESS:

thbb05@hotmail.com

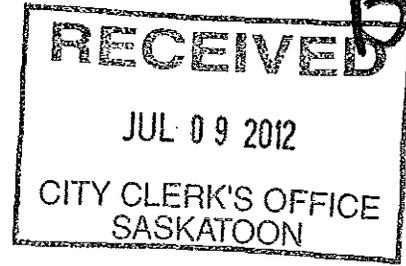
COMMENTS:

To Whom it may Concern:

RE: Winston's Pub Lane Closure

Winston's is asking permission to block off part of the alley that is between the Senator Hotel and the Glengarry Building. The date for this closure will be July 28 at 12:00 pm to 3:00am on July 29. We are requesting this to hold a special event, Roofstock, in our back parking lot. We have applied to Sask Liquor and Gaming for a liquor license for the event. The part of the alley we are looking to block off has a span of 19 feet by 47 feet. The entrance to the alley on 3rd Avenue would be blocked-off with road barricades provided by Guardian.

Thank you for your time



July 5th, 2012

Office of the City Clerk
Attn: Ms. Marlene Hall; Deputy City Clerk
City of Saskatoon
222 Third Avenue North,
Saskatoon, SK S7K0J5

Dear Ms. Hall:

Re: Municipal Heritage Advisory Committee Appointment

Please be advised that The Riversdale BID Board of Management at its Tuesday, April 17th, 2012 meeting made a motion to request the appointment of Ms. Carla Duval-Tyler as the Riversdale Business Improvement District's representative on the Municipal Heritage Advisory Committee.

This appointment will fill the vacancy left by Ms. Cecilia Elizabeth.

If you have any questions, or if we can be of further assistance, please do not hesitate to contact us by calling the RBID office at 242-2711.

On Behalf of the Riversdale Business Improvement District Board of Management

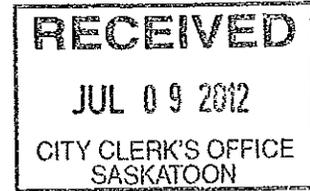
Sincerely,

Randy Pshebylo; BDM
Executive Director
Riversdale BID

RP/mas

205-1
(316)

From: CityCouncilWebForm
Sent: July 09, 2012 12:22 PM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Family Service Saskatoon Foundation Board
506 25th Street East
Saskatoon
Saskatchewan
S7K 4A7

EMAIL ADDRESS:

Chris.Guerette@familyservice.sk.ca

COMMENTS:

Monday July 9, 2012

Dear Council,

At noon on Sunday, September 9th in Friendship Park, the Family Services Saskatoon Foundation would like to host our first Annual "Family Walk, Roll and Stroll" event. Intended as a day to celebrate families, to provide information about the services provided by Family Services Saskatoon, and to do a little fundraising for the organization's programs, the day will be filled with fun, food, and activities for the whole family.

We kick off at noon with a walk, run, roll, or stroll along the riverbank from Friendship Park to the 25th Street Bridge and back. Once that is concluded we will have a picnic complete with hamburgers, hot dogs (vegetarian options available, of course), drinks, and ice-cream. In addition to lunch the organizing committee has also arranged for wonderful things for the children to do. These include face painting, a bouncy castle, bean bag toss, three-legged races, a colouring table, and many other child-centred activities.

To date we have secured the park for the event and ask that council approve our request to host the event at that location.

We'll look forward to your support.

Regards,
Lenita Hanson
Board Member
Family Service Saskatoon Foundation

205-1
B17)

From: CityCouncilWebForm
Sent: July 10, 2012 8:45 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Janet Bennett
114 Bowman Cres
Saskatoon
Saskatchewan
S7L6T6

EMAIL ADDRESS:

jmbenn@shaw.ca

COMMENTS:

Your Worship Mayor Atchison and City Council,

We the Canadian Association of Veterans in United Nations Peacekeeping request thought Your Worship and City council the opportunity to fly the United Nations flag at City Hall to commemorate those soldiers(Peacekeepers) that have so generously given their lives in the name of peace. Our National Day of Remembrance is the 09 Aug, 2012.

We the Association would be humbled to have your's and city council's approval for the flying of the United Nation's Flag.

Janet Bennett
Secretary/Treasurer
CAVUNP



City of
Saskatoon

Saskatoon Development
Appeals Board

B18)

c/o City Clerk's Office ph 306•975•8002
222 - 3rd Avenue North fx 306•975•7892
Saskatoon, SK S7K 0J5

June 14, 2012

His Worship the Mayor
and Members of City Council

Ladies and Gentlemen:

Re: **Development Appeals Board Hearing**
 Refusal to Issue Development Permit
 Construction of Three One-Unit Dwellings
 (Each With a Site Width Deficiency)
 414 Avenue U South - R2 Zoning District
 Scott Ziegler
 (Appeal No. 24-2012)

In accordance with Section 222(3)(c) of *The Planning and Development Act, 2007*, attached is a copy of a Notice of Hearing of the Development Appeals Board regarding the above-noted property.

Yours truly,

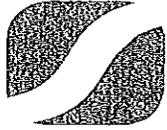
A handwritten signature in cursive script that reads "SBryant".

Shellie Bryant
Secretary, Development Appeals Board

SB:ks

Attachment

Templates\DABs\Mayor.dot



City of Saskatoon

Saskatoon Development
Appeals Board

c/o City Clerk's Office ph 306•975•8002
222 - 3rd Avenue North fx 306•975•7892
Saskatoon, SK S7K 0J5

RESCHEDULED – NOTICE OF HEARING - DEVELOPMENT APPEALS BOARD

DATE:	Monday, July 9, 2012	TIME:	4:00 p.m.
PLACE:	Committee Room E, Ground Floor, South Wing, City Hall		
RE:	Refusal to Issue Development Permit Construction of Three One-Unit Dwellings (Each With a Site Width Deficiency) 414 Avenue U South - R2 Zoning District Scott Ziegler (Appeal No. 24-2012)		

TAKE NOTICE that Scott Ziegler has filed an appeal under Section 219(1)(b) of *The Planning and Development Act, 2007*, in connection with the City's refusal to issue a Development Permit to allow construction of three one-unit dwellings at 414 Avenue U South.

The property is located in a R2 Zoning District. Section 8.4.4(2) of the Zoning Bylaw states that the site width for the construction of new one-unit dwellings in established neighbourhoods shall be at least 70% of the average site width for one and two-unit dwellings sites fronting on the subject block face and the opposite block face, but in no case shall the site width be less than 7.5 metres (24.61 feet).

This property is located in an established neighbourhood. Seventy per cent of the average site width for one and two-unit dwellings for the subject block is 10.94 metres (35.89 feet). Based on the information provided, the proposed three one-unit dwellings would be constructed each on a site with a site width of 7.62 metres (25.0 feet), resulting in a site width deficiency of 3.44 metres (11.28 feet) for each proposed site.

The Appellant is seeking the Board's approval to allow construction of the three one-unit dwellings.

Anyone wishing to provide comments either for or against this appeal can do so by writing to the Secretary, Development Appeals Board, City Clerk's Office, City Hall, Saskatoon, Saskatchewan, S7K 0J5 or email development.appeals.board@saskatoon.ca. Anyone wishing to obtain further information or view the file in this matter can contact the Secretary at 975-2783.

Dated at SASKATOON, SASKATCHEWAN, this 14th day of June, 2012.

Shellie Bryant, Secretary
Development Appeals Board



City of
Saskatoon

Saskatoon Development
Appeals Board

B19)

c/o City Clerk's Office
222 - 3rd Avenue North
Saskatoon, SK S7K 0J5

ph 306•975•8002
fx 306•975•7892

July 5, 2012

His Worship the Mayor
and Members of City Council

Ladies and Gentlemen:

**Re: Development Appeals Board Hearing
Refusal to Issue Development Permit
Addition to One-Unit Dwelling to Create Two-Unit Dwelling
(Exceeding Maximum Allowable Building Height)
1105 – 12th Street East – R2 Zoning District
J. M. Naylor
(Appeal No. 25-2012)**

In accordance with Section 222(3)(c) of *The Planning and Development Act, 2007*, attached is a copy of a Notice of Hearing of the Development Appeals Board regarding the above-noted property.

Yours truly,

Shellie Bryant
Secretary, Development Appeals Board

SB:ks

Attachment

Templates\DABs\Mayor.dot



City of
Saskatoon

Saskatoon Development
Appeals Board

c/o City Clerk's Office ph 306•975•8002
222 - 3rd Avenue North fx 306•975•7892
Saskatoon, SK S7K 0J5

NOTICE OF HEARING - DEVELOPMENT APPEALS BOARD

DATE:	Monday, July 23, 2012	TIME:	4:00 p.m.
PLACE:	Committee Room E, Ground Floor, South Wing, City Hall		
RE:	Refusal to Issue Development Permit Addition to One-Unit Dwelling to Create Two-Unit Dwelling (Exceeding Maximum Allowable Building Height) 1105 - 12th Street East - R2 Zoning District J. M. Naylor (Appeal No. 25-2012)		

TAKE NOTICE that Jonathon Naylor has filed an appeal under Section 219(1)(b) of *The Planning and Development Act, 2007*, in connection with the City's refusal to issue a Development Permit to construct an addition to a one-unit dwelling at 1105 12th Street East to create a two-unit dwelling.

The property is located in an R2 Zoning District. Section 8.4.2(2)7 of the Zoning Bylaw states the maximum building height for a two-unit dwelling in an established neighbourhood is 8.5 metres (27.89 feet).

Based on the information provided, the height of the addition will be 9.75 metres (32.0 feet) resulting in the proposed two-unit dwelling exceeding the maximum building height by 1.25 metres (4.11 feet).

The Appellant is seeking the Board's approval to allow construction of the addition as proposed.

Anyone wishing to provide comments either for or against this appeal can do so by writing to the Secretary, Development Appeals Board, City Clerk's Office, City Hall, Saskatoon, Saskatchewan, S7K 0J5 or email development.appeals.board@saskatoon.ca. Anyone wishing to obtain further information or view the file in this matter can contact the Secretary at 975-2783.

Dated at SASKATOON, SASKATCHEWAN, this 5th day of July, 2012.

Shellie Bryant, Secretary
Development Appeals Board



City of
Saskatoon

Saskatoon Development
Appeals Board

B20)

c/o City Clerk's Office
222 - 3rd Avenue North
Saskatoon, SK S7K 0J5

ph 306•975•8002
fx 306•975•7892

July 6, 2012

His Worship the Mayor
and Members of City Council

Ladies and Gentlemen:

**Re: Development Appeals Board Hearing
Refusal to Issue Development Permit
Detached Accessory Building (Existing Garage)
(with Lane Setback Deficiency)
442 Stonebridge Common – R1B Zoning District
David and Terri Leatherdale
(Appeal No. 26-2012)**

In accordance with Section 222(3)(c) of *The Planning and Development Act, 2007*, attached is a copy of a Notice of Hearing of the Development Appeals Board regarding the above-noted property.

Yours truly,

Shellie Bryant
Secretary, Development Appeals Board

SB:ks

Attachment

Templates\DABs\Mayor.dot



City of
Saskatoon

Saskatoon Development
Appeals Board

c/o City Clerk's Office ph 306•975•8002
222 - 3rd Avenue North fx 306•975•7892
Saskatoon, SK S7K 0J5

NOTICE OF HEARING - DEVELOPMENT APPEALS BOARD

DATE:	Monday, July 23, 2012	TIME: 4:00 p.m.
PLACE:	Committee Room E, Ground Floor, South Wing, City Hall	
RE:	Refusal to Issue Development Permit Detached Accessory Building (Existing Garage) (with Lane Setback Deficiency) 442 Stonebridge Common - R1B Zoning District David and Terri Leatherdale (Appeal No. 26-2012)	

TAKE NOTICE that David and Terri Leatherdale have filed an appeal under Section 219(1)(b) of *The Planning and Development Act, 2007*, in connection with the City's refusal to issue a Development Permit to permit the existing detached accessory building (garage) at 442 Stonebridge Common to remain in place.

The property is located in an R1B Zoning District. Section 5.7(3)(h) of the Zoning Bylaw states no detached accessory building shall be situated less than 1.2 metres (3.94 feet) from a lane toward which a vehicle door faces.

Based on the information provided, the vehicle door faces the lane and the existing detached accessory building is 0.60 metres (1.97 feet) from the lane resulting in an encroachment of 0.60 metres (1.97 feet).

The Appellant is seeking the Board's approval to allow the detached accessory building.

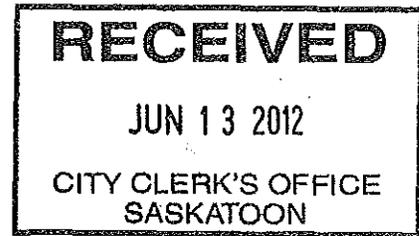
Anyone wishing to provide comments either for or against this appeal can do so by writing to the Secretary, Development Appeals Board, City Clerk's Office, City Hall, Saskatoon, Saskatchewan, S7K 0J5 or email development.appeals.board@saskatoon.ca. Anyone wishing to obtain further information or view the file in this matter can contact the Secretary at 975-2783.

Dated at SASKATOON, SASKATCHEWAN, this 6th day of July, 2012.

Shellie Bryant, Secretary
Development Appeals Board

4139-1
CN

From: CityCouncilWebForm
Sent: June 13, 2012 10:15 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Todd Yauck
306 Budz Crescent
Saskatoon
Saskatchewan
S7N 4M5

EMAIL ADDRESS:

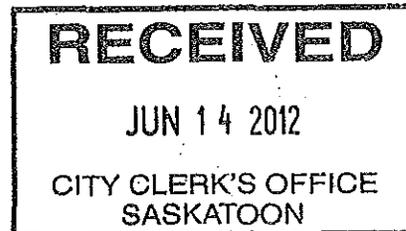
tdyauck@hotmail.com

COMMENTS:

I just wanted to ask if there are plans for the grass to be cut along the bike path on the north side of Circle Drive from Denny's and west up to the train tracks towards the Saskatoon Inn? the grass along Circle Drive near Saskatoon Inn is cut on a regular bases and is nicely done but for the part towards Denny's it never seems to get cut. Also the grass & canada thistle along the south part of Robin cresent is not cut. Flamans does a very nice job on their property adjacent to this area. I think this area was cut only once last year but recall the tractor mounted mower must of had trouble in this small area because of the power pole near the middle towards the fence and the deep tire ruts... One final question is: Does the city sweep the streets in the north industrial area ? 43rd Street is used by several cyclists but there is sand and gravel on most of this street.
Thanks

6120-1 (2)

From: CityCouncilWebForm
Sent: June 14, 2012 9:41 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Ian McCaig
1322 ave y north
saskatoon
Saskatchewan
s7l4j5

EMAIL ADDRESS:

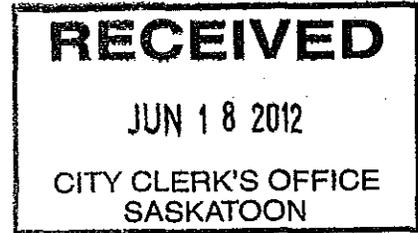
sccaigo@hotmail.com

COMMENTS:

IM NOT A HAPPY TAX PAYER ! ill will start off with my biggest reason for writing this email . I just got a ticket for parking my semi tractor at home on the street . ARE YOU KIDDING ME A SCHOOL BUS IS JUST AS HEAVY AS MY TRUCK . At one time i heard some bizar people were trying to get this passed i cant beleive council really passed it . there is no valid reason my truck cant park on the caty street . Let me think your uping my taxes . you dont take care of these city trees you dont grade my alley . you dont do anything about peoples trees over growing the alley . maybe stop blowing tax dollars on things like that over priced sound wall on the east side . they built or bought them homes with out the wall there . They knew what they were buying . So now my tax dollars made there homes worth more just what I WANTED TO DO NOT .
Ian McCaig

6315 (3)

From: CityCouncilWebForm
Sent: June 15, 2012 5:49 PM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Clint Sherdahl
3822 parkdale rd
Saskatoon
Saskatchewan
S7h4w5

EMAIL ADDRESS:

clint@rely-ex.com

COMMENTS:

There was a water main break in front of my house the other day it was fixed in a very timely matter .but my house shakes so bad now that stuff falls off the shelves in my house.now when the street was re- paved 2 or 3 years ago this shaking had stopped! So I do hope that all compaction will be done properly when the road work is completed ,being in the construction trade I know that that is very important ,and also it would be very wise for the few bus drivers that are going over the speed limit down this block to maybe slow it way down .that should be looked into!!!! .maybe a nice big couple of speed bumps on this block so people would slow down .i am concerned that someone will be pulling out of there driveway and get killed because people tend to use this street as a raceway in between Acadia and mckercher .anyway sorry I am venting I have been living here for 11 years and the speeding and shaking have not got any better . Thank you for listening I can be reached any time at 221-9977

6315-1
C4

From: CityCouncilWebForm
Sent: June 15, 2012 10:07 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Morgan Epp
102a 6608 42nd Street
Lloydminster
Alberta
T9V3L1

EMAIL ADDRESS:

mepp@tervita.com

COMMENTS:

Dear His Workship the Mayor and Members of the City Council,

I was attending a conference meeting in Saskatoon for my company from June 12 - June 14th. Upon driving home, to Lloydminster AB, I hit a very large, VERY deep, unmarked, unflagged pot hole going approx 30 - 35 km an hour. The potholes (there were four devastating ones, taking up the whole lane) are located on the road between the Husky Station and a Truck-Tractor Dealership on Hwy 16, west of the city.

The damage popped one tire, and deflated the other. This was approx 4:00pm. Luckily, after roadside assistance took me back into Saskatoon, the front tire was able to be repaired. The back tire was in no condition to be repaired. No one had the tires I needed at that time of night (6:30 pm).

I had to drive all the way to Lloydminster, Alberta, on a donut tire. I am having the new tire ordered in from here.

My question, to whom it concerns, is why these obviously dangerous potholes were not marked? It is a high traffic area, with many tractor-trailers and civilian vehicles travelling back and forth. When I hit the potholes, the car ahead and the car behind also did. My car, being smaller, did not make it out as well as the other vehicles.

What would have happened if someone went through there at higher speeds? What happened if someone exited the road, with a damaged tire, unaware, and merged onto the highway, consequently causing him to lose control if the tire gave way?

This is an EXCEPTIONALLY dangerous road hazard. The placement of the holes in the left turning lane to go to the highway. Anyone heading in that direction is clearly going to be driving at high speeds directly after.

I am surprised that this had gone all day, and possibly longer, without anyone doing ANYTHING to prevent vehicles from striking them.

The holes are over 8 inches deep, and about a foot, to about a foot and a half, in size. Need I mention more that there are many of them, in a ten foot radius. There is no avoiding them once you have committed to that lane.

I would like to be contacted.

It is the cities responsibility to prevent, or alert, its residents and travellers of the hazards that are present.

You can reach me by phone at 587-215-7317,

Also my email, mepp@tervita.com or morgan.epp@hotmail.com.

Thank you,
Morgan Epp

C5)
6315-1

From: CityCouncilWebForm
Sent: June 17, 2012 8:12 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

joann lavenuik
1532 ave d n
ston
Saskatchewan
s7l 1p6

EMAIL ADDRESS:

morriskia@msn.com

COMMENTS:

I have never written to you before but the street on the end of the 1600 hundred block of c n has been like that since it was dug in the spring .I deliver flyers and seen a brinks truck damn near bottom out.I know its raining but if you try and smothit out at least once it may help Thank you for your time.Joann

5307-1
C6)

From: CityCouncilWebForm
Sent: June 17, 2012 10:44 PM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Richard Bender
48 501 3rd Avenue North
Saskatoon
Saskatchewan
S7k 2J5

EMAIL ADDRESS:

richard_bender@hotmail.com

COMMENTS:

Dear Sir/Madam,

On Sunday May 20th 2012, while I was working in the Medical Imaging Department as an MRI Technologist, I received a parking ticket for \$50. The ticket did not offer any leniency on payment; no deadline is mentioned. I have every intention of paying this ticket but then I receive an unpleasant letter in the mail, stating I will have to pay a further \$40 if the ticket is not paid before June 25th even though as I have stated, no deadline date appears on the ticket itself. I find it somewhat disgraceful that the city felt a Sunday on a long weekend was a great time to give people tickets who were either working at St. Paul's that day or visiting loved ones. As stated earlier, I will of course pay this ticket but I am profoundly disappointed in the City of Saskatoon and have lost much respect for the parking authority.

Sincerely,
Richard Bender RTMR

420617

From: CityCouncilWebForm
Sent: June 17, 2012 10:59 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Donna Jamieson
210 Thode Ave
Saskatoon
Saskatchewan
S7W 1A1

EMAIL ADDRESS:

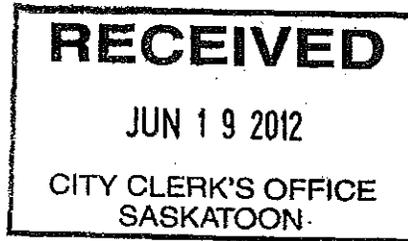
dcjamieson@shaw.ca

COMMENTS:

We back onto Wallace Park in the Willowgrove district on the SW corner. On Friday around 3:30 pm we noticed 4 sprinkler heads on in the park behind our home - 2 hrs later they were still on. It was now looking like a lake. I contacted the after hrs of the park maintenance and informed by a rude person at the other end that the practice is to have them on for 2 hrs. or more. I then told him they have never been on for that long. He said he would look into it. Another hr goes by and they finally went off. Who knows how long they had been on. Maybe it should be looked into if this is the practice of leaving sprinkles on in one given place for over 2 hrs.



Indigenous education, | L'éducation des autochtones.
Canada's future. | L'avenir du Canada.



205-1
(C8)

Head Office
P.O. Box 759
50 Generations Drive
Six Nations of the Grand River
Ohsweken, Ontario, NOA 1M0
1.855.INDSPIRE (463.7747)
fax: 866.433.3159

Toronto Office
215 Spadina Ave, Suite 450
Toronto, Ontario, M5T 2C7
1.855.INDSPIRE (463.7747)
fax: 416.926.7554

indspire@indspire.ca

June 18, 2012

His Worship the Mayor and Members of City Council
City of Saskatoon
City Hall
222 3rd Avenue North
Saskatoon, SK S7K 0J5

Dear Mayor and City Council:

It was a pleasure to see you last week in Saskatoon and to share lunch with you. As you know, we will be hosting the 20th Annual Indspire Awards at the TCU in Saskatoon, Saskatchewan on February 15th 2013. We have appreciated the support of your City in the past and are hoping the City will be a supporter once again to make this Canada-wide event the best ever.

Indspire, formerly the National Aboriginal Achievement Foundation (NAAF) is a charitable organization that is dedicated to raising funds to deliver programs that provide the necessary tools for Indigenous peoples, especially youth to achieve their potential. To date Indspire, through its Education Program has awarded more than \$49-million in scholarships and bursaries to more than 14,000 First Nations, Inuit and Métis students nationwide. You may be interested to know that since 1999 we have provided 1354 students from Saskatchewan \$4,970,533 in scholarships and bursaries. Last year alone, we provided \$938,800 to 275 recipients

Our focus is on supporting, innovating, and fundamentally transforming Indigenous education. But as our name suggests, we are equally committed to exposing Indigenous youth to inspiring people and possibilities. The influence of positive Indigenous role models is often life-changing. So we consistently celebrate Indigenous achievers of all ages and backgrounds, recognizing those who have persisted and overcome.

The Indspire Awards, formerly the National Aboriginal Achievement Awards, recognize Indigenous professionals and youth who demonstrate outstanding career achievement. They motivate and serve as invaluable role models for all Indigenous peoples and represent the highest honour the Indigenous community bestows upon its own achievers.

CEO

Roberta Jamieson
President, Chief Executive
Officer, Executive Producer,
Indspire Awards

Board of Directors

David Gabriel Tuccaro
Chair

Jean Tellez
Vice-Chair

Debbie Elsan
Len Flett
Lillian Hvatum-Brewster
Peter J. Lukasiewicz
Dr. James Makokis, M.D.
Dr. Gerald McMaster
Gordon R. Peeling
Wm. (Bill) Shead
Mary May Simon
Ian Sutherland
Paul Tsaparis
Dr. Cornelia Wieman, M.D.

In the days preceding the Awards Night, we would also hold in Saskatoon a series of education events involving hundreds of students from the region. This will include a career conference for Aboriginal students, as well as a day for those in high school to visit a university campus. This day provides students with extra knowledge of what it is like in a university setting; they are better able to envision themselves in that environment.

We would also offer younger students (Grades 4 and 5) the opportunity to tour the theatre and to learn about how we mount the National Aboriginal Achievement Awards; this inspires them to achieve their dreams by providing them the opportunity to meet Award recipients, members of the show's production team and learn about what the various aspects of a nationally broadcast show.

The Awards event is an opportunity for you to showcase to Canadians the leadership you have taken in improving the social and economic outcomes of First Nation and Métis people in your city. In addition, experience has demonstrated that the host city will enjoy significant economic benefit.

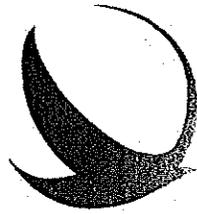
Please find enclosed a detailed proposal for your review. I look forward to answering any questions you might have or to discussing this further with the appropriate officials, at your convenience.

Roberta Jamieson,



President and CEO
Indspire

Enclosure



Indspire

Indigenous education, | L'éducation des autochtones.
Canada's future. | L'avenir du Canada.

RECEIVED
JUN 19 2012
CITY CLERK'S OFFICE
SASKATOON



Indspire Awards

**A proposal for the consideration of
The City of Saskatoon
June 2012**

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B: Budget Indspire Awards.....	10



"It was an inspiring show which made me chase my dream even more."

"[The Awards show] taught me that whatever the obstacles are, you've got to work through them."

"[The Awards show] was pretty Boss!! I'd come again!"

Indigenous Youth

Executive Summary

At Indspire, formerly the National Aboriginal Achievement Foundation, we have been encouraged by the City of Saskatoon's leadership in improving the social and economic outcomes of First Nations and Métis people and northerners.

We are delighted to advise that the 20th annual national celebration of achievement, now called the Indspire Awards (formerly the National Indigenous Achievement Awards) will be held in **Saskatoon, Saskatchewan on February 15, 2013**. As you know, we have honoured recipients from Saskatchewan which include: Delia Opekokew; Fred Sasakamoose; Donald Worm; Rev Stan Cuthand; James Sakej Henderson; and Jim Sinclair for Lifetime Achievement to name but a few.

These events cannot be mounted successfully without the leadership and significant support of the City and therefore we are seeking your support with an investment of \$ 25,000.

Indspire is a registered charity that offers the tools necessary for Indigenous youth to achieve their full potential. Each year, Indspire distributes annually more than \$5.5 million in post-secondary scholarships and bursaries to First Nations, Inuit and Métis students nationwide, presents powerful career conferences for Indigenous youth in cities across Canada, and delivers a range of additional programs to improve high school completion rates among Indigenous students.

This prestigious awards show represents the highest honour the Indigenous community bestows upon its leaders. The Gemini award-winning show is broadcast each year nationally on Global and APTN. It is an established Canadian institution that fosters a positive environment for dynamic new partnerships between Indigenous people and all Canadians.

Working in partnership with this high profile national event you will reap a variety of benefits that will enhance your City's profile and assist in your goal to sustain Economic Growth for the benefit of Saskatoon, while ensuring the economy is ready for growth and positioning Saskatoon to meet the challenges of economic and population growth and development. As you know, the Indigenous population is the fastest growing demographic in Canada with 50% of the estimated 1.3 million Indigenous people in this country under the age of 24. Workplace shortages are expected in many sectors of the Canadian economy in the coming years due to global demographic changes. I know that your city recognizes the young expanding demographic of Indigenous youth as an untapped resource that is vital to Canada's future economic prosperity.

Since the inception of the awards in 1993, a total of 268 Indigenous people have been honoured for their outstanding work in various career areas including arts, business, sports, health, law and justice, public service, education, and the environment. Award recipients serve as an inspiration to Indigenous youth across our country and demonstrate the potential for all youth to achieve their dreams while maintaining a strong tie to their culture and communities.

In conjunction with the Awards, Indspire also hosts its *Soaring: Indigenous Youth Career Conference*. This three day event, which takes place in the days before the awards show, features career information and workshops from Indspire sponsors. It is also an opportunity for students to attend the awards show and meet the year's honoured recipients and others involved with this nationally televised production. In Saskatoon in February 2013, Indspire will welcome 500 students to participate.

Background

We are dedicated to raising funds to deliver programs that provide the necessary tools for Indigenous peoples, especially youth to achieve their potential. It is devoted to promoting, supporting and celebrating the achievement of First Nations, Inuit, and Métis people - youth in particular. It enables Indigenous people to aspire to brighter futures by:

- **Providing Student Scholarships and Bursaries:** To date, our juries have helped to distribute \$49 million to more than 14,000 college and university First Nations, Inuit and Métis students. Indspire's the second largest funder of Indigenous student aid outside the federal government.
- **Empowering students to plan for their futures:** Through Indspire's *Industry in the Classroom* program, career related curriculum modules are developed on specific industries and delivered directly in classrooms across Canada annually to thousands of youth. This program is a successful partnership between Indspire and the private sector designed to engage Indigenous secondary school students with career planning options in industry specific growth sectors. Indspire also conducts youth roundtables across Canada with at-risk Indigenous youth to engage and understand their barriers to high school completion and what they see as their solutions.
- **Motivating youth to stay in school:** Indspire connects Indigenous youth directly with business and public sector leaders through *Soaring: Indigenous Youth Career Conferences* held in cities across the country. Thus far, Indspire has seen more than 34,000 Indigenous youth participated in our career conferences. These events feature role models, career workshops and engaging presentations on employment opportunities available in the public and private sectors in Canada, bringing the future to Indigenous students nationwide.
- **Financially supporting Indigenous people to train for work in Canada's energy sector:** First Nations, Inuit and Métis persons receive financial support for professional development and training as they prepare for careers in the oil and gas trades and technology sector in Alberta.
- **Inspiring Indigenous youth:** Indspire motivates youth by honouring and celebrating the contributions and accomplishments of Indigenous achievers from all disciplines, with the nationally televised Indspire Awards (formerly the National Aboriginal Achievement Awards), the highest honour bestowed by their own people. Each year, the Awards are held in a different city in Canada and involve an awards gala and the *Soaring: Indigenous Youth Career Conference* with 500 youth participating.
- **Dedicated to dramatically improving Indigenous education:** The *Indspire Institute*, when fully implemented, will be an online laboratory of learning focused on increasing high school completion rates and K-12 student success.

More information on Indspire can be found on www.indspire.ca.

The Indspire Awards

Founded in 1993, the Indspire is Canada's premier awards event that recognizes the accomplishments of Indigenous people across a wide spectrum of human endeavour. The Gemini award-winning program, recognizes those who serve as an inspiration to thousands of Indigenous youth in Canada encouraging them to stay in school, go on to post-secondary education and in turn build careers that enable them to support themselves, their families and their communities.

Held annually across the country, the Indspire Awards offers the city the opportunity to highlight the achievements made in support of the advancement of Indigenous peoples to a broad range of key stakeholders both nationally and locally. The Awards also offers a unique opportunity to network directly with national Indigenous leaders, government representatives at the municipal, provincial and federal levels, and with Canada's corporate C-suite leadership. At the local level, the Indspire Awards are widely attended in the host city and televised to thousands more in communities across Canada.

This National event will showcase Saskatchewan's indigenous presence to the country! Please note that this event has been shown in the past to bring up to \$5 million in revenue to the host region and involves the hiring of many local Indigenous people in many aspects of the production including performers, drivers, seat fillers, caterers and production associates.

Highlights:

- The live audience for the gala awards show is typically attended by more than 2,000 people and seen by hundreds of thousands more via the national broadcast on Global and APTN;
- The 19th National Aboriginal Achievement Awards show was attended by more than 400 Indigenous youth from high schools throughout British Columbia, Alberta and beyond. We expect to host 500 students from Saskatchewan and beyond for both the Indigenous Youth Career Conference and the 20th annual Indspire Awards to be held on February 15, 2013 at Saskatoon's TCU Place;
- The Awards show receives significant media attention in a wide range of mainstream and Indigenous media across Canada; and
- Indspire Awards recipients are chosen each year in the following fields: three Youth categories; Arts; Business & Commerce; Culture, Heritage & Spirituality; Education; Environment and Natural Resources; Health; Law & Justice; Politics; Public Service; Sports; and Lifetime Achievement.



2012 NAAA Gala Awards – Mel Benson, Board of Directors, Suncor Energy Inc. (Left); Candace Sutherland, 2012 Special Youth Award Recipient (Centre); and The Honourable John Duncan, Minister of Aboriginal Affairs and Northern Development (Right).

Education Series

Each year, Indspire offers a three day Education Series to students from communities in the host city of the Indspire Awards. In Saskatoon on February 13, 2013, the Indigenous Youth Career Conference is expected to attract 500 Indigenous high school students who will participate in this interactive career conference. The following day another high school event will occur in partnership with a local post-secondary institution for a day of interactive activities for up to 150 students. Lastly, on Friday February 15, 2013 up to 100 elementary students will have the opportunity to tour 'behind the scenes' at the theatre and view the dress rehearsal.

At the Indigenous Youth Career Conference students will have the opportunity to connect with potential supporters who are interested in recruiting them following their post-secondary education or training. Students learn more about the wide range of employment opportunities they can consider in their career planning. They also participate in interactive presentations from the *Industry in the Classroom* series career modules and personal presentations from the Indspire Award recipients from the region. At this time, they also learn more about the \$5.5 million post-secondary scholarships and bursaries program offered annually by Indspire and how they can tap into this support to fund their college or university education.

The full experience for participating students is topped off with the opportunity for many to attend the gala Indspire Awards on February 15, 2013.



2012 Student responses to "What was the most important or valuable part of Education Series for you?"

"Getting the awakening that I needed to start planning and preparing."

"I can sleep knowing that I learned more about what I can do in the future."

"Finding out the qualifications I need for the field I want to go into and being able to speak to the representatives that could answer all of my questions."

Sponsorship Request, Recognition and Accountability

In recognition, of your investment in this initiative, we would be delighted to work with the City to recognize its support and ensure that this partnership will become a great source of pride for you. It would serve as the best opportunity to highlight your leadership and commitment to meaningful relationships with the Indigenous peoples in Saskatchewan; while connecting you with the fastest growing demographic in Canada – a group that is vital to your City's future economic prosperity.

Commitment of \$25,000 for Indspire Awards

- You will be recognized as a Supporting Sponsor of the Indspire Awards;
- The City's logo will be included on the supporter page in the gala program, on Indspire Awards posters (2,500), and you will have the opportunity to be identified as a Supporting Sponsor;
- 10 tickets to the 20th Annual Indspire Awards ceremony and post gala reception;
- One full colour half page advertisement in the Indspire Awards gala program;
- You will have the opportunity to be associated with a particular element of the Awards receptions such as the photo booth with the hosts or the volunteer program;
- The City will be recognized as a sponsor in Indspire's Annual Report and your logo will be included on our website;
- You will have the opportunity to post jobs through the Employment Job Board on the Indspire website;
- A full stewardship report will be prepared for the City following the Indspire Awards 2013 which includes a copy of the DVD of the show, a framed poster to be displayed in City Hall.

Conclusion: Community Impact

Each year, the Indspire Awards and the *Soaring: Indigenous Youth Career Conference* bring the inspirational life stories of outstanding Indigenous achievers into the lives of youth across the country, demonstrating to these young people that any goal is achievable. The Awards show is subsequently broadcast nationally by both Global and APTN. Each year, thousands of DVDs of this event and of our other education initiatives are produced and distributed to First Nation, Inuit and Métis communities and Indigenous secondary school students directly through our career conferences, providing a long-lasting and positive influence.

Indspire demonstrates tangible evidence of advancement in Indigenous relations through its collective engagement of the Indigenous community with the Canadian public and the private sectors – to benefit of all. Very few, if any, Indigenous projects in the world have enjoyed the success and impact of Indspire. The Indspire Awards are a significant component of this success and our planned awards show in Saskatoon, SK in 2013 will provide the City with an exceptional opportunity to demonstrate your continued commitment to the advancement of Indigenous peoples in Saskatchewan.

Indspire continues to be an active force in Saskatchewan transforming young lives through education and by highlighting the achievement of Indigenous peoples through the Indspire Awards. In the past 12 years, Indspire has distributed over \$4,970,533 to over 1354 Indigenous students from Saskatchewan - 275 students were provided \$938,800 in the 2010-11 academic years alone! - assisting them with their dream of completing their post-secondary education

Indspire is also well recognized by government and corporate partners for its successful track record of delivering value and assisting them to achieve their social and economic objectives. This is evidenced by the numerous relationships that span more than a decade.

Thank you for your consideration of this request for a partnership.

Contact: *Roberta Jamieson, President and CEO, Executive Producer, Indspire Awards*
rjamieson@indspire.ca 519-445-3010.

The National Aboriginal Achievement Foundation Institute is instrumental in supporting academic success and well-being for our Aboriginal youth.

Albert Scott, a Nakawé Traditional Knowledge Keeper from Kinistin First Nation, notes that, 'this work is like dropping a stone in the water. We are creating ripples and eventually all people will find themselves in the circle. To strive together in relationship for academic attainment in a holistic manner provides choices for our Aboriginal youth today to ensure an abundance of opportunities for our future generations.'

Brenda Green
Member of Wahpeton Dakota First Nation
Superintendent of Education
Saskatoon Public Schools

Appendix A

19th Annual National Aboriginal Achievement Awards Contributors

Presenting Corporate Sponsor

CIBC

Lead Partner

Government of Canada

Major Sponsors

Aboriginal Peoples Television Network (APTN)

Air Canada

Fort McKay Group of Companies

Frog Lake Energy Resources Corporation &
Frog Lake First Nation

Rio Tinto Alcan

Shaw Media

Suncor Energy Inc.

Vale

Pre-Gala Reception: Host Sponsor

Shell Canada Limited

Participating Sponsors

Casino Rama

Finning (Canada) a division of Finning International Inc.

Goldcorp Inc.

Nexen Inc.

TELUS

Tuccaro Inc. Group of Companies

Media Sponsors

National Post

Vancouver Sun

Supporting Sponsors

BHP Billiton

Britco

New Gold Inc.

Willbros Canada

Vancouver Airport Authority

Official Hotel

The Westin Bayshore, Vancouver

Public Sector Partners

Aboriginal Affairs and Northern Development Canada

Canadian Heritage

Canada Mortgage and Housing Corporation

Government of British Columbia

Government of Nunavut

Government of the Northwest Territories

Health Canada

Human Resources and Skills Development Canada

Lands and Economic Development

Office of the Federal Interlocutor for Métis and Non-
Status Indians

2012 Education Series Partners

Major Sponsor

Syncrude Canada Ltd.

Participating Sponsor

Society of Energy Professionals

Government Partners

Health Canada

Supporting Sponsors

BC Hydro

Imperial Oil

Shell Canada Limited

Teck Resources Limited

INDSPIRE AWARDS

REVENUE	Budget 12/13 \$
GRAND TOTAL REVENUE	<u>3,309,510</u>
<u>EXPENDITURE</u>	
Staff Travel	80,000
Recipient/Jury Expense	90,000
Pre and Post Gala	100,000
Awards Purchases	<u>30,000</u>
Department Administration:	<u>300,000</u>
Salaries and Benefits	87,745
Advertising	22,000
Programme Design and Print	38,000
Nominations kit, Folders, Forms	10,000
Press Conference, PR	46,255
Promotional Items	20,000
Photographer - Event	4,600
Gifts (recipients)	-
Translations/Transcription	15,000
Booth	3,000
Commercial	4,000
Polling	-
Rebranding	33,350
Website	<u>2,760</u>
Communications and Media	<u>286,710</u>
Production	
Scenario	14,500
Producers	267,250
Director	<u>22,500</u>
Subtotal Production "A" Expenses:	<u>304,250</u>
Cast	125,000
Extras	800
Production Staff	142,200
Design Labour	45,000
Wrangling Labour	40,700
Wardrobe Labour	5,000
Makeup/Hair Labour	10,400
Camera Labour	48,500

Lighting Labour	15,500
Grip Labour	110,000
Production Sound Labour	18,950
Transportation Labour	22,400
Production Office Expenses	14,500
Site Expenses	50,000
Unit Expenses	55,000
Travel & Living Expenses	200,000
Transportation	32,300
Set Design: Art Supplies	6,500
Set Design	235,000
Wardrobe Supplies	8,750
Makeup/Hair Supplies	1,000
Camera Equipment	16,000
Electrical Equipment	46,500
Grip Equipment	0
Sound Equipment	34,000
Second Unit	8,000
Production Laboratory	3,500
Mobile Rentals	95,000
Vignettes	150,000
Subtotal Production "B" Expenses:	<u>1,540,500</u>
Video Post Production (Picture)	49,000
Video Post Production (Sound)	13,000
Music	22,500
Subtotal Production "C" Expenses:	<u>84,500</u>
General Expenses	45,750
Subtotal Other "D" Expenses:	<u>45,750</u>
Contingency	<u>25,000</u>
TOTAL Production Expenses:	<u>2,000,000</u>
Barter Agreements	150,000
Commercial	10,000
Administration	562,800
Grand Total Expenditures	<u>3,309,510</u>
NET SURPLUS (DEFICIT)	<u><u>0</u></u>

4139-4
C9

From: CityCouncilWebForm
Sent: June 18, 2012 8:36 PM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Stella / Don Armstrong
22 Schwager Crescent
Saskatoon
Saskatchewan
S7H 5C2

EMAIL ADDRESS:

llcassidy@shaw.ca

COMMENTS:

2 1/2 weeks ago the City of Saskatoon came to trim our neighbor's tree (which is a city planted tree), after doing so they trimmed down our blue spruce tree which is on our property, not on city easement without our knowledge or consent. They basically butchered our tree on the west side. We had the supervisor (Don) of parks come out to inspect the damage. He said due to new staff they inadvertently trimmed ours by mistake, saying we should just watch it - actually he came out twice. We then had a professional arborist inspect it and received word that they didn't think it would recover from the damage. We then left a message with Sandy, the supervisor and received no call back. Next we left 2 messages with Tiffany Paulson and again have not heard a reply. This was a beautiful tree and we expect some action to be taken now that it is ruined. Please contact us by phone to discuss the necessary steps that the City of Saskatoon is prepared to take to rectify this matter as we are very frustrated.

Thank you and we look forward to your reply.

Don & Stella Armstrong

(we do not have email so this letter is being sent by our daughter-in-law)

6120-1
C10

From: CityCouncilWebForm
Sent: June 19, 2012 10:43 AM
To: City Council
Subject: Write a Letter to City Council

RECEIVED

JUN 19 2012

CITY CLERK'S OFFICE
SASKATOON

TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Jeanette Merriman
16 Pereverzoff Place
Prince Albert
Saskatchewan
S6X1A7

EMAIL ADDRESS:

alli_han@hotmail.com

COMMENTS:

I would like to express my disappointment with your city's lack of support and promote recreation/sports within the city and bringing in business from other regions. We arrived at your city 5:45 pm on Friday night (June 15th) for the Grevers soccer tournament, and I parked on Kenderdine road next to the soccer field, along with several hundred other vehicles along the street. When the game finished, there was a parking ticket on each of the vehicles in the amount of \$50.00! I noticed that four cars from my vehicle on either side was a "no parking" sign, which was not directly on either side of my vehicle.

As well, this ticket was issued at 6:18 pm on a Friday night!

There seems to be no reason there could not be parking there, as there is no obstruction or danger, rather; this promotes parking in front of houses in the adjacent residential areas, which poses DIRECT safety issues for the children playing in those yards and coming out of those houses.

I would like to propose these tickets be cancelled, to demonstrate your cities support for out-of-town business and sports and recreation, as well as removal of at least the majority of the no parking signs to both support the same, as well as take into account the safety concerns of parking directly in the residential areas. This issue will be kept in mind and will affect future acceptance into tournaments in your city.

I look forward to your prompt response to this matter.

4110-1
C11

From: CityCouncilWebForm
Sent: June 20, 2012 12:55 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

alan manson
23 Hardy Cres/Cnr Arlington North
Saskatoon-Greystone
Saskatchewan
S7H 3E8

EMAIL ADDRESS:

kiwi_canuck@shaw.ca

COMMENTS:

Thank you for your service on behalf of the Citizens of Saskatoon [hereafter CofS], and maybe Greystone...my letter speaks as an observer of recent 2012 Star Phoenix front- page stories; not as a deliberate searcher for information. So excuse any sense of irritation and alarm.

Did I miss the Public City-Meeting[s], and/or of Wards to provide feedback and even alarm/dissent on the Plan/Decision [?] to recreate Saskatoon as a single hub [present Downtown on the West bank of the River] for 500,000 people, rather than a group of Hubs/Villages? Is this now 'accepted' by the 'public/ residents/citizens of Saskatoon [CofS]? Is it 'irrevocable'?

Such News was released by the Star Phoenix [SP] months ago [Early Jan]...I was not able to respond to that idea/Vision/Plan. Very new parts of Saskatoon, such as 'Willow Grove', and the area bordering on the Willows Golf Club', are still developing...their places in the SP News Release of Jan 2012 and now the Second News Release of the 'infill' scenario for "8th and 22nd Streets" [SP Monday June 18th] are very difficult to imagine or predict.

Eg 1 in 'Victoria' BC, houses 5 minutes NE from Downtown are in the Saanich District [separate Council/Taxes/responsibility] not Central Victoria. Such are in 'larger Victoria'. Such Districts for Saskatoon would protect home-owners in Willow Grove, or Greystone or Broadway, or the southern 'Willows' from loss of investment, security, peace and community from a centralized 'Bureaucracy'. Without such local voices [the present Ward-system is quite ineffectual, and increasingly so], small groups of home-owners can be literally swept aside by the zeal of those with Grand Visions.

How is Urban Sprawl to be minimized when we already have it...with Willow Grove and the southern 'Willows'? Hence Eg 2: why is Willow-Grove not to be a 'District' with [its own] council and business/entertainment hub? The 'Mall' there is now very large, comprehensive and growing as we speak. Why not some movement of Downtown Headquarters of major companies to Willow Grove? Indeed, many of us seldom go 'downtown'.in non-summer months it is dirty with gravel and mud; the snow and ice are not cleared; policed by 'parking zealots', and without ease of Parking. I do not understand how the Mayor can drive into his Office each day from Nov-April and not be dismayed!

The changes now planned [SP June 18] turns [parts of?] 8th St into rows of condominiums/condensed living apartments, with buses flying up and down to deliver 'worker-bees' to the present downtown. With the present 8th St [Cumberland to a few blocks east of the Circle Crossover] now very rich with Malls and Centres [this only within the last decade]...we have no idea how these two apparent opposites are to be reconciled.

Instead, the SP News of June 18 on "8th St and 22nd" was confusing at best [likely not the SP's fault]: the word 'public' had two meanings at least. First it was the City's actions [they apparently working on behalf of us, the CofS], then it was us, the CofS. The University Prof interviewed likes all this: although the city-examples of tree-lined road-side stores on 8th St, for strolling along [as along Broadway] are all from cities at lower latitudes and much warmer climates than here. Where spring begins in January and February!

What of the fairly recent plans that changed 8th St to what we have now? Eg, as Wallace remarks "...affecting private property and real change...hundreds of km of [changed] roads." The latter will involve "roads...connecting via College Drive to UofS and across the "Uni-Bridge... "

This is of concern to Greystone residents, as any new roads will lower many house-values, our community, and relative peace. In the greater scheme of things we don't matter...but each home destroyed by the City Plans [so far that is all they are] will be psychologically tough and highly unpleasant. When will I know if I should/must sell our home, and maybe move to where, maybe Warman, to save our investment and quality of life?

The latest News Release [and it is really not even that] mentioned "public consultations held to get feedback", which could be anything from little 'flyers' placed in our mail boxes giving us a month or so to leave the house, at conveniently low \$-restitution from the City...to Public Meetings. Somehow I do not see there being too many of these latter...based upon the process now started, why should I have trust in the Council? And the City/Council will "keep residents apprised of the plans". As above, a flyer could be all we see, just as today such told me the lane next to us was to be improved/serviced.

Is there to be any opportunity for an alternate vision to be provided to us, the CofS? How could we provide strong disagreement? What have cities at high semi-Arctic winter locations dealt with this matter of living, with trade from a market place, with commerce, entertainment and the arts, a place for our spirits to flourish, for the young and the old, as well as those in between.all with local governance which approaches democracy in nature. Matters of choice, or dogmatism with the Mayor/Council dictating the future? When do the CofS have a chance to see several different visions of Saskatoon, provided by legitimate architects of the near future, rather than Council deciding on the 'Hub-Issue': a Central Metropolis or a cluster of Significant Villages in Greater Saskatoon?

The existing notion of 'Issue Think Do' has advantages but enormous problems...when the 'thinking' processes are undefined, or not possible to effectively challenge. And if the "doing" is started before the CofS REALLY 'get it'. Why not a City Plebiscite?

Good Luck to Us All

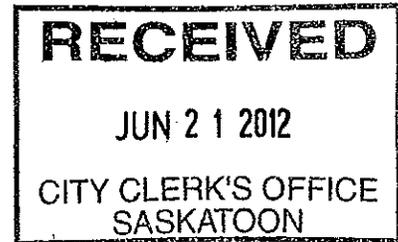
Alan Manson Greystone

Professor Alan Manson, Ph.D., Emeritus
Executive Secretary, "Institute of Space and Atmospheric Studies" (ISAS)
Distinguished Research Professor (ISAS)
Department of Physics & Engineering Physics
University of Saskatchewan

Websites: www.usask.ca/physics/isas

7310-1
Cia)

From: CityCouncilWebForm
Sent: June 20, 2012 7:44 PM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Marlene Thomas
1201 202 Fairmont Drive
Saskatoon
Saskatchewan
S7M 4P5

EMAIL ADDRESS:

thomasloustel@sasktel.net

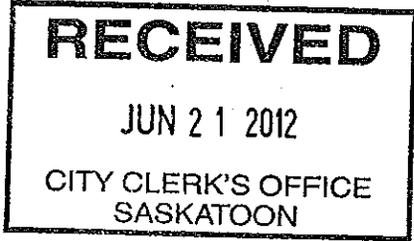
COMMENTS:

Please help us employees of the south industrial area to keep bus service on Melville Street . To walk all the way from the Auto Mall to Actionwear at 225 Melville is quite a long way ,as is the other option of Ruth to 225 . Add to that construction and the semis in the area its not the safest place to be walking especially since some of us are nearing or over 60 years of age .

Thank you

375-1
C13

From: CityCouncilWebForm
Sent: June 21, 2012 1:32 PM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Kaela Tennent
104-222 Lenore Dr
Saskatoon
Saskatchewan
S7K 6Y2

EMAIL ADDRESS:

kaela.tennent@gmail.com

COMMENTS:

My reactions to chemicals in fragrances is very severe. Breathing in these chemicals causes me to experience severe chest pains, difficulty breathing, dizziness, nausea, confusion, and migraines. These symptoms occur even with minimal short term exposures. I have asthma and allergies and the chemicals in the scented products cause my bronchial tubes to become inflamed and for fluid to be produced in my lungs, leading to asthma attacks. Within minutes of exposure, I may begin to wheeze. It can take several days for me just to recover to the point where I do not gasp for air from slowly crossing the street. I am only 30 years old and am a single mother of an active five year old boy. As we are physically fit and active, not being able to cross the street without wheezing severely impedes the quality of our lives. I take inhalers, including bronchodialators, to help prevent my airways from closing after unavoidable accidental exposures, however this does not alleviate the painful symptoms that I have described or allow me to endure exposure to the chemicals in perfumes, but rather helps to receive adequate oxygen and prevent me from having to go to the Emergency Room.

Like me at his age, my son develops far more chest infections than he ought to. At only the age of five, he has already had pneumonia several times. Prior to the age of 4, whenever he caught a cold, he had to be taken to the ER to have nebulizers delivered through a mask to reopen his bronchial tubes to allow for adequate oxygen. Although it is not certain that he has an allergy to perfumed products, we have been told that he most likely has asthma, and it is important that he avoid exposure to airborne irritants. So far, my son has taken after his mother in every respect, and considering his negative skin reactions to scented products, such as body soap, shampoos and detergents, it seems likely that he is highly reactive to perfumes as well.

Unfortunately, unlike allergic reactions to pollen and pet dander, there is no way to alleviate the symptoms of perfume allergies. All that we can do is, as much as possible, avoid exposure. Often people don't understand the severity of the reaction, or since what they regularly wear doesn't negatively affect them, believe that it can't be harmful to others. However, like peanut allergies, although peanuts do not harm most people, there are some people who very badly hurt by even minimal exposures to peanuts. As the chemicals are released into the air and remain in the air, this is very difficult to do.

I have read that the City of Saskatoon has been declared "scent-free" due to the health problems that exposure to perfumes causes for people with allergies, asthma and respiratory illnesses. Unfortunately, even those places that are directly funded by the Government, such as Civic Centers, public transit and public schools are filled with perfumes. The inability to take part in the public programs offered, or even to do more than quickly grab a few books off the shelves as we run out of the library due to the excessive use of fragrances certainly impacts the quality of our lives. My son and I can rarely remain at the library for more than a few minutes due to the air being contaminated with heavy fragrances.

At University, I have been regularly having the painful symptoms that I have described, making it impossible to learn and frequently impossible even to remain in the room due to the amounts of scents being used. Having professors send emails and request that no scented products be used has not resulted in any changes.

When dropping my son off at his government subsidized daycare, I have begun to have breathing problems due to the heavy perfumes used by other parents. His daycare has refused to put up signs regarding perfume sensitivities or to notify the other parents that there is someone with perfume allergies that is being affected.

My son will be in kindergarten next year. There are no signs within the school regarding perfume sensitivities or that schools are scent free. Reducing irritants in the air of the school may help to prevent my son from developing so many chest infections. If heavy perfumes are being worn within the school, I will be unable to take part in my son's activities. The possibility not only of not being able to be directly involved in my little boy's activities, but also of not being able to have the experience of watching him participate, greatly saddens me.

I am writing to ask that public places that people have a right to have access to, such as schools, day cares, public transportation, doctors offices and libraries, be designated scent free. With such places being designated as scent free, people like me who have issues with asthma, allergies and/or respiratory illnesses can still have access to education, public services and health care without jeopardizing their health.

Thank you so much for your time.

Sincerely,

Kaela Tennent

4135-3
C14

From: CityCouncilWebForm
Sent: June 25, 2012 10:46 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Pierce Doug
322 Gustin Crescent
Saskatoon
Saskatchewan
S7K 6J8

EMAIL ADDRESS:

dougpierce@shaw.ca

COMMENTS:

To the appropriate department.....

I do praise your department for their forethought in allowing 14 and under to learn to golf free at the Silverwood Golf course.
My only concern is you have now restricted it to after 4:00 PM.
I would like to know the reason for this time period.
Since I have retired I do not golf after 4PM or on the Weekends unless with a working person.
These times I leave for the working people so they can have time to golf after work as well.
To learn your reasoning(s) may change my outlook on life and will be appreciated.

5500-1
C15

From: CityCouncilWebForm
Sent: June 28, 2012 10:20 PM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

travis knaus
312-4230 degeer st.
saskatoon
Saskatchewan
S7H 5G9

EMAIL ADDRESS:

uniboarding@gmail.com

COMMENTS:

Hi, im not sure if there is a proper person to contact for something like this, but i was wondering what is happening to the skateboard park on Taylor street and Albert ave across from Aden Bowman Collegiate? Is it getting taken right out? or just moved?

Thanks, Travis

C16)

To Whom it May Concern

This is about parking at Royal University Hospital in Saskatoon.

I have what they call an oversized truck that most farmers have. It is a 1 ton Ford 7 foot box.

I brought in a patient on Sunday, June 17, with a broken leg. There was no place to park, so I had to park behind the ambulance in the emergency section to take (care) of a patient. After that, spent half an hour trying to find a place to park.

On Monday, when I got in to pick up the patient, it was the same thing again. There was no place to park again so I had to do the same thing.

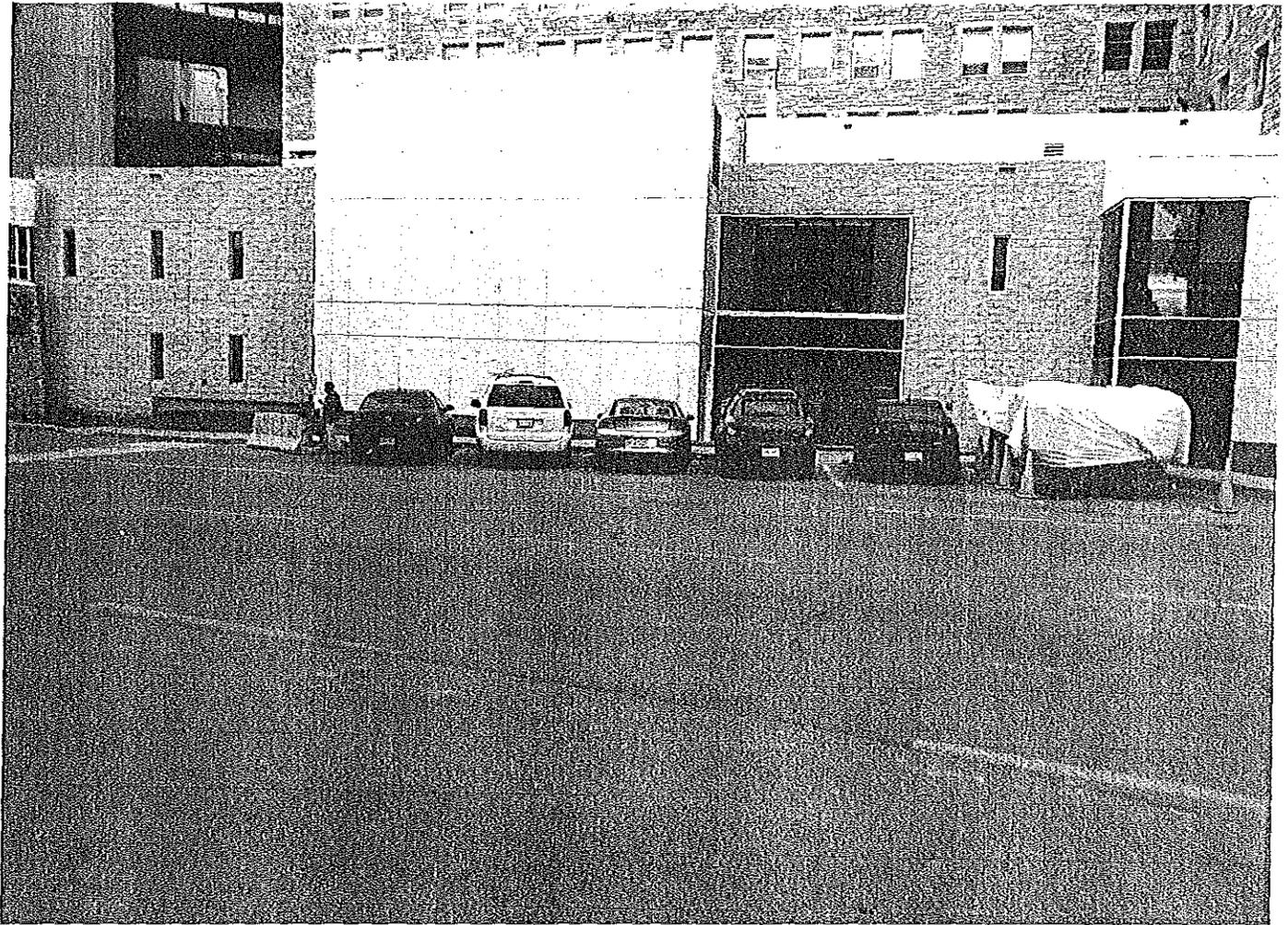
On Wednesday, he was called in for surgery that is when I decided to take picture of this. There is 60 minutes of parking but it is full.

I am writing this letter not for myself but for many more that have this problem.

There has to be something done about this as we are hearing things are going so good in Saskatoon.

I would like to know if someone brings in a patient and cannot leave his side. What do you do then?

Ray Herzog
Box 999
Wilkie, SK
S0K 4W0



6120-1
C17

From: CityCouncilWebForm
Sent: June 28, 2012 3:28 PM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Ken Ellis
506 Hall Crescent
Saskatoon
Saskatchewan
S7L 7H3

EMAIL ADDRESS:

knrellis@shaw.ca

COMMENTS:

Targetting Parents and Grand Parents for Parking Violations at Children's Sporting Activities

I have to mention what an embarassing joke it is for the members of our ticket brigade out there to purposely target all sporting events within Saskatoon for the odd person that might not be parked correctly. It would be one thing if this happened by chance the odd time but I have been appalled by the fact that city of Saskatoon ticket waiving employees have been actually targetting all sporting events. I have personally seen this at all children's soccer tournaments this year and all our regular season games. These guys must have a schedule.

To begin with, the city of Saskatoon might put aside 8 parking spots to its parks and when a soccer tournament or even just a regular season game comes along, you need many more. It's not that you need to spend a lot of extra money creating parking spots if we just created some minor exemptions on game days from our parking laws to be able to handle the excess traffic. Targetting parents and grand parents of small children, including out of town people, gives this city a black eye in and out of the city. It's totally embarassing.

I just got a ticket like this last week, attending a soccer game for my 11 year old boy. You should have heard the comments from other parents, including some from Yorkton. It did not show Saskatoon in a very positive light, I'll assure you. I will pay that ticket but not without a comment here first on how low and cheap that appears to your citizens and to out of town people who thought Saskatoon was above that kind of behaviour. We must need our ticket revenue really badly.

Ken Ellis
506 Hall Crescent
Saskatoon, SK

20518) (18)

From: CityCouncilWebForm
Sent: June 29, 2012 6:26 PM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Cynthia Berry
2302 St Patrick Av
Saskatoon
Saskatchewan
S7M 0L5

EMAIL ADDRESS:

clb236@mail.usask.ca

COMMENTS:

It occurred to me that a delightful way to spend this Canada Day 2012 would be to attend a citizenship ceremony. Unfortunately, neither Saskatoon nor Regina are holding ceremonies this year - in fact, the last and perhaps only ceremony in Saskatoon in 2012 was for the Queen's Jubilee in April. I wonder the Council would consider endeavouring to hold future ceremonies for our new citizens on Canada Day, especially as the province is strategically increasing its new Canadian population? (If so, count me in as a volunteer.)

185-9 C19)

From: CityCouncilWebForm
Sent: July 01, 2012 3:06 PM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Cameron Stewart
222 Saskatchewan Crescent East
Saskatoon
Saskatchewan
S7N 0K6

EMAIL ADDRESS:

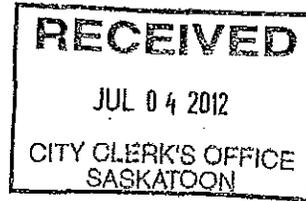
c.stewart@shaw.ca

COMMENTS:

Every Sunday since the weather turned warm this year, and sometimes on Saturdays as well, there has been a stereo pounding in Rotary Park, that even closing all widndows and doors in our home can not keep the sound out. Numerous complaints to the police has yielded little or no results. The police return with "they have a permit". Are we, the home owners who live adjacent to Rotary Park, second class citizens that do not have a right to peace & quiet or to be able to enjoy our homes? Does the permit issued by the city give whomever is playing the stereo the right to disturb the peace? When do we the homeowners get to enjoy our homes this summer. You, the council, on one hand are talking about issuing tickets for motorcycles with loud exhaust then issuing permits to disturb the peace on the other. Its time you directed the police to put a stop to this disturbance.



City of Saskatoon
 222 3rd Ave N
 Saskatoon SK S7K 0J5



6220-1

cao

City Council et al via city Clerk's Office
 Attn: city clerk - please distribute to city council as well as other appropriate departments

2012/07/02

re: traffic warning

Hello,

Up to about 15 times daily I travel on Clarence Ave. There are three significant concerns that need rectification.

Traffic on Clarence from Glasgow St to Wilson Cres:

Since city council opened the so-called 'walmart' overpass, this section of Clarence has been even more overloaded than previously, yet it seems council is sitting on hands and no progress is being made to improve the situation that council created. Frequently there are near misses as homeowners on this strip try to get out of their driveways. There is only so much frustration a local homeowner can take as they wait and wait and wait to get onto *their* street. Finally they just go.

The simple inexpensive plan of action is to remove the large unneeded centre median and make it the main traffic corridor. The existing residential low volume traffic lanes would be cordoned off and restricted for local users access only. There is enough room to do this.

Northbound traffic on Clarence from Glasgow St when it reaches Wilson Cres has signs to indicate a left turn only from the left lane. There is usually a long line up to go straight (north on Clarence). It is common for drivers to go into the left lane as if making a left turn but then zoom straight ahead to 'jump the queue'. There are many near misses of accidents as the legal straight thru drivers almost get hit. These are **not** drivers who accidently got into the wrong lane. We see these drivers intentionally doing this and you can watch them gearing up like a teen at an 8th St 'drag race' on Fri night. Many do it regularly.

Install simple inexpensive traffic direction barriers, like at Glasgow St, to allow only left turns.

Clarence Ave/25th St bridge pedestrian crossing:

When heading north-west, or down the Clarence Ave/25th St bridge, a driver can turn right (northbound) at the 'bottom' of the bridge onto Spadina Cres. Immediately on the corner is a hidden pedestrian crossing. There is a button to activate flashing lights for the crossing, but those lights can't be easily seen when you are on the bridge. Once you've entered the corner, it is too late to stop safely in time, and most pedestrians here just hit the button and start walking without looking. Even worse are the bike riders who just zoom across, whether they use the light or not. People are going to get hurt here.

This topic came up in discussion over a lunch I was in recently, attended by bicyclists, drivers, and pedestrians who all frequently travel this spot. The different interpretations of how to handle this intersection was interesting.

Because the pedestrian crossing lights just flash, there is no Walk/Stop hand light such as on other downtown crossings. Pedestrians were not sure they were required to activate the light at all. Are they supposed to stop? Or can they just walk anytime? Car drivers thought they didn't necessarily have to yield unless the light was flashing. Bike riders felt they could just zoom across without doing anything and that they had the right of way.

I think we need clarification signage telling bicyclists to walk their bikes and for pedestrians to activate the lights, and/or automatic lights that sense when someone is there, as well as a light placed higher on the pole so that vehicle travelling down the bridge can see in advance that the light is flashing.

Clarence Ave/25th St bridge southeast right turn:

When heading south-west bound 'up' the Clarence Ave/25th St bridge in the right lane, you can turn right heading south onto Clarence Ave. This turn has traffic lights.

This was also a topic that was discussed with two outcomes: you can make a right turn on red alone; or it's not a right turn therefore you can't. The confusion stems from that it is not a full 90° 'hard' right. It is closer to a 45° turn so some drivers don't think of it as a right turn on red area. To those drivers who are honking at those stopped at the light when there is no other traffic to yield to, this is inefficient while wasting gas idling.

This is simply fixed by a sign that says "right turn on red allowed" such as the sign posted for westbound 12th St traffic stopped at Broadway Ave wanting to turn right onto the Broadway bridge.

Perhaps the accident stats don't yet say so, but from someone who observes many violators, these need to be addressed. These are not just an occasional events.

I recommend addressing these forthwith.

Thank-you.

V Romancia
Saskatoon SK

2213 McKinnon Ave S
S7J 1N5

C21
1905-2

From: CityCouncilWebForm
Sent: July 03, 2012 5:07 PM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Larry Oleksuk
289 Carleton Drive
Saskatoon
Saskatchewan
s7h 3p1

EMAIL ADDRESS:

larry.etseng@sasktel.net

COMMENTS:

I have read with great interest the new storm water funding tax the we the people of saskatoon now have to pay It is a shame that we citizens are held captive by individuals that have nothing better to do than to think of outragious ways ways of nickel and diming your local citizens.

I can honestly say that I do believe that this council has found a way of a taxing everthing . I never thought it possible but but our council/department heads how found out how to indirectly tax the amount of sunshine we get in this city. What I mean is that when the sun shines we do not pay for it but when it rains we pay for the stormwater run-off, but as with everything else if they do not generate enough money from rain run off then we will see increase in the rate.. so you see this is how you indirectly pay for sunshine. Isn't it funny how a \$2.00 per month surcharge to offset some flooding a few years ago which was based on a 100 year storm has now become \$4.40 per month SURCHARGE rain or shine. Hell this beats the user pay system that the city has used to genenerate money the last 20 years

A real sad day in Saskatoon I would say.

It defiantley leaves a sour taste in my mouth and I am beggining to find it very hard to be promote this city when we keep implementing these kind of taxes.

Also I see the tax/surcharge includes snow fall does that mean we will get snow removal on our residential streets as often as the downtown area.

7370-1
Caa)

From: CityCouncilWebForm
Sent: July 04, 2012 7:14 PM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Tracey Laroque
434 adlemen dr
Saskatoon
Saskatchewan
s7l-378

EMAIL ADDRESS:

traceyloves2cuddle@hotmail.com

COMMENTS:

HI THERE I'M WRITTING TO YOU ABOUT THE NEW TRANIST SYSTEM THEY HAVE.IT IS HORRIBELE,I WORK ON 56 ST I M NOW LATE FOR WORK BY 15 MINS,EVERY DAY,TRY TO TALK TO THEM THEY DON T SEEM TO CARE AT,THEY ARE VERY RUDE!!!FOR A CITY THIS BIG AND GROWING,WHY WOULD THEY CUT ARE BUS SERVICE SO BADDLY,I REALLY HOPE YOU CAN DO SOMETHING ABOUT THIS,BECAUSE THE BUS IS HOW I GET AROUND,THANK YOU Tracey Laroque

C23
158-1

From: CityCouncilWebForm
Sent: July 06, 2012 11:47 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Shirley Fourney
1706 - 14th Street E
Saskatoon
Saskatchewan
S7H 0B1

EMAIL ADDRESS:

sfourney@shaw.ca

COMMENTS:

Disabled Parking at Canada Day celebrations

On Sunday, I was shocked at the lack of parking at Diefenbaker Park for people with disabilities when I took my disabled nine-year-old granddaughter who walks with GREAT DIFFICULTY to the Canada Day celebrations.

First, let me express my thanks to the people in charge of parking who tried to help. At Prairieland Park, I was told that NO parking had been set aside for people with disabilities but was directed to Diefenbaker Park. NO DISABLED parking was designated there either but I was allowed to park with the City buses out-of-sight of and far from the celebrations.

Imagine my chagrin after watching my granddaughter struggle through two ditches, over a hill and a long distance on rough park ground when, arriving at the site, I saw several automobiles parked on a road just behind the Main Stage. These belonged to musicians and others with "things to carry", I presume.

Why could the "disabled" not be given the same privilege?

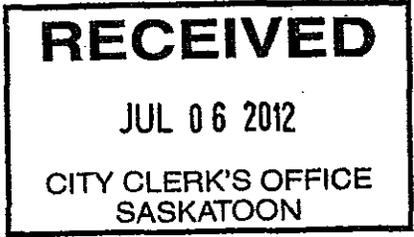
Due to the difficulties involved in propelling a wheelchair or walker over the rough ground, I am certain that many with movement issues would not attempt the challenge of visiting the celebrations. Even if they did, how many ``tagged`` personal vehicles could be involved?

Saskatoon shines! Not on Canada Day! Not for the DISABLED!

Shirley Fourney
1706 - 14th Street E.
Saskatoon, SK
S7H 0B1

6220 (24)

From: CityCouncilWebForm
Sent: July 06, 2012 9:59 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Connie Abrook
310-1700 Main St.
Saskatoon
Saskatchewan
S7H 5S1

EMAIL ADDRESS:

koorba@aol.com

COMMENTS:

I am writing about the sidewalks in front of Latham Park on Main St. between Louise Ave. and Grosvenor. The sidewalk looks crappy and is extremely dangerous with cracks, ruts, etc in the asphalt that was used 4 or 5 years ago to "fix" the problem. There are also no hadicapped accesible curbs at either end making it difficult for people from our condo who like to walk over to Grosvenor Park shopping mall and have a walker. This needs to be fixed properly, as it should have been done in the first place!! There is also a bus stop in the middle of that short block. It makes our neighborhood look un-cared for. Please fix it BEFORE the next election. You'll chalk up lots of extra points!!

From: CityCouncilWebForm
Sent: July 06, 2012 4:50 PM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Laura Cook
2502 Irvine Avenue
Saskatoon
Saskatchewan
S7J 2B1

EMAIL ADDRESS:

laura.pun@shaw.ca

COMMENTS:

I would like to file a formal complaint in relation to garbage pickup on my block - 2500 Irvine Avenue. The pickup procedure on this block is unique - the garbage is being picked up in front of the property as opposed to being picked up in the back lane. The issue is that every other week, the pickup truck would miss or forget the route and our garbage can is left sitting out here for another couple of days. An example - pickup up is scheduled for Wed this week. It did not happen. I called yesterday (the garbage collection direct line) and was told it would be picked up first thing this morning. When the garbage truck was nowhere in sight by 1:00 pm, I called the general line got transferred back to the garbage collection line and was again told it would be picked up later. It is 4:42 pm and the garbage pick up truck continues to be missing in action. Service IS POOR and continues to be poor. I pay property taxes and do expect I receive equal treatment as everyone else residing in Saskatoon. The 'hit' and 'miss' process is not acceptable. As my representative, please advise how and what you are going to do to ensure my garbage is routinely picked up like everyone else's and without property owners like myself having to call the City to remind them of their job. The fact that my calls keeps being ignored is frustrating and uncalled for.

Please respond at your early convenience

(26)

From: CityCouncilWebForm
Sent: July 07, 2012 11:51 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

John Juzkow
410 - 306 20th Street East
Saskatoon
Saskatchewan
S7K 0A7

EMAIL ADDRESS:

johnjuzkow@shaw.ca

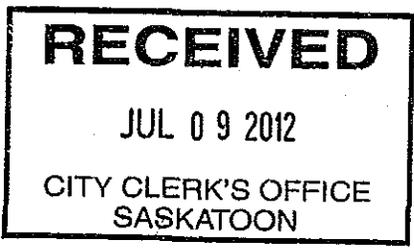
COMMENTS:

I have ridden the same Bus to work for 16 years. They took out my stop July 1st and moved it 2 blocks away in front of an empty field where there is no sidewalk. They used to have a policy that seniors could be let off closer to their destination but not anymore. They told me I could leave half an hour earlier to get to a closer stop.

One time before I complained to Transit when a Bus driver was stopping for a smoke break everyday and I was getting to work late. A supervisor told me Bus drivers can do that and I should leave for work half an hour earlier if I was getting there late.

205-1
C27

From: CityCouncilWebForm
Sent: July 09, 2012 12:41 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Marsha Stratechuk
146 Caldwell Cres
Saskatoon
Saskatchewan
S7M 5E2

EMAIL ADDRESS:

saskatoonminorbaseball@hotmail.com

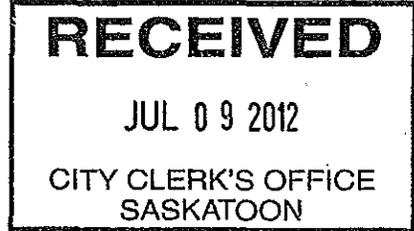
COMMENTS:

On behalf of the Saskatoon Baseball Council Inc and Saskatoon Minor Baseball, we would like to extend an invitation to you to attend the Baseball Canada Pee Wee Western Championship Tournament being hosted in Saskatoon August 22-27, 2013. The Opening Ceremonies will be on Thursday August 23, 2012 at 4:00pm.

We would ask that you, or a representative from City Council, say a few words welcoming visitors from British Columbia, Alberta, Manitoba as well as other parts of Saskatchewan. We would also like to ask that you send us a 'Welcome to Saskatoon' letter that we may include in our program.

150-1
C28

From: CityCouncilWebForm
Sent: July 09, 2012 2:20 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Syed Usama Saeed
201-895 confederation drive
saskatoon
Saskatchewan
S7L5P4

EMAIL ADDRESS:

usamasaeed26@yahoo.com

COMMENTS:

Hi, Sir
How are you?

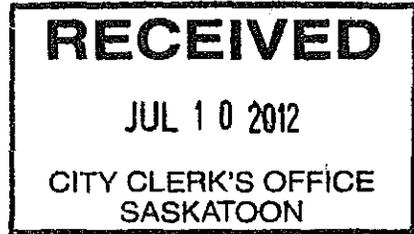
My name is Syed Usama Saeed. I am a student at Mount Royal Collegiate, Saskatoon. We have been in Saskatoon for last six months but we didn't get a job, although we have applied everywhere but no one call us. Our money is finished/ends so, my parents are very worried.

Kindly help us i shall be very thankful to you.

Your Sincerely,
Syed Usama Saeed

C29)
1676-1

From: CityCouncilWebForm
Sent: July 10, 2012 9:09 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Brigitte Scott
1-717 Victoria Avenue
Saskatoon
Saskatchewan
S7N 2T5

EMAIL ADDRESS:

bscott@gscs.sk.ca

COMMENTS:

A City of Saskatoon letter dated June 1, 2012 was sent to me. The letter subject matter is "Your 2013 Estimated Property Assessment". The letter talks about the city completing a revaluation of all properties etc.

After the explanation and ramblings the final and important information from the city was that the property tax for my tiny suite would be increased by \$500.00 per year.

I've lived in my condo for the past three years and have observed some very distressing repairs to roads in the Nutana area. The city is doing a very poor job of maintaining boulevards, poor street cleaning in winter, inadequate tree pruning and the list goes on.

This spring / summer so far there has been one huge pot hole repaired near the corner of Broadway and 10th. Secondly signed where put up by city crews to clean 10th street - the next day the street was cleaned. A few weeks another huge sidewalk / road repair happened between Broadway and the W. United Church.

Just about a week ago another (I think it was one of the smaller pot holes) was repaired.

There are a least another several if not a dozen pot holes left between the short space of Broadway Avenue and Victoria Avenue. Here is a novel idea. First have city crews come in and put up signs for no parking. Two prune the trees. Three check that the sewers are not plugged. Four then just fix all the holes all at once. At the same time check street lights etc. To me it seems like the current process is very inefficient.

The sidewalks on Victoria Avenue are falling apart ... shoddy work in the first place with using ashfault --- not a long lasting method (in the end its costs more and they look horrid).

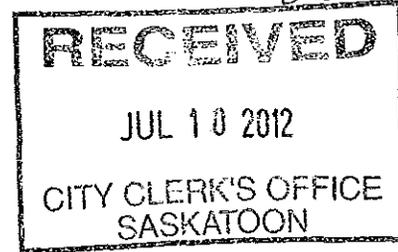
So on top of all the inefficiencies - the city says hey we need to increase your property tax.

I am looking forward to hearing from the city on these concerns.

Brigitte Scott - very concerned citizen

Tuesday, July 10, 2012

To: His Worship the Mayor and Members of City Council



This letter is in regard to the increased traffic and speeding problems on Balfour Street and its intersecting streets and crescents; namely Leddy Crescent, Harrington Street, and Anderson Crescent, in West College Park and Ward 8.

A petition has been signed to accompany this letter by concerned citizens whose families, pets, visitors, parked and moving vehicles, and homes are in danger due to the speeding of motorists in this neighborhood. There have been two recent accidents on Balfour Street – one on Saturday, May 5, 2012 and the other on Sunday, July 8, 2012. In both of these incidents, a speeding driver hit a parked vehicle. This created a domino effect and resulted in a near miss of a vehicle being rammed into a neighboring house. There have been previous incidents similar to these too numerous to mention.

Balfour Street is a straight thoroughfare with no traffic lights between Acadia Drive and McKercher Drive, and motorists tend to use it to bypass Eighth Street. The speed limit signs seem to be only a suggestion as they are rarely obeyed, regardless of the time of day or night. There is a crosswalk at Harrington Street to Ecole College Park School, but drivers pay little heed, even during school hours. In addition, students from Evan Hardy Collegiate speed through Leddy Crescent and Harrington Street to get back and forth to Balfour Street.

We as a community are requesting that City Council help us work out permanent long-term solutions to our dilemma. With feedback from the petition, it appears that the majority of residents would prefer to have traffic calming measures installed at particular high speed sections on Balfour Street from Acadia Drive to McKercher Drive, and at specific danger zones on intersecting streets and crescents. These streets are not snow routes, nor are they bus routes, so speed bumps similar to those on Howell Avenue and in new subdivisions may be an answer. Other suggestions were to allow local traffic only and to narrow the street at intersections. It was thought that police patrols would work only if they occurred during all the peak speed times – weekdays before and after school, at lunchtime and evenings, and weekend evenings.

It was reported that a speed study would have to be done prior to any action taken by the City of Saskatoon. If that is the case, we would ask that it be implemented for 24 hours a day and for the full 7 days of the week. It does seem unrealistic, however, that the bylaw states that 85% of motorists would have to be speeding 65 km/h or more in a 50 km/h speed zone.

Thank you for your prompt attention to our concerns. On behalf of the residents who signed the petition, I look forward to hearing from you.

Yours truly,

(Mrs.) Lorraine Fajt
3416 Balfour Street

Saskatoon, Sask. S7H 3Z2 Phone: (306) 382-4438

Enclosures (7)

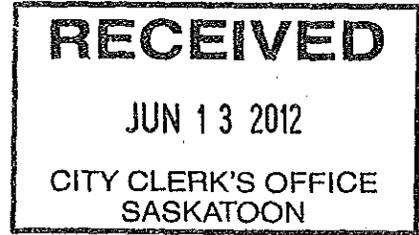
Petition to Eliminate Speeding on Balfour Street, Saskatoon

Petition summary and background	Balfour Street, in West College Park, Saskatoon, has become a speedway with two recent collisions occurring on May 5 and July 8, 2012, each involving multiple vehicles.
Action petitioned for	<p>We, the residents on Balfour Street and electors of Ward 8, petition the city to install permanent traffic calming measures on Balfour Street at intersecting streets and crescents from Acadia Drive to McKercher Drive .</p> <p>We trust that City Council will take immediate action to permanently eliminate the speeding in 30 km/h school zones and 50 km/h residential zones and ensure the safety of our neighborhood.</p>

Printed Name	Signature	Address	Comment	Date
NEIL FAST	<i>N. Fast</i>	3416 BALFOUR ST.	children are at risk. Protect Them.	July 9/12
ADRIAN DENNER	<i>[Signature]</i>	3415 BALFOUR ST		July 9/12
Devin Balfour	<i>[Signature]</i>	3413 Balfour.	Slow down	July 9/12
Glen Silliphant	<i>[Signature]</i>	3417 BALFOUR ST		July 9/12
Melba Ruiz	<i>[Signature]</i>	3425 Balfour St.	Some of my properties were damaged because of the fault of some reckless drivers or speeders	July 9/12
Doug Walters.	<i>[Signature]</i>	3429 Balfour St.		July 9/12
NORMA McIVER	<i>[Signature]</i>	3507 Balfour St.		July 9/12
YUSUF AKHTAR	<i>[Signature]</i>	3511 BALFOUR	DANGEROUS FOR KIDS	July 9/12
DAVID COONAN	<i>[Signature]</i>	3519 BALFOUR		July 9/12

011

From: CityCouncilWebForm
Sent: June 13, 2012 11:27 AM
To: City Council
Subject: Write a Letter to City Council



TO HIS WORSHIP THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

Anna Pacik
107 Wiggins Rd., A102
Saskatoon
Saskatchewan
S7N 5E5

EMAIL ADDRESS:

anna.pacik@usask.ca

COMMENTS:

June 13, 2012

His Worship Donald J. Atchison
Office of the Mayor
222 Third Avenue North
Saskatoon, SK S7K 0J5

Dear Mayor Atchison and Members of City Council:

Request that a Proclamation of National Philanthropy Day® be issued for Tuesday, November 15th, 2012.

I am writing to request that a proclamation be issued for National Philanthropy Day®, the day set aside to remember and pay tribute to those people active in the philanthropic community. From donors to volunteers, from large, international nonprofits to the community centre down the street, each has made an indelible contribution to our communities, our nation, and our world.

National Philanthropy Day is November 15. Every year on this day the world pauses for a moment to celebrate the difference philanthropy makes in our lives. National Philanthropy Day is an international celebration for all that has been accomplished in the name of giving - and offers a chance to give a sincere thank you to those who make giving possible.

In Saskatoon, National Philanthropy Day celebrations are being organized by the Saskatoon Chapter of the Association of Fundraising Professionals (AFP). Our 12th annual National Philanthropy Day celebration will be held on Tuesday, November 15th at TCU Place, from 11:30 a.m. to 1:30 p.m. In addition to requesting this proclamation, we would also request the honour of Your Worship's presence at our 12th annual National Philanthropy Day Luncheon.

The two-hour celebration and luncheon will feature Chief Darcy Bear of the Whitecap Dakota First Nation who will deliver the keynote address. Chief Darcy Bear will talk about "Building Community" to an expected audience of greater than 400 people. Recognition of nominated donors, youth philanthropists and outstanding fundraising professionals will be announced.

Our 12th Annual Philanthropy Day Celebration Luncheon is a chance for business, corporate and individual donors, volunteers and our voluntary sector organizations to sit down and toast philanthropy together.

AFP is an organization that represents more than 30,000 professional fundraisers in 200 chapters around the world. Through education, training and advocacy efforts, AFP works to advance philanthropy efforts in your community. "It's no longer just about recognizing leaders within the philanthropic world," says AFP CEO and President, Andrew Watt, of National Philanthropy Day. "It has become a community event that resonates with the entire public and seeks to bring everyone together to remember the tremendous accomplishments philanthropy has made in our world."

Thank you for your consideration of this request, and I look forward to hearing from you in the near future. If you have any questions, please contact either co-chairs, Anna Pacik at 966-1399 or Joan Wolf at 966-7575.

Sincerely,

Anna Pacik,
Joan Wolf
Co-Chairs,
AFP National Philanthropy Day 2012
Anna.pacik@usask.ca
Joan.wolf@usask.ca

2055
Da)



Association of Veterinary Technologists, Inc



Mayor Donald Atchison
City of Saskatoon
222 Third Avenue North
Saskatoon SK S7K 0J5

June 20, 2012

For the Attention of His Worship Donald Atchison:

Dear Mayor Atchison,

The week of October 14-20 has been declared National Veterinary Technician Week. This week is intended to help bring awareness to the public regarding the many roles that a Veterinary Technologist plays. There are currently over 375 Registered Veterinary Technologists (RVTs) working in the Province of Saskatchewan at this time and their contribution to the Veterinary profession is crucial and multi-faceted. All Registered Veterinary Technologists working within Saskatchewan have had at least two years of post-secondary training at a Canadian Veterinary Medical Association approved institution and have written the Veterinary Technician National Exam. Registered Veterinary Technologists work in a diverse range of settings from a clinic atmosphere to government departments. It is not unusual to find an RVT in a commercial livestock operation or as a Veterinary Pharmaceutical and Supply Representative.

Twenty-six years ago Veterinary Technologists felt it was time to create a unified voice. Therefore, in 1984, the Saskatchewan Association of Veterinary Technologists (SAVT) was founded with 35 members to serve, support, and register Veterinary Technologists in the province. The SAVT places emphasis on professional and educational advancement of veterinary technologists, so that they may better serve the veterinary medical profession.

The Members and Board of Directors of the Saskatchewan Association of Veterinary Technologists would like to thank the cities that proclaimed this week last year. We sincerely hope that you will assist us in celebrating this special week through a proclamation to the city of Saskatoon in recognition of the behind the scenes contributions Veterinary Technologists make to Saskatchewan communities.

Thank you very much for your time and consideration in this matter and we eagerly await your reply.

Sincerely,

Cindy Toy, RVT
SAVT President-Elect
president.elect@savt.ca

Enclosed: Proclamation



Association of Veterinary Technologists, Inc

Dear Mayor Atchison,

I am writing to you on behalf of the Saskatchewan Association of Veterinary Technologists Inc. (1984). The SAVT celebrates National Veterinary Technician Week every year in coordination with the other AHT/VT Associations in Canada and the National Association of Veterinary Technicians in America.

We are requesting that you proclaim October 14-20, 2012 National Veterinary Technician Week.

WHEREAS There are over 375 registered technologists in the province of Saskatchewan; and

WHEREAS the Saskatchewan Association of Veterinary Technologists proclaim the third week in October as National Veterinary Technician Week to promote in Saskatchewan, an awareness of the animal health care duties of a veterinary technologists; and

WHEREAS the Saskatchewan Association of Veterinary Technologists was founded to serve, support and register Veterinary Technologists in the province; and

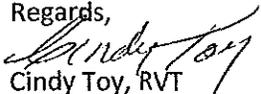
WHEREAS the Association, as a non-profit and non-unionized organization, places emphasis on professional and educational advancement of Veterinary Technologists, so that they may better serve the veterinary medical profession; and

WHEREAS the objectives of the Saskatchewan Association of Veterinary Technologists are;

- 1) To promote progressive and humane medical care for all creatures.
- 2) To promote and maintain the professional image and high ethical standards of Veterinary Technologists through continuing education and public relations.
- 3) To speak for Veterinary Technologists in regard to legislative action.
- 4) To promote the educational and professional advancement of Veterinary Technologists.
- 5) To develop and maintain a Code of Ethics.

Thank you for your kind consideration of our request. The proclamation may be mailed or emailed to the address below.

Regards,


Cindy Toy, RVT
SAVT President-Elect
president.elect@savt.ca

305-3
D3

Saskatchewan Right to Know Committee

c/o 503 - 1801 Hamilton Street
Regina, Saskatchewan
S4P 4B4

RECEIVED

JUL 04 2012

CITY CLERK'S OFFICE
SASKATOON

June 28, 2012

Mayor Donald Atchison
Office of the Mayor
City of Saskatoon
222 Third Avenue North
Saskatoon SK S7K 0J5

Dear Mayor Atchison:

Re: Right to Know Week Proclamation

We request that your office declare that the week of **September 24-28, 2012** is '**RIGHT TO KNOW WEEK**' in Saskatchewan.

Our Right to Know Steering Committee is made up of a diverse cross-section of residents of Saskatchewan who wish to celebrate the importance to a modern democratic jurisdiction of the right of the public to access records and information in the control of public bodies. September 28th of each year is recognized and celebrated internationally as Right to Know Day. There are parallel events planned at the federal level and in other provinces. Events across Canada will be listed on the new website, www.righttoknow.ca.

Saskatchewan was one of the first provinces in western Canada to enact an access law when it adopted *The Freedom of Information and Protection of Privacy Act* in 1992.

The Supreme Court of Canada has affirmed that the right of citizens to access the records of public sector organizations is fundamental. *The Freedom of Information and Protection of Privacy Act* in Saskatchewan is the kind of law that the courts have described as "quasi-constitutional".

Mayor Donald Atchison
June 28, 2012
Page 2

The purpose of the law is to achieve greater transparency in the way that public sector bodies operate and to thereby promote accountability in our government institutions and local authorities.

Our hope is to promote public awareness and greater understanding of the right of access enjoyed by everyone in Saskatchewan.

We look forward to your favourable response.

Yours truly,

A handwritten signature in black ink, consisting of the letters 'MA' followed by a long horizontal line that ends in a small flourish.

Mark Anderson
on behalf of the Saskatchewan Right to Know Committee



RECEIVED
JUL 10 2012
CITY CLERK'S OFFICE
SASKATOON

205-5
D4

Sask Innovation Week
643 Frobisher Terrace
Saskatoon SK S7K 4Z1
info@saskinnovationweek.ca
July 10, 2012

Office of the City Clerk
2nd Floor, City Hall
222 3rd Avenue North
Saskatoon SK S7K 0J5
city.clerks@saskatoon.ca

Dear Office of the City Clerk:

Re: Request for Proclamation of Innovation Week 2012

In accordance with City of Saskatoon Council Policy C01-004, please accept this request for City Council to proclaim September 16-22, 2012 as "Innovation Week 2012."

Innovation Week is a celebration of made-in-Saskatchewan ideas and the people behind them that impact on our province, country, and world. This event was conceived by the University of Saskatchewan College of Engineering in collaboration with the Greater Saskatoon Chamber of Commerce and Innovation Saskatchewan. The goal of Innovation Week is twofold: to showcase Saskatchewan innovation and to encourage creation and development of innovation networks in our province. The week is intended to be multi-disciplinary, including innovation not only in science and technology but also in the arts, humanities, social sciences and so on.

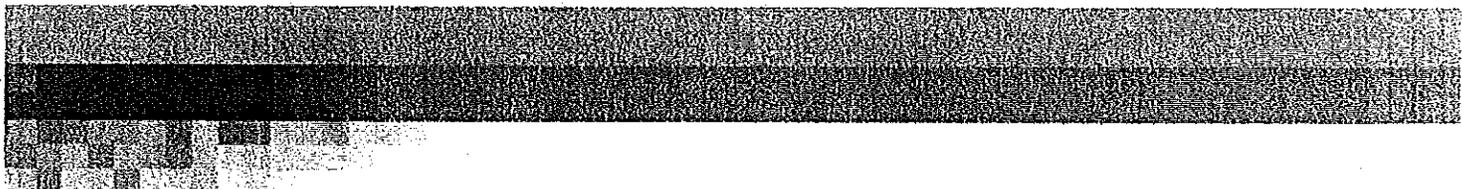
Since this is our inaugural year, our efforts are focused in Saskatoon. Our celebration will help the people of Saskatoon recognize the importance of innovation to our city and respond to the challenge, "What does innovation mean to you?" Rather than presenting organized events in a conference-style manner, we are suggesting that companies, groups and organizations host an event or activity during Innovation Week that can be targeted to specific audiences or open to the public. Sask Innovation Week will promote these events and activities to the community.

The attached poster provides some additional details. For more information, please contact us at info@saskinnovationweek.ca or phone Margaret at 652-2534.

A handwritten signature in cursive script that reads "Margaret Kuzyk".

Lesley McGillp, P.Eng., MBA and Margaret Kuzyk, P.Eng.
Sask Innovation Week 2012 Co-Chairs

Att.





What does innovation mean to you?

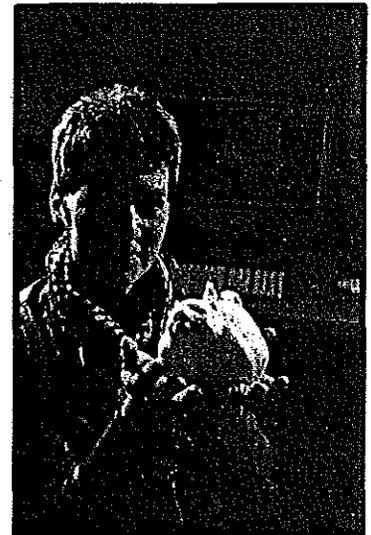
Celebrate Innovation Week!

September 16-22, 2012

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What is innovation?

"The patterns are simple, but followed together, they make for a whole that is wiser than the sum of its parts. Go for a walk; cultivate hunches; write everything down, but keep your folders messy; embrace serendipity; make generative mistakes; take on multiple hobbies; frequent coffeehouses and other liquid networks; follow the links; let others build on your ideas; borrow, recycle; reinvent. Build a tangled bank." – Steven Berlin Johnson, Where Good Ideas Come From: The Natural History of Innovation



Get involved! Explore what innovation means to you!

Help celebrate innovation. Organize an event, sponsor an activity, volunteer! Industry, local associations, schools, university and community groups are all invited to participate in Innovation Week. Here are a few ideas:

- speakers
- sponsorships
- displays
- charity events
- workshops
- forums
- galleries
- contests
- discussions
- museums

Sponsored by:



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College of Engineering



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Contact our chairs, Margaret and Casey at info@saskinnovationweek.ca

www.saskinnovationweek.ca



Sask Innovation Week



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