



REVISED PUBLIC AGENDA
STANDING POLICY COMMITTEE
ON TRANSPORTATION

Tuesday, July 21, 2015, 9:00 a.m.

Council Chamber, City Hall

Committee Members:

Councillor C. Clark, Chair, Councillor R. Donauer, Vice-Chair, Councillor T. Davies, Councillor D. Hill,
Councillor M. Loewen, His Worship the Mayor (Ex-Officio)

Pages

1. CALL TO ORDER
2. CONFIRMATION OF AGENDA

Recommendation

1. That the attached Request to Speak from Mr. Troy Larmer, United Group, be added to Item 7.2.4 and that the speaker be heard;
2. That the attached Request to Speak from Faith Ayalp be added to Item 7.2.4 and that the speaker be heard;
3. That the attached Request to Speak from Khodr Bardouh be added to Item 7.2.4 and that the speaker be heard;
4. That the attached Request to Speak from Malik Umar Draz be added to Item 7.2.4 and that the speaker be heard;
5. That the attached information from Michael Van Hemmen, Public Policy Manager, Uber, be added to Item 7.2.4;
6. That the attached additional information from Dr. Carla Angelski be added to Item 6.2.3 and the information be received; and
7. That the agenda be confirmed as amended.

3. DECLARATION OF PECUNIARY INTEREST

4. ADOPTION OF MINUTES

Recommendation

That the minutes of regular meeting of Standing Policy Committee on Transportation held on June 2, 2015 be adopted.

5. UNFINISHED BUSINESS

6. COMMUNICATIONS (requiring the direction of the Committee)

6.1 Delegated Authority Matters

6.2 Matters Requiring Direction

- 6.2.1 Request for Saskatoon City Council to Join the Jessica Campaign - Alan DeSousa - Mayor of Saint-Laurent [Files CK 200-1 and x1390-1] 7 - 12

Recommendation

That the information be received

- 6.2.2 Request for Train Whistle Cessation - Dr. Robin Colwell [File No. CK. 375-2] 13 - 14

Recommendation

That the direction of Committee issue.

- 6.2.3 Request for Mandatory Bike Helmets - Dr. Carla Angelski [File No. CK. 7000-6] 15 - 18

Additional information has been added to this item from Dr. Carla Angelski.

Recommendation

That the information be received.

6.3 Requests to Speak (new matters)

7. REPORTS FROM ADMINISTRATION

7.1 Delegated Authority Matters

- 7.1.1 Request for Encroachment Agreement - 632 4th Avenue North [Files CK. 4090-2 and PL. 4090] 19 - 22

Recommendation

1. That the proposed encroachment at 632 4th Avenue North (Lot 13, Block 2, Plan No. F1418) be recognized;
2. That the City Solicitor be requested to prepare the appropriate encroachment agreement making provision to collect the applicable fees; and
3. That His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal and in a form that is satisfactory to the City Solicitor.

- 7.1.2 Request for Encroachment Agreement - 220 3rd Avenue South [Files CK. 4090-2 and PL. 4090] 23 - 26**

Recommendation

1. That the proposed encroachment at 220 3rd Avenue South (Lot 41, Block 156, Plan No. 99SA35105) be recognized;
2. That the City Solicitor be requested to prepare the appropriate encroachment agreement, making provision to collect the applicable fees; and
3. That His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal and in a form that is satisfactory to the City Solicitor.

- 7.1.3 Request for Encroachment Agreement - 701 Broadway Avenue [Files CK. 4090-2 and PL. 4090] 27 - 31**

Recommendation

1. That the proposed encroachment at 701 Broadway Avenue (Lot 9 to 12 Incl., Block 83, Plan B1858) be recognized;
2. That the City Solicitor be requested to prepare the appropriate encroachment agreement, making provision to collect the applicable fees; and
3. That His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal and in a form that is satisfactory to the City Solicitor.

7.2 Matters Requiring Direction

- 7.2.1 Highway 11 Future Jurisdiction (inside Perimeter Highway north) [Files CK. 4240-1 and PL. 4240-4] 32 - 38**

Recommendation

That the Standing Policy Committee on Transportation recommend to City Council at its meeting to be held on July 23, 2015:

1. That the terms and conditions of the Memorandum of Understanding with the Ministry of Highways and Infrastructure regarding the portion of Highway 11 between Perimeter Highway (north) and City of Saskatoon limits be approved; and
2. That the City Manager be authorized to sign the Memorandum of Understanding.

7.2.2 In-Service Safety Review of Roadside Safety Systems – Award of Contract [Files CK. 6330-1 and TS. 6332-1]

39 - 43

Recommendation

That the Standing Policy Committee on Transportation recommend to City Council at its meeting to be held on July 23, 2015:

1. That the City enter into an agreement with MMM Group Limited for the provision of engineering services to complete an In-Service Safety Review of Roadside Safety Systems at a total cost of \$177,765 (including taxes); and
2. That the City Solicitor prepare the appropriate agreement and that His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal.

7.2.3 Operation of Model Aircraft and Unmanned Aerial Vehicles within the City of Saskatoon [Files CK. 370-1 and x185-2]

44 - 50

Recommendation

That the Standing Policy Committee on Transportation recommend to City Council at its meeting to be held August 20, 2015:

1. That The Recreation Facilities and Parks Usage Bylaw, 1998 be amended to prohibit the operation of drones in parks without the permission of the City; and
2. That blanket permission to Draganfly Innovations Inc. to operate small commercial drones over City of Saskatoon property on an “as necessary or required” basis be denied; but that individual operations be allowed subject to approval by the City Manager.

Requests to speak have been added to this item from:

- Troy Larmer, United Group
- Faith Ayalp
- Khodr Bardouh
- Malik Umar Draz

Additional information has been added to this item from Michael van Hemmen, Public Policy Manager, Uber.

Recommendation

That the Standing Policy Committee on Transportation recommend to City Council at its meeting to be held August 20, 2015, that the City, in cooperation with the City of Regina, communicate its support to the Province for the regulation of Transportation Network Companies at a provincial level.

Recommendation

That the Standing Policy Committee on Transportation recommend to City Council at its meeting to be held on July 23, 2015:

1. That the 2015 asphalt testing in the North area and all testing for Expressways and Arterial Resurfacing be awarded to Golder Associates Ltd., at a total estimated cost of \$131,000 (plus GST);
2. That the 2015 asphalt testing in the East area be awarded to LVM Inc., at a total estimated cost of \$120,000 (plus GST);
3. That the 2015 Asphalt testing in the West area be awarded to AMEC Environment & Infrastructure, at a total estimated cost of \$113,000 (plus GST); and
4. That the City Solicitor be requested to prepare the appropriate agreements and that His Worship the Mayor and the City Clerk be authorized to execute the agreements under the Corporate Seal.

7.2.6 Intersection Upgrades – Highway 16 and 71st Street [Files CK. 6320-1 and x4060-1]

73 - 76

Recommendation

That the Standing Policy Committee on Transportation recommend to City Council at its meeting to be held on July 23, 2015:

1. That a budget adjustment in the amount of \$3,077,000 be approved for the re-construction of the intersection at Highway 16 and 71st Street, including the installation of traffic signals and advanced warning beacons;
2. That the posted speed on Highway 16 be reduced to 90km/hr from 500 metres northwest of the intersection to the city limits; and
3. That the City Solicitor be instructed to prepare amendments to Bylaw No. 7200, The Traffic Bylaw, for City Council's consideration.

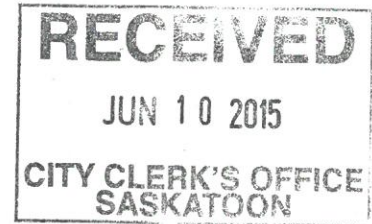
7.2.7 Traffic Flow – North Industrial Area (Councillor R. Donauer) [File No. CK. 6320-1]

77 - 80

Recommendation

That the report of the General Manager, Transportation & Utilities Department dated July 21, 2015, be forwarded to City Council for information at its meeting to be held on August 20, 2015.

8. URGENT BUSINESS
9. MOTIONS (Notice Previously Given)
10. GIVING NOTICE
11. IN CAMERA AGENDA ITEMS
12. ADJOURNMENT



Cabinet du maire

777, boulevard Marcel-Laurin
Saint-Laurent (Québec) H4M 2M7

May 8, 2015

Mayor Donald Atchison
City of Saskatoon
222, Third Avenue North
Saskatoon (Saskatchewan) S7K 0J5

Subject: Side-guards for heavy vehicles

Dear MayorAtchison,

I am writing to request that your city join my community and others across the country to make your streets safer for your residents. In order to increase road safety in your community, I invite you to require that all heavy municipal vehicles in your fleet be fitted with side-guards in order to offer unprotected road users (pedestrians, cyclists, motorcyclists) efficient protection against the risk of falling under the sides of such vehicles.

In 2005, a young Montrealer, Jessica Holman-Price died as a result of an accident involving a snow removal truck in Westmount. Since then, her family has launched a nation-wide campaign (www.thejessicacampaign.com) to encourage cities to make their heavy vehicles safer. Since 2012, Saint-Laurent has led by example in phasing in the installation of side-guards on all of our existing vehicles, and by requiring that all new purchases of heavy vehicles in our fleet to be pre-equipped with side-guards. Many other cities, both large and small, in the Montreal area have come on board. In 2014, further to several accidents and deaths involving cyclists and pedestrians, the City of Montreal made a similar commitment in the interest of road safety, retrofitting its existing heavy vehicles and requiring side-guards for all new purchases. Other cities in the U.S., such as the City of New York, have made the proactive decision to act now.

The requirement for side-guards on heavy vehicles is not a new phenomenon. The European Community has required such measures for all heavy vehicles since 1989. In a review of all accidental cycling deaths in Ontario from January 1, 2006 to December 31, 2010, the Office of the Chief Coroner for Ontario issued a report in June 2012 that called, inter alia, for mandatory side-guards for heavy trucks. We have seen that side-guards can play an important role in making our communities safer.

I have no doubt that, as an elected official, you care for the safety of the residents in your community. That is why I invite you to bring this request to the attention of your council

PTO

and your staff, with the hope that, in its wisdom, your council will deem it in the public interest to join the Jessica campaign. I would be more than pleased to answer any questions you may have and, if you wish, you can reach me by email at adesousa@ville.montreal.qc.ca or by telephone at (514) 855-6000, extension 4300. If your council decides to join the Jessica campaign, I would appreciate it if you could forward a copy of your council resolution and the related press release to my attention.

Many thanks for your consideration of my request.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Alan DeSousa". The signature is fluid and cursive, with the first name "Alan" and last name "DeSousa" clearly distinguishable.

Alan DeSousa, FCPA, FCA
Mayor of Saint-Laurent

Encl. 1

Road safety in Saint-Laurent: putting citizens first!



Background

For the last several years, Saint-Laurent has aimed to become a destination of choice for families. As a result of actions taken, the borough is now home to many young families; indeed, children aged 14 and under account for 18% of the borough's population.

Recognizing that the borough's municipal administration plays a key role in ensuring the safety of its residents, Saint-Laurent Borough Council passed a resolution on May 1, 2012 calling for all eligible new heavy vehicles in the borough's fleet to be equipped with lateral protection (side guards).

Saint-Laurent thus becomes the first borough in Montréal to outfit its fleet with this safety device, which helps to protect pedestrians and cyclists from falling underneath the body of vehicles so equipped.

The borough's resolution falls within the framework of the **Jessica Campaign**, an initiative started by the family of Jessica Holman-Price, a young Montréal woman who died following an accident involving a snow-removal truck in Westmount in 2005. In her memory, the young woman's family launched the campaign, one of whose goals is to improve road safety.

The project

Touched by the call to action issued by Jessica's family, Saint-Laurent Borough Council asked its Division de la mécanique, des bâtiments et de l'éclairage des rues (engineering, building and street-lighting department) to look into improving the safety of the borough's fleet of heavy trucks.

Following the example of the cities of Westmount and Dorval, the Borough of Saint-Laurent decided in 2010 to conduct a trial by equipping four Isuzu flatbed trucks with side guards designed to comply with European standards, specifically EU Council directive EUR-Lex 31989L0297. The device, constructed of steel or aluminum frames, is designed to cover the space between the vehicle's axles where tanks and other equipment are located. The department also had the original idea of installing storage containers to cover up the open space between wheels on certain trucks; these containers can also be used to carry equipment.

Types of borough vehicles not equipped with side guards



Objectives

Saint-Laurent has 33 vehicles that can be equipped with lateral protection devices, and these vehicles will be so equipped between now and 2015. Twelve vehicles, several of them used for snow-clearing operations, are already equipped with side guards. The borough estimates that it would cost 50 percent less to have side guards incorporated into the design of the vehicles and installed before delivery rather than added as an after-market option.

The addition of side guards has been included in Saint-Laurent's vehicle-replacement budget. The cost of installing side guards, which may reach \$3000 per vehicle, depends on the size of the truck; as such, the cost of the devices will be lower for smaller trucks. Saint-Laurent now also includes lateral-protection specifications in its purchase orders for heavy vehicles.

Installed side guards

Year	2010	2011	Total
Number of vehicles equipped with side guards	8	4	12

Side guards to come

Year	2012	2013-15	Total
Number of vehicles expected to be equipped with side guards	4	17	21

Grand total **33**

Types of borough vehicles equipped with side guards



Isuzu 2712 vehicle - Parks department



Side guard



Isuzu 2715 vehicle - Sewer department



Isuzu 2929 vehicle - Sewer department



Side guard



Service truck 2404 - Engineering department



Cherry picker truck 4209 - Hydro power department



**Freightliner salt-spreader vehicle
5109-11 – Roads department**



**Side guard on left side
of vehicle**



**Side guard on right side
of vehicle**

Leading by example: taking concrete action

Through its participation in the Jessica Campaign, Saint-Laurent aims to lead by example in order to incite other municipalities and various private and public partners to take concrete action. In May 2012, the borough will launch a national awareness campaign targeted at municipal, provincial and federal entities and at associations involved in transportation and road safety.

It should be noted, in closing, that the borough's acquisition of vehicles is undertaken in accordance with Saint-Laurent's 2011-2015 Local Sustainable Development Plan, which aims to reduce greenhouse gas emissions by favouring the use of energy-efficient vehicles (hybrids, electric vehicles and vehicles with smaller engines).

Contact:

François Buteau, Chef de la Division de la mécanique,
des bâtiments et de l'éclairage des rues
Ville de Montréal
Borough of Saint-Laurent
13001, boulevard Cavendish
Saint-Laurent (Québec) H4R 2G5

Tel.: 514-855-6000, poste 4470
Cell.: 514-770-0667
E-mail: fbuteau@ville.montreal.qc.ca

Council of SAINT-LAURENT



Alan DeSousa, FCA
*Mayor of Saint-Laurent
and Vice-Chair of the Ville
de Montréal Executive Committee*



Francesco Miele
*City Councillor,
Côte-de-Liesse District*



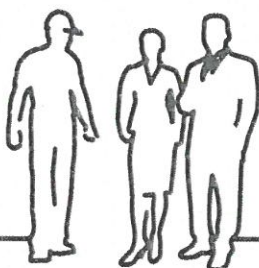
Aref Salem
*City Councillor and
Associate Councillor,
Norman-McLaren District*



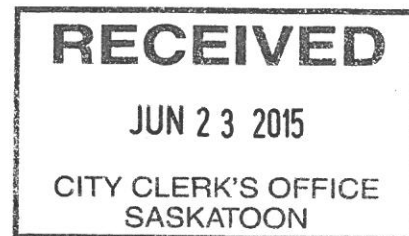
Maurice Cohen
*Borough Councillor,
Côte-de-Liesse District*



Michèle D. Biron
*Borough Councillor,
Norman-McLaren District*



From: Robin Colwell <colwellr@yahoo.com>
Sent: Tuesday, June 23, 2015 11:08 AM
To: City Council
Subject: Form submission from: Write a Letter to Council



Submitted on Tuesday, June 23, 2015 - 11:07
Submitted by anonymous user: 207.195.114.48
Submitted values are:

Date: Tuesday, June 23, 2015
To: His Worship the Mayor and Members of City Council
First Name: Robin
Last Name: Colwell
Address: 303 Werschner Lane
City: Saskatoon
Province: Saskatchewan
Postal Code: S7W 0C9
Email: colwellr@yahoo.com
Comments:
Dear City Council Members,

Thank you for allowing me the opportunity to voice my concern to the Council. I would like to draw to the Council's attention the problem of the train whistle on the CP line at the Boychuk Greenhouse crossing, in the rapidly growing communities of Rosewood and Briarwood.

The whistle sounds at this location many times during the day and night. The crossing services a private business (Boychuk Greenhouses) which is closed at night and, as a seasonal business, for much of the year. The whistle is very disruptive and wakes me up despite closed windows and earplugs; as a member of the Rosewood Community Association I know that there are many complaints about this from the rest of the community.

Our community is growing rapidly and the number of people affected by this whistle will only increase. CP has estimated that traffic will be increasing on that line, and therefore the intrusion to the peaceful enjoyment of our homes will become more intense.

I think that this matter has been before the council in 2012; I can't say that I am very familiar with the details of the conclusions or recommendations, but I can say that this is a serious problem that is only going to get worse as the residential population and the train traffic are both increasing.

I therefore respectfully ask the Council to re-open this issue and explore long-term solutions such as whistle cessation orders, gated crossings, and berms. (please note that the engineering company that did an acoustic assessment as part of Rosewood planning found that the main noise problem for Rosewood was this whistle crossing, that the decibel level exceeded the City maximum permitted, and recommended both whistle cessation orders and berm placement)

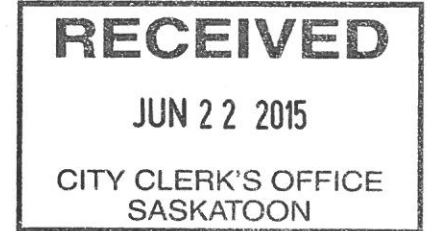
Sincerely,

Dr. Robin Colwell

Member
Rosewood Community Association

The results of this submission may be viewed at:
<https://www.saskatoon.ca/node/398/submission/27811>

From: Dr. Carla Angelski <carla.angelski@icloud.com>
Sent: Monday, June 22, 2015 10:13 AM
To: City Council
Subject: Form submission from: Write a Letter to Council



Submitted on Monday, June 22, 2015 - 10:13
Submitted by anonymous user: 68.69.210.212
Submitted values are:

Date: Monday, June 22, 2015
To: His Worship the Mayor and Members of City Council
First Name: Dr. Carla
Last Name: Angelski
Address: 1031 University Drive
City: Saskatoon
Province: Saskatchewan
Postal Code: s7n 0k4
Email: carla.angelski@icloud.com
Comments:
To Whom it May Concern:

Respectfully I am submitting this letter as a concerned citizen of Saskatoon, as well as a working Paediatric Emergency Physician at the Royal University Hospital. I would petition city counsel to reopen the bike helmet bylaw debate as soon as possible given the absolute neglect of preventative public health education this bylaw currently reflects. Not only have bike helmets been shown to reduce Traumatic Brain Injury (TBI) to a significant degree in the paediatric and adult populations, but they have also proven to decrease long term concussive symptoms and syndromes by way of prevention as well. I have practiced as a paediatric emergency physician in Nova Scotia and Alberta, both provinces which have initiated much more progressive bylaws and even provincial legislature to ensure bike helmets are mandatory. Not only am I completely disappointed in the province for it's short sightedness in this manner, but previous arguments against the utility of bike helmet efficacy are logically flawed! That they do not serve to be as effective as systematic bike lane change is a ridiculous argument as both bike helmet and bike lane implementation serve synergistically to enhance public safety. By that logic, one could argue that because we have dangerous and distracted driving laws in effect, there is no need for carseat legislation! Again a ridiculous logic to follow! Given that bike helmet safety and bylaw is progressive, precedented AND preventative, I would urge counsel once again to make it mandatory post haste. I would be happy to discuss in person at any time.

Respectfully,
Dr. Carla Angelski MD, FRCPC (PEM), MEd HSE
Paediatric Emergency Medicine
RUH

The results of this submission may be viewed at:
<https://www.saskatoon.ca/node/398/submission/27614>

Bike Helmet Legislation Chart

CANADA

Provincial and Territorial Bike Helmet Legislation¹

Province/Territory	Bike Helmet Legislation	Comments
British Columbia Motor Vehicle Act (MVA) section 184 – Bicycle Safety Helmets	Applies to all ages	Effective September 3, 1996 Fine: up to \$100 Effective 2003: The City of Vancouver amended Street and Traffic by-law #2849 to require helmet use for all-wheeled activities including non-motorized skates, skateboards and push-scooters (Sec 77a4).
Alberta Highway Traffic Bicycle Safety Helmet Amendment Act (HTBSHAA)	Applies to only those under 18 years	Effective May 1, 2002 Fine: \$69
Saskatchewan	No provincial legislation	Yorkton is the only municipality with a helmet by-law. Fine: \$5
Manitoba Highway Traffic Act, section 145	Applies to only those under 18 years	Effective May 1, 2013 Fine: up to \$50
Ontario Highway Traffic Act (HTA)	Applies to only those under 18 years	Effective October 1, 1995, Fine: \$60 December 2006 MPP Milloy passes motion in Ontario Legislature regarding all-helmet use in Ontario. No legislative changes as of yet.
Quebec	No provincial legislation	Projet de la loi 71: Requires mandatory helmets for children under 12 years. Consultations took place in February 2010.
New Brunswick Motor Vehicle Act (MVA)	Applies to all ages	Effective December 15, 1995 Fine: \$21
Nova Scotia Motor Vehicle Act (MVA)	Applies to all ages	Effective July 1, 1997: all ages helmet use for cyclists. Effective January 12, 2007: Amendment to MVA requires helmet use for all wheeled activities (bicycle, skate board, inline skates and other wheeled activities). Fine: minimum \$25

¹ For information purposes only. Please consult local authorities for further interpretation and current status.

Province/Territory	Bike Helmet Legislation	Comments
Prince Edward Island Highway Traffic Act (HTA)	Applies to all ages	Effective July 5, 2003 Fine: up to \$100
Newfoundland and Labrador Highway Traffic Act (HTA)	Applies to all ages	Effective: April 1, 2015 Fine: \$25 to \$180
Yukon	No provincial legislation	City of Whitehorse has an all-ages helmet by-law effective since 2004.
Northwest Territories	No provincial legislation	Inuvik has an all-ages helmet by-law, \$25 fine. Yellowknife has a by-law requiring those under 18 years to wear a helmet, \$25 fine.
Nunavut	No provincial legislation	

1 For information purposes only. Please consult local authorities for further interpretation and current status.

Updated December 2014

Laws regarding the use of bicycle helmets vary throughout the country. Here are the rules in each province and territory:

- British Columbia: Required for all ages.
- Alberta: Required for minors.
- Saskatchewan: No law. Some education programs available.
- Manitoba: Required for minors.
- Ontario: Required for minors.
- Quebec: No law. Some education programs available.
- New Brunswick: Required for all ages.
- Nova Scotia: Required for all ages.
- Prince Edward Island: Required for all ages.
- Newfoundland and Labrador: Required for all ages (April 1, 2015)
- Yukon: No law.
- Northwest Territories: No law.
- Nunavut: No law.

Ontario Experience (Study by Coroner's Office 2012): Only 26% of 129 cyclists killed in 5 year study were wearing helmets. 74% were not.

Request for Encroachment Agreement – 632 4th Avenue North

Recommendation

1. That the proposed encroachment at 632 4th Avenue North (Lot 13, Block 2, Plan No. F1418) be recognized;
2. That the City Solicitor be requested to prepare the appropriate encroachment agreement making provision to collect the applicable fees; and
3. That His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal and in a form that is satisfactory to the City Solicitor.

Topic and Purpose

The purpose of this report is to seek permission for an encroachment for the existing portions of the garage eave, which extends onto the City of Saskatoon (City) right of way adjacent King Street.

Report Highlights

1. The encroachment area is 1.20 square metres.
2. The existing north garage eave extends onto the City right of way by up to 0.18 metres.

Strategic Goals

This report supports the City's Strategic Goals of Sustainable Growth and Quality of Life by ensuring that designs of proposed developments are consistent with planning and development criteria and that these designs do not pose a hazard for public safety.

Background

Building Bylaw No. 7306 states, in part, that:

“The General Manager of the Community Services Department shall not issue a permit for the erection or alteration of any building or structure the plans of which show construction of any kind on, under, or over the surface of any public place until permission for such construction has been granted by Council.”

Report

The owner of the property located at 632 4th Avenue North has requested permission to allow an encroachment (see Attachment 1). As shown on the Site Plan (see Attachment 2), the existing garage eave encroaches onto the City right of way by up to 0.18 metres. The total area of the encroachment is approximately 1.20 square metres; therefore, will be subject to an annual charge of \$50.

Request for Encroachment Agreement – 632 4th Avenue North

Public and/or Stakeholder Involvement

There is no public or stakeholder involvement.

Other Considerations/Implications

There are no options, policy, financial, environmental, privacy, or CPTED implications or considerations. No communication plan is required.

Due Date for Follow-up and/or Project Completion

There is no follow-up report planned.

Public Notice

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

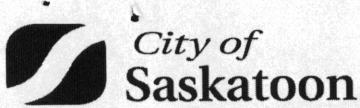
Attachments

1. Request for Encroachment Agreement dated May 13, 2015
2. Copy of Site Plan Detailing Existing Encroachment

Report Approval

Written by: Tanda Wunder-Buhr, Commercial Permit Supervisor, Building Standards
Reviewed by: Daisy Harington, Senior Building Code Engineer, Building Standards
Approved by: Randy Grauer, General Manager, Community Services Department

S:\Reports\DS\2015\TRANSPORTATION – Request for Encroachment Agreement – 632 4th Avenue North/ks



BUILDING STANDARDS
222-3rd AVE NORTH, SASKATOON, SK S7K 0J5

THIS IS NOT AN AGREEMENT

ENCROACHMENT AGREEMENT APPLICATION**SECTION A – PROJECT INFORMATION (to be completed for ALL ENCROACHMENT AGREEMENT APPLICATIONS)**

(Please note the approval process may take up to 12 weeks dependent on City Council Meeting Schedule)

TYPE OF ENCROACHMENT	New Proposed <input checked="" type="checkbox"/>	Revision <input type="checkbox"/>
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PROJECT INFORMATION	Site Address 632 - 4 th Avenue North, Saskatoon, SK
	Legal Description (Lot/Block/Plan) Surface Parcel #1201 72306, Lot 13, Block 2, Plan No.: P1418

APPLICANT	Contact Name Travis Beauchemin	Company Name (if applicable) TKB LAW P.C. INC.		
	Address 622 Duchess Street	City Saskatoon	Province SK	Postal Code S7K 0R1
	Phone Number (incl. Area Code) (306) 978-3385	Email Address julie@tkblaw.ca	Preferred method of receiving correspondence: MAIL or EMAIL	

OWNER	Contact Name (Official Name that will appear on the Agreement) Jill Andrea Farrukh and Farhan Farrukh	Company Name (if applicable)		
	Address 632-4 th Avenue North	City Saskatoon	Province SK	Postal Code S7K 2M9
	Phone Number (incl. Area Code) (306) 881-7411	Email Address	Preferred method of receiving correspondence: MAIL or EMAIL	

SECTION B – SUBMISSION REQUIREMENTS (to be completed for ALL ENCROACHMENT APPLICATIONS)

ENCROACHMENT AGREEMENT APPLICATION REQUIREMENTS		Submitted	Received (office use only)
<input checked="" type="checkbox"/> Application Fee	An Encroachment Application Fee of \$100.00 is required to be submitted at the time of application	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Existing Encroachment	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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Proposed Future Encroachment	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 area of encroachment.)	<input type="checkbox"/>	<input type="checkbox"/>

Upon receipt of the request, the Building Standards Division of the Community Services Department will request approvals from the necessary Departments and Divisions, including Development Services, Building Standards, Transportation & Utilities and any other Department or Division 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 the next available Development & Community Services Committee meeting for their approval. Once the Development & Community Services Committee has approved, the application will be forwarded to the next available City Council meeting 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 encroachment agreement requests may take up to 12 weeks to process and is dependent on City Council Meeting Schedule.

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 per square meter. The current minimum fee is \$50.00

DECLARATION & SIGNATURES	I DO HEREBY DECLARE:			
	<ul style="list-style-type: none"> That the issuance of an Encroachment Agreement does not relieve the owner and authorized agents from complying with the requirements of the 2010 National Building Code of Canada, as amended and within the scope of the Uniform Building and accessibility Standards Act. That the submission of this application does not give permission for encroachment of any portion of the building, and that appropriate building permits are required to be obtained prior to the construction of the encroachment. 			
	I certify that I have read and agree to abide by the conditions above, and all information contained within this application is correct.			
		May 13, 2015		May 13/15
	Applicant Signature	Date	Application Received By	Date Received

Copy of Site Plan Detailing Existing Encroachment

SASKATCHEWAN LAND SURVEYORS REAL PROPERTY REPORT

Client : E.C. Partridge Law Firm
 Registered : S.R.P.R.# : 35195
 Owner : Wilfred King Tucker and Easlyn Sushtida Tucker
 Registered Easements : NONE
 Municipal :
 Address : 632 - 4th Avenue North
 Search Date: 14-Jun-2004 08:55:56.555
 Legal Land Description :
 Parcel Number: 120172106 Title Number: 111671166
 Lot 13, in Block 2, Plan No. F1418 Exp. D.
 As described on Certificate of Title 81524848

DUPLICATE

In the CITY OF SASKATOON, in the Province of Saskatchewan, according to a plan of record in the Land Survey's Directory.

NOTE : measurements are in FEET and decimals thereof.

this document is protected by copyright and no person may copy, reproduce, distribute or alter it, in whole or in part, without the written permission of Robert A. Weisker S.L.S.
 this document is for the protection of the mortgagee only, and the information provided is for the sole use of E.C. Partridge Law Firm
 the measurements shown are from property boundaries to the main external permanent building walls only, at the date of survey, and are not to be used in the establishment of property boundaries.

The survey represented by this plan was performed on the 26th day of June A.D. 2004, in accordance with Bylaw XII of the Saskatchewan Land Surveyors Act, and shows the above ground location of visible permanent structures relative to the boundaries of the subject property.

There are encroachments of visible permanent structures from the subject property onto adjacent properties, and there are NO visible encroachments onto the subject property from adjacent properties.

Dated at the City of Saskatoon in the Province of Saskatchewan, this 26th day of June, A.D. 2004



WEISKER SURVEYS LTD.
 611 - 9th Street East
 Saskatoon, Sask. S7N 0W4
 Phone (306) 653-1433
 Fax (306) 653-1024

This document is only valid if it bears the original signature and seal of the Saskatchewan Land Surveyor.

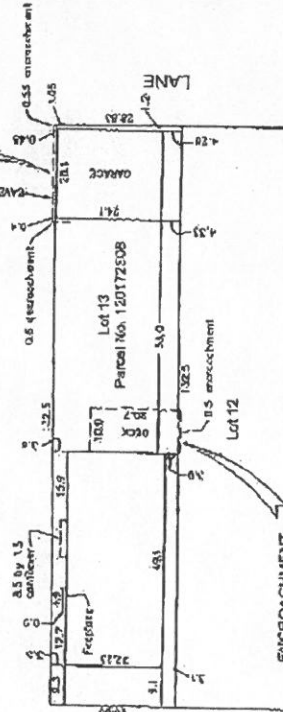
COPYRIGHT © 2004

PLAN OF SURVEY



ENCROACHMENT
 The eave of the Garage on Lot 13 encroaches from 0.55 to 0.6 onto King Street.

KING STREET



ENCROACHMENT
 The deck on Lot 13 encroaches 0.5 onto Lot 12.

$$A_{TOTAL} = L \times W = 6.57m \times 0.18m = 1.20m^2$$

A one storey house on a concrete foundation with a detached garage.

632 - 4th AVENUE NORTH

Request for Encroachment Agreement – 220 3rd Avenue South

Recommendation

1. That the proposed encroachment at 220 3rd Avenue South (Lot 41, Block 156, Plan No. 99SA35105) be recognized;
2. That the City Solicitor be requested to prepare the appropriate encroachment agreement, making provision to collect the applicable fees; and
3. That His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal and in a form that is satisfactory to the City Solicitor.

Topic and Purpose

The purpose of this report is to seek permission for an encroachment for the existing portions of the building located at 220 3rd Avenue South.

Report Highlights

1. The encroachment area is 353.97 square metres.
2. The existing building underground structure extends into 21st Street East by up to 4.19 metres; 3rd Avenue South by up to 3.43 meters; and the south adjacent lane by up to 2.53 metres.

Strategic Goals

This report supports the City of Saskatoon's (City) Strategic Goals of Sustainable Growth and Quality of Life by ensuring that designs of proposed developments are consistent with planning and development criteria and that these designs do not pose a hazard for public safety.

Background

Building Bylaw No. 7306 states, in part, that:

“The General Manager of the Community Services Department shall not issue a permit for the erection or alteration of any building or structure the plans of which show construction of any kind on, under, or over the surface of any public place until permission for such construction has been granted by Council.”

Report

The owner of the property located at 220 3rd Avenue South has requested permission to allow an encroachment (see Attachment 1). As shown on the Site Plan (see Attachment 2), the existing building underground structure extends into 21st Street East by up to 4.19 metres; 3rd Avenue South by up to 3.43 meters; and the south adjacent

Request for Encroachment Agreement – 220 3rd Avenue South

lane by up to 2.53 metres. The total area of the encroachment is approximately 353.97 square metres; therefore, will be subject to an annual charge of \$1,150.39.

Public and/or Stakeholder Involvement

There is no public or stakeholder involvement.

Other Considerations/Implications

There are no options, policy, financial, environmental, privacy, or CPTED implications or considerations. No communication plan is required.

Due Date for Follow-up and/or Project Completion

There is no follow-up report planned.

Public Notice

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

Attachments

1. Request for Encroachment Agreement dated April 28, 2015
2. Copy of Site Plan Detailing Existing Encroachment

Report Approval

Written by: Tanda Wunder-Buhr, Commercial Permit Supervisor, Building Standards
Reviewed by: Daisy Harington, Senior Building Code Engineer, Building Standards
Approved by: Randy Grauer, General Manager, Community Services Department

S:\Reports\DS\2015\TRANSP – Request for Encroachment Agreement – 220 3rd Avenue South/ks

Request for Encroachment Agreement Dated April 28, 2015



BUILDING STANDARDS
222-3rd AVE NORTH, SASKATOON, SK S7K 0J5

THIS IS NOT AN AGREEMENT

RECEIVED
APR 28 2015
CITY OF SASKATOON
PERMIT OFFICER

ENCROACHMENT AGREEMENT APPLICATION

SECTION A - PROJECT INFORMATION (to be completed for ALL ENCROACHMENT AGREEMENT APPLICATIONS)
(Please note the approval process may take up to 12 weeks dependent on City Council Meeting Schedule)

TYPE OF ENCROACHMENT New Proposed Revision

PROJECT INFORMATION
Site Address: 220-3RD AVENUE S.
Legal Description (Lot/Block/Plan): Parcel 120288595 (Roll # 505031140)

APPLICANT
Contact Name: Mitch Yurchak
Company Name (if applicable): 206989535 Alberta Inc.
Address: Box 96129 West Springs RPO, Calgary, AB, T3H 0L3
Phone Number (incl. Area Code): 403-850-9123
Email Address: Mitchgy@telus.net
Preferred method of receiving correspondence: MAIL or EMAIL

OWNER
Contact Name (Official Name that will appear on the Agreement):
Company Name (if applicable): 206989535 Alberta Inc.
Address: Box 96129 West Springs RPO, Calgary, AB, T3H 0L3
Phone Number (incl. Area Code): 403-850-9123
Email Address: Mitchgy@telus.net
Preferred method of receiving correspondence: MAIL or EMAIL

SECTION B - SUBMISSION REQUIREMENTS (to be completed for ALL ENCROACHMENT APPLICATIONS)

ENCROACHMENT AGREEMENT APPLICATION REQUIREMENTS		Submitted	Received (office use only)
<input type="checkbox"/>	Application Fee An Encroachment Application Fee of \$100.00 is required to be submitted at the time of application.	✓	✓
<input checked="" type="checkbox"/>	Existing Encroachment 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. (SITE PLAN) MAY 13/15	✓	✓
<input type="checkbox"/>	Proposed Future Encroachment 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 area of encroachment.) JUNE 4/15		

Upon receipt of the request, the Building Standards Division of the Community Services Department will request approvals from the necessary Departments and Divisions, including Development Services, Building Standards, Transportation & Utilities and any other Department or Division 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 the next available Development & Community Services Committee meeting for their approval. Once the Development & Community Services Committee has approved, the application will be forwarded to the next available City Council meeting 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 encroachment agreement requests may take up to 12 weeks to process and is dependent on City Council Meeting Schedule.

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 per square meter. The current minimum fee is \$50.00

I DO HEREBY DECLARE:

- That the issuance of an Encroachment Agreement does not relieve the owner and authorized agents from complying with the requirements of the 2010 National Building Code of Canada, as amended and within the scope of the Uniform Building and Accessibility Standards Act.
- That the submission of this application does not give permission for encroachment of any portion of the building, and that appropriate building permits are required to be obtained prior to the construction of the encroachment.

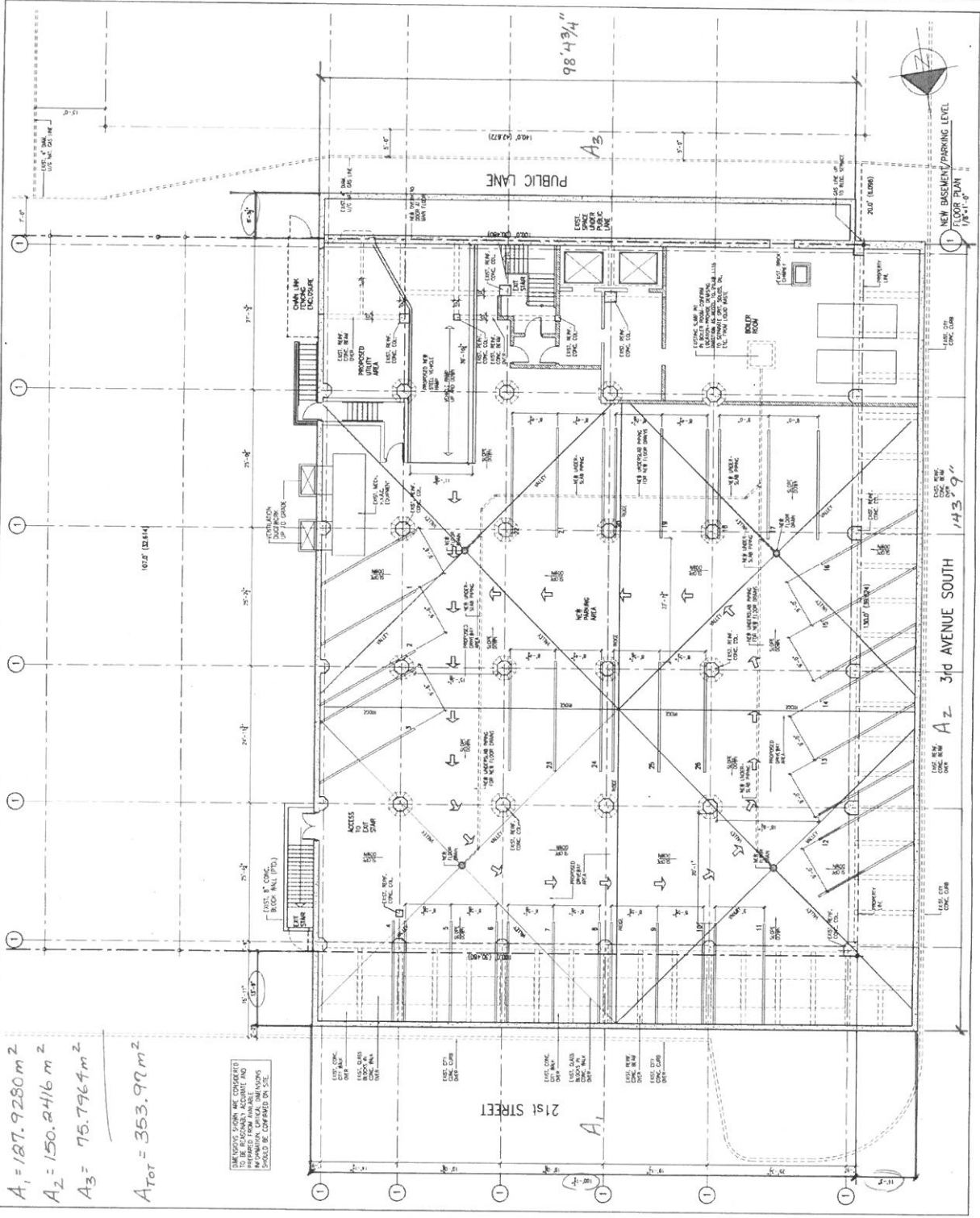
I certify that I have read and agree to abide by the conditions above, and all information contained within this application is correct.

Applicant Signature: Date: 2015/04/27
Application Received By: Date Received: Apr 28/15.

DECLARATION & SIGNATURES

Copy of Site Plan Detailing Existing Encroachment

RE: ROAD FOR BLDG. PERMIT APPLIC. 22-06-07 ROAD FOR BLDG. PERMIT APPLIC. 24-06-07 ROAD FOR STRUCTURAL DESIGN 27-06-07	MAURICE SOULDRE 1815C LORNE AVE SASKATOON, SK S7H 1Y5	PRODUCT NEW UNDERGROUND PARKING BUILDING 220-314 AVENUE SOUTH SASKATOON, SASKATCHEWAN	DRAWING NEW BASEMENT/PARKING LEVEL FLOOR PLAN / FLOOR DRAINAGE	SCALE 1/8"=1'-0" (1:1 METRIC SHEET) PLOTTED 22-06-07 FILE 2718 DATE JUNE 2007 DESIGNED BY DRAWN BY	DRAWING NO. A.2R2
---	---	---	--	---	-------------------



$A_1 = 127.9280 \text{ m}^2$
 $A_2 = 150.2416 \text{ m}^2$
 $A_3 = 75.7964 \text{ m}^2$
 $A_{\text{Tot}} = 353.97 \text{ m}^2$

DIMENSIONS SHOWN ARE CONSIDERED TO BE AS SHOWN, ACCURATE AND UNADJUSTED. ALL DIMENSIONS SHOULD BE CONFIRMED ON SITE.

Request for Encroachment Agreement – 701 Broadway Avenue

Recommendation

1. That the proposed encroachment at 701 Broadway Avenue (Lot 9 to 12 Incl., Block 83, Plan B1858) be recognized;
2. That the City Solicitor be requested to prepare the appropriate encroachment agreement, making provision to collect the applicable fees; and
3. That His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal and in a form that is satisfactory to the City Solicitor.

Topic and Purpose

The purpose of this report is to seek permission for an encroachment for the portions of the building façade and canopy located at 701 Broadway Avenue over the City of Saskatoon (City) sidewalk.

Report Highlights

1. The proposed encroachment area is 3.94 square metres.
2. The building façade and canopy is extending onto the 11th Street East sidewalk by up to 0.41 metres.

Strategic Goals

This report supports the City's Strategic Goals of Sustainable Growth and Quality of Life by ensuring that designs of proposed developments are consistent with planning and development criteria and that these designs do not pose a hazard for public safety.

Background

Building Bylaw No. 7306 states, in part, that:

“The General Manager of the Community Services Department shall not issue a permit for the erection or alteration of any building or structure the plans of which show construction of any kind on, under or over the surface of any public place until permission for such construction has been granted by Council.”

Report

The owner of the property located at 701 Broadway Avenue has requested permission to allow an encroachment (see Attachment 1). As shown on the Site Plan (see Attachment 2), the proposed new building façade and canopy will encroach onto 11th Street East by up to 0.41 metres. The total area of the proposed encroachment is approximately 3.94 square metres; therefore, will be subject to an annual charge of \$50.

Request for Encroachment Agreement – 701 Broadway Avenue

Public and/or Stakeholder Involvement

There is no public or stakeholder involvement.

Other Considerations/Implications

There are no options, policy, financial, environmental, privacy, or CPTED implications or considerations. No communication plan is required at this time.

Due Date for Follow-up and/or Project Completion

There is no follow-up report planned.

Public Notice

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

Attachments

1. Request for Encroachment Agreement dated May 22, 2015.
2. Copy of Site Plan Detailing Proposed Encroachment

Report Approval

Written by: Tanda Wunder-Buhr, Commercial Permit Supervisor, Building Standards
Reviewed by: Daisy Harington, Senior Building Code Engineer, Building Standards
Approved by: Randy Grauer, General Manager, Community Services Department

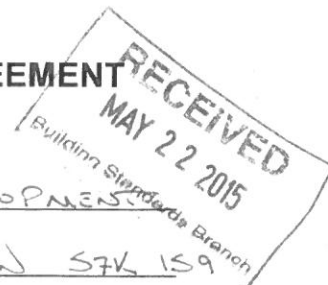
S:/Reports/CP/2015/PDCS – Request for Encroachment Agreement – 701 Broadway Avenue/gs

Request for Encroachment Agreement dated May 22, 2015



BUILDING STANDARDS
222-3rd AVE NORTH, SASKATOON, SK S7K 0J5

REQUEST FOR ENCROACHMENT AGREEMENT



Name of Applicant SCOTT LAWRIE PER: STRATA DEVELOPMENTS

Applicant Mailing Address 1729 ONTARIO AVENUE SASKATOON S7K 1S9

Applicant Telephone 306-361-7415

Name of Owner(s) ANDREW KENT (101058820 SASK LTD.)
(Official Name That Will Be On Encroachment Agreement)

Owner's Mailing Address 324 6TH AVE NORTH SASKATOON S7K 2S5

Owner's Telephone 306-979-8300

Site Address 701 BROADWAY AVENUE

Legal Description of Site Lot 9, 10, 11, 12 Block 83 Plan B1858

Application must include the following documents:

- N/A • 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.
- ATW • 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).
- ATW • 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 Division* of the *Community Services Department* will request approvals from the necessary Departments and Divisions, including the *Planning and Development*, the *Transportation and Utilities Department* and any other Department or Division 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 8 to 10 weeks to process.

Applicant Signature

Application Date MAY 22 2015

FINISH LEGEND

- (A) PRE-FINISHED ALUMINUM CASSETTE CAP
- (B) PRE-FINISHED ALUMINUM FACE PANELS
- (C) GLAZING PANELS
- (D) BRICK MOULD
- (E) EXTERIOR LIGHT FIXTURE
- (F) LUMINOUS PANEL
- (G) BRICK FINISH
- (H) PRE-FINISHED FLASHING
- (I) LUMINOUS CAPSTONE
- (J) CHANNEL IRON FACE BAND

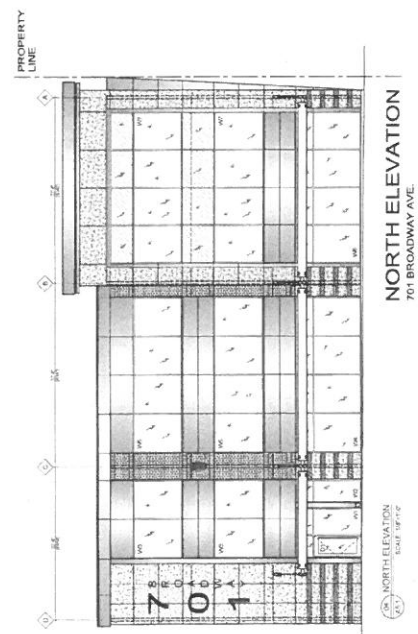
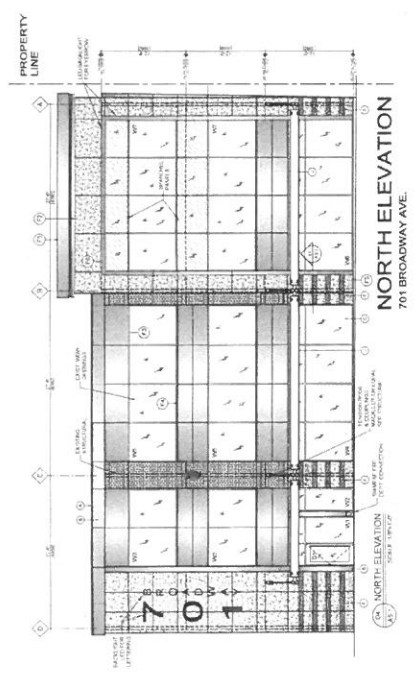
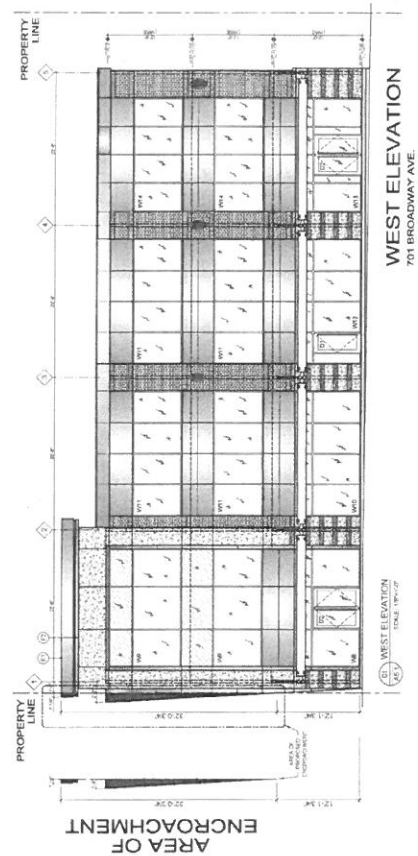
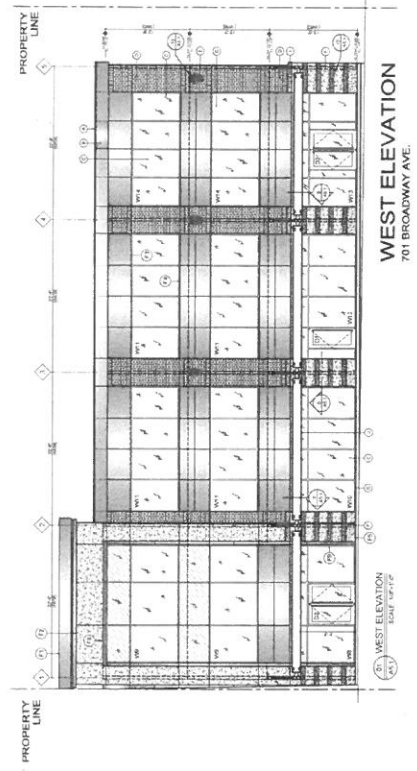
RECEIVED
 MAY 22 2015
 Planning Department Branch

No.	Revisions/Date	Date
R1	ISSUE FOR PERMIT	15-05-01
R2	ISSUE FOR PERMIT	15-03-27

strata
 FRESH PROPERTIES INC.
 8450 DONRIDGE AVENUE
 SUITE 200
 OFFICE: (905) 942-2966
 WWW.STRATAPROPERTY.COM

FRESH PROPERTIES INC.
 8450 DONRIDGE AVENUE
 SUITE 200
 OFFICE: (905) 942-2966
 WWW.STRATAPROPERTY.COM

Drawn By: T. BERN	Checked By: BA
Project: 14-278	Sheet: A5.1
Year: 2014-12-02	Enclosure:
Scale: AS NOTED	Rev. No: R2



CONFORMING ELEVATIONS

ELEVATIONS WITH PROPOSED ENCROACHMENT

Highway 11 Future Jurisdiction (inside Perimeter Highway north)

Recommendation

That the Standing Policy Committee on Transportation recommend to City Council:

1. That a report be submitted to City Council recommending that the terms and conditions of the Memorandum of Understanding with the Ministry of Highways and Infrastructure regarding the portion of Highway 11 between Perimeter Highway (north) and City of Saskatoon limits be approved; and
2. That the City Manager be authorized to sign the Memorandum of Understanding.

Topic and Purpose

The purpose of this report is authorize the City Manager to execute the Memorandum of Understanding that would result in the City of Saskatoon (City) assuming future responsibility of the portion of Highway 11 that is located between Perimeter Highway (north) and City limits. This would occur after the Perimeter Highway is constructed through a boundary alteration (see Attachments 1 and 2).

Report Highlights

1. Planned industrial development is envisaged in the City's North Sector Plan growth area and in the adjacent Rural Municipality of Corman Park (RM). Current highway access policy limits development potential.
2. Converting Highway 11, south of proposed Perimeter Highway, to an urban standard will facilitate improved traffic management and provide better access for all nearby development lands.
3. An agreement between the City and the Province of Saskatchewan (Province) is required to facilitate the conversion.

Strategic Goals

This report supports the Strategic Goals of Moving Around, Economic Diversity and Prosperity, and Sustainable Growth by providing an opportunity to expand roadway access in a contiguous manner across the north industrial area, allowing for freer movement of goods and people.

Background

Since January 2012, City Administration and the Ministry of Highways and Infrastructure (MHI) have been in discussions with the developer of East Cory Light Industrial Park, the Ministry of Government Relations, and the RM regarding the Plan of Proposed Subdivision for the expansion of the East Cory Light Industrial Park. These discussions were prompted by the developer of the industrial park because MHI's current control circles limit access to the development and also the North Sector.

Report

The RM recently requested comments from the City Administration and other agencies regarding a Plan of Proposed Subdivision for the expansion of the East Cory Industrial Park, as well as roadway access within it. At the same time, the City was in the process of developing a sector plan for the North Sector lands. Providing direct transportation access between land parcels and the highway system will not be allowed by MHI policy. Converting Highway 11 to an urban standard freeway or expressway for the portion within Perimeter Highway would allow for vehicle access between the East Cory Industrial Park and the City's North Sector.

The MHI indicated that an agreement with the City would be required, identifying that once the Perimeter Highway was constructed that the City would pursue a boundary alteration to bring this roadway into City limits.

Options to the Recommendation

City Council may wish to not support the recommendation. City Administration does not support this, as MHI would then be unable to support the Plan of Proposed Subdivision, which could result in a denial by the Ministry of Government Relations, leaving the applicant with the only option to appeal the decision with the Saskatchewan Municipal Board. In the interest of maintaining a successful collaboration between all parties, this is not a desired outcome. As well, identifying the City's future commitment is a proactive means to plan for future infrastructure.

Public and/or Stakeholder Involvement

There is no formal stakeholder involvement applicable to the request to change future jurisdiction of a roadway. An open house for the North Sector Plan was held on March 31, 2015. Draft roadway connections were introduced at that time (see Attachment 2). The North Sector Plan is currently in the review stages and is anticipated to be completed by the end of the year.

Financial Implications

There are no financial implications at this time. Operating costs will be determined once the City obtains jurisdiction.

Other Considerations/Implications

There are no policy, environmental, privacy, or CPTED implications or considerations. No communication plan is required.

Due Date for Follow-up and/or Project Completion

A boundary alteration will be pursued to obtain jurisdiction of the section of Highway 11 that is located between Perimeter Highway and City limits, at such time that the Perimeter Highway (north) is constructed. The date of the future boundary alteration is unknown at this time.

Public Notice

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

Attachments

1. Memorandum of Understanding
2. Proposed Roadways Plan

Report Approval

Written by: Dana Kripki, Senior Planner - Regional Partnerships
Don Cook, Manager, Long Range Planning

Reviewed by: Alan Wallace, Director, Planning and Development

Approved by: Randy Grauer, General Manager, Community Services Department
Jeff Jorgenson, General Manager, Transportation and Utilities Department

Approved by: Catherine Gryba, Acting City Manager

S/Reports/CP/2015/TRANS – Highway 11 Future Jurisdiction (inside Perimeter Highway north)/ks



Government
of
Saskatchewan

CITY OF SASKATOON
Ministry of Highways and Infrastructure
Central Region JUL 0 7 2015
Unit 18, 3703 Millar Avenue
Saskatoon, Canada S4P 0R9
CITY MANAGER

June 29, 2015

Our File: CS 11-10; City of Saskatoon

Murray Totland, City Manager
City of Saskatoon
222 3rd Avenue N
SASKATOON, SK S7K 0J5

Dear Mr. Totland:

The Ministry of Highways and Infrastructure (Ministry) and City of Saskatoon (City) have been in discussions with the developers of the North Triangle regarding future plans for Highway 11, east of the Highway 12 overpass. Currently, the lands south of Highway 11 are within Saskatoon city limits, and the lands north of the highway are part of the Cory Industrial Park within the Rural Municipality of Corman Park (RM). Our agencies have worked closely with the RM and Community Planning over the past few years to protect land required for future infrastructure improvements identified in the *Saskatoon North West Access Management Plan, 2009*.

On January 20, 2015 representatives from the Ministry, City, RM, and Community Planning met with the developers of the North Triangle to discuss the status of the protection of a future interchange on Highway 11 that was identified in the *Saskatoon North West Access Management Plan*. The City indicated at this meeting that current planning work suggests that Highway 11 be annexed into City limits when Perimeter Road is constructed and an urban arterial road will access Highway 11 at the proposed interchange location. The attached illustration shows the interchange on Highway 11 North denoted by a green circle.

This letter of understanding is intended to form an agreement in principle, between the Ministry and City, who agree that the portion of Highway 11 from the current terminus of the City limits to the intersection of Perimeter Road will be annexed once Perimeter Road is constructed subject to City Council approval. If an agreement in principle can be formed between our two agencies, the Ministry, City, and RM will all be in a better position to control development as required for future infrastructure in accordance with the *North Sector Plan*.

This agreement will allow the Ministry to revise the current development constraints from a rural interchange to an urban interchange, and facilitate economic development



within the RM of Corman Park and City of Saskatoon. This initial agreement does not address the specific terms of the annexation or roadway function and operation. Once Perimeter Highway is programmed by the Ministry, discussions will take place regarding details of the terms and conditions of the annexation. The Ministry has been in discussions with Don Cook regarding this agreement and the implications of the *North Sector Plan* on the future of Highway 11.

If your office would like to meet with the Ministry to discuss this matter in more detail, please contact me at (306) 933-5225. If further discussions are not required, a signed copy of this letter may be returned to our office. An original will be sent back to the City for your records.

Sincerely,

Rock Gorlick, P. Eng
Executive Director, Central Region

June 29 2015

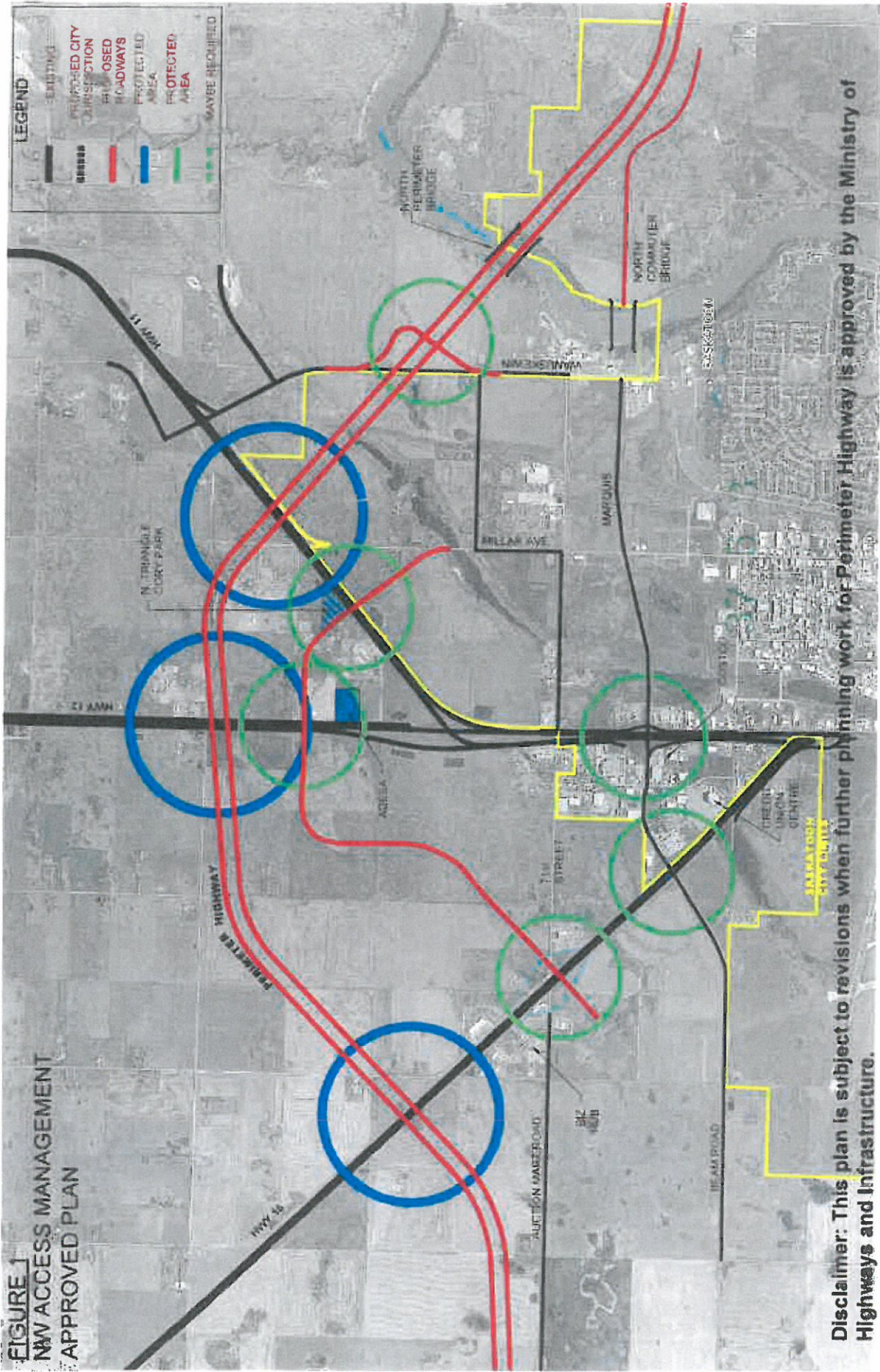
Date

Endorsed:

City of Saskatoon

Date

- cc: Don Cook, Manager, Long Range Planning, City of Saskatoon
- Angela Gardiner, Director of Transportation, City of Saskatoon
- Ron Gerbrandt, Assistant Deputy Minister, Design and Innovation Division
- Jennifer Fertuck, Director of Asset Management, Central Region
- Judy Harwood, Reeve, Rural Municipality of Corman Park



PROPOSED

North Sector Plan is currently under review

ROADWAYS PLAN

Attachment 2

Disclaimer:
All roadway alignments, access points and crossings may change.



- LEGEND**
- ▬ Proposed Arterial Roads
 - ▬ Proposed City Limits
 - ▬ Proposed Collector Roads
 - ▬ Proposed Rural Road Connections
 - ▬ Pick-Up and Delivery Truck Routes
 - ▬ Perimeter Highway
 - ▬ North Sector Study Area
 - ▬ Dangerous Goods Truck Routes
 - * Grade Separated
 - * At Grade Intersection
 - * At Grade Rail Crossing
 - * At Grade Right-in/Right-out
 - * Grade Separated Highway
 - * Grade Separated Highway Rail Crossing
 - * Access Management Highway Control Circles
 - NW Access Management Highway Control Circles

Image not to scale

In-Service Safety Review of Roadside Safety Systems – Award of Contract

Recommendation

That the Standing Policy Committee on Transportation recommend to City Council:

1. That the City enter into an agreement with MMM Group Limited for the provision of engineering services to complete an In-Service Safety Review of Roadside Safety Systems at a total cost of \$177,765 (including taxes); and
2. That the City Solicitor prepare the appropriate agreement and that His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal.

Topic and Purpose

The purpose of this report is to obtain approval to enter into a contract with MMM Group Limited for the provision of engineering services to complete an In-Service Safety Review of Roadside Safety Systems. The contract will complete the engineering evaluation of all existing Roadside Safety Systems along the high-speed road network at a total cost of \$177,765 (including taxes).

Report Highlights

1. Over the past 10 years, an average of 234 collisions per year are occurring on the city's high speed road network, resulting in 34 injuries per year.
2. The focus of this review is a detailed engineering study of the existing safety systems along the city's high-speed road system, and guardrails on low-speed roads which may be associated with bridge piers or embankments. The absence of safety systems will also be identified.
3. A contract awarded to MMM Group Limited is recommended for engineering services to complete an In-Service Safety Review of Roadside Safety Systems at a total cost of \$177,765 (including taxes).

Strategic Goals

This report supports the Strategic Goal of Moving Around by providing safer roads for all road users, and optimizing the flow of people and goods in and around the city.

Background

The Administration has a plan to undertake an In-Service Safety Review of existing Roadside Safety Systems along high-speed roads, low-speed roads and associated structures. The purpose is to evaluate existing Roadside Safety Systems to ensure they are appropriately located and configured correctly, as well as to develop a capital plan for ongoing replacement and maintenance of the systems.

Elements of the safety systems along Circle Drive and Idylwyld Drive have been in place since the 1960's; safety standards and protection systems have evolved considerably over that time.

Report

Collision History

Through the period 2004-2013, considering only the high-speed network and structures that are the focus of this review, and after filtering out intersections, there is an average of 234 collisions/year, 34 injuries/year, \$1.3 Million collision damages/year and an average of 0.4 fatalities/year on this road network.

The City repaired 7 crash cushions and more than 40 sections of guardrail in 2014.

Overall, 'lost control collision' is the most frequent type of incident over this period; the 'fixed/movable object collision' is the single most frequent incident on City bridges/overpasses and non-intersection locations. The highest frequency for both costs and number of injuries is 'lost control right ditch at non-intersections'.

Within the subset of collisions along this component of the city's network, the breakdown of major contributing factors show:

- Human condition factors – inattentive and driver inexperience and confusion account for more than 60% of cited factors.
- Human action factors – driving too fast for road conditions and taking evasive action account for more than 72% of cited factors.
- Vehicle condition factors – defective tires/blowout, load shifted/spilled and other vehicle condition/defect account for more than 67% of cited factors.
- Environmental condition factors – road conditions and weather conditions account for more than 79% of cited factors.

Given that the major contributing factors for a significant portion of collisions relate to driver behaviour, ensuring the city Roadside Safety Systems are performing properly is critically important.

Scope of Review

This review will examine all existing safety systems infrastructure associated with the city's high-speed roadways and associated structures (crash cushions, roadside barriers, median barriers, poles, piers and guide-high safety signs, as well as guardrails on low-speed roads which may be associated with bridge piers and embankments) to ensure contemporary safety standards are met, and will include the following:

- Identifying if any safety infrastructure gaps or deficiencies exist along the network;
- Recommending a replacement and installation program, including an estimate for the capital budget;
- Reviewing best-practice maintenance programs for existing and recommended safety systems;
- Developing and/or recommending appropriate warrants; and

- Providing an optional In-Service Road Safety Review of a set of existing safety concerns.

The focus of this work will be a detailed engineering review of the existing safety systems. The absence of safety systems will also be identified. The scope of the study is outlined in Attachment 1.

Contract with MMM Group Limited

In 2015, the Administration posted a Request for Qualifications on the SaskTenders website to identify proponents interested and capable of completing this work. Six firms provided their qualifications and experience. The following three firms were short-listed and received the Request for Proposal:

- MMM Group Ltd., Saskatoon, SK
- CIMA Canada Inc., Saskatoon, SK
- ATS Traffic Group, Calgary, AB

Based on the evaluation criteria included in the Request for Proposal, the Administration is recommending that the City enter into an agreement with MMM Group Limited to complete an In-Service Safety Review to ensure existing Roadside Safety Systems meet the current safety standards.

Financial Implications

Capital Project #1507 – TU Guardrails contains sufficient funding for this contract.

Contract Amount	\$169,300
GST (5%)	<u>8,465</u>
Total Cost	\$177,765
GST Rebate (5%)	<u>(8,465)</u>
Net Cost to the City	<u>\$169,300</u>

Other Considerations/Implications

There are no options, public and/or stakeholder involvement, communication, policy, environmental, privacy, or CPTED considerations or implications.

Due Date for Follow-up and/or Project Completion

No follow-up is required. The project completion is winter of 2015/2016.

Public Notice

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

Attachment

1. Scope of In-Service Safety Review

Report Approval

Written by: David LeBoutillier, Senior Transportation Engineer, Transportation

In-Service Safety Review of Roadside Safety Systems – Award of Contract

Reviewed by: Jay Magus, Engineering Manager, Transportation
Reviewed by: Angela Gardiner, Director of Transportation
Approved by: Jeff Jorgenson, General Manager, Transportation & Utilities
Department

TRANS DL - In-Service Safety Review of Roadside Safety Systems – Award of Contract

Scope of In-Service Safety Review

1. Recommended Warrants
 - Embankments
 - Median curves
 - Obstructions (signal & light poles, signs etc.)
 - Bridge Piers, abutments
2. Assessment
 - For each structure (and both the major and minor roadways):
 - Are the safety systems configured correctly?
 - Are the safety systems adequate?
 - For each mainline curve:
 - Is a median barrier advised?
 - Are the existing median barriers configured correctly?
 - Are the existing median barriers adequate?
 - For each existing guardrail and crash cushion:
 - Are the safety systems configured correctly?
 - Are the safety systems adequate?
3. Capital Plan
 - For the installation of new safety systems and the replacement of existing systems as identified in this review
 - Detailed list of locations and recommended safety system:
 - Reason for replacement or installation
 - High-level cost estimate
4. Maintenance Plan
 - Outline a best-practices maintenance plan for each type of safety system to include:
 - Snow removal
 - Maintenance
 - Best practices for repair

Operation of Model Aircraft and Unmanned Aerial Vehicles within the City of Saskatoon

Recommendation

That the Standing Policy Committee on Transportation recommend to City Council that:

1. *The Recreation Facilities and Parks Usage Bylaw, 1998* be amended to prohibit the operation of drones in parks without the permission of the City; and
2. Blanket permission to Draganfly Innovations Inc. to operate small commercial drones over City of Saskatoon property on an “as necessary or required” basis be denied; but that individual operations be allowed subject to approval by the City Manager.

Topic and Purpose

This Report provides background information to the Committee regarding the operation and regulation of model aircraft and unmanned aerial vehicles (“drones”) within the City, and considers a request made by Draganfly Innovations Inc. (“Draganfly”) for permission to operate small drones over City of Saskatoon property on an “as necessary or required” basis.

Report Highlights

1. For the purposes of federal regulation, drones are unmanned aerial vehicles used for a commercial purpose. Model aircraft, although similar, are used for recreational purposes and weigh 35 kg or less.
2. Drones of 25 kg or heavier are regulated by Transport Canada under the *Aeronautics Act* and the *Canadian Aviation Regulations* and require a Special Flight Operations Certificate (“SFOC”).
3. The applicant for a SFOC for proposed operation in a built up area must submit a description of the location of take-off and landing and times, certification that the landowner has granted permission and certification that the governing municipality has no objection.
4. Small drones (weighing less than 25 kg) may qualify to operate under a regulatory exemption rather than a SFOC. Exemptions are conditional on following safety procedures and receiving consent from the owner of the property from which take-off and landing is proposed.
5. Model aircraft do not require a SFOC or an exemption. Model aircraft can be largely indistinguishable from drones.
6. Drones and model aircraft and issues relating to them are regulated by various pieces of federal, provincial and municipal legislation.

7. Enforcement against operators of drones and model aircraft can be challenging as it may be difficult to determine who is operating the aircraft, what information the aircraft has captured and whether the operation is commercial or recreational in nature.

Strategic Goal

This Report supports the Strategic Goal of Quality of Life by identifying the risks to health and safety and the privacy concerns that may be posed by drones and model aircraft and both existing and possible additional mechanisms for mitigating these risks.

Background

On February 10, 2015, the Standing Policy Committee on Transportation considered a letter from Draganfly requesting permission to operate drones over property of the City of Saskatoon on an “as necessary or required basis”. The Committee referred this request to the Administration for a report, including a consideration of the regulation of drones generally and any privacy implications. This Report addresses these issues.

Report

The use of model aircraft and drones raises a number of significant issues for consideration, including safety and privacy implications. There currently exist various layers of regulation on each of the federal, provincial and municipal levels. These layers of regulation are discussed in detail in Attachment 1.

Drones are heavily regulated federally. Therefore there is little room for the City to engage in further regulation. Model aircraft are subject to less stringent regulation. Nonetheless they are subject to the same rules regarding trespass, criminal behaviour and privacy in terms of the collection of images and surveillance. Even if the City sought to further regulate, there would be enforcement challenges as identified by the Federal Privacy Commissioner.

The City does regulate the use of “model aircraft” in parks. *The Recreation Facilities and Parks Usage Bylaw, 1998* could be amended to similarly regulate the operation of drones. The Bylaw provides an exemption where the City has given permission to operate. Our Office did a brief canvass of other jurisdictions and many have provisions similar to those contained in Bylaw No. 7767, *The Recreation Facilities and Parks Usage Bylaw, 1998*.

Draganfly Request for Permission to Fly Over City of Saskatoon Property

Draganfly requested permission to operate drones over City of Saskatoon property on an “as necessary or required” basis. Draganfly listed occasions when it may be necessary to take-off, fly over or land on City of Saskatoon property, including parks. The list included search and rescue, crime scene or accident investigation, and inspection of infrastructure or the riverbank area. For the most part, the listed activities

are City-sponsored activities. Draganfly's involvement would likely be initiated by a request for assistance from the City and would be the subject of a specific agreement with the City. We understand that the Saskatoon Police Service has its own drone.

The City could extend a blanket permission to allow drones operating under a SFOC or under an exemption to take-off, land or fly over City-owned land. In other words, the City could grant consent to Draganfly to operate within the City on an "as necessary or required" basis. To do so, however, would limit the amount of control the City would have over operations which may affect privacy and public use and enjoyment of City-owned or operated property. Because of the potential impact of drones on the safety and privacy of citizens, we recommend that permission be considered on a case-by-case basis that considers the purpose of the operation.

Requiring approval on a case-by-case basis would be consistent with how the City currently handles requests for flypasts and parachute jumps and helicopter services within the City limits. The City has policies in these instances which require prior approval of the City Manager (flypasts and parachute jumps) and the City Engineer (helicopter services). The approval required by Draganfly could similarly be delegated to the City Manager and administrative conditions could be attached.

The City of Calgary has implemented a specific application process for a "Letter of No Objection" ["LNO"] to allow aircraft or drone low-level flights within the City of Calgary. The information required to obtain a LNO includes contact information, the date and time of the proposed flight, purpose of the flight and routing information, elevation and location specifics and any other relevant flight details. Those letters are then provided to Transport Canada. This process ensures that the City of Calgary maintains control over the potential impacts associated with commercial usage of these aircraft. We would recommend that the City require an applicant to provide similar information when requesting approval of the City Manager for permission to operate a drone within the City limits.

Options to the Recommendation

The Committee could take the position that the intent of the prohibition to fly model aircraft in a park applies to drones used for recreational or commercial purposes and therefore decide that no amendments to *The Recreation Facilities and Parks Usage Bylaw, 1998* are necessary. Alternatively, the Committee could request that the City's current regulation of model aircraft and drones be expanded. This option is not recommended given the enforcement difficulties which will ensue and given the nature of the regulation that already exists.

The Committee could provide blanket permission as requested by Draganfly. In order to ensure that the safety and privacy of citizens is maintained, this option is not recommended as it forfeits the City's control over the operation of drones within the City limits.

Public and/or Stakeholder Involvement

Draganfly has been notified of the recommendations in this Report and when discussion of this matter will take place.

Public Notice

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

Attachment

1. Model Aircraft and Drone Regulation.

Report Approval

Written by: Kim Bodnarchuk, Solicitor
Reviewed by: Christine G. Bogad, Director of Administrative Law
Approved by: Patricia Warwick, City Solicitor

Admin Report – Operation of Model Aircraft.docx
185-0336-cgb-6.docx

Model Aircraft and Drone Regulation

1. Transport Canada Regulation

Drones require a SFOC or a documented exemption. A SFOC stipulates where, when and how a drone can be operated. Drones under 25 kg may qualify for an exemption, which allows operation subject to conditions. Failure to comply with these conditions renders the exemption void. Commercial operation of drones without either a SFOC or a valid exemption could result in fines of up to \$5,000 for a person and up to \$25,000 for a corporation.

Standard conditions attached to exemptions include restricting operators to adults who are not impaired, restricting operations to permitted airspace under clear conditions and carriage of at least \$100,000 in liability insurance.

The applicant for a SFOC must provide detailed information regarding “the operation”, including flight plans, take-off and landing points and certification that the governing municipality has been informed of the proposed operation and has no objection.

Operators who have gained sufficient experience and have a demonstrated history of safe operations may be issued a longer term or “Standing SFOC” which allows operations within a defined geographical area at sites that have not been assessed as a part of the application process. However, the operator is required, as a condition of a standing SFOC, to conduct site surveys prior to any operation to assess the suitability of each site. Operators must provide the details of their site survey methodology as part of the application process.

Operation of model aircraft does not require a SFOC. The definition of model aircraft, as per Transport Canada, is an aircraft with a total weight not exceeding 35 kg that is mechanically driven or launched into flight for recreational purposes and that is not designed to carry persons or other living creatures. Transport Canada regulation is limited to a requirement that model aircraft not be launched into cloud or flown in a manner that is or is likely to be hazardous to aviation safety. Transport Canada also recommends certain safety practices which do not have the force of law.

2. City of Saskatoon Regulation

(a) *The Recreation Facilities and Parks Usage Bylaw, 1998*

Sections 21, 27, 28, and 29 of *The Recreation Facilities and Parks Usage Bylaw, 1998* prohibit operation of radio controlled model aircraft, vehicles, snowmobiles and hot air balloons in parks, except as permitted by the City. Maximum fines are \$2,000 for an individual and \$5,000 for a corporation. There is no definition of “model aircraft” in the Bylaw. If the Transport Canada definition is used, the Bylaw prohibits operation of

traditional model aircraft used for recreational purposes only. Operation of commercial drones is not prohibited.

(b) *The Noise Bylaw*

Some model aircraft and drones create a significant amount of noise. *The Noise Bylaw* regulates noise which unreasonably disturbs the peace of reasonable persons of ordinary sensitivity. Notices of violation range from \$100 for a first offence to not less than \$400 for a third or subsequent offence, and fines may range from these minimums up to a maximum of \$10,000 for individuals and \$25,000 for corporations.

3. Other Federal and Provincial Regulation

(a) *The Criminal Code*

Transport Canada takes the position that the *Criminal Code* applies to model aircraft and drones and that the following offences related to the operation of “aircraft” apply:

- dangerous operation of an aircraft / operation causing bodily harm or death [section 249]
- operating aircraft which is unsafe for flight [section 251]
- operation while impaired [section 253]

Other offences, not dependent on the definition of “aircraft” may also apply:

- causing damage to aircraft in service or that is likely to endanger the safety of the aircraft in flight [section 77]
- mischief (destroys or damages property or interferes with lawful use, enjoyment or operation of property) [section 430]
- criminal harassment (watching a place of residence if it makes the person feel harassed or threatened)
- voyeurism (surreptitiously observing or recording a person who is in circumstances that give rise to a reasonable expectation of privacy when the person is in a place where it can reasonably be expected that they will be nude or partially nude or engaged in explicit sexual activity) [section 264]

(b) *The Charter of Rights and Freedoms*

The *Charter of Rights and Freedoms* guarantees the right to be free from unreasonable search and seizure by government bodies, including police. It does not control members of the public or private corporations operating model aircraft or drones.

(c) *The Trespass to Property Act* and the Common Law of Trespass

The Trespass to Property Act prohibits trespass “in or on” land that is fenced or otherwise indicated as being private and for the use of the owner. Airspace is not specifically protected by this Act. Under the common law of trespass, a property owner

has rights only to that height of airspace which is reasonably required for the use and enjoyment of his land. Therefore, a person could claim trespass if drones or model aircraft buzz directly over a yard or swoop in and cause a nuisance. If the model aircraft or drone is above the rooftop, however, it is unlikely that the property owner has any right of action in trespass.

4. Privacy Considerations and Legislation

The Privacy Commissioner of Canada considered privacy concerns posed by model aircraft and drones due to their ability to conduct inexpensive, efficient, persistent, agile and surreptitious surveillance. Model aircraft and drone operations conducting surveillance or collecting personal information are subject to the same criminal and privacy laws as other data collection practices. For instance, the same laws apply to spying while using a camera attached to a drone and a peeping tom with a pair of binoculars. However, the Privacy Commissioner noted that laws applicable to model aircraft and drones may be particularly difficult to enforce because it is very difficult for the public to know who the operator is and what information is being collected.

(a) *The Personal Information Protection and Electronic Documents Act*

When drones are used for commercial purposes, the *Personal Information Protection and Electronic Documents Act* applies, making it a requirement that the operator obtain permission to take an individual's photograph in a public place. Model aircraft used for recreational purposes are not subject to this legislation.

(b) *The Privacy Act*

The Privacy Act is provincial legislation which creates a legal cause of action for wilfully violating the privacy of another person, including auditory or visual surveillance of a person without their consent. There are exemptions for conduct and publication necessary and incidental to ordinary news gathering activities, where there are reasonable grounds to believe that a matter is in the public interest and where a peace or public officer is acting in the course of their duties.

The nature and degree of privacy to which a person may be entitled in any given situation is that "which is reasonable in the circumstances, due regard being given to the lawful interests of others" (subsection 6(1)). Therefore, any claim for a violation of privacy will necessarily require the plaintiff to establish some entitlement to privacy in relation to the defendant's action.

Remedies in a successful action for violation of privacy include a monetary award, an injunction and the release of any articles or documents arising as a consequence of the violation. This Act has been used infrequently and therefore there is little Saskatchewan jurisprudence.

Uber Technologies Inc.

Recommendation

That the Standing Policy Committee on Transportation recommend to City Council that the City, in cooperation with the City of Regina, communicate its support to the Province for the regulation of Transportation Network Companies at a provincial level.

Topic and Purpose

At its meeting held on May 11, 2015, the Standing Policy Committee on Transportation resolved that the Administration bring a report in response to the information presented by Mr. Schafer, the representative of Uber Technologies Inc. ("Uber") at Committee.

This report provides information on the implementation and regulation of Uber and transportation network companies ("TNCs") generally across North America. Also, this report addresses how TNCs fit into the Province's and the City's current regulatory schemes and provides recommendations for the future accommodation of TNCs.

Report Highlights

1. TNCs across Canada are currently unregulated.
2. The City currently has no bylaws which could accommodate the introduction of TNCs.
3. The City of Regina has taken the position that TNCs ought to be regulated at a provincial level and is considering lobbying the Province in this regard.
4. This report offers suggestions on how TNCs, like Uber, might be regulated at a municipal or provincial level.

Strategic Goal(s)

Saskatoon is a city on the move and the proposed amendment will help to optimize the flow of people and goods in and around the City.

Background

Uber is a rideshare company operating out of 54 countries. Uber is a relatively new company created four years ago, and came to Canada approximately two years ago. Uber is still integrating into Canada but is currently operating in Edmonton, Montreal, Toronto, Ottawa, Halifax and Vancouver with several other cities in active negotiations.

Uber operates entirely through use of a smart-phone application (the "Uber App"), which is free to download. Users create an account through the Uber App, which includes name, address, telephone number and other personal information, and requires a credit

card. Pricing is determined based on supply and demand, or "dynamic pricing". The pricing is, on average, cheaper than taking a taxi but can fluctuate much higher.

Uber currently has four products on the market, namely:

1. Uber Taxi;
2. Uber Black;
3. Uber SUV; and
4. Uber X.

Uber X would be the only product brought to Saskatoon in the immediate future.

Uber X

Uber X is the peer-to-peer rideshare program created by Uber. It allows individuals to partner with Uber and drive their personal vehicles for pay as desired.

Once an account is created, users may request a ride through the Uber App which uses GPS tracking to bring up a list of nearby drivers (arranged by minutes to pick-up and cost) and allows the user to select his or her driver. All payments are made digitally directly through the Uber App and a receipt is emailed to the user afterwards. After drop-off, the driver and passenger may rate their experience. Uber maintains that frequent negative ratings will result in driver suspension or cancellation of a user's account.

Report

Provincial Regulation

At this time, the Province has expressed no interest in enforcing regulations for TNCs like Uber. A brief synopsis of the Province's current regulatory scheme is attached as Appendix "A". Under the regulatory scheme, it is illegal to use a vehicle with light vehicle ("LV") plates to transport passengers for profit.

Recently, Saskatchewan Government Insurance ("SGI") included TNCs under the same plate class and insurance requirements as taxis (Class 4 – PT plate). Generally, SGI will not grant a taxi plate until the applicant provides proof of a City taxi permit. However, provincial legislation allows this requirement to be waived in jurisdictions that do not regulate taxis. This is a new development and its effects on municipal regulation are unknown at this time.

Limousines are provincially regulated and SGI has asserted that they do not consider Uber X drivers to be limousine operators and will not be regulating them under that category.

Municipal Regulation

The City of Regina is taking the position that Uber should be regulated provincially rather than at the municipal level. The City of Regina wants to wait and allow the Province to respond on this matter.

In Saskatoon, *The Taxi Bylaw, 2014* (the “Bylaw”) was not drafted with a service such as Uber in mind and in its current form does not apply. Some jurisdictions adopt specific regulations for TNCs. The Bylaw, in its current form, would continue to limit the number of taxi licences issued by the City. Currently, the City does not regulate black cars, limousines, airport on demand services or luxury passenger vehicles.

Extra-Provincial Responses to Uber

In response to recent attempts to prohibit TNCs in Canadian cities, the Competition Bureau of Canada issued an official statement encouraging municipalities to consider whether prohibitions on TNCs are necessary and explore whether less restrictive regulations could adequately address any concerns. The Bureau emphasises that, “Regulations should be no broader than what is reasonably necessary to achieve consumer protection objectives”.

A jurisdictional review of the extra-provincial and international responses to Uber’s implementation are set out under Appendix “B”.

Possible Solutions

1. Regulation Through Bylaw

The City may elect to bring TNCs under the purview of the Bylaw, which would require significant amendments to the newly reconstructed legislation. The regulation of taxis under the Bylaw primarily concerns the licensing of brokers, owners and drivers, the controlled issuance of licenses, and in managing issues which have arisen as a result of this licensing scheme. There is also overlap between the City’s regulation of taxis and various areas of provincial jurisdiction (human rights, consumer protection, and vehicle fitness) which can result in the City dealing with issues typically under the purview of the Province.

SGI has recently taken the position in the media that TNCs would fall under the same plate class and insurance requirements as taxis. However, a review of the operating model of TNCs reveals that imposing the regulations of the Bylaw would not be practical nor are the same issues present with TNCs and taxis. TNCs do not operate a labelled, hailed vehicle; a meter is not used – the price is known in advance; there is no broker or dispatcher; and drivers operate their own personal vehicles. Much of the content of the Bylaw deals with issues resulting from the driver/owner distinction; enforcement of the licensing scheme; the cap on licenses (including temporary and seasonal issuance); technology requirements; and the pricing structure – none of these concerns are present in the TNC sector.

In its current form, the Bylaw would require significant amendment to encompass TNCs, which may further complicate an already complex regulatory scheme. In the event that

municipal regulation was requested, it might be more prudent to introduce a separate bylaw focused specifically on TNCs and their unique circumstances.

2. Regulation by the Province

The City may elect to lobby the Province, along with the City of Regina, to regulate TNCs at a provincial level. The vehicle safety, driver fitness, and insurance coverage are part of the current provincial regulatory scheme. In order to lawfully transport a passenger for compensation, a Class 4 driver's license is required along with a plate classification that provides additional insurance coverage. In order to qualify for a Class 4 driver's license, an applicant must be at least 18 years old and hold a Class 5 driver's license; not be a "new" driver (based on the SGI graduated licensing program); submit to a medical examination, pass a criminal record check; and pass a driver's test.

Provincial regulation would make use of an existing regulatory scheme currently better equipped to deal with TNCs, and would also provide uniformity across the Province.

The City, in conjunction with the City of Regina, may elect to engage with the Province to clarify that the City would be supportive of regulation at a provincial level. The Province could then decide how best to classify TNCs under the current regulatory scheme (taxis, limos, etc.) or create a new classification as needed.

3. Wait and See

As an alternative to seeking regulation, the City may elect to wait out the legal turmoil currently being experienced by Uber and make a decision after other provinces have sorted out the problems with TNC regulation, both legally and administratively. As it stands, TNC developments, both positive and negative, occur daily and it may be prudent to wait on the decision until an equilibrium has been established.

Other Considerations/Implications

There are no policy, financial, environmental, privacy, or CPTED implications or considerations.

Due Date for Follow-up and/or Project Completion

The City Solicitor's Office would attend to any proposed amendments to the Bylaw in the new year, and any communications to the Province lobbying for provincial regulation of TNCs would occur in late 2015.

Public Notice

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

Attachments

1. Overview of Provincial Regulation
2. Jurisdictional Overview

Report Approval

Written by: Derek Kowalski, Solicitor
Reviewed by: Cindy Yelland, Director of Planning & Development Law
Approved by: Patricia Warwick, City Solicitor

Admin Report – Uber Technologies Inc.docx
227-1524-djk-4.docx

Appendix “A”

Overview of Provincial Regulation

The Vehicle Classification and Registration Regulations – Administered by SGI

- Sets out a complicated regulatory regime for licence plate classification types based on vehicle characteristics and use. Depending on which plate classification the use/vehicle falls under different pieces of regulation will apply. The following plate classes are relevant:
 - **LV** – standard personal vehicle plate class: prohibits the use of a personal vehicle (LV plates) for the transportation of passengers for compensation but does permit a private carpool to a common destination where a contribution is made toward expenses;
 - **PT** – plate class currently issued to taxis. *The Traffic Safety Act* sets out requirements for issuance; and
 - **PB** – plate class currently issued to: black cars, limousines, airport on demand services and luxury passenger services.

The Traffic Safety Act –Administered by SGI

- Driver’s licensing, driver education, tracking of infractions, vehicle equipment inspections, vehicle operation, registration requirements and accident reporting for all vehicles.
- Permits SGI to place conditions on the issuance of a driver’s licence including a medical examination, road test and knowledge examination.
- Allows SGI to refuse a driver’s license where a person has “habits” that would make the operation of a motor vehicle by that person a source of danger.
- Prescribes the following requirements for PT plates:
 - Enhanced insurance coverage (also required for PB but in another piece of legislation);
 - A certificate of approval from the municipality in which the vehicle intends to operate (the Act also permits this requirement to be waived by SGI and this requirement has been waived by SGI for jurisdictions that do not issue taxi licences, which includes most towns in Saskatchewan); and
 - A certificate of approval from police or any other satisfactory person (criminal record check).

The Driver Licensing and Suspension Regulations, 2006 –Administered by SGI

- In order to operate a vehicle for hire a minimum Class 4 driver’s licence is required.
- Class 4 requirements (as described on SGI website):
 - Must be at least 18 years of age and hold a valid class 5 driver’s licence;
 - Cannot be a “new driver” (holder of a learners licence, licence with novice endorsement or provisional licence);
 - Submit to and receive a satisfactory medical examination;

- Pass a knowledge test; and
- Pass a road test.
- All classes of drivers are subject to requirement to attend safety training or to have their license suspended for various infractions or complaints.

Operating Authority Regulations, 2011 –Administered by the Highway Traffic Board

- Black cars are subject to the Operating Authority regulations and taxis are not. It is unclear where TNCs fit into these regulations or whether they will be amended to create a new type of operator.
- Define a “black car” as: a four door sedan with a seating capacity of no more than four passengers, operated by a person dressed in business attire, has no markings to indicate that it is a vehicle for hire, is not equipped with a taxi meter or dispatch device and is used exclusively for the transportation of passengers.
- Black cars are differentiated from taxis by the lack of taxi meter, pre-booking and by the inability to “hail” a black car from the street.
- These regulations create a permitting system for limos, luxury passenger vehicle service, black car service and airport on demand service but do not prescribe detailed rules and regulations for the operation of such services. The permit may contain any conditions placed on the operator.

The Vehicle Equipment Regulations, 1987 – Administered by SGI

- Sets detailed standards for vehicle equipment for all vehicles, such as lighting, wiring, bumpers, tires, seatbelts and other safety equipment.

The Consumer Protection and Business Practices Act –Administered by the Financial and Consumer Affairs Authority

- Prohibits certain “unfair practices” such as making false claims, taking advantage of a consumer, charging a price that grossly exceeds the price at which similar services are readily obtainable.
- Requires a written contract (and certain terms) where an internet sales contract exceeds \$50.

The Human Rights Code –Administered by the Human Rights Commission

- Prohibits denial of services or discrimination in the provision of services on the basis of a prohibited ground (disability, sexual orientation, race, etc.).

Appendix “B”

Jurisdictional Overview

Edmonton

On January 27, 2015, Edmonton City Council voted to explore the option of regulating rideshare companies at a municipal level while simultaneously asking Uber X drivers to cease operations in the interim, and threatened to seek an injunction if Uber refused to comply.

Subsequently, Edmonton pursued an injunction which was struck down in court. Currently, Edmonton is working towards amending their bylaws to allow Uber and other rideshare companies to operate legally. The amendments are due in the fall of 2015 and will make Edmonton the first City in Canada to regulate rideshare companies.

Calgary

Uber is apparently in the process of attempting to enter the Calgary market after having been turned away in 2013. The City of Calgary imposed a local regulation requiring a minimum \$84.60 charge for any sedan or limousine trip which has prevented Uber Black from operating. Uber X is not currently being considered for implementation "because of insurance concerns" according to the Mayor of Calgary.

Toronto

Uber operates illegally in Toronto. The City of Toronto has laid numerous charges against Uber X drivers for operating unlicensed taxis and limousines. The City of Toronto applied to the court for an injunction to stop all Uber operations, however the application was dismissed as it was ruled that there is “no evidence” the company is operating as a taxi broker or that it breached city bylaws.

Ottawa

Uber operates illegally in Ottawa and the City of Ottawa is actively charging all drivers for operating unlicensed taxis and limousines. The City of Ottawa is in the midst of a sting operation whereby bylaw enforcement officers create fake profiles and actively seek out rides from Uber X drivers in order lay charges, which carry fines of \$650. Ottawa is set to do a comprehensive review of its Taxi Bylaw in late 2015.

Montreal

In October, 2014, the Mayor of Montreal, along with the Transport Minister, declared Uber X illegal. Uber operates illegally in Montreal; however the City of Montreal is not actively charging Uber X drivers.

Vancouver

In November, 2014, the Vancouver Taxi Association filed an injunction against Uber in response to the imminent launch of Uber X. The litigation is ongoing.

Uber operated its Uber Black service in Vancouver for about six months in 2012, but the company withdrew from British Columbia after the provincial transportation regulator imposed a minimum fare of \$75 per trip.

Uber is currently inactive in Vancouver and no regulations exist.

Halifax

Uber has been operating in Halifax since June, 2014; however, there are only two cars currently in operation for the entire City. The City of Halifax has reached its limit for taxi licenses, but Uber appears to be positioning itself as more of a limousine service in this jurisdiction.

Manitoba

In December, 2014, Manitoba's Minister of Municipal Government declared Uber operations illegal throughout the province unless drivers are in possession of a taxi license.

International Responses to Uber

Uber has faced legal challenges or outright bans in France, Germany, China, South Korea, India and several cities and states in the United States.

7000-1

From: Troy Larmer <troyl@unitedgroup.ca>
Sent: July 16, 2015 3:50 PM
To: City Council
Subject: Form submission from: Write a Letter to Council



Submitted on Thursday, July 16, 2015 - 15:50
Submitted by anonymous user: 64.141.10.170
Submitted values are:

Date: Thursday, July 16, 2015
To: His Worship the Mayor and Members of City Council
First Name: Troy
Last Name: Larmer
Address: 225 Ave B N
City: Saskatoon
Province: Saskatchewan
Postal Code: S7L 1E1
Email: troyl@unitedgroup.ca

Comments: Good Afternoon. I would like to speak to the report going to SPC Transportation: Uber Technologies Inc. [File No. CK. 7000-1] on their meeting Tuesday July 21 @ 9am.

The results of this submission may be viewed at:
<https://www.saskatoon.ca/node/398/submission/30788>

7000-1

From: Fatih Ayalp <fayalp@hotmail.com>
Sent: July 20, 2015 1:40 PM
To: City Council
Subject: Form submission from: Write a Letter to Council



Submitted on Monday, July 20, 2015 - 13:40
Submitted by anonymous user: 184.70.63.134
Submitted values are:

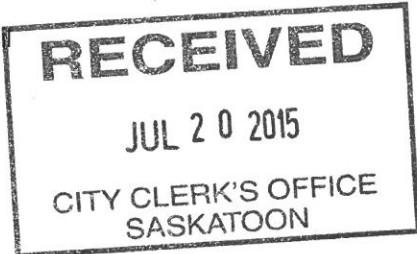
Date: Monday, July 20, 2015
To: His Worship the Mayor and Members of City Council
First Name: Fatih
Last Name: Ayalp
Address: 11-1724 Quebec Ave
City: Saskatoon
Province: Saskatchewan
Postal Code: S7J 1V6
Email: fayalp@hotmail.com
Comments:
Please register me to speak on the matter regarding Uber Taxi.

Thank You!

The results of this submission may be viewed at:
<https://www.saskatoon.ca/node/398/submission/31093>

7000-1

From: Khodr Bardouh <kbardouh@hotmail.com>
Sent: July 20, 2015 1:42 PM
To: City Council
Subject: Form submission from: Write a Letter to Council



Submitted on Monday, July 20, 2015 - 13:41
Submitted by anonymous user: 184.70.63.134
Submitted values are:

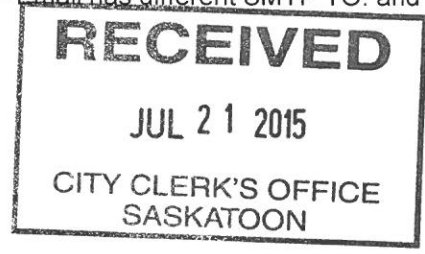
Date: Monday, July 20, 2015
To: His Worship the Mayor and Members of City Council
First Name: Khodr
Last Name: Bardouh
Address: 30 Harrington place
City: Saskatoon
Province: Saskatchewan
Postal Code: S7H 3Y5
Email: kbardouh@hotmail.com

Comments:
Please register me to speak tomorrow, July 21 on the matter regarding Ubbber Taxis.

Thank You.

The results of this submission may be viewed at:
<https://www.saskatoon.ca/node/398/submission/31094>

To: Bryant, Shellie (Clerks)
Subject: RE: [SPAM] - Re: RE: Speaking for STC Committee - Email has different SMTP TO: and MIME TO: fields in the email addresses



From: Draz Umar [mailto:u_draz@yahoo.com]
Sent: July 20, 2015 5:51 PM
To: Sproule, Joanne (Clerks)
Cc: Bryant, Shellie (Clerks)
Subject: [SPAM] - Re: RE: Speaking for STC Committee - Email has different SMTP TO: and MIME TO: fields in the email addresses

Yes please i am requesting to speak regarding uber before spc committee tomorrow. Thanks Malik

Sent from Yahoo Mail on Android

From: "Sproule, Joanne (Clerks)" <Joanne.Sproule@Saskatoon.ca>
Date: Mon, Jul 20, 2015 at 5:47 PM
Subject: RE: Speaking for STC Committee

Hello Malik

Could you clarify please? Are you requesting to appear before the SPC on Transportation tomorrow morning, and speak to the issue regarding Uber Technologies?

Please advise.

Joanne

Joanne Sproule | tel 306.975.3240
City Clerk
City of Saskatoon | 222 3rd Avenue North | Saskatoon, SK S7K 0J5
joanne.sproule@saskatoon.ca

www.saskatoon.ca

*If you receive this email in error, please do not review, distribute or copy the information.
Please contact the sender and delete the message and any attachments.*

From: Draz Umar [mailto:u_draz@yahoo.com]
Sent: Monday, July 20, 2015 4:59 PM
To: Sproule, Joanne (Clerks)
Subject: Speaking for STC Committee

hi

i am looking to speak in STC meeting

My Name is Malik Umar Draz

34-3144 laurier drive saskaton

Saskatchewan

s7L 5S7

3063703838

President of USW Locals 2014

Thanks

Malik

Sent from Yahoo Mail on Android

From: Michael van Hemmen <mvh@uber.com>
Sent: July 21, 2015 12:20 AM
To: Web E-mail - City Clerks
Subject: Re: Saskatoon Ridesharing Report



Shellie,

I noticed a typo in the email. Here's the corrected version.

Thanks,

Ms. Shellie Bryant,

Thank you for forwarding the City Solicitor's report on Uber that will be considered by the Standing Policy Committee on Transportation on July 21, 2015. Chris Schaffer passed it along to me, as I now have responsibility for Public Policy in Western Canada, including Saskatchewan.

The staff report is well reasoned and reaches important conclusions about the benefits of ridesharing, which is called uberX on the Uber platform.

TNCs across Canada are currently unregulated; however, the Province of Saskatchewan has broad regulatory authority, including insurance and driver licensing that enables it to make fulsome reforms that embrace ridesharing. It makes sense that one order of government be responsible for the regulation.

Uber supports staff's recommendation that the City of Saskatoon communicate its support to the Province for the regulation of TNCs at the provincial level.

I have included a more detailed response to the report below. While I am not seeking an opportunity to speak at this meeting, I would appreciate a similar offer to appear before Council should the Committee progress the report to that stage.

I look forward to continued collaboration with staff and elected officials to ensure that Saskatonians are able to access the benefits of Uber. Please reach out If you have any questions or would like more information.

All the best,

Michael

On Mon, Jul 20, 2015 at 10:52 PM, Michael van Hemmen <mvh@uber.com> wrote:
Ms. Shellie Bryant,

Thank you for forwarding the City Solicitor's report on Uber that will be considered by the Standing Policy Committee on Transportation on July 21, 2015. Chris Schaffer passed it along to me, as I now have responsibility for Public Policy in Western Canada, including Saskatchewan.

The staff report is well reasoned and reaches important conclusions about the benefits of ridesharing, which is called uberX on the Uber platform.

TNCs across Canada are currently unregulated; however, the Province of Saskatchewan has broad regulatory authority, including insurance and driver licensing that enables it to make fulsome reforms that embrace ridesharing. It makes sense that one order of government be responsible for the regulation.

Uber supports staff's recommendation the City of Saskatoon communicate its support to the Province for the regulation of TNCs at the provincial level.

I have included a more detailed response to the report below. While I am not seeking an opportunity to speak at this meeting, I would appreciate a similar offer to appear before Council should the Committee progress the report to that stage.

I look forward to continued collaboration with staff and elected officials to ensure that Saskatonians are able to access the benefits of Uber. Please reach out If you have any questions or would like more information.

All the best,

Michael



Michael van Hemmen
Public Policy Manager

t: [778.863.9906](tel:778.863.9906)
e: mvh@uber.com



Michael van Hemmen
Public Policy Manager

t: [778.863.9906](tel:778.863.9906)
e: mvh@uber.com

UBER

UBER Vancouver

308 East 5th Avenue
Vancouver, BC V5T 1H4

Saskatoon City Council,

As Public Policy Manager for Uber, I am writing in response to the City Solicitor's report that will be considered by the Standing Policy Committee on Transportation on July 21, 2015. Chris Schaffer passed it along to me as I now have responsibility for Western Canada, including Saskatchewan.

I was encouraged by the important conclusions reached in staff's report. It is a significant first step towards Saskatoon and Saskatchewan embracing ridesharing.

The technological innovation and new business models presented by Transportation Network Companies (TNCs) like Uber have led many governments to evaluate the current regulatory environment. Some initially sought judicial injunctions to stop uberX from operating. In both Canadian cases, judges ruled that Uber can continue to operate. More recently others have taken a more collaborative approach. To date, 51 cities and states across the United States have adopted TNC regulations that codify important public protections while encouraging the public to benefit from this new technology. This momentum is now spreading internationally. The Philippines and most recently Mexico City have enacted ridesharing rules.

TNCs across Canada are currently unregulated; however, the Province of Saskatchewan has broad regulatory authority, including insurance and driver licensing that enables it to make fulsome reforms to embrace ridesharing. Saskatoon staff recommends that the City of Saskatoon communicate its support to the Province for the regulation of TNCs at the provincial level. Uber supports this recommendation.

"Saskatoon is a city on the move and the proposed amendment will help to optimize the flow of people and goods in and around the City" (Staff report p1).

As you know, Uber is a technology company that provides a smartphone application connecting driver partners with people who need a ride. On the uberX ridesharing platform, Uber enables driver partners to use their personal car to provide rides and earn flexible income whenever they want. **All uberX driver partners are subject to stringent background checks, personal vehicles are subject to mandatory certified mechanical inspections, and all rides are covered by best in class insurance.** More information on Uber's safety program can be found at the link below.

The safety, affordability and convenience of uberX has led to significant expansion across the United States and Canada; yet, ridesharing is also an international phenomenon, and Uber is not the only company developing ridesharing technology. In the United States competitors include Lyft and Sidecar, while Didi and Ola are currently the largest players in the Chinese and Indian markets. Embracing ridesharing is not embracing one company, but a technological shift providing new benefits for people moving from point A to B.

As Chris outlined in his speech before the Committee, there are numerous benefits to ridesharing on the uberX platform.

1. Reduced drinking and driving

When citizens can get a more affordable, reliable and safe ride, they make better decisions and driving under the influence declines. UberX is typically 25-40% cheaper than traditional taxi which is great for low income groups like seniors and students. Pickup times are consistently under 5 minutes when the business is at scale, so Saskatonians would not be waiting dangerously long for a taxi to show up.

According to the most recent Statistics Canada data, Saskatchewan leads all provinces in drunk driving incidents. In 2011, it had 683 incidents per 100,000 people, which is more than double the national average. Ridesharing offers Saskatoon and Saskatchewan an important tool to combat drinking and driving.

In California, drunk-driving crashes fell by 60 per month among drivers under 30 in the markets where Uber operates following the launch of uberX. That's an estimated total of 1,800 crashes prevented since July 2012. Moreover, 78% of all respondents to a survey agreed that friends are less likely to drive drunk since the arrival of ridesharing services like Uber to their city and nearly everyone surveyed — 93% — would recommend their friends take Uber instead of driving if they'd been drinking alcohol.

Here in Canada, Uber Ottawa has facilitated thousands of weekend night trips from Downtown Ottawa to the surrounding areas since October 2014. Between 8PM and 5AM on weekends, almost 50% of trips begin or end in the Byward Market and Elgin Street entertainment areas. This shows us that people in Ottawa know how to enjoy the nightlife and are turning to a safe reliable ride at the end of the evening.

2. Greener environment

UberX provides citizens with access to safe, affordable and reliable transportation options that supports car free and car light lifestyles and one that compliments existing public transit infrastructure.

In Edmonton, we find that 36% of uberX trips begin near or end near existing public transit infrastructure. In this way, ridesharing is a complement to existing public transit. Unlike taxis which hover downtown and near the airport, ridesharing more effectively fills in the gaps in existing public transit infrastructure, connects riders to public transit, and assists with the "last mile" issue.

Uber's technology also keeps advancing to finding new ways to make transportation more efficient. When an uberX market gets to scale, we are able to provide uberPOOL, our carpooling service. It puts two or more Uber customers in a single vehicle, which means fewer cars on the road and less traffic congestion and carbon emissions. An uberPOOL pilot project is currently underway in Toronto during the PanAm Games. It is an exciting opportunity to provide people with more affordable transportation (up to 50% lower price than uberX) with meaningful environmental and congestion benefits.

3. Improved economic outcomes for riders and drivers

While providing public safety and environmental benefits, uberX also provides significant economic benefits. Driver-partners have control over their own schedule, and there is no weekly "rent" due to taxi license owners. Further, through increased efficiency, the Uber platform enables significantly lower base fares that can be reduced even further from time to time while ensuring that partner earnings are equal or greater than before. You may ask how is it possible that uberX riders can pay less (when base fares are lowered in a market) while at the same time driver partners can earn more money?

The answer is that uberX driver partners benefit from the liquidity or availability of both more riders and more drivers. Over time in a particular market, having a large marketplace of both riders and

drivers means that drivers are typically much closer to a rider requesting a ride than at an earlier point in time in that particular market. This makes pickup times shorter. Since driving with a rider in the car is the only time that a driver is earning fares, the more time drivers spend with riders, the more they can earn per hour. Riders benefit from lower fares but also by having quicker pick up times. **In other words, a bigger marketplace for ridesharing over time is a win for both riders and drivers.** As uberX continues to grow in a particular market, one can expect these beneficial effects to only get stronger over time.

These are a few of the benefits that Uber can bring to the City of Saskatoon and the Province of Saskatchewan. I look forward to continued collaboration with staff and elected officials to ensure that Saskatonians are able to access the benefits of Uber. Please reach out if you have any questions or would like more information.

Best regards,

A handwritten signature in black ink, appearing to read 'Michael van Hemmen', with a long horizontal flourish extending to the right.

Michael van Hemmen

2015 Asphalt Testing Services - Award of Engineering Services

Recommendation

That the Standing Policy Committee on Transportation recommend to City Council:

1. That the 2015 asphalt testing in the North area and all testing for Expressways and Arterial Resurfacing be awarded to Golder Associates Ltd., at a total estimated cost of \$131,000 (plus GST);
2. That the 2015 asphalt testing in the East area be awarded to LVM Inc., at a total estimated cost of \$120,000 (plus GST);
3. That the 2015 Asphalt testing in the West area be awarded to AMEC Environment & Infrastructure, at a total estimated cost of \$113,000 (plus GST); and
4. That the City Solicitor be requested to prepare the appropriate agreements and that His Worship the Mayor and the City Clerk be authorized to execute the agreements under the Corporate Seal.

Topic and Purpose

The purpose of this report is to obtain City Council approval to award asphalt testing for the 2015 construction season.

Report Highlights

1. Proposals were received from four firms to provide asphalt testing services for the City of Saskatoon construction projects.
2. Proposals were evaluated based on qualifications, fee schedules and available capacity. The proponents with the highest scores are being recommended.

Strategic Goal

The recommendations in this report support the Strategic Goal of Asset and Financial Sustainability as the request for proposals for the selection of consultants to provide material testing services ensured the best possible cost by the most qualified consultants.

Background

On May 13, 2015, Construction and Design issued Requests for Proposals for asphalt testing services for various capital infrastructure projects. Proposals were received on May 28, 2015 from the following four consulting firms:

- AMEC Environment & Infrastructure (Saskatoon, SK)
- PSI Technologies (Saskatoon, SK)
- Golder Associates (Saskatoon, SK)
- LVM Inc. (Edmonton, AB)

Asphalt testing contracts are awarded annually to provide quality assurance within our capital infrastructure projects. In 2014, \$1,400,000 of testing was awarded to qualified, licensed, professional testing firms to provide this service. These contracts are funded annually through the approved 2015 Capital Projects.

For asphalt work already completed in 2015, testing has been conducted by AMEC Environment & Infrastructure, who has conducted the majority of asphalt testing for the City in previous years.

Report

In 2015, an estimated 500 tests will be done to ensure quality work is completed by contractors on 17 capital projects, including land development, and roadways preservation and rehabilitation. This third-party testing provides quality assurance.

The City of Saskatoon was divided into three geographic areas: North, East and West. Selections were based on the engineering consultants' qualifications, which included national lab certifications and members of the team and their roles within the proposed team. Competitive fee schedules and the consultants' capacity to complete the work in a timely manner were also factors.

Options to the Recommendation

Asphalt testing services could be awarded for each individual construction project. This option is not recommended as with the exception of the Expressway and Arterial asphalt resurfacing project, the amount of testing on any individual project is small, and the grouping of testing services into geographic areas, across multiple projects, lowers costs through economies of scale.

Financial Implications

The total net cost to the City for the engineering services for all 2015 asphalt testing is as follows:

North Area	\$131,000
East Area	120,000
West Area	<u>113,000</u>
Total Base Fees	\$364,000
GST	<u>18,200</u>
Total Fees	\$382,200
GST Rebate	<u>(18,200)</u>
Total Net Cost to the City	<u>\$364,000</u>

Funding for the material testing services will be from the various approved 2015 Capital Projects which require these services.

Other Considerations/Implications

There are no policy, public and/or stakeholder involvement, communication plan environmental, privacy or CPTED implications or considerations.

Due Date for Follow-up and/or Project Completion

A follow-up report is not required. Project completion will coincide with the completion of the various 2015 construction projects that the material testing will be provided for.

Public Notice

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

Report Approval

Written by: Bruce Marlatte, Technologist, Construction and Design
Reviewed by: Rob Dudiak, Engineering Manager, Construction and Design
Reviewed by: Celene Anger, Director of Construction and Design
Approved by: Jeff Jorgenson, General Manager Transportation & Utilities
Department

TRANS BM - 2015 Asphalt Testing Services Award of Engineering Services.docx

Intersection Upgrades – Highway 16 and 71st Street

Recommendation

That the Standing Policy Committee on Transportation recommend to City Council:

1. That a budget adjustment in the amount of \$3,077,000 be approved for the re-construction of the intersection at Highway 16 and 71st Street, including the installation of traffic signals and advanced warning beacons;
2. That the posted speed on Highway 16 be reduced to 90km/hr from 500 metres northwest of the intersection to the city limits; and
3. That the City Solicitor be instructed to prepare amendments to Bylaw No. 7200, The Traffic Bylaw, for City Council's consideration.

Topic and Purpose

This report is to request a budget adjustment for the re-construction of the intersection of Highway 16 and 71st Street, which includes the installation of traffic signals and advanced warning beacons, and a reduction of the speed limit along Highway 16 from 500 metres northwest of the intersection to the city limits.

Report Highlights

1. A safety review completed by the Ministry of Highways and Infrastructure (MHI) identified recommendations to enhance safety at this intersection. The Administration has reviewed these recommendations and is in agreement.
2. Given the growth in development near the intersection, traffic signals with advance warning beacons is also recommended.
3. The posted speed of Highway 16 is to be reduced from 110km/h to 90km/h from 500 metres northwest of the intersection of 71st Street to the city limits, to permit the installation and safe operation of traffic signals at the intersections of 71st Street and Marquis Drive.

Strategic Goal

This report supports the Strategic Goal of Moving Around by optimizing the flow of people and goods in and around the city.

Background

As part of the boundary alteration proposal approved by City Council at its meeting held on June 23, 2014, the City took over responsibility for the intersection of Highway 16 and 71st Street, including the Rural Municipality of Corman Park's (RM) financial responsibility for improvements. City Council at its meeting on September 29, 2014, approved that the City enter into an agreement with MHI to take over operational jurisdiction of Highway 16 from the current city limits up to, and including, the intersection of 71st Street.

Report

Intersection Upgrades

MHI completed a safety review of the intersection of Highway 16 and 71st Street. The independent consultant report recommended re-construction of the intersection to reduce the skew of the intersection, and improve visibility and sight lines to enhance the safety of the intersection. The RM completed a detailed design of the intersection of Highway 16 and 71st Street to match the recommendations of the previous safety review. Attachment 1 illustrates the proposed re-construction.

Since that time, the developers of BizHub, an industrial land use development south of Highway 16, completed a Traffic Impact Analysis for their development. Within the evaluation of the development's traffic impacts, the installation of a traffic signal at the intersection of Highway 16 and 71st Street was shown to be warranted.

The Administration has reviewed these reports and is in agreement with the recommendations. Given the growth in the RM and the anticipated future development in the newly annexed land, the installation of traffic signals at the intersection of Highway 16 and 71st Street is also warranted. The traffic signals would be installed with advance warning beacons to enhance safety along the highway.

Reduced Speed Limit

Safe operation of traffic signals on a highway requires a reduction of posted speed to 90km/h or lower. The Administration is recommending that the speed limit on Highway 16 be reduced from 110km/hr to 90km/hr from 500 metres northwest of the intersection of 71st Street to the city limits.

Public and/or Stakeholder Involvement

The RM and MHI are in agreement with the planned intersection modifications to improve safety.

Communication Plan

If the re-construction of the intersection of Highway 16 and 71st Street proceeds, communications will include an announcement of the work to be undertaken that is timed along with the project start date and updates to the City's interactive construction map (saskatoon.ca/constructionmap).

Financial Implications

The total cost of the intersection modifications is estimated at \$4,670,000 plus land acquisition.

MHI is responsible for the purchase of land for the intersection upgrades, as well as 50% of the cost of the right and left acceleration and deceleration lanes. The adjacent developers are also contributing to the project as per a previous agreement with the RM.

Intersection Upgrades – Highway 16 and 71st Street

The City's portion of the cost to re-construct the intersection and install traffic signals is estimated at \$3,077,000 which brings the total annexation cost to \$8,677,000. This amount will be amortized over the annexation tax loss agreement period of 15 years or \$578,500 per year and would be offset by incremental property tax revenue generated from the properties in the annexed area.

Other Considerations/Implications

There are no options, policy, environmental, privacy or CPTED considerations or implications.

Due Date for Follow-up and/or Project Completion

The project construction is expected to be complete by fall 2015.

Public Notice

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

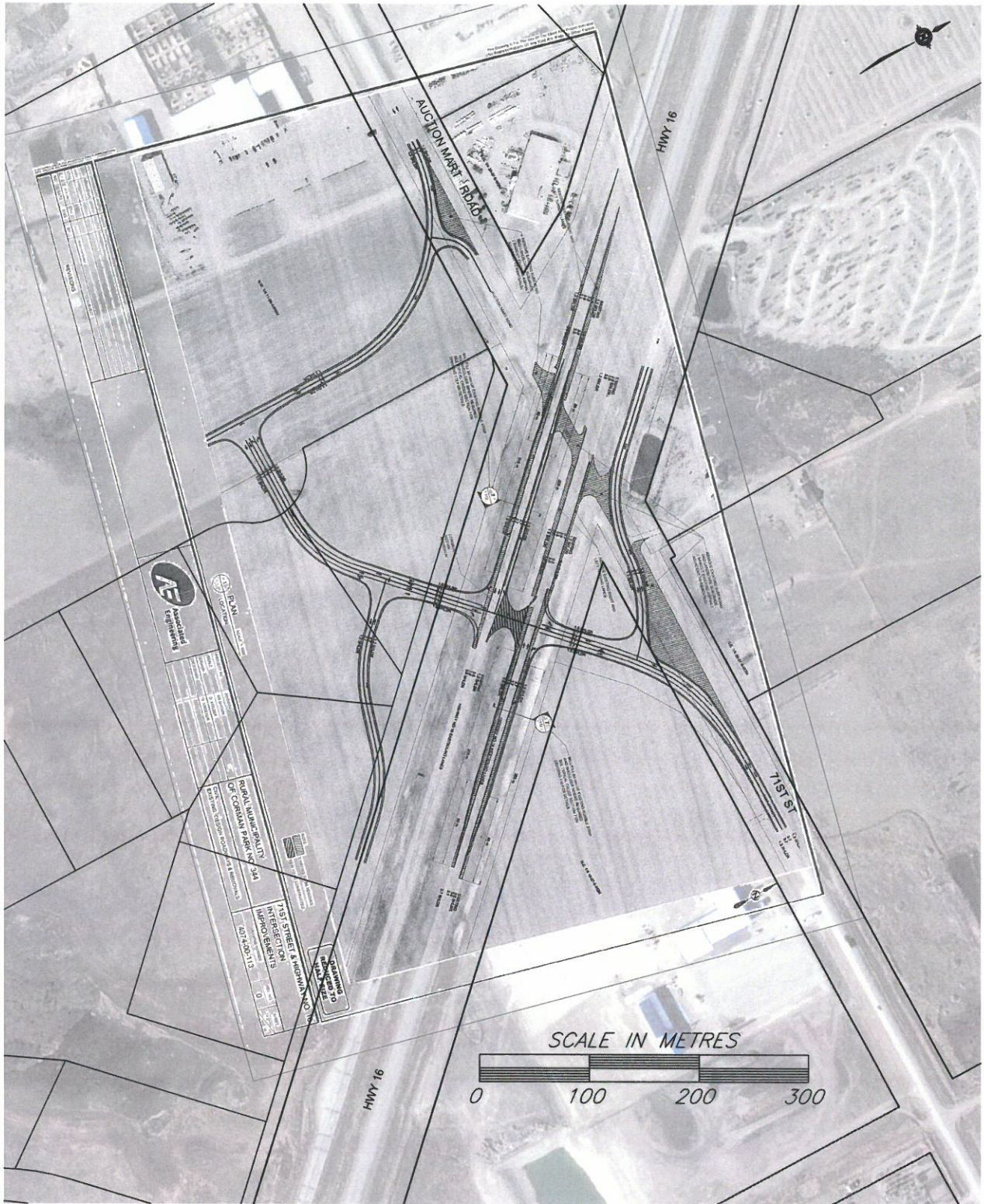
Attachment

1. Proposed Re-construction of Highway 16 and 71st Street

Report Approval

Written by: Jay Magus, Engineering Manager, Transportation
Reviewed by: Angela Gardiner, Director of Transportation
Approved by: Jeff Jorgenson, General Manager, Transportation & Utilities
Department

TRANS JM - Intersection Upgrades - Highway 16 and 71st Street.docx



PLAN DESCRIPTION/REVISIONS	 <p>City of Saskatoon Transportation & Utilities Department</p>	APPROVED
4		
3		
2		CHIEF ENGINEER _____
1		ENGINEER _____
DRAWN BY <u>RBY</u>	<p>PROPOSED RE-CONSTRUCTION OF HIGHWAY 16 & 71ST ST</p>	PLAN NO. _____
DATE <u>2014-SEPT-15</u>		FIGURE 1
SCALE : HOR. <u>1:4,000</u> VERT. _____		

Traffic Flow – North Industrial Area (Councillor R. Donauer)

Recommendation

That the report of the General Manager, Transportation & Utilities Department, dated July 21, 2015, be forwarded to City Council for information.

Topic and Purpose

The purpose of this report is to provide information in response to an inquiry from Councillor R. Donauer requesting a report on the possibility of acquiring an abandoned rail spur line from the Canadian National Railway (CNR) and options to create an additional access along Warman Road connecting to Millar Avenue.

Report Highlights

1. The City of Saskatoon owns the abandoned spur lines west of the CNR mainline along Warman Road. The spur lines are inactive while the mainline has regular rail activity.
2. An additional access is not feasible as separation is not adequate between the active CNR mainline and Warman Road to develop a public at-grade crossing of any configuration.

Strategic Goal

This report supports the Strategic Goal of Moving Around by providing the safe movement of all modes of transportation.

Background

City Council at its meeting held on October 27, 2014, passed the following motion made by Councillor R. Donauer:

“That the Administration report to Council regarding:

- the possibility of acquiring the abandoned rail spur line between 45th and 46th Street, from Warman Rd to Millar Ave;
- the possibility of adding a road at that location, to connect Millar Ave and Warman Rd for all types of vehicle, pedestrian, and bike traffic;
- if full vehicle access is not desired, the possibility of allowing only right in/right out access from Warman Rd;
- if full vehicle access is not desired, the possibility of a new road being “one way” to allow eastbound access from the North Industrial to Warman Road to assist with the flow of traffic at Circle Drive North and Millar Avenue, to assist with the traffic flow into and out of the North Industrial Area, and to facilitate pedestrian and bike traffic between the North Industrial Area and adjacent residential communities; and

- the Administration report back on related options in the Millar/Warman corridor.”

Report

Warman Road is a five lane (three lanes northbound and two lanes southbound) controlled access Arterial road with a posted speed limit of 60kph. Average Annual Daily Traffic (AADT) is 24,700 vehicles per day observed in 2012, in the section between Primrose Drive and Lenore Dive.

Millar Avenue is a four lane industrial Arterial road with a posted speed limit of 50kph. AADT is 11,500 vehicles per day observed in 2011, in the section south of 43rd Street.

The CNR spur line between 45th and 46th Street is approximately 100 metres south of 46th Street and 130 metres north of 45th Street. The parcel occupied by the spur line is approximately 16.7 metres wide. The City of Saskatoon is the registered owner of this abandoned spur line.

Running parallel to Warman Road are two tracks operated by CNR; the rail right-of-way is immediately adjacent to the municipal right-of-way of Warman Road to the west. There is less than 15 metres of horizontal separation between the tracks and the southbound driving lanes of Warman Road, and the tracks are at least 1 metre higher in elevation than Warman Road. According to Transport Canada's Grade Crossing Standards, 2014, the nearest rail of the grade crossing must be at least 30 metres from the travelled way of the intersecting road. Providing an access point with less separation has the potential to result in vehicles standing on the rail lines. Therefore, it is not feasible to construct any sort of public at-grade crossing of the CNR mainline between Warman Road and Millar Avenue as per Transport Canada's regulations.

Attachment 1 illustrates the reviewed area.

Other Consideration/Implications

There are no options, public and/or stakeholder involvement, communication, policy, financial, environmental, privacy, or CPTED considerations or implications.

Due Date for Follow-up and/or Project Completion

A follow-up report or project completion is not required.

Public Notice

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

Attachment

1. Former CNR Spur Lines

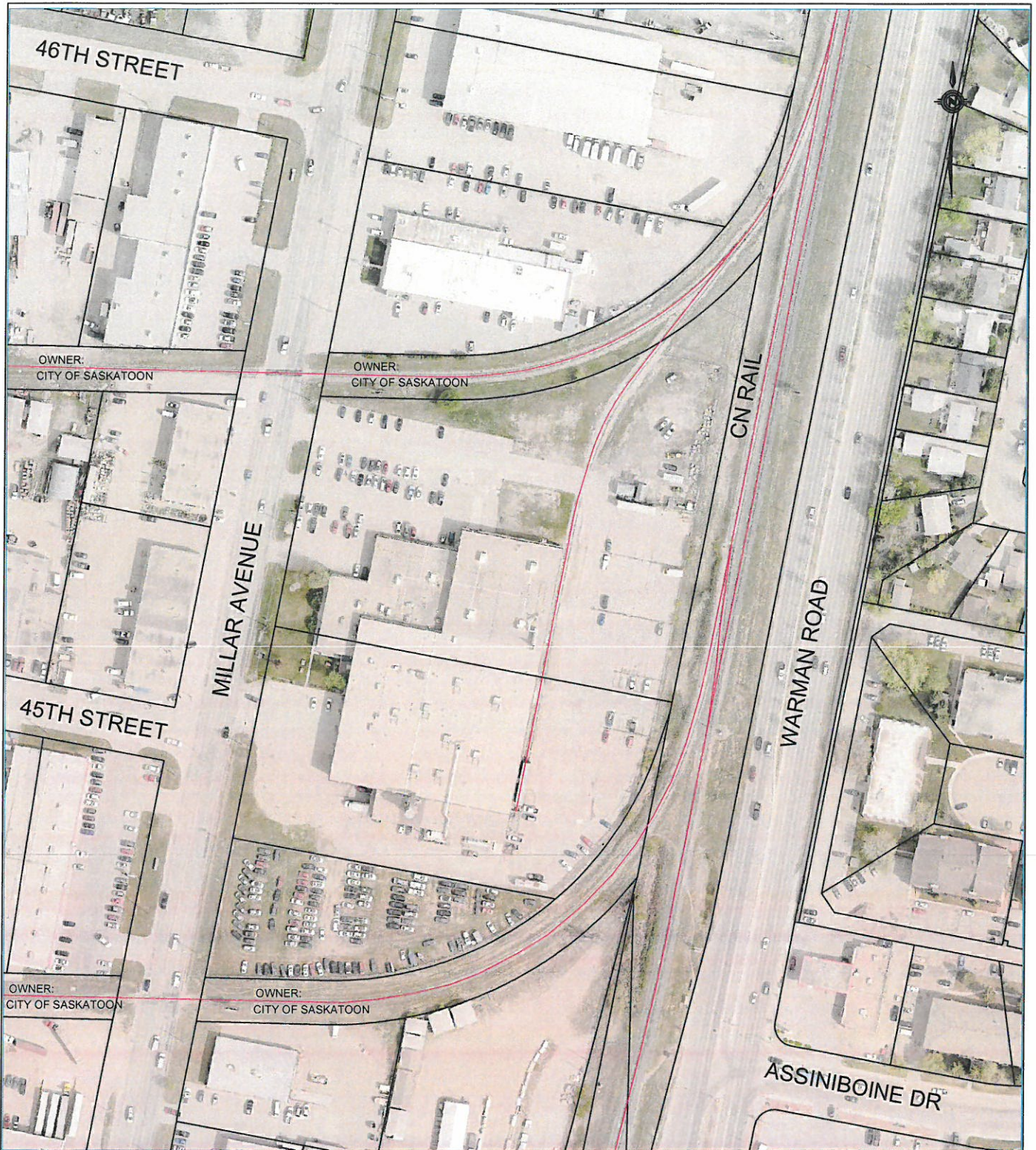
Report Approval

Written by: David LeBoutillier, Senior Transportation Engineer, Transportation

Traffic Flow – North Industrial Area (Councillor R. Donauer)

Reviewed by: Jay Magus, Engineering Manager, Transportation
Reviewed by: Angela Gardiner, Director of Transportation
Approved by: Jeff Jorgenson, General Manager, Transportation & Utilities
Department

TRANS DL - Traffic Flow – North Industrial Area (Councillor R. Donauer).docx



PLAN DESCRIPTION/REVISIONS	
4	XXX XXX
3	
2	
1	
DRAWN BY <u>LCI</u>	
DATE <u>2015-APR-27</u>	
SCALE : HOR. <u>1:2000</u> VERT. _____	



City of Saskatoon
Transportation & Utilities Department

ATTACHMENT 1
FORMER CNR SPUR LINES
2013 AERIAL IMAGE SHOWN

APPROVED	
DIRECTOR	_____
ENGINEER	_____
ENGINEER	_____
PLAN NO.	213-0004-005r001