

Council Chamber
City Hall, Saskatoon, Sask.
Monday, August 30, 1993,
at 4:00 p.m.

MINUTES OF REGULAR MEETING OF CITY COUNCIL

PRESENT: Deputy Mayor Dyck in the Chair;
Councillors Cherneskey, Mostoway, Penner, Mann,
Waygood, McCann and Birkmaier;
Director of Planning and Development Pontikes;
A/Director of Works and Utilities Uzelman;
Director of Finance Richards;
A/City Solicitor Dirauf;
City Clerk Mann;
City Councillors' Assistant Kanak

Councillor Thompson entered the Council Chamber at 4:01 p.m. during consideration of Items A.1 to A.5 of "Communications."

City Commissioner Irwin entered the Council Chamber at 4:10 p.m. following consideration of Clause 1, Report No. 10-1993 of the Municipal Planning Commission.

Moved by Councillor Penner, Seconded by Councillor Birkmaier,

THAT the minutes of regular meeting of City Council held on August 16, 1993, be approved.

CARRIED.

Councillor Birkmaier rose on a point of privilege advising of her recent announcement that she will be seeking the candidacy for the PC Party for Saskatoon Dundurn and informing Council that if she is successful and wins the nomination and the election, she is prepared to resign as Councillor.

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COMMUNICATIONS TO COUNCIL

The following communications were submitted and dealt with as stated:

A. ITEMS WHICH REQUIRE THE DIRECTION OF CITY COUNCIL

**1) Marlene Hall, Secretary
Development Appeals Board, dated August 18**

Submitting Notice of Development Appeals Board Hearing regarding existing detached garage with rear yard deficiency/encroachment at 414 - 4th Street East. (File No. CK. 4352-1)

**2) Marlene Hall, Secretary
Development Appeals Board, dated August 17**

Submitting Notice of Development Appeals Board Hearing regarding refusal to issue a development permit for a second freestanding sign at 3301/3311 8th Street East. (File No. CK. 4352-1)

**3) Marlene Hall, Secretary
Development Appeals Board, dated August 17**

Submitting Notice of Development Appeals Board Hearing regarding existing one-unit dwelling with easterly side yard deficiency/encroachment at 1028 - 6th Street East. (File No. CK. 4352-1)

**4) Marlene Hall, Secretary
Development Appeals Board, dated August 19**

Submitting Notice of Development Appeals Board Hearing regarding refusal to issue a development permit for proposed addition to rear of dwelling at 18 Degeer Crescent. (File No. CK. 4352-1)

5) Marlene Hall, Secretary

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Development Appeals Board, dated August 25

Submitting Notice of Development Appeals Board Hearing regarding existing one-unit dwelling with front yard deficiency/encroachment at 134 Adilman Drive. (File No. CK. 4352-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Penner, Seconded by Councillor McCann,

THAT the information be received.

CARRIED.

**6) Nancy Stevens, Chair
Saskatoon Child Abuse Council, dated August 12**

Requesting Council to proclaim the week of October 17 to 23, 1993, as Child Abuse Prevention Week and to proclaim October 17, 1993, as Family Day in Saskatoon. (File No. CK. 205-5)

RECOMMENDATION: that His Worship the Mayor be authorized to proclaim the week of October 17 to 23, 1993, as Child Abuse Prevention Week and to proclaim October 17, 1993, as Family Day in Saskatoon.

Moved by Councillor Birkmaier, Seconded by Councillor Mostoway,

THAT His Worship the Mayor be authorized to proclaim the week of October 17 to 23, 1993, as Child Abuse Prevention Week and to proclaim October 17, 1993, as Family Day in Saskatoon.

CARRIED.

**7) E.W. (Ed) Sikorski, General Manager
Saskatoon Prairieland Exhibition Corporation, dated August 17**

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Requesting Council to proclaim the week of September 27 to October 3, 1993, as Rodeo Week.
(File No. CK. 205-5)

RECOMMENDATION: that His Worship the Mayor be authorized to proclaim the week of
September 27 to October 3, 1993, as Rodeo Week.

Moved by Councillor Mostoway, Seconded by Councillor Cherneskey,

*THAT His Worship the Mayor be authorized to proclaim the week of September 27 to
October 3, 1993, as Rodeo Week.*

CARRIED.

**8) Dorothy Long, Home Economics Consultant
Pulse Crop Development Board, dated August 23**

Requesting Council to proclaim the month of January, 1994 as Pulse Month in Saskatoon. (File
No. CK. 205-5)

RECOMMENDATION: that His Worship the Mayor be authorized to proclaim the month of
January, 1994 as Pulse Month in Saskatoon.

Moved by Councillor Cherneskey, Seconded by Councillor McCann,

*THAT His Worship the Mayor be authorized to proclaim the month of January, 1994 as
Pulse Month in Saskatoon.*

CARRIED.

**9) Randy Kershaw, Chair, Opening Ceremonies Committee
Saskatoon City Hospital, dated August 18**

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Requesting Council to proclaim the month of October, 1993 as Saskatoon City Hospital Month. (Files CK. 660-3, 660-4 and 4020-4)

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

Moved by Councillor Birkmaier, Seconded by Councillor Waygood,

THAT His Worship the Mayor be authorized to proclaim the month of October, 1993 as Saskatoon City Hospital Month.

CARRIED.

**10) Jean-Guy Desgagné, Executive Director
Canadian Committee for the International Year of the Family, dated August 10**

Requesting Council to proclaim 1994 as the Year of the Family and urging Saskatoon to participate in the celebration of the International Year of the Family. (Additional information is available in the City Clerk's Office.) (File No. CK. 205-5)

RECOMMENDATION: that His Worship the Mayor be authorized to proclaim 1994 as the Year of the Family.

Moved by Councillor Waygood, Seconded by Councillor Birkmaier,

THAT His Worship the Mayor be authorized to proclaim 1994 as the Year of the Family.

CARRIED.

**11) Lorraine Stewart, Administrator
Saskatoon Food Bank, dated August 18**

Expressing appreciation to Council for the grant to the Saskatoon Food Bank. (File No. CK. 1871-

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3)

RECOMMENDATION: that the information be received.

Moved by Councillor Mostoway, Seconded by Councillor Mann,

THAT the information be received.

CARRIED.

**12) Dorothy-Jean Jantzen and others
16 - 2112 Ste. Cecilia Avenue, dated August 17**

Submitting petition with approximately 14 signatures urging Council not to allow a strip joint to be established in Saskatoon. (File No. CK. 280-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Mann, Seconded by Councillor Mostoway,

THAT the information be received.

CARRIED.

**13) Karen Goss
1225 12th Street East, dated August 10**

Expressing concerns regarding the Fringe on Broadway. (File No. CK. 205-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Mann, Seconded by Councillor Mostoway,

THAT the information be received.

CARRIED.

**14) Hon. Carol Carson
Minister of Municipal Government, dated August 18**

Submitting a response to concerns raised by Pat and Barry Saunders regarding the noise generated by Parkheim Foods. (File No. CK. 375-2)

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RECOMMENDATION: that the information be received and joined to the file, which is presently before the Planning and Development Committee.

Moved by Councillor Penner, Seconded by Councillor McCann,

THAT the information be received and joined to the file, which is presently before the Planning and Development Committee.

CARRIED.

**15) Marilyn Bodner
Lanigan, SK, dated August 25**

Submitting concerns regarding the dispute at the Saskatoon S.P.C.A. (File No. CK. 1870-10)

RECOMMENDATION: that the information be received.

Moved by Councillor Mostoway, Seconded by Councillor Mann,

THAT the information be received.

CARRIED.

**16) Gloria Mitchell, Marketing Committee
Saskatoon's United Way, dated August 25**

Requesting the use of the showmobile at no charge for launching the Saskatoon's United Way 1993 campaign. (File No. CK. 300-8-0)

RECOMMENDATION: that the request by the Saskatoon's United Way for use of the showmobile at no charge be denied.

Moved by Councillor Penner, Seconded by Councillor Mann,

THAT the request by the Saskatoon's United Way for use of the showmobile at no charge be denied.

CARRIED.

**17) Gloria Mitchell, Marketing Committee
Saskatoon's United Way, dated August 25**

Requesting Council's permission for the temporary closure of 20th Street from 4th Avenue to Spadina Crescent from 12:00 noon to 2:00 p.m. on Tuesday, September 21, 1993, for launching the 1993 campaign. (File No. CK. 205-1)

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

Moved by Councillor Mann, Seconded by Councillor Penner,

THAT the request be approved subject to Administrative conditions.

CARRIED.

**18) Rev. Dr. Alan Minarcik
Third Avenue United Church, undated**

Requesting permission for the temporary closure of two lanes of Third Avenue North adjacent to the church property on Sunday, September 12, 1993, from 2:00 p.m. to 4:00 p.m. in conjunction with the dedication of the new accessibility addition for the church. (File No. CK. 205-1)

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

Moved by Councillor Birkmaier, Seconded by Councillor Cherneskey,

THAT the request be approved subject to Administrative conditions.

CARRIED.

**19) Marusha Taylor, Special Projects Coordinator
AIDS Saskatoon, undated**

Requesting permission to address Council regarding the Tag Day request from AIDS Saskatoon. (File No. CK. 200-3)

RECOMMENDATION: that the information be received and considered with Clause 2, Report No. 19-1993 of the Legislation and Finance Committee.

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Moved by Councillor Cherneskey, Seconded by Councillor Waygood,

THAT the information be received and considered with Clause 2, Report No. 19-1993 of the Legislation and Finance Committee.

CARRIED.

**20) Janet Revill, Secretary
Saskatoon and District Labour Council, dated August 26**

Requesting Council to proclaim the week of September 6 to 12, 1993, as Union Label Week. (File No. CK. 205-5)

RECOMMENDATION: that His Worship the Mayor be authorized to proclaim the week of September 6 to 12, 1993, as Union Label Week.

Moved by Councillor Mostoway, Seconded by Councillor Mann,

THAT His Worship the Mayor be authorized to proclaim the week of September 6 to 12, 1993, as Union Label Week.

CARRIED.

B. ITEMS WHICH HAVE BEEN REFERRED FOR APPROPRIATE ACTION

**1) Connie Tate
402 - 1919 7th Street East, dated August 18**

Expressing concern regarding current smoking bylaw. Referred to the Legislation and Finance Committee. (File No. CK. 185-3)

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**2) Dr. A. Hamid Javed, Chair
Race Relations Committee, dated August 26**

Asking Council to meet with the Committee regarding the City's Strategic Plan. Referred to A Committee of the Whole Council. (File No. CK. 100-14)

RECOMMENDATION: that the information be received.

Moved by Councillor Cherneskey, Seconded by Councillor Waygood,

THAT the information be received.

CARRIED.

REPORTS

Mr. R. Tennent, Chair, submitted Report No. 10-1993 of the Municipal Planning Commission;

City Commissioner Irwin submitted Report No. 19-1993 of the City Commissioner;

Councillor Waygood, A/Chair, presented Report No. 18-1993 of the Planning and Development Committee;

Councillor Mostoway, Chair, presented Report No. 19-1993 of the Legislation and Finance Committee;

Councillor Dyck, Chair, presented Report No. 21-1993 of the Works and Utilities Committee; and

Councillor Cherneskey, Chair, presented Report No. 4-1993 of the Land Bank Committee.

Moved by Councillor Penner, Seconded by Councillor Birkmaier,

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

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- a) *Report No. 10-1993 of the Municipal Planning Commission;*
- b) *Report No. 19-1993 of the City Commissioner;*
- c) *Report No. 18-1993 of the Planning and Development Committee;*
- d) *Report No. 19-1993 of the Legislation and Finance Committee;*
- e) *Report No. 21-1993 of the Works and Utilities Committee; and*
- f) *Report No. 4-1993 of the Land Bank Committee.*

CARRIED.

Deputy Mayor Dyck appointed Councillor Mann as Chair of the Committee of the Whole.

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

Committee arose.

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

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

"REPORT NO. 10-1993 OF THE MUNICIPAL PLANNING COMMISSION

Composition of Committee

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

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Mr. Victor Pizzey
Dr. Brian Noonan
Ms. Lina Eidem

**1. Rezoning
I.D.2 to I.D.3 or I.D.4
Lots 4 to 8 inclusive, Block 18, Plan No. G215
1909 Avenue B North
(~~File No. CK. 4351-1~~)**

City Council considered Clause 1, Report No. 4-1993 of the Municipal Planning Commission at its meeting held on April 26, 1993 and adopted the following recommendations:

- "1) that the Planning Department be authorized to negotiate with the owner of the property, the terms of a contract zoning agreement for Lots 4 to 8 inclusive, Block 18, Plan G215;
- 2) that the Planning Department provide to City Council, through the Municipal Planning Commission, a draft agreement for approval; and
- 3) that the contract include, as a minimum, the following conditions:
 - a) that the site be deemed to be clean from contamination and that the property conforms to Provincial standards and regulations to the satisfaction of the Department of Environment prior to the contract being executed;
 - b) that the contract specify that the use shall only be permitted until such time that City Council passes a zoning bylaw implementing new industrial zone categories; and
 - c) that no hazardous materials be handled."

Attached is a copy of the report of the Planning Department dated August 6, 1993 outlining the negotiations that have taken place with Mr. William Lozaway, the owner of the property. Mr. Lozaway subsequently advised the Planning Department that, in view of the requirements of the Department of Environment for industrial land, he no longer supports the proposed rezoning. He would prefer to leave the zoning of his property at 1909 Avenue B North as an I.D.2 Light Industrial District. This would mean that the legal action regarding the illegal use of the property, which was adjourned pending the decision of City Council with respect to this rezoning application, would proceed.

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Attached, as additional information, is a copy of a letter dated August 13, 1993 from Kyle Korneychuk, Supervisor, Industrial and Hazardous Waste Unit, Air and Land Protection Branch, Saskatchewan Environment and Resource Management, outlining the Department's findings for this property.

- RECOMMENDATION:**
- 1) that City Council RESCIND its previous motion on this matter from the meeting held on April 26, 1993 (under Clause 1, Report No. 4-1993 of the Municipal Planning Commission):
 - "1) that the Planning Department be authorized to negotiate with the owner of the property, the terms of a contract zoning agreement for Lots 4 to 8 inclusive, Block 18, Plan G215;
 - 2) that the Planning Department provide to City Council, through the Municipal Planning Commission, a draft agreement for approval; and
 - 3) that the contract include, as a minimum, the following conditions:
 - a) that the site be deemed to be clean from contamination and that the property conforms to Provincial standards and regulations to the satisfaction of the Department of Environment prior to the contract being executed;
 - b) that the contract specify that the use shall only be permitted until such time that City Council passes a zoning bylaw implementing new industrial zone categories; and
 - c) that no hazardous materials be handled"; and
 - 2) that the application to rezone Lots 4 to 8 inclusive, Block 18, Plan No. G215 (1909 Avenue B North) from an I.D.2 District to an I.D.3 or I.D.4 District be DENIED.

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ADOPTED.

REPORT NO. 19-1993 OF THE CITY COMMISSIONER

Section A - Works and Utilities

- A1) 1993 Capital Budget/1994-1997 Capital Plan
Street Rehabilitation - Infrastructure
Traffic Safety - Intersection/Pedestrian/
Marking Improvements - Permanent Pavement Markings
Projects No. 835 & No. 631
Contract No. 3-0020
(File No. CC 6315-1)**

Report of the City Engineer, August 24, 1993:

"The Engineering Department will be placing permanent pavement markings on streets in conjunction with the 1993 Arterial Resurfacing Program and the General Traffic Safety and Maintenance Program.

The work consists of a thermoplastic inlay for designation of lane lines, stop lines, and cross-walk lines at various paved streets and intersections in the City.

Tenders were received and publicly opened on August 17, 1993, for permanent pavement markings.

Only one bid was received and is shown on the attached tabulation:

<u>Contractor</u>	<u>Total Tender Price</u>
Lafrentz Road Services Ltd., Edmonton	\$113,799.00

The Engineer's estimate for this Project was \$102,500. The tendered price represents an increase of approximately 12% over similar prices in 1992. This is due to the reduced quantities compared to the 1992 Program, and a large portion of the 1993 Program is re-marking intersections at several scattered locations throughout the City.

Base Tender	\$104,390.80
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GST at 7%	6,743.00
PST at 9% on applicable items	<u>2,665.20</u>
Contract Amount	\$113,799.00
GST Rebate	<u>3,852.95</u>
Net Estimated Cost to the City	\$109,946.05

The low bidder, Lafrentz Road Services Ltd., has extensive experience in thermoplastic lane lines and has done work for the City in the past."

- RECOMMENDATION:**
- 1) that the prices submitted by Lafrentz Road Services Ltd., for the construction of permanent lane lines at various streets and intersections at a total estimated cost of \$113,799.00, be accepted; and,
 - 2) that His Worship the Mayor and the City Clerk be authorized to execute the documents, as prepared by the City Solicitor, under the corporate seal.

ADOPTED.

Section B - Planning and Development

**B1) Subdivision Application #18/93
2410 - 22nd Street West
(File No. CC 4300-2)**

The following subdivision application has been submitted for approval:

Subdivision Application: #18/93
Applicant: Webster Surveys Ltd.
Legal Description: Lots 1, 2, and 4, Block 498, Plan No. 63-S-10510
Location: 2410 - 22nd Street West

The August 11, 1993, report of the City Planner concerning this application is attached.

- RECOMMENDATION:** that Subdivision Application #18/93 be approved, subject to the payment of \$50.00 which is the required approval fee.

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ADOPTED.

**B2) 1993 Capital Budget/1994-1997 Capital Plan
Project 602: Prepaid Subdivision Services -- Silverspring
Award of Tender -- Neighbourhood Park Development
(File Nos. CC 4206-1 and 4131-7)**

On August 3, 1993, City Council awarded the contract for the first phase of the development of a new neighbourhood park for the Silverspring subdivision (i.e. Silverspring Park). This phase, which was tendered on a unit-price basis, was for the rough grading of the site and for the stockpiling and/or removal of the rock and the waste material.

The second phase of the project involves the landscaping and the development of the Park's amenities (excluding the provision of a paddling pool or similar water feature). This phase was tendered on a stipulated-sum basis. The following August 20, 1993, report from the General Manager of the Civic Buildings and Grounds Department outlines the results of tendering this phase of the work:

"Project 602 of the approved 1993 Capital Budget (Prepaid Subdivision Services - Silverspring), involves the development of Silverspring Park. The planned development is the result of extensive consultation with residents of this subdivision, user-groups, the Leisure Services Department, and the Meewasin Valley Authority.

The requirements of the adjacent prairie native grasslands reserve has been recognized in the grading and drainage plans of the Silverspring Neighbourhood Park in order to reduce the intrusion of the Park's cultivated grasses and horticultural chemicals on the native grasslands reserve. The design of the park has been approved by the Meewasin Valley Authority.

Tenders for landscaping and for developing certain specified amenities for Silverspring Neighbourhood Park were publicly opened on August 19, 1993. The results of the tenders are as follows:

Wilco Landscape Contractors Ltd.	Edmonton	\$507,219.50
C & F Installations Company (1984) Ltd.	Saskatoon	\$511,220.32
McEwen Bros. Sask. (1986) Ltd.	Regina	\$524,453.64

All of the tenders were accompanied by the required bid bonds and letters of surety. The tenders included Provincial and Federal sales taxes.

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The low bidder is acceptable to the Civic Buildings and Grounds Department. The low tender is within the budget established for this phase of the project. The net cost to the City of accepting this tender is:

Base Bid	\$466,042.92
Provincial Sales Tax	7,994.00
G.S.T.	<u>33,182.58</u>
Contract Amount	\$507,219.50
G.S.T. Rebate	<u>33,182.58</u>
Net Cost to the City	\$474,036.92

Some elements of the Park's amenities will be developed by the Civic Buildings and Grounds Department, by the Engineering Department, and by the Electrical Distribution Department. All of this work will be handled by separate contracts.

The anticipated construction costs of all phases of this project's proposed work are within the budgeted amount (\$912,000) of Project 602 in the 1993 Capital Budget. As was previously reported to City Council on August 3, 1993, the completion of this project will have an incremental cost-implication of \$36,500 on the Civic Buildings and Grounds Department's 1994 Operating Budget."

- RECOMMENDATION:**
- 1) that the low tender for landscaping and developing the park-amenities for Silverspring Park as submitted by Wilco Landscape Contractors Ltd., in the amount of \$507,219.50, including all taxes, be accepted; and,
 - 2) that His Worship the Mayor and the City Clerk be authorized to execute, under the Corporate Seal, the appropriate contract documents as prepared by the City Solicitor.

ADOPTED.

**B3) Request to Purchase City-Owned Property
For Load-Metre Site (Weigh Station) on Highway No. 5
Saskatchewan Highways and Transportation
(File No. CC 4215-1)**

Report of the Land Manager, August 24, 1993:

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"Saskatchewan Highways and Transportation is twinning Highway No. 5, east of the city. In conjunction with this improvement, a site for a load metre (weigh station) is required on the northern (inbound) lane. Saskatchewan Highways and Transportation requires 0.19 acres (5 metres x 150 metres) of City-owned property to accommodate the proposed load-metre site.

The Land Department has negotiated a price of \$1,200.00 for the 0.19 acre parcel and recommends the sale of this land to Saskatchewan Highways and Transportation."

- RECOMMENDATION:**
- 1) that the sale to Saskatchewan Highways and Transportation of approximately 0.19 acres of land for a load-metre site, at the location indicated on the attached map, for the sum of \$1,200.00, be approved;
 - 2) that Saskatchewan Highways and Transportation be responsible for all of the costs for the legal survey and land transfers and for any other costs associated with its purchase of this property; and,
 - 3) that the City Solicitor prepare the necessary documents when the surveys and plans are completed.

ADOPTED.

**B4) Request For Encroachment Agreement
104 - 107th Street West
Lots Pt. 9, 10, Pt. 11, Block 2, Plan G122
(File No. CC 4090-2)**

Report of the City Planner, August 23, 1993:

"Mr. Morris T. Cherneskey, Q.C., on behalf of the purchaser of the above-noted property, has requested to enter into an Encroachment Agreement with the City of Saskatoon. As shown on the attached Real Property Report, part of the detached garage and eaves encroach onto the City-owned lane. There is no record of when the garage was constructed.

The total area of the encroachment is approximately 7.1 square metres (76.5 square feet). The

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garage and eaves encroach by a maximum of 0.792 metres (2.6 feet) onto the lane.

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

- RECOMMENDATION:**
- 1) that City Council recognize the encroachment at 104 -107th
 - 2) that the City Solicitor be instructed to prepare the appropriate Encroachment Agreement, making provision to collect the applicable fees; and,
 - 3) that His Worship the Mayor and the City Clerk be authorized to execute the Agreement, on behalf of the City under the Corporate Seal.

Councillor Cherneskey excused himself from discussion and voting on the matter.

ADOPTED.

**B5) Subdivision Application #19/93
18 Gray Avenue
(File No. CC 4300-2)**

The following subdivision application has been submitted for approval:

Subdivision Application: #19/93
Applicant: J-Rob Housing & Land Company Ltd.
Legal Description: Lot 59, Block 23, Plan No. 84-S-32566
Location: 18 Gray Avenue

The August 20, 1993, report of the City Planner concerning this application is attached.

- RECOMMENDATION:**
- 1) that, in connection with the approval of Subdivision Application #19/93, City Council resolve that it would be impractical and undesirable for the following reasons to

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require full compliance with Sections 15(1)(a) and 15(4) of Subdivision Bylaw No. 6537:

- a) the area of the proposed semi-detached lots exceed the site-area requirements of the Subdivision Bylaw and the Zoning Bylaw; and,
 - b) this proposal represents a good opportunity to provide affordable owner-occupied housing; and,
- 2) that Subdivision Application #19/93 be approved, subject to:
- a) the payment of \$50.00 which is the required approval fee; and,
 - b) the construction, to the satisfaction of the City Engineer, of individual water and sanitary-sewer connections to the City's mains in the street for each semi-detached unit.

ADOPTED.

**B6) Application for Registration of Condominium Plan
636 Heritage Lane
Lots 2, 3, 4, and 5, Block 288, Plan No. 90-S-11481
Sterling Pointe Condominium Ltd.
(File No. CC 4132-1)**

Report of the City Planner, August 24, 1993:

"Webster Surveys Ltd., on behalf of the owner (Sterling Pointe Condominiums Ltd.), has applied for registration of a Condominium Plan for a development on Lots 2, 3, 4, and 5, Block 288, Plan No. 90-S-11481 (636 Heritage Lane). The proposal is for a dwelling group, Sterling Pointe, which contains 30 dwelling-units within the group of 16 principal buildings. The site includes 109 parking spaces, 51 of which are enclosed.

The proposal complies with the Zoning Bylaw's requirements in all respects. The site is situated within an M.2 District. The development has also been examined by the Building Standards Branch of the Planning Department; provided that the construction is completed in accordance with

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the requirements of the approved building permits, the development will meet the Building Bylaw's requirements. The City Clerk's Department has a copy of the construction plans and the requisite surveyor plans, for review by members of City Council, if necessary.

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

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

- RECOMMENDATION:**
- 1) that City Council authorize the issuance of the Certificate required under Section 8(1)(b) of The Condominium Property Act to Sterling Pointe Condominiums Ltd. (Bay #17, 2220 Northridge Drive, Saskatoon), for the Sterling Pointe condominium development at 636 Heritage Lane; and,
 - 2) that the City Clerk be authorized to prepare and forward the Certificate to the applicant.

ADOPTED.

**B7) 1992 Capital Budget/1993-1996 Capital Plan
Project 638: Prepaid Subdivision Services -- Fairhaven/Parkridge
Award of Tender -- Parkridge (Spray-pool) Water-feature
(File Nos. CC 4206-1 and 1703)**

Report of the General Manager, Civic Buildings and Grounds Department, August 25, 1993:

"Project 638 in the approved 1992 Capital Budget (Prepaid Subdivision Services -- Fair-

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haven/Parkridge) includes a provision for the construction of a new spray-pool water-feature in Parkridge Park. Due to the moratorium on the construction of paddling-pools, this Park was developed without a water-feature; however, funds for this purpose have been collected from lot purchasers in this Neighbourhood through the Parks and Recreation (Prepaid Services) Levy. (The moratorium was rescinded by City Council on April 5, 1991, when a development strategy was approved for constructing new water-features in neighbourhood parks which do not already have any such facilities and for converting the existing paddling-pools to conform with the Provincial Government's new regulations.) The decision on the type of water-feature (e.g. paddling-pool or spray-pool) and on its location within the Park was made after extensive consultation with the residents of the Parkridge Park Neighbourhood, through their Community Association.

Tenders for the construction of the spray-pool in Parkridge Park were publicly opened on August 25, 1993. Exclusive of the G.S.T., the bids are as follows:

Miazga Construction Limited	Saskatoon	\$100,750.00
R & D Hill Construction Ltd.	Saskatoon	\$109,315.00
Bomac Construction (1978) Ltd.	Saskatoon	\$124,604.00

All of the tenders were accompanied by the required bid bonds and letters of surety. The tenders included Provincial sales taxes.

The low bidder is acceptable to the Civic Buildings and Grounds Department. The low tender is within the budget that was established for this phase of the project. The net cost to the City of accepting this tender is:

Base Bid	\$100,750.00
G.S.T.	<u>7,052.50</u>
Contract Amount	107,802.50
G.S.T. Rebate	<u>5,759.07</u>
Net Cost to the City	\$102,043.43

Some elements of developing the spray-pool will be obtained from other sources and will be purchased through separate contracts.

The anticipated cost of all of the proposed work for this project is within the budgeted amount of Project 638 in the approved 1992 Capital Budget. As has been previously reported to City Council, the completion of this project will have an incremental-cost impact of \$7,900 on the Civic Buildings and Grounds Department's 1994 Operating Budget."

- RECOMMENDATION:** 1) that the low tender for the construction of a spray-pool water-feature at Parkridge Park as submitted by Miazga Construction Limited, in the amount of \$107,802.50, including all taxes, be accepted; and,

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- 2) that His Worship the Mayor and the City Clerk be authorized to execute, under the Corporate Seal, the appropriate contract documents as prepared by the City Solicitor.

ADOPTED.

Section C - Finance

**C1) StarPhoenix - Citizens' Survey
re: Municipal Services
(File Nos. CC 1702-1 and 1704-1)**

As City Council is aware, The StarPhoenix, in its Friday, August 13 edition, requested its readers to complete a survey which would indicate their desires with respect to the funding of various municipal services. The surveys were to be submitted to City Hall. To date, 1,113 surveys have been received.

In order to assist the Task Force in reviewing the rationalization of all municipal services, it is recommended that the surveys be tabled with that Committee for its information.

RECOMMENDATION: that the surveys received be referred to the Task Force on Municipal Services for its information.

ADOPTED.

Section D - Services

D1) Routine Reports Submitted to City Council

<u>SUBJECT</u>	<u>FROM</u>	<u>TO</u>
Schedule of Accounts Paid \$320,583.50 (File No. CC 1530-2)	August 12, 1993	August 16, 1993
Schedule of Accounts Paid \$1,322,078.41	August 17, 1993	August 19, 1993

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(File No. CC 1530-2)

Schedule of Accounts Paid	August 20, 1993	August 24, 1993
\$1,612,654.87		
(File No. CC 1530-2)		

RECOMMENDATION: that the information be received.

ADOPTED.

**D2) Land Exchange
Saskatoon Society for the Prevention
of Cruelty to Animals Inc. to
Arden and Darlene Gibb
SE 1/4 33-35-5-W3rd
(File No. CC 4020-1)** _____

Report of the City Solicitor, August 23, 1993:

"The City of Saskatoon presently holds a mortgage on Parcel A, Plan No. 76-S-04139 which is the property owned by the S.P.C.A. The mortgage is to secure the City's capital contribution for the construction of the new animal shelter.

The S.P.C.A. has arranged to transfer some of its land to an adjoining property owner and also to receive from the adjoining property owner an equal portion of land so that after the land exchange, the S.P.C.A. will have exactly the same amount of land as before the exchange except that the configuration of the parcel has been changed from square to rectangular. A copy of the plan showing the exchange is attached.

The purpose of the land exchange and re-subdivision is to allow for the S.P.C.A. building to be on S.P.C.A. land and the building belonging to the adjoining property which is presently on S.P.C.A. land to be on the adjoining land owner's land.

In order for the subdivision to proceed, it is necessary to obtain Council's instructions to discharge the City's mortgage on Parcel A, Plan No. 76-S-04139 and to register an identical mortgage on the new Parcel B."

RECOMMENDATION: that Council authorize the City Solicitor to discharge the City's mortgage on Parcel A, Plan No. 76-S-04139 and to register an identical mortgage against the new Parcel B; and that His Worship the Mayor and the City Clerk sign any documentation to effect the exchange of mortgages.

ADOPTED.

REPORT NO. 18-1993 OF THE PLANNING AND DEVELOPMENT COMMITTEE

Composition of Committee

Councillor P. McCann, Chair
Councillor G. Penner
Councillor K. Waygood

**1. Saskatoon Figure Skating Club
License Agreement -- A.C.T. Arena
(File No. CK. 290-22)**

Your Committee has considered the following report of the General Manager, Leisure Services Department, dated August 11, 1993:

"Introduction

The license-agreement between the City of Saskatoon and the Saskatoon Figure Skating Club for the Club's use of the A.C.T. Arena has expired. (Attached for the Committee's information is a copy of the expired agreement.) The Saskatoon Figure Skating Club, in discussions with the Leisure Services Department, wishes to renew the current agreement for another three-year period.

The recoverable operating costs attributed to the Saskatoon Figure Skating Club to run its figure-skating program at the A.C.T. Arena are projected to be \$268,900 (including various cost-saving measures and increased revenues which were identified in a May 25, 1993, report to City Council concerning the rental operations of the City's indoor rinks). This represents an increase of \$6,100 in recoverable operating costs from the current recovery-level of \$262,800.

Proposed Increase to the Rental Rate and an Adjustment to the Youth Sports Subsidy Program

During its May 25, 1993, meeting, City Council reviewed a proposal to increase the prime-time-ice rental rates for the Indoor Rink/Soccer Centre Program. At that time, the rates for the hockey users were increased by \$4.00 per prime-time hour, effective on October 1,

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1993, and by a further \$4.00 per hour per season until the objective of full cost-recovery is achieved. In addition, 40% of the additional revenues that are generated by the increased rates would be allocated to supplement the funding for the Youth Sports Subsidy Program.

Because the Leisure Services Department was concerned about the impact that a major increase in the rental rates could have on the figure-skating program, the May 25, 1993, decision on rental rates did not apply to the Saskatoon Figure Skating Club's lease of the A.C.T. Arena. This exclusion was done to give the Department an opportunity to address the particular financial circumstances of this organization and of its programs.

In the medium-term, the Leisure Services Department proposes to apply the same rental-rate principles to the Saskatoon Figure Skating Club as have been approved for the other minor-sport users of ice surfaces at City-operated indoor rinks. In this context, the Department is proposing the following rental strategy:

- 1) The additional recoverable costs attributed to the figure-skating program at the A.C.T. Arena should be charged to the Saskatoon Figure Skating Club over a two-year period. Therefore, the rental charges should increase from \$262,800 to \$265,950 for the period between July 1, 1993, and June 30, 1994, and from \$265,950 to \$268,900 for the period between July 1, 1994, and June 30, 1996.
- 2) Forty percent of the increase in the rental charges should be credited to the Youth Sports Subsidy Program -- that is, an additional \$1,260 for the July 1, 1993, to June 30, 1994, programming year and increasing to \$2,440 for the following programming years, effective on July 1, 1994.

Beginning on July 1, 1993, the City's level of subsidization to local youth-sports organizations will be reduced from 40.4% to 40% (subject to the completion of a review which is now underway of the results for the 1992-93 programming year). The reduced subsidy-rate from the Youth Sports Subsidy Program will result in an additional rental cost to the Saskatoon Figure Skating Club of \$503 for the period from July 1, 1993, to June 30, 1994. The allocation to the Youth Sports Subsidy Program of 40% of the additional revenues from the increased rental-rates will allow the Program to maintain the current subsidy-rate (i.e. 40%) for all minor-sports groups that are currently benefitting from this program. The Leisure Services Department believes that these organizations provide a valuable service to Saskatoon's youth in a very cost-effective manner. Consequently, the Department is of the opinion that every effort should be made to at least maintain the current level of financial support to these volunteer organizations, similar to the sustained support that the City is providing to our community associations.

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The proposed strategy for implementing the higher rental rates will result in a net increase to the Saskatoon Figure Skating Club's lease-payments to use the A.C.T. Arena of \$4,716 per year, effective on July 1, 1994 (i.e. from \$156,624 to \$159,570 per year for the period from July 1, 1993, to June 30, 1994, and from \$159,570 to \$161,340 per year for the period from July 1, 1994, to June 30, 1996).

Assessment of Property Taxes

Historically, the Saskatoon Figure Skating Club's operations at the A.C.T. Arena have been exempted from property tax as an occupant of tax-exempt property. The assessment of property taxes (\$12,400 in 1992 tax-dollars), in addition to the annual lease-payments would, in the Leisure Services Department's opinion, seriously jeopardize the Club's on-going operations and the services that it provides to its members. The Department supports continuing to exempt the Saskatoon Figure Skating Club from paying property taxes.

Other Proposed Revisions to Agreement

In addition to the proposed increases to the rental rates and based on its discussions with the Saskatoon Figure Skating Club, the Leisure Services Department recommends that the following changes should be made to the license-agreement between the Club and the City:

- 1) The agreement should cover the period from July 1, 1993, to June 30, 1996.
- 2) As a cost-saving measure, the Club will no longer use the A.C.T. Arena's ice-hockey surface from 6:00 a.m. to 8:00 a.m. each Monday from September to May.

Summary

The increase to the Saskatoon Figure Skating Club's lease-payments will assist the Leisure Services Department in achieving a full cost-recovery for the rental operations of the City-operated indoor rinks. The implementation of the increase in lease-payments, over a two-year period, will help to minimize the impact of these increases on the Club's operations and members."

- RECOMMENDATION:**
- 1) that the lease payments by the Saskatoon Figure Skating Club, to use the A.C.T. Arena, be increased by \$4,716 (plus G.S.T.) per year and that the increase be phased in over a period of two years as follows:
 - a) from \$156,624 to \$159,570 per year (plus G.S.T) for the period from July 1, 1993, to June 30, 1994, and

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- b) from \$159,570 to \$161,340 per year (plus G.S.T.) for the period from July 1, 1994, to June 30, 1996;
- 2) that property taxes shall be the responsibility of the City of Saskatoon for the term of the lease;
- 3) that 40% of the increased revenues resulting from the higher lease payments that are paid by the Saskatoon Figure Skating Club be allocated to the Youth Sports Subsidy Program as follows:
 - a) \$1,260 for the July 1, 1993, to June 30, 1994, programming year, and
 - b) \$2,440 for the following programming years, effective on July 1, 1994;
- 4) that the City Solicitor be requested to prepare a revised license agreement between the City of Saskatoon and the Saskatoon Figure Skating Club for the period between July 1, 1993, and June 30, 1996, in accordance with the revisions proposed in this report; and
- 5) that His Worship the Mayor and the City Clerk be authorized to execute the revised Agreement on behalf of the City and under the Corporate Seal.

ADOPTED.

**2. Decision - Development Appeals Board Hearing
506 - 11th Street East
(File No. CK. 4352-1)**

Attached is a copy of Record of Decision of the Development Appeals Board dated July 15, 1993, respecting the above appeal.

Council will note that the Board GRANTED the appeal.

Pursuant to Council policy in such matters, the Director of Planning and Development is to report to the Planning and Development Committee with recommendations.

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Attached is a copy of a report of the Director of Planning and Development dated August 5, 1993, together with a report of the City Planner, dated July 22, 1993.

Your Committee has reviewed this matter and

RECOMMENDS: that the above decision of the Development Appeals Board not be appealed to the Planning Appeals Committee of the Saskatchewan Municipal Board.

ADOPTED.

**3. Decision - Development Appeals Board Hearing
410 Lake Crescent
(File No. CK. 4352-1) _____**

Attached is a copy of Record of Decision of the Development Appeals Board dated July 15, 1993, respecting the above appeal.

Council will note that the Board GRANTED the appeal.

Pursuant to Council policy in such matters, the Director of Planning and Development is to report to the Planning and Development Committee with recommendations.

Attached is a copy of a report of the Director of Planning and Development dated July 20, 1993, together with a report of the City Planner, dated July 20, 1993.

Your Committee has reviewed this matter and

RECOMMENDS: that the above decision of the Development Appeals Board not be appealed to the Planning Appeals Committee of the Saskatchewan Municipal Board.

ADOPTED.

**4. Property for Municipal Reserve
Purchase of Property for Additional Park Space
Exhibition Neighbourhood
(File No. CK. 4020-1) _____**

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Your Committee has been advised that in 1988, City Council approved City of Saskatoon Policy C10-017 (Parks and Recreation Open Space). This Policy specifies the open-space requirements and the resulting functional classification of parks within the City's neighbourhoods and districts, its industrial areas, and its multi-district and special-purpose areas.

The Policy has also served as the basis for evaluating the availability of open-space in all of the City's existing neighbourhoods. Currently, new areas are developed with four hectares (or ten acres) for every 1,000 people being dedicated for open-space purposes. Of this amount, 18% is set aside for neighbourhood parks. With this standard, the Leisure Services Department has calculated the amount of neighbourhood-park space that should be provided in each existing neighbourhood and has determined whether there is a deficiency in light of the parks that are currently provided to the residents.

Because the open-space requirements reflect the City's current perspectives and emphasis on community development, many neighbourhoods are deemed to have open-space deficiencies. The practical difficulties in addressing these deficiencies (of which the costs of land-acquisition and park-development are the most significant) have necessitated the preparation of prioritization criteria to determine where the City should focus its immediate efforts and financial resources. (The current prioritization criteria and land-acquisition guidelines have been outlined in Attachment A.) Utilizing the criteria and guidelines for evaluating park-deficiencies, the Leisure Services has identified the following neighbourhoods, in order of priority, as requiring the most immediate attention:

	<u>Neighbourhood Requirement</u>	<u>Deficiency</u>
1. Holiday Park	1.62 ha.	0.78 ha. (1.93 acres)
2. Riversdale	1.94 ha.	1.94 ha. (4.8 acres)
3. Nutana	3.60 ha. 3.60 ha. (8.9 acres)	
4. Haultain	2.92 ha.	2.92 ha. (7.2 acres)
5. Queen Elizabeth	2.71 ha.	2.71 ha. (6.7 acres)
6. Exhibition	2.41 ha.	.88 ha. (2.2 acres)
7. King George	2.62 ha.	1.71 ha. (4.2 acres)
8. Pleasant Hill	4.22 ha.	1.86 ha. (4.6 acres)
9. City Park	4.68 ha.	3.09 ha. (7.6 acres)
10. Mayfair	3.37 ha.	1.41 ha. (3.5 acres)

To date, the City has been unable to address the deficiency in the Holiday Park Neighbourhood. The Community Association, the City, and many of the residents have expressed a preference for addressing the deficiency on the Sanatorium site. The status of this property, which is owned by the Province of Saskatchewan, is still unresolved. Because the Provincial Government has not yet established its future plans for this land, the City has not received a response to its formal offer to purchase a portion of the property for the development of additional park-space for this

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Neighbourhood.

The City has also been negotiating the purchase of land to address the park-deficiency in the Riversdale Neighbourhood. An offer to purchase a parcel of property has been made; however, there are environmental concerns with this parcel. If these concerns are not resolved, an alternative strategy for addressing the deficiency will have to be pursued.

To date, the City has been unable to address the deficiencies in the Nutana, Haultain, and Queen Elizabeth Neighbourhoods. Some discussions have been held with the Public School Board, with respect to the feasibility of utilizing the land at the former Haultain School to provide additional neighbourhood park-space.

An opportunity has arisen to provide additional park-space in the Pleasant Hill Neighbourhood. The City and the Catholic School Board have agreed to redevelop some of the land at St. Mary's School into a neighbourhood park. The development of this new park will proceed in 1993.

The following May 12, 1993 report from the General Manager, Leisure Services Department was considered by your Committee:

"On April 5, 1993, the Leisure Services Department was advised by the Exhibition Community Association that land was available for sale at the corner of Herman Avenue and Ruth Street West. The Community Association asked the City to consider the feasibility of purchasing this property for the development a pocket park in its neighbourhood. The Association pointed out that a pocket park on the west side of Lorne Avenue would help to keep the children who live in this residential area from playing on the streets.

The property is located at 2326 Herman Avenue (Plan 62-S-03373, Parcel C except Plan 68-S-21984) and is 1.27 hectares (3.14 acres) in size. This was the site of a former greenhouse business and is located across the street from the present Exhibition Grounds. (See Attachment B.)

The Leisure Services Department reviewed the priorities for addressing park-deficiencies and agreed to pursue the purchase of this property for neighbourhood park-space for the following reasons:

- the land is available and is an appropriate size to address this Neighbourhood's park-programming needs;
- there is enough land available for sale to address the Exhibition Neighbourhood's

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- park-deficiencies;
- the Exhibition Neighbourhood has been prioritized as one of the top ten neighbourhoods to have their park-space deficiency addressed by the City; and,
 - the purchase of this land represents good long-term planning, in the event that the Exhibition grounds are moved and further residential development occurs (i.e. this property would be an ideal location for a park to serve the residents to the north and south of Ruth Street).

This property is the most suitable location for a neighbourhood park within the western portion of the Exhibition Neighbourhood. The acquisition of the entire 1.27 hectares will more than address the 2.2 acres of park-deficiency in this Neighbourhood. The City may wish to sell a portion of this land at a later date to finance the development of the site into a neighbourhood park. Regardless of what is decided on selling any portion of this property, the development will be financed through the Dedicated Lands Account, as funds within this Account are available."

Report of the Land Manager, August 5, 1993:

"Negotiations for the above-noted property were completed on June 15, 1993, and an agreement has been reached to purchase this property for \$119,900, subject to the following conditions:

- The approval of City Council,
- The City having access to the property to do any necessary assessments and testing,
- The vendor providing clear title and paying all of the taxes due on the property until the possession date,
- The vendor paying out all outstanding local-improvement charges,
- The vendor and the purchaser being each responsible for their own legal fees, and
- The possession date being on or before August 15, 1993.

If the Planning and Development Committee agrees to recommend this offer to City Council, the vendor will be requested to extend the possession date until August 31, 1993 (i.e. the day after the earliest possible meeting that City Council can consider this matter).

With respect to the condition of the site, Golder Associates Ltd. was hired to perform a Phase I Environmental Assessment of the property. That report and the information received from the Provincial Department of Environment and Public Safety suggests that

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the potential environmental risk is low."

Your Committee has considered this matter and

- RECOMMENDS:**
- 1) that the purchase of 1.27 hectares of land at 2326 Herman Avenue (Plan 62-S-03373, Parcel C except Plan 68-S-21984), for the purpose of addressing the neighbourhood park deficiency in the Exhibition Neighbourhood, be approved;
 - 2) that the purchase price be \$119,900 and that the acquisition be subject to the following conditions:
 - a) that the vendor provide clear title and pay all of the taxes due on the property until the possession date,
 - b) that the vendor pay out all outstanding local-improvement charges, and
 - c) that the vendor and the purchaser be responsible for their own legal fees; and
 - 3) that the City's cost of acquiring this property be financed from the Dedicated Lands Account and that the property be dedicated as Municipal Reserve.

ADOPTED.

REPORT NO. 19-1993 OF THE LEGISLATION AND FINANCE COMMITTEE

Composition of Committee

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

1. Travel Grant Application

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**Saskatchewan Fencing Association
(File No. CK. 1870-2-3)**

Attached is a copy of a Travel Grant Application from the Saskatchewan Fencing Association which has been reviewed and approved by the Leisure Services Department.

Your Committee has reviewed this matter and

- RECOMMENDS:**
- 1) that the Saskatchewan Fencing Association receive a travel grant in the amount of \$500.00 to offset the costs of participation by the Saskatoon Fencing Club in the Canadian National Fencing Championships which were held in Laval, Quebec from May 31 to June 6, 1993; and
 - 2) that this travel grant be charged to the Sports component of the Assistance to Community Groups - Cash Grants Program.

ADOPTED.

**2. Tag Day Request - AIDS Saskatoon
(File No. CK. 200-3)**

Report of City Treasurer, July 23, 1993:

"An application has been received from AIDS Saskatoon requesting approval to conduct a Tag Day on October 6 & 9, 1993, during National AIDS Awareness Week.

Council Bylaw stipulates that all application for Tag Days should be submitted by January 15. However, AIDS Saskatoon was unaware of the requirements of the Bylaw and now requests the approval of this, its first application.

The nature of the solicitation will be a Red Ribbon Campaign, where a person making a donation would receive a red ribbon. The money raised will be used for AIDS education and support services in Saskatoon.

Arla Gustafson, Executive Director of the United Way of Saskatoon, has advised that the United Way does not currently fund AIDS Saskatoon. Any new admissions to the United Way will not be decided until late in 1993. She also indicated that it was her belief that the

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Tag Day planned by AIDS Saskatoon would not have a significant impact on the United Way fund drive which also takes place in October."

Your Committee has met with representatives of AIDS Saskatoon and has determined their preferred date (ie. one day allowed by the Policy) is Saturday, October 9, 1993. The Committee also determined that the surplus identified in the Financial Statement was earmarked for a staff position, which has just been filled. AIDS Saskatoon also serves northern and central Saskatchewan in the role of AIDS education and support services.

Attached, as background information, is a copy of Clause 2, Report No. 4-1993 of the Legislation and Finance Committee which was ADOPTED by City Council at its meeting held on February 15, 1993, outlining the Tag Days approved for 1993.

RECOMMENDATION: that the request for a Tag Day on Saturday, October 9, 1993 from AIDS Saskatoon be approved.

Pursuant to earlier resolution, Item A.19 of "Communications" was brought forward and considered.

Mr. Ralph Wushke, Executive Director, AIDS Saskatoon, addressed Council with respect to the matter.

IT WAS RESOLVED: that the request for a Tag Day on Saturday, October 9, 1993 from AIDS Saskatoon be approved.

**3. Request for Resolutions for Consideration
September 1993 Meeting of FCM National Board of Directors
(File No. CK. 155-2-2)**

A letter dated June 7, 1993, from the FCM Resolutions Policy Analyst requesting the submission of resolutions on subjects of National Municipal interest for debate at the September, 1993 meeting of FCM's National Board of Directors, has been considered by your Committee.

It has been determined that the Finance Division does not, at this time, have any resolutions for submission to FCM.

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RECOMMENDATION: that the information be received.

ADOPTED.

4. Communications to Council

From: J.L. Grover

228 Avenue I South

Date: July 14, 1993

**Subject: Requesting permission to address Council
regarding taxes on property at 203 Avenue E North**

(File No. CK. 1965-1)

Attached is a copy of the above communication made by Mr. Grover which City Council considered at its meeting held on August 3, 1993. Also attached is a copy of the presentation given by Mr. Grover at the City Council meeting held on August 3, 1993. City Council subsequently referred to the Legislation and Finance Committee for review and report.

Your Committee has met with Mr. Grover to review his request, and wishes to note that such a request has never been granted in the past. It was also determined that Mr. Grover has another avenue of appeal, and that is to the Provincial Mediation Board.

RECOMMENDATION: that the request from Mr. J.L. Grover, for forgiveness of taxes for the 8-month period, October 1, 1992 to May 31, 1993, during the closure and renovation of 203 Avenue E North, be denied.

ADOPTED.

REPORT NO. 21-1993 OF THE WORKS AND UTILITIES COMMITTEE

Composition of Committee

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

- 1. 1994 - 1997 Capital Plan
Capital Project No. 1000 - Downtown Water & Sewer Improvements
Stages 1A and 1B South Downtown - Water and Sewer System**

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(Files CK. 1703, 7820-2 and 4130-2)

Report of City Engineer, July 13, 1993:

"Allowance has been made in the 1994 Capital Plan for construction of Stages 1A and 1B (South Downtown Water and Sewer System) in 1994, at an estimated cost of \$2,310,000.

Stage 1A includes a new storm outfall on 3rd Avenue, reconstruction of water, sanitary and storm sewer mains on 19th Street, and relocation of the 500 mm primary water main to 19th Street.

Stage 1B includes a new storm sewer from the 19th Street underpass to a new outfall at the river. A portion of this sewer was constructed in 1992 in conjunction with the senior citizens' housing complex (Clinkskill Manor) on the former arena site.

Completion of these stages allows us to abandon existing water and sewer mains on the site of the proposed South Downtown Development and provides for redevelopment of areas north of 19th Street, between 1st Avenue and 3rd Avenue. The existing water and sewer mains in this area are old, undersized and in poor structural condition.

It is desirable to prepare detailed designs for Stages 1A and 1B so construction of these stages can proceed on short notice, if initiated by development or redevelopment of any properties in the vicinity of 19th Street."

Your Committee has reviewed this matter with the City Engineer and supports the proposal to advance funds from the 1994 Capital Budget to 1993 so that the design work for this project can get underway in 1993.

- RECOMMENDATION:**
- 1) that an expenditure of \$50,000 be approved in 1993 for the final design of Stages 1A and 1B South Downtown (Capital Project No. 1000 - Downtown Water & Sewer Improvements); and
 - 2) that the source of funding be the Infrastructure Reserve.

ADOPTED.

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**2. Proposed Bus Stop Revisions
Clarence Avenue from 8th Street to 11th Street
(File No. CK. 7311-1)**

Report of Transit Manager, August 13, 1993:

"In conjunction with the upgrading of the sidewalk and curb along Clarence Avenue, from 8th Street to 11th Street, we have reviewed the bus stop locations to coordinate with the installation of bus stop pads along the boulevard between the curb and sidewalk.

The bus stops are being relocated to the far side from the near side of the intersection and the adjacent property is flankage. Parking on the street is prohibited in this area."

RECOMMENDATION: that the bus stops along Clarence Avenue, from 8th Street to 11th Street, be relocated as per the attached proposal.

ADOPTED.

REPORT NO. 4-1993 OF THE LAND BANK COMMITTEE

Composition of Committee

Councillor M.T. Cherneskey, Q.C., Chair
Councillor P. McCann
Councillor O. Mann
His Worship the Mayor
City Commissioner
Director of Finance
Director of Works and Utilities
Director of Planning and Development

**1. Communications to Council
From: Arnold R. Wilderman**

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**2. Request to Sell City-Owned Property
Lot C, Block 306, Plan No. 86-S-17946
Perehudoff Crescent, Erindale -- Zoned RM (Tn)
(File No. CK. 4215-1)**

Report of Land Manager, August 9, 1993:

"The Land Department has recently optioned the remainder of its multi-family-zoned property, on the approved price-list, for the Erindale Neighbourhood. Therefore, the Department feels it now would be appropriate for City Council to approve additional multi-family land in this area which the City could offer for sale.

The Department proposes to offer Lot C, Block 306, Plan No. 86-S-17946, for sale by public tender, with a reserve bid of \$272,000.00. (See the attached plan.) If this lot is not sold by public tender, it will be added to the list of miscellaneous properties which are available for sale over the counter, thereby providing an inventory of multi-family land in the Erindale Neighbourhood.

The following is the pertinent information on Lot C, Block 306, Plan 86-S-17946:

Frontage 114.75 metres
Depth 81.80 metres
Area 0.9387 ha. (2.32 acres)
Zoning RM(Tn) District.

The \$272,000.00 reserve bid results in a price of \$117,240.00 per acre. This is a reasonable price in today's market and compares favourably with the price per acre that was charged for the RM(Tn) land which was sold in the Lakewood area."

- RECOMMENDATION:**
- 1) that the Land Department be authorized to sell Lot C, Block 306, Plan No. 86-S-17946 by public tender, with a reserve bid of \$272,000.00; and
 - 2) that if no acceptable bids are received, this lot be added to the list of miscellaneous properties that are available for sale over the counter, and at a price of \$272,000.00.

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ADOPTED.

**3. Subdivision of Lots 16 to 20, Block 294, Plan No. 86-S-17942
located at the corner of 115th Street and Kenderdine Road, Erindale
into single-family Lots A and B and a Municipal Reserve
(Files CK. 4300-2 and 4131-5)**

Report of Director of Planning and Development, August 9, 1993:

"On December 12, 1991, the Land Bank Committee considered the attached December 5, 1991, report of the Acting Director of Planning and Development which recommended a solution to a problem with the access to certain single-family lots that are located at the corner of 115th Street and Kenderdine Road. The Committee did not approve the recommendations in this report and instead, referred the entire matter back to the Administration to consider alternative solutions.

In summary, the problem relates to the Engineering Department's decision to refuse the provision of driveway crossings to three of the lots on the corner (Lots 18, 19, and 20) because of the potential danger of vehicles backing out of a driveway and into a high-volume traffic area. The Land Department felt that the best solution was to change these lots to a municipal reserve which could be developed into an attractive entrance to the subdivision. (See the attached sketch of the proposed landscaping.) The December 5, 1991, report pointed out that the cost of this solution includes a \$69,000 loss of prepaid-services revenue and a \$40,000 estimated expenditure to landscape the reserve. The loss of revenue already exists because the Land Department cannot offer the lots for sale when there is no provision for front-street parking or driveways.

Report of the Land Manager, August 9, 1993:

The Administration has examined several alternative solutions to the problem of no parking or access to driveways for the lots at the corner of 115th Street and Kenderdine Road. The following options were explored:

Option 1: Leave the lots as they are presently subdivided and allow full frontage-access to them

The Engineering Department will not permit driveway-access from the front and for this reason, the lots cannot be sold. The lots must eventually be developed in some fashion. Therefore, this option is not acceptable.

Option 2: Re-subdivide the lots as shown on the attached plan (option 2')

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This option entails some additional costs for surveying and for reconstructing the streets and utilities. However, the costs are expected to be minimal.

The Engineering Department insists on keeping the eastbound to southbound right-turn bay and island in place because they serve a heavy traffic-volume turning movement that is expected to get heavier as Erindale South is developed. Therefore, because this option does not accommodate the retention of the bay and island, it is not acceptable.

Option 3: Create a service road as shown on Drawing No. 2A-32-23

This option allows all of the lots to have driveway-access. The cost of completing the necessary survey and of reconstructing the street is estimated at \$84,000.00.

The Engineering Department supports this option. However, the Department has no funding for the proposed expenditure because the Erindale Neighbourhood's prepaid-services reserves are currently committed.

The Land Department does not recommend funding this option from the Property Realized Reserve; this action would result in a \$84,000 financial loss to the Reserve because there is no land component in the proposed selling price of these lots. Further, this solution will produce only two more lots than the originally-recommended option of creating a municipal reserve. The two additional lots will be of poor quality and in a location where it is doubtful that they could be sold at anything but minimum prices.

The following table compares the costs and potential recoveries from 'option 3' and from the option that was presented in the December 5, 1991, report:

	Costs	Recoveries	Balance
Plan 2A-32-23 (Option 3)	\$84,000.00	\$76,000.00	- \$8,000.00
Plan 2A-32-30 (Original Option)	\$40,000.00	\$38,000.00	- \$2,000.00

After examining all of the other reasonable options that were proposed by the Planning and the Engineering Departments, the Land Department still believes that the proposal in the December 5, 1991, report to create two lots and a municipal

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reserve (Plan 2A-32-20) is the best approach to addressing this matter."

Your Committee has reviewed this proposal and

- RECOMMENDS:**
- 1) that Lots 16 to 20, Block 294, Plan No. 86-S-17942, be subdivided into Lots A and B and into a Municipal Reserve, as shown in attached Sketch Plan 2A-32-20;
 - 2) that the municipal reserve be landscaped, for a total cost of no more than \$40,000.00; and
 - 3) that all of the costs associated with implementing this proposal be charged to the Property Realized Reserve.

ADOPTED.

**4. Hitachi Canadian Industries Ltd.
Offer to Purchase
Lots 16 and 17, Block 143, Plan 79-S-18673
File No. CK. 4215-1**

Report of City Commissioner, August 23, 1993, (being August 18, 1993 report amended):

"Over the last six months the Mayor and civic officials have discussed the sale by the City of additional land to Hitachi Canadian Industries Ltd. Hitachi currently owns Lots 18 and 19 and requires Lots 16 and 17, Block 143, Plan 79-S-18673 for its expanding operations.

Hitachi has offered the sum of \$189,400.00 which is approximately \$50,000.00 per acre. While the price is less than our current list price of \$263,000.00 it does in the opinion of the Administration meet the current market value of the property. It will also provide a sufficiently large site for any possible future expansion of Hitachi operations in our community.

The land will be sold under an agreement for sale with the following payment schedule:

September, 1993	\$ 50,000.00
September, 1994	50,000.00
September, 1995	50,000.00
September, 1996	<u>39,400.00</u>
Total	\$ 189,400.00

Hitachi has also requested that the City informally hold Lots 14 and 15 in the same block to

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allow for future acquisition if need by the company."

- RECOMMENDATION:**
- 1) that the City sell under an Agreement for Sale, Lots 16 and 17, Block 143, Plan 79-S-18673 to Hitachi Canadian Industries Ltd. for a price of \$189,400.00; and
 - 2) that the Administration take the necessary steps to finalize the transaction under the terms outlined above.

ADOPTED."

Moved by Councillor Mann, Seconded by Councillor Mostoway,

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

CARRIED.

Moved by Councillor Mann, Seconded by Councillor Mostoway,

THAT the meeting recess until 7:00 p.m.

CARRIED.

The meeting recessed at 4:43 p.m. and reconvened at 7:00 p.m. to deal with the Demolition Hearing regarding 124 Avenue J South.

HEARING

Demolition - 124 Avenue J South

Kim Hansen

(File No. CK. 530-2) _____

REPORT OF CITY CLERK:

"City Council, at its meeting held on July 5, 1993, considered Clause 2, Report No. 15-1993 of the Planning and Development Committee, copy attached, and adopted the following recommendations:

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- 1) that the information be received;
- 2) that City Council declare the property at 124 Avenue J South to be a nuisance pursuant to Section 124 of *The Urban Municipality Act* because, in Council's opinion, both of the buildings are a danger to the public safety and health and depreciate the value of other land or improvements in the vicinity; and
- 3) that the City Solicitor be instructed to advise the owner, and all persons having an interest in the above-noted property, of the date of the hearing wherein City Council will consider the making of a Demolition Order.'

Report of the City Planner, August 23, 1993:

A recent inspection of the property indicates that no attempt has been made to upgrade the condition of the dwelling or the accessory building on this site. Since City Council's July 5 meeting, the City's Administration has had to secure the building because some of the plywood covering the rear door had been removed. Children have also been seen on the roof of the house. Therefore, the Planning Department recommends that City Council should proceed with an order to demolish the buildings at an early date.

If the owner does not demolish the buildings within the time that is specified in the order, then City Council may arrange for the order to be implemented in accordance with Section 124 (5) of *The Urban Municipality Act* which states:

"If an owner does not comply with an Order within the time specified in the Order, the Council may placard the building to protect the public and may proceed to have any work done that it considers necessary for the purpose of carrying out the Order, and the cost of the work is to be added to, and thereby form part of, the taxes on the land on which the building is or was situated."

- RECOMMENDATION:**
- 1) that pursuant to Section 124 of *The Urban Municipality Act*, City Council proceed with an order to demolish the buildings at 124 Avenue J South and to fill in any open basement or excavation remaining on the site after the demolition;
 - 2) that the owner be given until November 1,

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1993, to comply with the order;

- 3) that if the owner does not comply with the order within the specified time:
 - a) the Civic Buildings and Grounds Department be authorized to prepare the appropriate tendering documents and to take whatever steps that it considers necessary to carry out City Council's order concerning the demolition of the buildings at 124 Avenue J South; and,
 - b) all of the costs incurred in the tendering process and in the demolition work be added to, and thereby form part of, the taxes on the land known as 124 Avenue J South.'

Report of the City Solicitor, August 25, 1993:

'City Council, at its meeting held on July 5, 1993, when considering this matter, resolved in part:

- "2) that City Council declare the property at 124 Avenue J South to be a nuisance pursuant to Section 124 of *The Urban Municipality Act* because, in Council's opinion, both of the buildings are a danger to the public safety and health and depreciate the value of other land or improvements in the vicinity; and
- 3) that the City Solicitor be instructed to advise the owner, and all persons having an interest in the above-noted property, of the date of the hearing wherein City Council will consider the making of a Demolition Order."

Under Section 124(9) of *The Urban Municipality Act, 1984* a notice may be served on the owner personally or by registered mail. The *Act* provides that if the address of the owner is unknown, a copy of the notice is to be published in at least two issues of the newspaper circulating in the municipality.

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In this case, our process server was unable to locate Kim Holler Hansen to serve him with a copy of the Notice. We therefore published the Notice in the *Saskatoon Star Phoenix* on Saturday, August 7, 1993 and on Saturday, August 14, 1993 in compliance with Section 124(9) of *The Urban Municipality Act, 1984*.

We are enclosing a copy of the Title to the property for Council's information.

A draft Order for Demolition has been prepared.

Please note that we have not specified the date by which the demolition must be completed. Under *The Urban Municipality Act, 1984*, the date cannot be less than 45 days from the date upon which the Order is made.

We trust this will be satisfactory.'

A copy of the 'Order of Demolition' for the building located at 124 Avenue J South is attached.

Also attached is a copy of letter received on August 6, 1993, from E.M.K. MacGregor, 126 Avenue J South."

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

Deputy Mayor Dyck ascertained that there was no one present in the gallery who wished to address Council with respect to the matter.

Moved by Councillor Penner, Seconded by Councillor Birkmaier,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Penner, Seconded by Councillor McCann,

- 1) *THAT, because of their dilapidated state, Council declare the buildings (house and garage) located at 124 Avenue J South, Saskatoon, Saskatchewan and more particularly described as:*

Lot 31, Block 12, Saskatoon, Saskatchewan, Plan (GP) I 774,

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a nuisance, because in the opinion of City Council, the buildings are a danger to the public safety and health and depreciate the value of other land or improvements in the vicinity as a result of their dilapidated state;

- 2) *THAT Kim Holler Hansen, the registered and assessed owner, be ordered:*
 - a) *to demolish or remove the said buildings and to fill in any open basement or excavation remaining on the site of the said buildings after the demolition or removal thereof; and*
 - b) *to complete the work on or before the 15th day of November, 1993; and*
- 3) *THAT if the owner does not comply with the order within the specified time:*
 - a) *the Civic Buildings and Grounds Department be authorized to prepare the appropriate tendering documents and to take whatever steps that it considers necessary to carry out City Council's order concerning the demolition of the buildings at 124 Avenue J South; and*
 - b) *all of the costs incurred in the tendering process and in the demolition work be added to, and thereby form part of, the taxes on the land known as 124 Avenue J South.*

CARRIED.

Councillor Cherneskey re-entered the Council Chamber.

Moved by Councillor Penner, Seconded by Councillor Birkmaier,

THAT the meeting stand adjourned.

CARRIED.

The meeting adjourned at 7:02 p.m.

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Mayor

City Clerk