

Council Chambers
City Hall, Saskatoon, Sask.
Tuesday, September 5, 2006
at 6:00 p.m.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

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

Moved by Councillor Penner, Seconded by Councillor Dubois,

THAT the minutes of meeting of City Council held on August 14, 2006, be approved.

CARRIED.

Moved by Councillor Wyant, Seconded by Councillor Birkmaier,

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

CARRIED.

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

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

Committee arose.

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Councillor Wyant, 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:

“ADMINISTRATIVE REPORT NO. 16-2006

Section A – COMMUNITY SERVICES

**A1) Land-Use Applications Received by the Community Services Department
For the Period Between August 8, 2006 and August 25, 2006
(For Information Only)
(File Nos. PL. 4355, 4300, 4350; CK. 4000-5)**

RECOMMENDATION: that the information be received.

ADOPTED.

The following applications have been received and are being processed:

Discretionary Use

- Application No. 12/06 : 121 - 107th Street West
Applicant: Gerard/Lynn Ackerman
Legal Description: Lot 19, Block 4, Plan G122
Current Zoning: R2
Proposed Use: One Unit Dwelling with Secondary Suite
Neighbourhood: Sutherland
Date Received: August 4, 2006

Rezoning

- Application No. 24/06: McKague Cres./Hampton Blvd.
Applicant: City of Saskatoon
Legal Description: NE ¼ 1-37-6, W 3rd EXT 2, Surface Parcel
161504366
Current Zoning: R1A
Proposed Zoning: RMTN, R1B
Neighbourhood: Hampton Village
Date Received: August 2, 2006

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Subdivision

- Application No. 49/06: Stonebridge Blvd.
Applicant: Webster Surveys
Legal Description: Parcel A, Plan No. 101390655
Current Zoning: R1A
Neighbourhood: Stonebridge
Date Received: August 3, 2006

- Application No. 50/06: Cartwright Street
Applicant: Webster Surveys
Legal Description: Parcel BB, Plan 101717658
Current Zoning: DCD4
Neighbourhood: Willows
Date Received: August 8, 2006

- Application No.51/06: Stonebridge Subdivision
Applicant: Webster Surveys
Legal Description: NE ¼ Sec 10-36-5-3, Parcel E, 64S04601, SW ¼
And N ½ 11-36-5-3
Current Zoning: R1A
Neighbourhood: Stonebridge
Date Received: August 8, 2006

- Application No. 52/06: Claypool Drive
Applicant: Saskatoon Land Surveyors
Legal Description: S2 & S3, Plan 101882796 in SW ¼ Sec 8 Twp 37
Rge 5 W 3 MER and LSD 13 NW ¼ Sec 5 Twp 37
Current Zoning: Agricultural
Neighbourhood: Hampton Village Business Park
Date Received: August 8, 2006

- Application No. 53/06: Avenue L & 20th Street
Applicant: Tri-City Surveys Ltd.
Legal Description: Lots 1-13 incl., Lots 26-32 incl. & Lot 33, Blk 7,
Plan I.774
Current Zoning: B5
Neighbourhood: Pleasant Hill
Date Received: August 14, 2006

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- Application No. 54/06: 732 – 8th Avenue N
Applicant: Webster Surveys Ltd.
Legal Description: Lot 37, Blk 8, Plan 99SA06423
Current Zoning: R2
Neighbourhood: City Park
Date Received: August 16, 2006

PUBLIC NOTICE

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

ATTACHMENTS

1. Plan of Proposed Discretionary Use No. 12/06
2. Plan of Proposed Rezoning No. 24/06
2. Plan of Proposed Subdivision No. 49/06
3. Plan of Proposed Subdivision No. 50/06
4. Plan of Proposed Subdivision No. 51/06
5. Plan of Proposed Subdivision No. 52/06
6. Plan of Proposed Subdivision No. 53/06
7. Plan of Proposed Subdivision No. 54/06

**A2) Request For Encroachment Agreement
167 – 2nd Avenue South
Lots 35 to 37 inclusive, Block 148, Plan C195
(File No.: CC 4090-2)**

- RECOMMENDATION:**
- 1) that City Council recognize the encroachment at 167 2nd Avenue South (Lots 35 to 37 Inclusive, Block 148, Plan C195);
 - 2) that the City Solicitor be instructed to prepare the appropriate encroachment agreement making provision to collect the applicable fees; and,
 - 3) that His Worship the Mayor and the City Clerk be authorized to execute, on behalf of the City of Saskatoon under the Corporate Seal and in a form that is satisfactory to the City Solicitor, the agreement with respect to this encroachment.

ADOPTED.

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The Solicitor, on behalf of the new owner of the property located at 167 2nd Avenue South has requested to enter into an Encroachment Agreement with the City of Saskatoon. An Encroachment Agreement is already in place; however; the property is changing ownership, and a new agreement has been requested. As shown on the attached Real Property Report, part of the building encroaches onto 2nd Avenue South. The total area of encroachment is approximately 0.25 m² and will, therefore, be subject to an annual charge of \$50.00.

PUBLIC NOTICE

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

ATTACHMENTS

1. Letter from the Solicitor on behalf of the owner, received August 4th, 2006
2. Real Property Report dated February 17, 2003

A3) Request For Encroachment Agreement

130 – 21st Street East

Lots 38, 39 & 40

(Except the most South Easterly 35 feet of each, Block 148, Plan C195)

(File No.: CC 4090-2)

- RECOMMENDATION:**
- 1) that City Council recognize the encroachment at 130 – 21st Street East (Lots 38, 39 & 40 except the most South Easterly 35 feet of each, Block 148, Plan C195);
 - 2) that the City Solicitor be instructed to prepare the appropriate encroachment agreement making provision to collect the applicable fees; and,
 - 3) that His Worship the Mayor and the City Clerk be authorized to execute, on behalf of the City of Saskatoon under the Corporate Seal and in a form that is satisfactory to the City Solicitor, the agreement with respect to this encroachment.

ADOPTED.

The Solicitor, on behalf of the new owner of the property located at 130 – 21st Street East has requested to enter into an Encroachment Agreement with the City of Saskatoon. An Encroachment Agreement is already in place; however, the property is changing ownership and a new agreement has been requested. As shown on the attached Real Property Report, part of the building and a canopy encroaches onto 21st Street East. The total area of encroachment is approximately 1.2 m² and will, therefore, be subject to an annual charge of \$50.00.

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PUBLIC NOTICE

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

ATTACHMENTS

1. Letter from the Solicitor on behalf of the owner, received August 4th, 2006
2. Real Property Report dated February 17, 2003

**A4) Request For Encroachment Agreement
1002 Ave M South
Lot 20, Block 1, Plan 101434654
And Lot 16, Block 1, Plan G3820
(File No. CC 4090-2)**

- RECOMMENDATION:**
- 1) that City Council recognize the encroachment at 1002 Ave M South (Lot 20, Block 1, Plan 101434654 and Lot 16, Block 1, Plan G3820);
 - 2) that the City Solicitor be instructed to prepare the appropriate encroachment agreement making provision to collect the applicable fees; and,
 - 3) that His Worship the Mayor and the City Clerk be authorized to execute, on behalf of the City of Saskatoon under the Corporate Seal and in a form that is satisfactory to the City Solicitor, the agreement with respect to this encroachment.

ADOPTED.

The owners of the property located at 1002 Ave M South have requested to enter into an Encroachment Agreement with the City of Saskatoon. As shown on the attached Real Property Report, the eave and eaves trough of the attached garage encroaches onto 12th Street West. The attached garage was constructed in 1941 and a new roof was installed on the garage in 1971. The encroachment probably surfaced with the addition of this new roof. The total area of encroachment is approximately 0.6 m² and will, therefore, be subject to an annual charge of \$50.00.

PUBLIC NOTICE

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

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ATTACHMENTS

1. Letter from the owner dated August 21st, 2006
2. Real Property Report dated July 16, 1999

**A5) Request For Encroachment Agreement
338 Ottawa Avenue South
Lots 15 & 16, Block 46, Plan G198
(File No. CC. 4090-2)**

- RECOMMENDATION:**
- 1) that City Council recognize the encroachment at 338 Ottawa Avenue South (Lots 15 & 16, Block 46, Plan G198);
 - 2) that the City Solicitor be instructed to prepare the appropriate encroachment agreement making provision to collect the applicable fees; and,
 - 3) that His Worship the Mayor and the City Clerk be authorized to execute, on behalf of the City of Saskatoon under the Corporate Seal and in a form that is satisfactory to the City Solicitor, the agreement with respect to this encroachment.

ADOPTED.

The owners of the property located at 338 Ottawa Avenue South have requested to enter into an Encroachment Agreement with the City of Saskatoon. As shown on the attached Real Property Report, a portion of the rear attached deck encroaches onto Municipal Reserve (MRR). The deck has existed since about 1988. The total area of encroachment is approximately 0.8 m² and will, therefore, be subject to an annual charge of \$50.00.

PUBLIC NOTICE

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

ATTACHMENTS

1. Letter from the owner dated August 21st, 2006
2. Real Property Report dated April 11, 2006

**A6) Request For Encroachment Agreement
220 – 21st Street East
Lot 48, Block 151, Plan 99SA35105
(File No. CC 4090-2)**

- RECOMMENDATION:**
- 1) that City Council recognize the encroachment at 220 – 21st Street East (Lot 48, Block 151, Plan 99SA35105);
 - 2) that the City Solicitor be instructed to prepare the appropriate encroachment agreement making provision to collect the applicable fees; and,
 - 3) that His Worship the Mayor and the City Clerk be authorized to execute, on behalf of the City of Saskatoon under the Corporate Seal and in a form that is satisfactory to the City Solicitor, the agreement with respect to this encroachment.

ADOPTED.

The Solicitor, on behalf of the owner of the property located at 220 – 21st Street East, has requested to enter into an Encroachment Agreement with the City of Saskatoon. As shown on the attached Real Property Report, part of the building corner encroaches onto the lane at the northeast corner of the building. The encroachment has probably existed ever since the building was constructed prior to 1930. The total area of encroachment indicated on the Real Property Report is inconclusive, but is very minimal, and will therefore be subject to an annual charge of \$50.00.

PUBLIC NOTICE

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

ATTACHMENTS

1. Letter from the Solicitor on behalf of the owner received August 15, 2006
2. Real Property Report dated July 5, 2006

**A7) Municipal Enterprise Zone
List of Recently Approved Applications
(File No.: PL 4110 – 34; CK. 3500-15)**

RECOMMENDATION: that the information be received.

ADOPTED.

BACKGROUND

Purpose of Enterprise Zone

The Enterprise Zone was established by City Council in 2002 to provide financial incentives to encourage more economic development in seven core neighbourhoods and two core industrial areas of Saskatoon. Among many incentives, the Enterprise Zone will provide automatic rebates for building, plumbing, sign permit fees, rebates for land use fees such as rezoning and discretionary uses, tax abatements for up to five years, and one year grants in lieu of tax abatement. The program is temporary until the funds are spent. City Council provided \$500,000 of initial funding for the program in the spring of 2002, and renewed the program funding with another \$500,000 in March 2006.

REPORT

The following applications were approved by the Adjudication Committee on August 11, 2006:

1. City Centre Community Renewal Initiatives – 205 Avenue N South – 24 unit apartment renovation – Approval of Grant in Lieu of Tax Abatement worth \$15,868.33.
2. Fields Department Store – 102 20th Street West – New retail department store - Approval of Grant in Lieu of Tax Abatement worth \$23,958.78.
3. HappyLivingSpace Interior Design – 814 20th Street West – Interior Design Office and Studio – Approval of Grant in Lieu of Taxes (\$1,536.54) and Façade Appearance Grant (\$2,500) – Total: \$4,036.54.
4. Fabric Frenzy – 120 20th Street West – Approval of Façade Appearance Grant worth \$2,500.
5. Doctor Plant – 129 Avenue I South – Approval of Façade Appearance Grant worth \$2,350.
6. Bridge City Collision – 640 Avenue N South – Approval of Façade Appearance Grant worth \$960.
7. Vanghel Holdings – 624 Avenue O South – Approval of Façade Appearance Grant worth \$2,460.
8. Lien Thanh Oriental Restaurant – 311 Avenue A South – Approval of Façade Appearance Grant worth \$2,500.
9. Lac Minh and Lien Luong – 324 Avenue B South – Approval of Façade Appearance Grant worth \$600.

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During consideration of these applications, the Adjudication Committee noted that cash grants in lieu of tax abatements equal to one year's worth of property taxes and façade appearance grants up to \$2,500 are listed as Enterprise Zone Incentives. City Council approval is not required for these incentives.

The owners of the above properties will be establishing new businesses, or in the case of the façade grants, undertaking improvements and renovations to the existing properties including making the front building façades more attractive at the street level. The enhancements may include replacing old, worn-out building materials, painting, sandblasting, stuccoing, etc.

The Adjudication Committee wishes to note that there has been tremendous interest in the façade appearance grant which City Council approved on March 13, 2006. Since this new grant took effect, the Adjudication Committee has received twenty-one applications under this program resulting in \$59,148 worth of façade improvements.

Follow-up inspections will be undertaken at all of the above locations. Only when it is clearly demonstrated that the projects are completed and a significant enhancement to the front façade of the building has been made will the committed funds be provided to the owner/applicant.

FINANCIAL IMPACT

As of May 31, 2006, there was \$436,458 remaining in the Enterprise Zone Account. The above applications total \$55,233.65, and are within the means of the Enterprise Zone Program.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of the City of Saskatoon Policy C01-021 (Public Notice Policy) is not required.

**A8) Municipal Enterprise Zone
Proposed Mixed Use Development
218 Avenue L South, 219 Avenue K South – Station 20 West
(File No.: PL. 4110 – 34 – 62; CK. 3500-15)**

RECOMMENDATION: 1) that City Council approve a tax abatement of 100% of incremental taxes for the development at Station 20 West for a period of five years commencing in the next taxation year after completion of the project; and

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- 2) that the City Solicitor be instructed to prepare the necessary agreement.

ADOPTED.

BACKGROUND

On August 10, 2005, the Municipal Enterprise Zone Adjudication Committee considered an application from the Saskatchewan Housing Corporation for Enterprise Zone incentives to develop a mixed use residential development at the above address. The site is the first part of what is commonly referred to as the Station 20 West project.

The development consists of 55 dwelling units (18 townhouse and 37 apartment units), an office space for the Saskatoon Housing Authority, and a 5,000 square foot space for a branch library. (See Attachment 1.)

According to the Municipal Enterprise Zone policy, City Council approval is required if a property tax abatement is being requested. A detailed report outlining the application is attached to this report.

REPORT

The application for incentives under the Municipal Enterprise Zone was made through the City Planning Branch. A thorough review of the application was conducted, and it has been determined that the project warrants consideration for incentives under the Enterprise Zone.

Requested Incentives (by applicant)

The applicant has applied for:

Cash Rebates

1.	Subdivision Application Fee (SHC share 62.5%):	\$ 3,437.50
2.	Off-Site Development Charges:	
	• Trunk Sewer Levy:	27,834.30
	• Primary Water Main Levy:	4,802.56
	• Arterial Road Levy:	18,966.87
	• Parks Levy:	<u>20,349.57</u>
	Sub-Total:	\$ 71,953.30
	Estimated 2006 Increase (15%):	<u>10,793.00</u>
	Total Off-site Development Charges:	\$ 82,746.30

3. Land Use Fees:

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• Development Plan Amendment:	\$ 300.00
• Rezoning Application:	1,750.00
• Estimated Advertising Costs:	<u>3,000.00</u>
Total Land Use Fees:	\$ 5,050.00

Total Rebates Requested: \$ 91,233.80

Foregone Revenue

4. Property Tax Abatement:	
• Current Property Tax (2006):	\$ 3,352.00
• Estimated Property Tax (at completion, minus library):	\$ 68,200.00
• Annual Increment:	\$ 64,848.00
Total Foregone Revenue: 5 yrs. x \$64,848.00 =	\$324,240.00

TOTAL Value of Enterprise Zone Incentives Requested: \$456,198.80

Committee Approval

The Enterprise Zone Committee has fully considered the request from the applicant and is recommending approval of a five year tax abatement of the incremental taxes. There is a building permit fee estimated at \$40,725, which is an automatic rebate to Saskatchewan Housing at the completion of the project based on the Enterprise Zone Program.

In its decision, the Adjudication Committee noted that the City of Saskatoon has already provided incentives to this project by offering the land for \$1 to the Saskatchewan Housing Corporation, and has contributed through the Urban Development Agreement towards the site cleanup. Therefore, the Committee did not feel that it could offer all of the eligible incentives as indicated above.

If City Council approves the five year tax abatement, the total value of incentives (tax abatement and building permit fee rebate) will be worth \$364,965.

Financial Impact

As of May 31, 2006, there was \$436,458 remaining in the Enterprise Zone Account. The rebate of the building permit fee, estimated at \$40,725, is within the means of the Enterprise Zone program. The tax abatement is foregone revenue and will have no effect on the Enterprise Zone balance.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of the City of Saskatoon Policy C01-021 (Public Notice Policy) is not required.

ATTACHMENT

1. Enterprise Zone Application – Station 20 West – Saskatchewan Housing Corporation

**A9) Option to Purchase Agreement and
Direct Sale to SaskTel
Portion of LSD 4, SW 24-37-5-W3
North along Central Avenue
(File No: LA 4221-06-19; CK. 4215-1)**

- RECOMMENDATION:**
- 1) that City Council approve the Option to Purchase Agreement that would permit the direct sale of a portion of LSD 4 SW 24-37-5-W3 encompassing an area of 19,375 square feet (0.44 acres), to SaskTel for the purpose of constructing a telecommunications tower. The option fee of \$1,000 is non-refundable and the purchase price for the property is set at \$17,600 plus G.S.T.; and
 - 2) that the City Solicitor be requested to prepare the necessary agreements and that His Worship the Mayor and City Clerk be authorized to execute the agreement.

ADOPTED.

BACKGROUND

In March 2004, the City of Saskatoon purchased a 160 acre parcel that encompasses the subject property from Robert Finley at a purchase price of \$665,000. These lands had been previously leased by the City of Saskatoon and utilized as an earth and rubble fill-site to dispose of earth and inert rubble such as concrete, asphalt, earth, pipe, and bricks.

REPORT

In order to meet their servicing needs, SaskTel is seeking to secure an Option to Purchase Agreement that would permit the direct sale of a 0.44-acre portion of LSD 4 for the purpose of constructing a new telecommunications tower (Attachments 1 and 2). The one-year Option to Purchase Agreement will allow SaskTel the opportunity to perform their due diligence and investigate the suitability of the site for their intended use.

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SaskTel has agreed to an option fee of \$1,000 with a purchase price of \$17,600 which represents full market value of the site. SaskTel is responsible for all costs relating to survey, subdivision Application and Plan of Survey registration under the Land Titles Act. Furthermore, SaskTel acknowledges and agrees that a condition of approval of any such subdivision application, involves SaskTel entering into a Deferred Servicing Agreement with the City of Saskatoon pertaining to the subject lands.

The terms and conditions of the Offer are as follows:

1. Deposit/Option Fee
Non-refundable deposit of \$1,000.
2. Term of Option
One year.
3. Purchase Price
Purchase price is \$17,600 plus G.S.T. SaskTel will pay interest at the rate of 12 per cent per annum on the balance of the purchase price from the date of possession until the Transfer has been registered under the Land Titles Act.
4. Costs
SaskTel is responsible for all costs relating to survey, subdivision application, and plan of survey registration under the Land Titles Act.
5. Special Clauses
SaskTel acknowledges and agrees that a condition of approval of any such subdivision application, SaskTel must enter into a Deferred Servicing Agreement with the City of Saskatoon pertaining to the subject lands.
6. Possession Date
SaskTel will be entitled to possession upon the option being exercised.

JUSTIFICATION

City of Saskatoon Council Policy titled Sale of Serviced City-owned Lands, adopted by City Council and effective February 10, 2003, states in Policy 3.2:

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

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

PUBLIC NOTICE

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

ATTACHMENTS

1. Map Showing Subject Property
2. Arial Map Showing Subject Property

**A10) Direct Sale of 0.54 Acres of Land
CN Industrial Area – Melville Street
(File No. 4021-04-5; CK. 4214-1)**

- RECOMMENDATION:**
- 1) that City Council approve the direct sale of 0.54 acres of un-serviced land lying to the north of Parcel 8, Plan 101878612 to Ronmore Developers Inc. with terms and conditions as outlined in the report of the General Manager, Community Services Department; and
 - 2) that the City Solicitor be requested to prepare the necessary Sale Agreement and that His Worship, the Mayor and City Clerk be authorized to execute the agreement.

ADOPTED.

BACKGROUND

City Council, at its meeting held April 5, 2004, adopted Clause 1, Report No. 6-2004 of the Planning and Operations Committee which had recommended proceeding with the purchase of 7.66 acres of un-serviced land from Twin Dragon Holdings Ltd. at a price of \$340,000. As indicated in the report, this and other privately-owned lands west of Clarence Avenue and fronting onto the south side of Melville Street, were required by the City to:

1. Facilitate the planned relocation of Melville Street to the south to properly align this portion of the roadway with the planned major collector roadway serving the Stonebridge Neighbourhood;

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2. Widen Clarence Avenue south of the Saskatoon Light and Power operations site to ensure proper road widths for the approach to the CN/Clarence Avenue Overpass;
3. Facilitate the possible relocation of the Saskatoon Light and Power storage compound to the south and fronting the new aligned Melville Street to facilitate additional Auto Mall sites on Brand Road. A previous recommendation in 2006 was adopted by City Council to abandon this possible option and proceed with the sale of two Auto Mall sites at Brand Road and Melville Street. These sites are the subject of a public tender for sale and the closing date of the tender is September 1, 2006; and
4. Provide new access for the CN site to Clarence Avenue via the re-alignment of Melville Street.

Subsequent reports adopted by City Council resulted in the acquisition of privately-owned lands (16.64 acres) south of Melville Street, a re-subdivision of the area to create a newly aligned Melville Street, adoption of a bylaw to close the existing portion of Melville Street, adoption of a Zoning Bylaw Amendment to rezone the lands and remove the holding provisions affecting the land and the direct sale of 0.584 acres to 101084660 Saskatchewan Ltd. being the owner of Parcel 8 fronting the new Melville Street west of Clarence Avenue, as shown on Attachment 1.

Ronmore Developers Inc. has an agreement to purchase Parcel 8 from the current owner. City Council had previously agreed to sell 50 feet of land in perpendicular width throughout (0.584 acres) adjacent to the west boundary of Parcel 8 to the current owner. The purchase price agreed to for this previous sale was \$220,000 and the land is to be sold in un-serviced and “as is” condition. This equates to a price of \$376,712 per acre, exclusive of servicing costs.

REPORT

The Land Branch was approached by a representative of Ronmore Developers Inc. to find out if the City would be interested in selling 0.54 acres of land being the closed portion of Melville Street immediately north of Parcel 8 (Attachment 1).

The re-alignment of Melville Street and the necessary installation of all underground services and surface improvements (new roadway) are now scheduled to be completed by July 31, 2007. All of the lands owned by the City were area graded in 2005. The owner of Parcel 8 has entered into a Development and Servicing Agreement, which will require payment of various off-site and direct services when the servicing by the City has been completed.

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The Land Branch Manager has signed an Offer to Purchase Agreement which has the following terms and conditions:

1. Purchase Price
\$203,468.76
2. Initial Deposit
\$10,000 to be paid in trust by the Buyer to Colliers McClocklin Real Estate Corp.
3. Conditions Precedent
 - a) Seller obtaining Council's approval for the sale by September 29, 2006;
 - b) Buyer removing conditions to purchase Parcels 8 and BB from 101064680 Saskatchewan Ltd. on or before September 29, 2006;
 - c) Seller obtaining Council's approval of an application for a road closure of the road allowance commonly referred to as Melville Street between Clarence Avenue and Brand Road;
 - d) The Seller obtaining Council's approval of the rezoning of the subject lands in part being the northern half of existing road allowance from IL2 to IL1 District and removal of the "H" holding provision from the IL1 (H) zoning provision for the southern half of the existing road allowance;
 - e) Buyer and Seller entering into a Development and Servicing Agreement prior to the closing date; and
 - f) Seller obtaining approval by the City's approving authority for the Plan of Proposed Subdivision attached to the Counter Offer and the Buyer consenting to the consolidation of lands with Parcel BB as shown on the Plan of Proposed Subdivision at the Seller's expense.
4. Other Conditions
 - a) Seller to pay real estate commission at five percent of purchase price; and
 - b) The Buyer shall accept the lands in an "as is" condition.
5. Closing Date
October 31, 2006

JUSTIFICATION

The direct sale of this un-serviced land to the adjacent owner at the purchase price agreed to represents an excellent return on the City's initial land acquisition costs.

OPTIONS

Council may elect not to approve the Agreement for Sale.

POLICY IMPLICATIONS

The direct sale of property in this instance complies with Section 3.2 of Policy No. C09-033, Sale of Serviced City-Owned Lands.

FINANCIAL IMPACT

If the purchase is approved the funds received will be deposited in the City's Property Realized Reserve except for related disbursements for real estate fees and land administration costs.

PUBLIC NOTICE

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

ATTACHMENT

1. Map Showing Subject Property

**A11) Enquiry – Councillor O. Fortosky (October 3, 2005)
Cheque Advance Businesses
(File No.: CK. 4350-1)**

RECOMMENDATION: that the information be received.

EXECUTIVE SUMMARY

The Community Services Department, Development Services Branch, and the Office of the City Solicitor have reviewed the enquiry by Councillor Fortosky relating to cheque advance businesses. In summary, payroll and cheque advance businesses are considered a retail use in the Zoning Bylaw, and require a City of Saskatoon Business License. Provincial and Federal agencies regulate and monitor the financial operations of the industry, while the Criminal Code of Canada governs the amount of interest that can be charged for cash advance loans. Complaints regarding the fees charged for cheque cashing services are managed by Saskatchewan Justice, Consumer Protection Branch.

The City of Saskatoon has no control over the amount of interest that is charged by financial institutions. An option available to City Council is to submit a request, in writing, to the Consumer Measures Committee recommending further regulations be applied to the payroll and cheque advance industry, including a reduction in the maximum interest that can be charged.

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With respect to the second issue, there are no distinct areas of concentration for payroll and cheque advance businesses as was the case with pawn shops. Due to the absence of an area of concentration, and no history of land use complaints regarding the industry, the Administration does not recommend implementing land use policies to further regulate the payroll and cheque advance industry at this time.

BACKGROUND

During the October 3, 2005 meeting of City Council, Councillor Fortosky made the following inquiry:

“Would the administration please report on the guidelines required for the opening of payroll and cheque advance locations, and whether the city has any control or can control the interest which can exceed 23% on child tax credits, EI, Pensions, and other government cheques.

Would the administration also report on how these businesses relate to pawn shops and the pawn shops bylaw.”

REPORT

Municipal Regulations and Licensing Requirements for Payroll and Cheque Advance Businesses

Payroll and cheque advance businesses are also referred to as payday lenders or alternative banking institutions. A payroll or cheque advance is a small, single payment, short-term loan. The loan is typically paid back on or before the next payday, which is usually limited to two weeks or less. The payday lender typically requires a postdated cheque, or the borrower must authorize a direct withdrawal from a bank account for the amount of the loan plus the fees and interest charges. To qualify for a loan, the applicant requires a source of income, a bank account, and most lenders require the applicant be over the age of 18. A loan agreement is signed, which confirms the transaction and authorizes the payment of fees and other charges. Businesses involved with payday loans may also provide cheque cashing services and money transfers.

There are currently 18 businesses licensed by the City of Saskatoon that provide payroll or cheque advance services. (See Attachment 1.) The majority of these businesses are located along major arterial roads, and there is no distinct area of concentration. Attachment 1 identifies the payroll and cheque advance locations in Saskatoon. The Development Services Branch has no record of land use complaints pertaining to this type of business.

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Payroll and cheque advance businesses are considered a retail use in the City of Saskatoon Zoning Bylaw No. 7800, and are permitted in all industrial and commercial districts with the exception of the B1A District. A Business License is required prior to starting operation. Business License Applications are reviewed to ensure compliance with the Zoning Bylaw, and all Building Permits and Provincial Licenses must be in place before a license is issued.

Provincial and Federal Regulations

The Saskatchewan Financial Services Commission, Financial Institutions Division is responsible for regulating and supervising Credit Unions, trust, loan and financing companies, insurance companies, and loan and mortgage brokers that operate in Saskatchewan. The Financial Institutions Division administers *The Trust and Loan Corporations Act, 1997*. This act provides the legislative framework for the regulation of trust, loan and financing corporations, which are defined as follows:

- Trust Corporation - accepts deposits from the public or performs traditional trust functions.
- Loan Corporation - accepts deposits from the public and lends money to the public; deals in or purchases mortgages on real property; deals in accounts receivable; or has as its primary business the granting of revolving credit.
- Financing Corporation - lends money to the public; deals in or purchases mortgages on real property; deals in accounts receivable; or has as its primary business the granting of revolving credit.

Payday lenders are considered a “financing corporation” under the *The Trust and Loan Corporations Act, 1997*. Other financing corporations include the financing divisions of automobile companies, department stores and other businesses that provide credit options to customers. A complete list of licensed financing corporations in Saskatchewan is available on the Saskatchewan Financial Services Commission website.

Applications submitted to The Financial Institutions Division for a license to operate a financing corporation (ie. a payday lending business) are reviewed for compliance with applicable legislation. Review of an application includes, but is not limited to, ensuring that the business name is registered under *The Business Corporation Act* (Saskatchewan), a review of the business organization and business plan and review of the most current financial statements of the corporation. Payday lenders are also required to provide the Financial Institutions Division a detailed explanation of all cost, interest, fees charged for a loan, a description of how a borrower repays a loan, copies of all forms used in loan transactions, and copies of all advertising and promotional material.

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As well, the Criminal Code of Canada regulates the amount of interest that can be charged on a loan. All of the fees and charges associated with payday loans, with the exception of NSF charges, are considered to be interest. Therefore, administration fees, broker fees, collection fees, roll-over fees, renewal fees, and finance charges are all considered interest charges. Section 347 of the Criminal Code states that lenders are not permitted to charge in excess of 60% interest on a loan.

Businesses providing loans in Saskatchewan are also required to comply with the disclosure requirements contained in *The Cost of Credit Disclosure Act, 1978*. This Provincial Legislation provides for full, true and plain disclosure of all fees charged to the borrower in connection with a loan. The Financial Institutions Division is also responsible for monitoring this legislation.

Some payroll and cheque advance businesses also operate as loan brokers. For a fee, loan brokers provide assistance to consumers to obtain a loan from an institution. Although loan brokers that operate in Saskatchewan are not required to be licensed, *The Trust and Loan Corporation Act, 1997* does require these businesses to be registered with the Province.

The Trust and Loan Corporation Act, 1997 also assigns the responsibility of investigating consumer complaints pertaining to the operation of all trust, loan, and financing corporations to the Financial Institutions Division. In this capacity, the Financial Institutions Division will assist consumers in resolving disputes relating to financial transactions occurring in Saskatchewan.

Businesses that simply provide cheque cashing services are not required to be licensed or registered by the Province. However, we are advised that Saskatchewan Justice, Consumer Protection Branch would review any complaint relating to the fees charged for cashing cheques. It should also be noted that a fee cannot be charged for cashing a CPP, EI, GST, Federal pension, income tax, or other Government cheque.

The issue of regulating payday lenders is a current topic of interest for Federal and Provincial agencies involved in consumer affairs. The Consumer Measures Committee is a Federal/Provincial Interagency Committee that is considering a national consumer protection framework for what they term the "alternative consumer credit market", which includes payday lenders. The intent is to develop an equivalent level of consumer protection for the alternative credit market across Canada currently provided for the traditional credit market. The Consumer Measures Committee is also examining ways to improve consumer awareness of the issues surrounding the use of this form of lending. It is anticipated that the study will result in amendments to either Provincial Legislation or to the Criminal Code.

Lastly, it should be noted that Saskatchewan is one of five provinces that have some form of licensing and regulation requirement for the payroll and cheque advance industry.

Land Use Policies Compared to Pawnshop Requirements

With respect to payday lenders, although it is possible to consider land use policies similar to those applied to pawnshops, it should be noted there are differences between these two industries that may affect the value of such policies.

a) Separation Distances

To address the issue of the pawnshop concentrations, the Business License Bylaw requires pawnshops to locate a minimum of 160 metres apart. However, since there is no pattern of concentration for payday lenders, the Community Services Department does not recommend a separation distance requirement for payroll and cheque advance businesses at this time. This issue could be re-examined as part of the proposed capital project to review the Zoning Bylaw, tentatively scheduled for 2007.

b) Increased Business License Fees

Increased Business License fees were applied to pawnshops to account for additional monitoring of the industry including the automated reporting of pawn transactions to the Saskatoon Police Services. The additional monitoring of pawnshops is required to ensure that new pawnshops or the expansion of existing pawnshops does not occur in the area of concentration. The electronic monitoring of pawn transactions has been implemented to provide a deterrent for those attempting to pawn stolen items. Since these operational considerations do not affect payroll and cheque advance businesses, the Community Services Department does not recommend an increase in the Business License fees for payroll and cheque advance businesses.

c) Discretionary Use in B1 and B2 Zoning Districts

City Council recently approved amendments to the Zoning Bylaw to require discretionary use approval for pawnshops locating in B1 (Neighbourhood) and B2 (District) Commercial Districts. This policy provides residents in the vicinity of these commercial areas an input into what uses locate in their neighbourhood. Although there are currently no payroll and cheque advance businesses located in these commercial districts, they are a permitted use in the B1 and B2 Commercial Districts. The option exists to amend the Zoning Bylaw to make payroll and cheque advance businesses a discretionary use in the B1 and B2 Commercial Districts. If City Council would like to consider this issue, an action report could be prepared in due course.

CONCLUSION

Interest rates are regulated by Provincial and Federal agencies. The only option available to address interest rate concerns would be a written request to the Consumer Measures Committee recommending further regulations for the payroll and cheque advance industry, including a reduction in the maximum interest that can be charged.

The City of Saskatoon could also request improved consumer education regarding alternative lending sources and regulations. It is recommended that any such effort be undertaken by the Saskatchewan Financial Services Commission, Financial Institutions Division, or the Consumer Measures Committee.

Since there are no distinguishable areas of concentration for payroll and cheque advance businesses, and no record of land use complaints, the Administration does not recommend implementing land use policies to further regulate the industry at this time.

PUBLIC NOTICE

A copy of this report will be provided to all licensed payroll and cheque advance businesses.

ATTACHMENT

1. Map of Payroll and Cheque Advance Locations

IT WAS RESOLVED: that the City prepare a letter to the Consumer Measures Committee requesting further regulations be applied to the payroll and cheque advance industry, including a reduction in the maximum interest that can be charged.

- A12) Enquiry – Councillor G. Wyant (July 17, 2006)
Options for Late Applications
(File No.: CK. 750 – 4, PL. 4130 – 12)**

RECOMMENDATION: that the information be received.

ADOPTED.

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BACKGROUND

Councillor Wyant made the following enquiry at the meeting of City Council on July 17, 2006:

“Would the Administration please report on options available to Council with respect to late applications received under Policy C09-032 (Downtown Housing Incentives) including the option of prorating the tax exemption based on the lateness of the application.”

The enquiry was made in response to an application made by Mr. Glenn Chuback after his residential project was already constructed. The project is a new two-unit residential condominium at 563 and 565 5th Avenue North. The applicant did not apply prior to construction as he was under the impression that the tax exemption was automatic. This was a misunderstanding between the applicant and City Administration.

The Community Services Department wrote a report dated June 5, 2006 to the Planning and Operations Committee outlining the situation and recommending approval of Mr. Chuback’s application for full incentives under the Downtown Housing Incentive Program. In that report, the following options were identified:

- 1) Approve the application;
- 2) Provide a prorated tax exemption on this project due to its late application; or
- 3) Decline the requested exemption.

Administration recommended Option 1, which was approved by the Planning and Operations Committee on June 20, 2006. (See Attachment 1.) Option 1 was approved by City Council on July 17, 2006.

REPORT

The Community Services Department has reviewed this matter and does not recommend pursuing a prorated tax exemption for late applications for the following reasons:

1. A prorated system of tax exemption creates a significant amount of administration and raises costs for administering the Downtown Housing Incentive Program. For example, if a system of prorating were to apply to tax abatements for a targeted housing development, the taxes are already subject to a sliding abatement of incremental taxes beginning with 100%, 80%, 60%, etc. Applying a prorated amount to this sliding scale will be an onerous task and increase the likelihood of errors in the tax calculation.
2. The situation was created by a misunderstanding between the applicant and Administration. These situations are very rare. As such, amending the policy may be unnecessary as future situations like this are not expected to occur.
3. Other incentive programs, such as the Enterprise Zone, Innovative Housing and Business

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Development Incentive Programs, may be subject to the same policy amendment opening up the prospect of other developers applying for a prorated tax exemption.

4. The Administration has no way of knowing what would be a fair amount to prorate, nor how far back in time to allow other downtown housing projects to apply for the prorated amount of tax abatement.

The Administration believes this is a singular occurrence and is not expecting more applications to apply after construction. The Administration will continue to monitor all new construction of housing units in the Downtown and will make every effort to ensure the Downtown Housing Incentive Program is well publicized, as well as contact any developer who commences with a housing project in the Downtown. The Partnership is also actively marketing the Downtown Housing Incentive Program and is another point of contact for potential developers.

OPTIONS

1. Do not implement a system of prorating tax incentives for late applications under the Downtown Housing Incentive program (recommended).
2. Implement a system of prorating tax incentives for late applications. If this option were chosen, the Administration would like some direction on what would be a fair level of prorating, and how far back in time would be reasonable for eligible late applications.

PUBLIC NOTICE

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

ATTACHMENTS

1. Report of the Planning and Operations Committee (No. 11 – 2006)
2. Report from the General Manager, Community Services Department dated June 5, 2006 to the Planning and Operations Committee

**A13) Blairmore Multi-District Park/School Site – Civic Recreation Centre
Sponsorship
(File No. CK. 4110-32, LS 4110-9)**

RECOMMENDATION:

- 1) that City Council award a contract to Performance Sponsorship Group, to provide fundraising expertise to secure building naming rights and other sponsorship opportunities for the Blairmore Suburban Civic Recreation Centre; and
- 2) that the City Solicitor be requested to prepare the appropriate contract, and that His Worship the Mayor and the City Clerk be authorized to execute the contract documents under the Corporate Seal

ADOPTED.

BACKGROUND

During its June 12, 2006 meeting, City Council resolved:

- “1) that the Administration be instructed to proceed with the “Request For Proposal” to hire fundraising expertise and associated costs for the sponsorship appeal to secure building naming rights and other sponsorship opportunities for the Blairmore Suburban Civic Recreation Centre; and
- 2) that the source of funding in an amount up to \$100,000, to hire the fundraiser, be funded from the proceeds generated from the sponsorship appeal.”

DISCUSSION

The City of Saskatoon released the Request for Proposal (RFP) for fundraising consultative services on Tuesday, June 13, 2006, through an email distribution to local fundraising offices as well as known companies within Canada. The RFP was publicly advertised in the Saskatoon StarPhoenix Saturday, June 17 and 24 and the Sunday Sun on June 18 and 25, 2006. The project intent was to solicit the services of an experienced fundraiser with a proven record in securing naming rights, and other sponsorship opportunities.

The RFP identified sponsorship sales opportunities that included building name rights and secondary sales opportunities such as food and beverage supplier rights, specialized equipment, and specific space within the facility.

The RFP requested services from the Fundraising Consultant that delivered a personalized approach to sponsorship versus a campaign approach which included a media strategy and broad based public communication. The RFP included asset review and valuation, prospect identification, positioning

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and packaging to produce a sales document specific to each donor presentation, in person presentations, training of staff and volunteers, and securing a formal list of sponsors to move to the negotiation stage upon approval by the Executive Committee of City Council. (See Attachment 1 for RFP.)

Six proposals were received by July 7, 2006 noon. All submissions were circulated and discussed at a committee meeting held on July 11, 2006. The committee included the General Manager Community Services Department, the Marketing Section Manager, and two members of the Integrated Project Management team. The Selection Committee reviewed the six proposals against the criteria identified in the RFP and selected the proposal submission from Performance Sponsorship Group (PSG). PSG has its headquarters in Caledon, Ontario and an office in Toronto.

JUSTIFICATION

The Request for Proposal selection criteria included: detailed approach to completing sponsorship appeal; substantial completion of the project by December 2006; scope of experience including title sponsorship; as well as fees and disbursement costs. The RFP required the consultant to identify a methodology and timeline for completing key deliverables. The project identified an aggressive timeline for completion of the project in order to provide City Council with a report on the “reality of success” and anticipated revenue stream that may be achieved through selected sponsorship options. This aggressive timeline was proposed as City Council resolved, in part, at their May 23, 2006 meeting:

- “1) that the Administration report back to City Council at the completion of the Phase II design component with revised construction estimates and related financing for final approval, prior to release of the construction tender.”

The source of funding in an amount of up to \$100,000 was approved by City Council to hire the fundraising expertise to be funded from the proceeds generated from the sponsorship appeal.

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Performance Sponsorship Group (PSG) is the recommended company for the following reasons:

- PSG's five-step approach is well defined with a clear deliverable at the end of each phase. The clearly articulated deliverable allows the Administration to provide timely progress reports to the Executive Committee on the "reality of success" with the sponsorship strategy early in the eight-month project.
- PSG provides the lead role associated with each stage of the sponsorship strategy. The Administration requires this level of expertise to realistically meet the funding goal established for the project.
- PSG provides the Integrated Project Team with a sales model, expertise, and resources to continue the sales process after the contract with PSG is concluded. The models provided by PSG can be used for future sales opportunities at the Blairmore site or new sites.
- PSG has knowledge of the local market and a proven track record as they were the company that secured naming rights for Credit Union Centre and TCU Place.
- PSG's approach is primarily based on a personalized approach directed to targeted companies as opposed to a public campaign with a media strategy to enhance awareness. Your administration is of the opinion that the personalized approach based on identifying qualifying prospects to ascertain real interest will better meet our project goals and timelines.

Your administration met with the Administration from TCU Place and Credit Union Centre to receive their feedback on their experience with Performance Sponsorship Group. The Administration for both facilities spoke highly of the work of PSG and was pleased with the outcome. Both TCU Place and Credit Union Centre paid a base fee, monthly sales fee for a three month contract, fees and disbursements, and a percent commission on all cash sales.

OPTIONS

The only option is to negotiate a contract for services with PSG that provides an increased base service fee and reduced commission. Your administration does not support this option because if the sponsorship appeal is not successful, the cost for the increased base services will have to be funded from the contingency fund established for the Blairmore Phase I and II.

POLICY IMPLICATIONS

There are no policy implications. City of Saskatoon Policy C09-028 (Sponsorship) requires City Council approval for all sponsorship arrangements that are of a sensitive nature or with a total value in excess of \$100,000 and all title sponsorship arrangements.

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FINANCIAL IMPACT

The cost for Performance Sponsorship Group is as follows:

- \$68,000 for the asset valuation report, sales package, prospect identification, in-person presentations, and sales document;
- 22 percent on first \$1,000,000;
- 17 percent on all funds raised between \$1,000,001 and \$2,000,000;
- 12 percent on funds over \$2,000,001.

PSG will reimburse to the City of Saskatoon the \$68,000 (base fee plus in-person presentation costs) once PSG has collected the earned commission of \$220,000 on the first \$1,000,000 of sales secured.

COMMUNICATIONS PLAN

PSG will convene a meeting, at the end of Phase II, with the stakeholders for the Blairmore Civic Centre and City Council to review the sponsorship documentation, sales philosophy, initial prospect list, and additional sponsorship opportunities that could be added to the package. The Administration will provide timely progress reports to City Council as likely corporate prospects are identified (November 2006 to April 2007). The Administration will also advise City Council of potential corporate naming rights sponsors, and will seek Council's approval prior to final selection of a naming sponsor.

PUBLIC NOTICE

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

ATTACHMENTS

1. The Blairmore Centre Phase II Competitive and Leisure Pool with Walking Track Request for Proposal.

**A14) Direct Sale of 0.50 Acres of Land
CN Industrial Area – Melville Street
(File No. LA 4226-04-9; CK. 4215-1)**

- RECOMMENDATION:**
- 1) that City Council approve the direct sale of 0.50 acres of unserviced land, identified as Parcel Z in the attached Plan of Proposed Subdivision (Attachment 1) to the Canadian National Railway Company (CN) at a purchase price of \$26,130 with terms and conditions as outlined in the report of the General Manager, Community Services Department; and
 - 2) that the City Solicitor be requested to prepare the necessary Sale Agreement and that His Worship, the Mayor and City Clerk be authorized to execute the agreement.

ADOPTED.

BACKGROUND

City Council, at its meeting held April 5, 2004 adopted Clause 1, Report No. 6-2004 of the Planning and Operations Committee which had recommended proceeding with the purchase of 7.66 acres of un-serviced land from Twin Dragon Holdings Ltd. at a price of \$340,000. As indicated in the report, this and other privately owned lands west of Clarence Avenue and fronting onto the south side of Melville Street, was required by the City to:

1. Facilitate the planned relocation of Melville Street to the south to properly align this portion of the roadway with the planned major collector roadway serving the Stonebridge Neighbourhood.
2. Widen Clarence Avenue south of the Saskatoon Light and Power operations site to ensure proper road widths for the approach to the CN/Clarence Avenue overpass.
3. Facilitate the possible relocation of the Saskatoon Light and Power storage compound to the south and fronting the new aligned Melville Street to facilitate additional Auto Mall sites on Brand Road.
4. Provide new access for the CN site to Clarence Avenue via the re-alignment of Melville Street.

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REPORT

As a result of the construction of the CN/Clarence Avenue overpass, CN lost its roadway access to their lands situated south of the existing Melville Street and west of Clarence Avenue. These lands are used for rail based operations by CN, serving as a transload facility. To accommodate their continued access to the site, the City agreed to temporarily lease land to CN until the proposed realignment of Melville Street was complete, and the corresponding Proposed Plan of Survey was ready to be registered at Information Services Corporation (ISC). It was further agreed that the leased site would then be made available for CN to purchase, thereby ensuring permanent access to their site (Attachment 1). The Plan of Survey is now ready for registration.

As a secondary issue, the realignment of Melville Street resulted in the City requiring two very small parcels of land (27.6 square metres in total) that are owned by CN. With this in mind, it was agreed to by both parties that CN would surrender these lands to the City and in turn a credit would be applied to the purchase price of Parcel Z at the equivalent rate of \$13 per square metre.

The Land Branch Manager has received a Purchase and Sale Agreement signed by CN based on the following terms and conditions:

1. Purchase Price
\$26,130
2. Conditions Precedent
 - a) The City having received all necessary and final approvals, including City Council;
 - b) CN having received all necessary and final approvals, including Executive approval;
 - c) Completion of subdivision and registration of the Lands subject to this agreement; and
 - d) CN shall enter into a deferred development and servicing agreement that would compel CN to pay all Direct and Off-site Servicing levies and costs in the event of further development, subdivision, sale, lease, or disposition of the lands.
3. Other
Consolidation of Parcel Z with the balance of CN lands (Plan CR 3926) upon which the deferred servicing agreement as included in 2(d) above, would apply to the entire consolidated parcel.

JUSTIFICATION

The direct sale of this un-serviced land to CN at the purchase price agreed to finalizes a previous agreement made to accommodate the construction of the CN/Clarence Avenue overpass and the realignment of Melville Street.

POLICY IMPLICATIONS

The direct sale of property in this instance complies with Section 3.2 of Policy No. C09-033, Sale of Serviced City-Owned Lands.

PUBLIC NOTICE

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

ATTACHMENT

1. Plan of Proposed Subdivision

Section D – INFRASTRUCTURE SERVICES

**D1) Ridsdale Transport Request for Oversized Driveway
File No. (6220-02; CK. 6000-1)**

RECOMMENDATION: that City Council approve one oversized driveway located at 3705 Thatcher Ave.

ADOPTED.

BACKGROUND

Section 4.1g of Bylaw No. 4785 states that any crossing (driveway) on a corner industrial site with frontage greater than 150 feet shall not exceed a width of 13 metres.

Ridsdale Transport Ltd. has submitted a request to Infrastructure Services to construct one oversized driveway on their property fronting Thatcher Avenue. The proposed driveway measures 120 ft (36.58 m) in width. This proposed driveway is significantly over the allowable limit. Ridsdale Transport's request for an oversized driveway is due to the building orientation and operational constraints of the vehicles using the wash bay located on the lot.

REPORT

Bylaw No. 4785 was enacted in 1968 and has since received little modification. However, commercial vehicle lengths, dimensions, and technology have changed dramatically since the deregulation of the trucking industry in the mid 1980's. The introduction of the B-train set, for example, has significantly improved the efficiency of trucking by allowing for more stability when hauling heavier twin trailer loads, leading to an increase in the number of larger, heavier trucks on North American roads.

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Larger and heavier commercial vehicles require roadway design allowances that differ from those traditionally used in urban design. Consequently, the allowances originally set in Bylaw No. 4785 do not meet some of the needs of all modern trucking industries.

Thatcher Avenue is a relatively low traffic volume roadway within an area meant for industrial land use. Infrastructure Services does not foresee any operational concerns with the construction of an oversized driveway at this location and recommends that City Council approve its installation.

PUBLIC NOTICE

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

**D2) Award of Tender
Capital Project No. 1416-4 – Hampton Village
Sanitary Sewer Force Main
File No. 4111-45; CK. 7820-3**

- RECOMMENDATION:**
- 1) that City Council approve an increase in the budget of Capital Project No. 1416-4, Hampton Village Sanitary Sewer Force Main, by \$263,891.00;
 - 2) that the Lift Station Reserve be used as the funding source for the additional budget required in Capital Project No. 1416-4;
 - 3) that the tender submitted by MacEwen Constructors Inc. for the construction of the Hampton Village Sanitary Sewer Force Main, Contract No. 6-0083, at a total estimated cost of \$1,120,706.20, including G.S.T. and P.S.T. be accepted; and
 - 4) that His Worship the Mayor and the City Clerk be authorized to execute the contract documents as prepared by the City Solicitor under the Corporate Seal.

ADOPTED.

REPORT

Capital Project No. 1416-4 is for the construction of the Hampton Village sanitary sewer force main from the Hampton Village sanitary sewer lift station to the 33rd Street/Valens Drive intersection. Contract No. 6-0083 is for the construction of a portion of the force main from Circle Drive to the 33rd Street/Valens Drive intersection.

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Tenders for Contract No. 6-0083, Hampton Village sanitary sewer force main construction, were received and opened publicly on June 13, 2006. Three (3) tenders were received as shown in the following table:

BIDDER	TOTAL TENDER
MacEwen Constructors Inc. Saskatoon, Saskatchewan	\$1,120,706.20
Hamm Construction Ltd. Saskatoon, Saskatchewan	\$1,138,006.46
Mi-Sask Industries Ltd. Saskatoon, Saskatchewan	\$1,719,044.40

The Engineer's estimate, provided by UMA Engineering Ltd., for this work was \$1,000,000. The net cost to the City for the low bid submitted by MacEwen Constructors Inc. is as follows:

Base Tender Amount	\$ 977,270.00
Contingency	\$ 80,000.00
Subtotal	\$ 1,057,270.00
G.S.T.	\$ 63,436.20
Total Tender Price	\$ 1,120,706.20
Less G.S.T. Rebate to City	\$ 63,436.20
Net Cost to City	\$ 1,057,270.00

The 2004 Capital Budget contains approved funding in Capital Project No. 1416-4 in the amount of \$1,103,000 for the construction of the entire force main and \$100,000 for design and construction engineering services. The funding detail is as follows:

Item	Capital Project No. 1416-4
<u>Available Funding</u>	
Approved Funding in 2004 Budget	\$ 1,203,000.00
Cost of Completed Force Main To Date	\$ 372,621.00
Total Available Funding	\$ 830,379.00

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Future Expenditures

Contract 6-0083 - MacEwen Constructors Inc.	\$ 1,057,270.00
Construction Engineering Costs	\$ 37,000.00
Total Future Expenditures	\$ 1,094,270.00

Required Additional Funding \$ **263,891.00**

The above table shows that the approved funding in Capital Project No. 1416-4 is deficient by \$263,891.00

The Administration is recommending an increase to Capital Project No. 1416-4 in the amount of \$263,891, funded from the Lift Station Reserve, to fund Contract No. 6-0083 and construction engineering fees.

PUBLIC NOTICE

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

D3) Enquiry – Councillor B. Dubois (June 12, 2006)
Traffic Calming – Rossmo Road and Forest Drive
(File No. 6320-1)

RECOMMENDATION: that the report be received as information.

ADOPTED.

The following enquiry was made by Councillor Dubois at the meeting of City Council held on June 12, 2006:

“Would Administration please report on the feasibility of traffic calming measures at Rossmo Road and Forest Drive.”

REPORT

Infrastructure Services has now completed a traffic review on the feasibility of traffic calming measures along Rossmo Road and Forest Drive. This traffic review involved collecting traffic data related to traffic volumes, traffic speed, and collision history. The data was reviewed to determine if traffic calming measures would be a benefit along the corridor of Rossmo Road and Forest Drive, between 115th Street and Central Avenue.

Rossmo Road and Forest Drive are classified as collector roadways with an expected traffic volume of 1,000 to 12,000 vehicles per day. Rossmo Road and Forest Drive intersect numerous local streets in which they have priority over all local streets, except that there are stop controls at the

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intersections with 115th Street and Central Avenue. The existing speed limit on the roadway is 50 km/h.

Average daily traffic counts completed within the last five years at different locations are indicated below:

**Average Daily Traffic Counts
Five-Year 2002-2006**

Location	Average Daily Traffic (ADT) vehicles per day	Year of Study
Forest Drive: between 115 th Street and Spruce Drive	1,140	2002
Rossmo Road: between Delayen Crescent and Pitt Avenue	1,450	2002
Rossmo Road/Forest Drive: at Spruce Drive	1,110	2006
Average	1,230	

A speed study was conducted on Rossmo Road between Delayen Crescent and Pitt Avenue. The 85th percentile speed (the speed at which 85 percent of the vehicles are travelling at or less than) was 52 km/h. It is ideally desirable to have the 85th percentile speed no more than 5% above the speed limit. In this case, drivers are complying with the speed limit of 50 km/h

The five year collision history report indicates that there were nine collisions occurring on Rossmo Road. Six of these collisions were the result of poor weather conditions and slippery roadways. The other three collisions are as follows:

**Five Year Collision History
Applicable to Forest Drive/Rossmo Road**

Location	Collision Configuration	Year of Collision
Forest Drive: Webster Street and 115 th Street	Lost control	2000
Rossmo Road: Kellins Crescent and Forest Drive	Side Swipe	2004
Rossmo Road: Kellins Crescent and Pitt Avenue	Right Angle	2003

Infrastructure Services has not identified any specific traffic concerns. The traffic volume is within the expected range for a collector roadway, the measured 85th percentile speed is within the speed limit, and the collision history shows that there were no unique collision configurations that would be a result of roadway geometrics or traffic speed and volume. Therefore, Infrastructure Services is not considering installing traffic calming devices at this time.

PUBLIC NOTICE

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

**D4) Enquiry – Councillor O. Fortosky (May 23, 2006)
Yield Signs Witney Avenue and 19th Street
(File No. 6280-1)**

RECOMMENDATION: that a yield sign be installed for eastbound and westbound vehicles on 19th Street at the intersection of 19th Street and Witney Avenue, as shown on Plan No. 211-0016-001r003 (Attachment 1).

ADOPTED.

The following enquiry was made by Councillor Fortosky at the meeting of City Council held on May 23, 2006:

“Would the Administration please report on the possibility of yield signs at the intersection of Witney Avenue and 19th Street due to the increased traffic after the closing of the 18th Street and 20th Street access to Circle Drive.”

REPORT

Infrastructure Services has reviewed the current traffic control along with conditions required for the intersection to warrant a stop or yield control. Since the intersection of Witney Avenue and 19th Street is uncontrolled, the Right-of-Way rule is applicable.

Stop or yield controls are normally placed at an intersection where two streets that meet are of different priority, classification or function. For example, 19th Street yields to Avenue W because Avenue W is classified as an arterial street while 19th Street is a local Street. In the case of Witney Avenue and 19th Street, both streets have the same classification and therefore have equivalent priority.

A peak hour count was conducted at this intersection. The results are tabulated below.

**Intersection: Witney Avenue and 19th Street
Peak hour count**

Time	Witney Avenue Northbound	Witney Avenue Southbound	19th Street Eastbound	19th Street Westbound
07:00-09:00	52	67	15	20
11:30-1:30	128	42	15	15
3:00-6:00	266	119	35	20
Total	446	228	65	55

Witney Avenue and 19th Street have the same classification but, the functions of the streets are different. Witney Avenue generates 85 percent of the traffic while 19th Street generates 15 percent of the traffic. Infrastructure Services is proposing to install a yield sign on 19th Street giving right-of-way to Witney Avenue.

PUBLIC NOTICE

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

ATTACHMENT

1. Plan No. 211-0016-001r003

Section E – UTILITY SERVICES

- E1) 2006 Capital Budget
Capital Project 1210
Filtration Capacity Expansion – Water Treatment Plant
Award of Engineering Services
(File No. 7960-74-1; CK. 7920-1)**

- RECOMMENDATION:**
- 1) that Associated Engineering (Sask.) Ltd be selected to provide all engineering services required for the Filtration Capacity Expansion at the Water Treatment Plant for an estimated total upset limit of \$550,000;
 - 2) that the proposal for the Stage 1 preliminary design work for the Filtration Capacity Expansion at the Water Treatment Plant, from Associated Engineering (Sask.) Ltd., for an upset fee of \$94,315.62 (including G.S.T.) be accepted; and

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- 3) that the City Solicitor be instructed to prepare the necessary Engineering Services Agreement for execution by His Worship the Mayor and the City Clerk under the Corporate Seal.

ADOPTED.

As part of the overall long-term capital improvement plan at the Water Treatment Plant, the 2006 Capital Budget includes funding of \$850,000 for engineering services and pilot testing for the upgrade and expansion of the Water Treatment Plant Filtration Capacity – Project 1210.

Presently high-rate gravity filters at the Plant can provide 264 million litres per day (ML/d) of water at the industry standard loading rate. Anticipated future water demands require the Water Treatment Plant to increase its filtration capacity to approximately 295 ML/d within the next two years, and eventually to 340ML/d to meet projected demands. To achieve the additional filter capacity, new membrane filtration technologies such as pressure microfiltration and submerged ultrafiltration are being considered. Constraints within the existing Water Treatment Plant footprint and the increasingly stringent regulatory requirements for municipal treated water systems, demand comprehensive review and careful selection of the available technologies for the planned expansion.

The engineering services for this project are to be completed in two stages, the first being the preliminary design and the second, subject to future budget approvals, includes detailed design and engineering services during construction. The Administration, however, is seeking City Council approval at this time to award both phases of the work to the selected engineering consulting firm, but proceed only with Stage 1.

The completion of the first stage, expected by October, 2006, will assess the work load for the remaining portion of the engineering services which will cover detailed design and engineering services during construction.

The preliminary design stage will also provide necessary capital costing information for the currently planned and future filtration capacity expansions. The engineering services for the preliminary design work include review and evaluation of the existing filtration process at the Water Treatment Plant, selection of the process which will address current and future filtration capacity requirements, and preparation of the implementation schedule for the capacity expansion.

In June of this year three consulting firms were invited to submit proposals for engineering services for the entire project. Proposals were received from the following firms:

- Associated Engineering (Sask.) Ltd.

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- Earth Tech Canada Inc.
- Stantec Consulting

Engineering staff of Utility Services evaluated the submitted proposals. After a systematic evaluation of the submissions was completed, the proposal from Associated Engineering (Sask.) Ltd. was found to be the most favorable for all engineering services.

At the present time, however, due to the difficulty in determining the required engineering work load before the selection of the filtration method, the consultants could only provide the schedule of fees for the preliminary design work. The total budget for the entire project is currently estimated at \$7,600,000, of which we have estimated total engineering consultant fees to be approximately \$550,000.

The upset fee for the Engineering Services for the first stage of the project is as follows:

Basic Upset Fee	\$88,977.00
G.S.T. @ 6%	<u>5,338.62</u>
Contract Amount	\$94,315.62
G.S.T. Rebate @ 6%	<u>(\$5,338.62)</u>
Net Cost to the City	<u>\$88,977.00</u>

Capital Project 1210 has sufficient approved funding allocated within the total project funding to allow this engineering services proposal to be accepted.

PUBLIC NOTICE

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

**E2) Proposed Amendment to Capital Reserves Bylaw 6774 and
Proposed Amendments to Policy C03-003 Reserves for Future Expenditures
Creation of Access Transit Reserves
(File No. CK. 1815-1)**

<u>RECOMMENDATION:</u>	1)	that Capital Reserves Bylaw 6774 be amended to include an Access Transit Capital Reserve;
	2)	that Policy C03-003, Reserves for Future Expenditures, be amended to include the Access Transit Stabilization Reserve;

- 3) that \$100,000 from prior years' Access Transit operating surpluses be allocated to the Access Transit Stabilization Reserve;
- 4) that \$239,835.06 from prior years' Access Transit operating surpluses be allocated to the Access Transit Capital Reserve; and
- 5) that the City Solicitor be requested to prepare the necessary bylaw amendments for consideration by City Council.

ADOPTED.

BACKGROUND

From 2001 to 2005, year end operating surpluses from the Access Transit system were transferred to a separate, temporary reserve. This reserve was used to fund various expenditures related to the improvement of the Access Transit system. The reserve currently has a balance of \$339,855.06. As a housekeeping matter, it is necessary to formally document two Access Transit reserves to which this amount can be allocated.

The 2004 Operating Budget referred to the creation of the Access Transit Capital Reserve (ATCR). The ATCR should be formally documented in the City's Capital Reserves Bylaw, 6774. Also, it is financially prudent to create an Access Transit Stabilization Reserve. This requires an amendment to Policy C03-003, Reserves for Future Expenditures.

REPORT

The ATCR should be described in the Capital Reserves Bylaw 6774 as follows:

“Access Transit Capital Reserve

Purpose

- (1) the purpose of the Access Transit Capital Reserve is to finance the cost of capital expenditures for the Access Transit Program of the Utility Services Department, including the purchase of new and replacement buses, and related equipment.

Funding

- (2) This Reserve shall be funded annually from an authorized provision in the City's Operating Budget. This provision shall be equal to the estimated average annual cash flow requirements of this Reserve over the next projected ten year period.

Expenditures

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- (3) Funds in this Reserve shall be used only for capital expenditures for the purposes described in Subsection (1).”

To address the creation of an Access Transit Stabilization Reserve, it is necessary to reference Access Transit in Policy C03-003, Reserves for Future Expenditures, Sections 13.1 and 13.2. This reserve will be used solely to transfer any year end operating surpluses and to offset any year end operating deficits.

JUSTIFICATION

A transfer of \$100,000 to the Access Transit Stabilization Reserve represents approximately 5% of the total budgeted operating expenditures for Access Transit, and is considered to be a reasonable reserve balance.

This leaves \$239,855.06 to allocate to the ATCR. This transfer, plus annual provisions (based on estimated 10 year average cash flow requirements) authorized in the operating budget, will provide a significant step towards an adequate source of capital funding to ensure the long term viability of the City’s Access Transit program.

OPTIONS

Although the amounts to be reallocated to the reserves could be altered slightly, the most reasonable allocation is being proposed.

FINANCIAL IMPACT

Since this refers to the reallocation of existing funds within Access Transit, there is no financial impact.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of Policy C01-021, Public Notice Policy, is not required.

**E3) Capital Project 583
Transit – Bus Replacement
Bus Purchase 2006/2007 and Post Budget Adjustment
(File No. CK. 1500-1)**

- RECOMMENDATION:**
- 1) that the Administration be authorized to proceed with ordering 12 low floor diesel, 40 foot buses for a total price of \$5,127,114, including P.S.T. and G.S.T., from New Flyer Industries, under existing Contract 5-0455;
 - 2) that Capital Project 583 – Transit – Bus Replacements be increased by \$4,836,900; and
 - 3) that the purchase be funded in 2007 from the Federal Transit Funding at \$2,821,500 and the Transit Vehicle Replacement Reserve at 2,015,400 as described in this report.

BACKGROUND

In May of 2005 Saskatoon Transit issued a fixed price multi-year tender for the supply of 40, 35, and 30-foot diesel and diesel/electric buses. The intent of the tender was to obtain firm pricing for between nine and seventeen low floor buses in 2005/06, with an option to purchase additional buses in each of the following four years. Seventeen buses, including four hybrid/diesel electric buses were ordered in 2005 and received in 2006. The multi-year tender also allows for no award in each of the future years if funding is not approved, or if the City is not satisfied with the buses supplied in the previous year. The tender closed on June 22, 2005, and at its meeting held on July 18, 2005, City Council approved the award of the tender to New Flyer Industries.

In October of 2005, IBI Group completed a strategic plan for Saskatoon Transit which noted that:

- The fleet ranges in age from 2 to 28 years;
- Thirty-eight of the buses in the fleet are over 20 years of age;
- Saskatoon has one of the highest fleet age profiles in Canada;
- Spare bus ratio of at least 25% is required, considering the age of the fleet;
- At peak operating conditions, a total of 92 buses are needed to provide the level of service required.

In June of 2006, Saskatoon Transit completed a Maintenance Business Plan. It was found that the average age of the current fleet is 15.9 years, which is significantly higher than the Canadian average of 10.5 years, and the industry standard of 9 years. It was recommended that the bus replacement and refurbishment plan be reviewed and updated; and that the spare bus ratio be increased from 25% to 32%, requiring an increase in the bus fleet from 123 to 135. Achieving this higher ratio will depend on how many of the buses from the current fleet are removed from

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service. A review is being conducted to determine which will no longer be used, and which will be refurbished, based on high mileage and structural condition.

REPORT

Following from the IBI Study and the Transit Maintenance Business Plan, and in order to reduce the average age of the fleet, it is being recommended that the bus replacement and refurbishment program be accelerated, and that 12 bus replacements be ordered now for delivery in 2007. The vehicles that will be replaced have exceeded their normal life expectancy.

It takes approximately 8 to 12 months to receive a new bus after it has been ordered. Therefore, in order to receive new buses in 2007, orders must be placed in 2006. This will also allow the Administration to take advantage of the more favourable 2006 pricing. We estimate that by ordering the 12 buses now and locking in the current contract pricing, Saskatoon Transit will save approximately \$300,000 compared to ordering the same buses in 2007.

OPTIONS

It could be decided not to order new buses at this time, and to maintain the former replacement schedule, however, due to the age of the fleet and the length of time it takes to receive the buses once they are ordered, the Administration is recommending that the bus replacement and refurbishment plan be accelerated and that 12 low-floor buses be ordered at this time.

It could also be decided that diesel/electric buses be ordered. The Administration is not recommending the purchase of additional diesel/electric buses as they are relatively new, and their long term operating impact is unknown. There is also insufficient space within existing Transit facilities to store diesel/electric buses at this time.

Saskatoon Transit is currently seeking Federation of Canadian Municipalities (FCM) Funding under the Green Municipal Fund (GMF). If granted, the Administration will pursue the purchase of additional diesel/electric buses in 2007/08.

FINANCIAL IMPACT

The cost to the City for the purchase of 12 buses is as follows:

2006 Contract Price	\$4,520,467
P.S.T. @ 7%	316,433
G.S.T. @ 6%	<u>290,214</u>
Total	\$5,127,114
G.S.T. Rebate @ 6%	<u>\$ 290,214</u>

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Net Cost to the City \$4,836,900

The source of funding for seven of the buses will be from Federal Transit Funding in the amount of \$2,821,500; and for five of the buses from the Transit Vehicle Replacement Reserve (TVRR) in the amount of \$2,015,400, for a total of \$4,836,900, after the G.S.T. rebate. The TVRR has sufficient funds and it is anticipated that Federal Transit Funding will be received by year end. The 12 buses will be received and paid for in 2007.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of Policy C01-021, Public Notice Policy, is not required.

Moved by Councillor Alm,

- 1) *that the Administration be authorized to proceed with ordering 8 low floor diesel, 40 foot buses and 4 hybrid/electric diesel buses from New Flyer Industries, under existing Contract 5-0455;*
- 2) *that Capital Project 583 – Transit – Bus Replacements be increased by the appropriate amount to cover the purchase; and*
- 3) *that the purchase be funded in 2007 from the Federal Transit Funding and the Transit Vehicle Replacement Reserve.*

YEAS: Councillors Alm and Paulsen 2

*NAYS: His Worship the Mayor, Councillors Birkmaier, Dubois, Fortosky, Heidt,
Hnatyshyn, Neault, Penner and Wyant* 9

DEFEATED.

Moved by Councillor Penner,

- 1) *that the Administration be authorized to proceed with ordering 12 low floor diesel, 40 foot buses for a total price of \$5,127,114, including P.S.T. and G.S.T., from New Flyer Industries, under existing Contract 5-0455;*
- 2) *that Capital Project 583 – Transit – Bus Replacements be increased by \$4,836,900; and*

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- 3) *that the purchase be funded in 2007 from the Federal Transit Funding at \$2,821,500 and the Transit Vehicle Replacement Reserve at 2,015,400 as described in this report.*

CARRIED.

LEGISLATIVE REPORT NO. 14-2006

Section B – OFFICE OF THE CITY SOLICITOR

- B1) Amendment to Animal Control Bylaw No. 7860
(File No. CK. 157-15)**

RECOMMENDATION: that City Council consider amended Bylaw No. 8534.

ADOPTED.

At its meeting on July 17, 2006, City Council resolved that the City Solicitor be instructed to amend The Animal Control Bylaw, 1999 to prohibit dogs in all cemeteries owned by the City.

At its meeting on August 14, 2006, City Council reviewed proposed Bylaw No. 8534 which enacted the necessary change to The Animal Control Bylaw, 1999. It was resolved by City Council that the matter be referred back to the City Solicitor to re-draft the Bylaw to provide the City with some discretion to allow pets in cemeteries in certain circumstances.

Accordingly, we have re-drafted Bylaw No. 8534 to prohibit dogs in cemeteries owned by the City, except where the dog is attending a funeral service or interment, or in other special circumstances where permission has been received from the City.

We are pleased to enclose amended Bylaw No. 8534, which enacts the necessary change to The Animal Control Bylaw, 1999.

PUBLIC NOTICE

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

ATTACHMENT

1. Proposed amended Bylaw No. 8534, The Animal Control Amendment Bylaw, 2006 (No. 3).

REPORT NO. 13-2006 OF THE ADMINISTRATION AND FINANCE COMMITTEE

Composition of Committee

Councillor G. Penner, Chair
Councillor T. Alm
Councillor B. Dubois
Councillor M. Heidt
Councillor T. Paulsen

**1. 2005 Annual Report – Access Transit
(File No. CK. 7305-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

Attached is a copy of the report of the General Manager, Utility Services Department dated August 2, 2006 forwarding the 2005 Annual Report for Access Transit.

Your Committee is pleased to note that during the first full year of “in-house” service, Access Transit has increased productivity to a record high of 2.7 revenue trips per hour, an increase of 19% from 2003 when the service provided 2.3 revenue trips per hour, (with 2003 being the final full year of operation of the service by an outside contractor).

The Committee has asked Mr. Jeff Balon, Manager, Transit Services Branch, to provide a brief overhead presentation at the meeting.

**2. Transit Bus Video Surveillance
(File No. CK. 7300-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

Attached is a copy of the report of the General Manager, Utility Services Department dated August 8, 2006 providing information on a pilot project regarding the installation of a video surveillance system on one of the transit buses to determine if this reduces violence against Transit Operators, vandalism and inappropriate customer behaviour. The pilot project will be evaluated over the next two to three months, and a further report will be provided after that time.

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As will be noted in the report, stickers on both the inside and outside of the bus will notify customers of the camera. The recordings will only be reviewed if an operator reports an incident.

3. Communications to Council

**From: Kevin Harder
Westeel**

Date: June 20, 2006

**Subject: Bus Service to North Corman Industrial Park
(File No. CK. 7310-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

City Council considered the above-noted communication at its meeting held on June 26, 2006 and passed a motion that the matter be referred to the Administration to report to the Administration and Finance Committee.

Attached is a copy of the report of the General Manager, Utility Services Department dated July 20, 2006, as well as a copy of the above-noted communication from Mr. Harder. As will be noted, the report indicates that the North Corman Industrial Park is outside City Limits, and transit service will not be provided to this location

Your Committee has reviewed this report and agrees that Saskatoon taxpayers should not have to subsidize service to another municipality.

4. Enquiry – Councillor D.L. Birkmaier (June 26, 2006)

Farmers' Market

(File No. CK. 4129-22)

RECOMMENDATION: that the information be received.

City Council considered Clause B5, Legislative Report No. 10-2006 on the above matter (copy attached), at its meeting held on July 17, 2006 and resolved that the matter be referred to the Administration and Finance Committee for a report.

Your Committee has reviewed the question of adding the Farmers' Market to the list of areas where cats and dogs are prohibited, and does not wish to pursue this proposal any further, trusting that pet owners will use their own discretion.

IT WAS RESOLVED: that the information be received and be forwarded to the Farmers' Market Co-op.

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5. Communications to Council

**From: Dick Hildebrandt, President
Willow Crest II Condominium Corporation**
Date: April 5, 2006
Subject: Request for Garbage Pick-up Service
And
Waste Collection for Multiple Unit Dwellings
(File No. CK. 7830-3)

RECOMMENDATION: that all City-owned 300-gallon containers currently being supplied to multiple-unit dwellings be removed, as stipulated in Bylaw No. 8310, The Waste Bylaw, 2004, which states that all multiple-unit dwellings supply metal bins for collection.

ADOPTED.

City Council considered the above-noted communication at its meeting held on April 24, 2006 and resolved that the matter be referred to the Administration and Finance Committee. Your Committee subsequently met with Mr. Hildebrandt, and referred the matter to the Administration for a report.

Attached is a copy of the report of the General Manager, Utility Services Department dated August 2, 2006 in response to the Committee's referral, as well as a copy of the above-noted communication from Mr. Hildebrandt. As Council will note the Administration has reviewed its bylaw requirements regarding garbage collection for multiple-unit dwellings, and has submitted a recommendation that will ensure all units are given the same options. Your Committee supports this action."

Moved by Councillor Wyant, Seconded by Councillor Birkmaier,

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

CARRIED.

His Worship the Mayor assumed the Chair.

HEARINGS

- 4a) Discretionary Use Application – Residential Care Home Type II
Pre-designated Care Home Lot
Lot 1, Block 133, Plan 101851433
ISC Parcel 153842250
327 Beechwood Crescent, Briarwood Neighbourhood
Applicant: Majid Dumircheli and Nasrin Sagai
(File No. CK. 4355-1)**
-

REPORT OF THE CITY CLERK:

The purpose of this hearing is to consider the above-noted discretionary use application.

The City Planner has advised that notification posters have been placed on site and that letters have been sent to all adjacent property owners within 75 metres of the site.

Attached is a copy of a report of the General Manager, Community Services Department dated July 25, 2006 recommending that the application submitted by Majid Dumircheli and Nasrin Sagai requesting permission to use Lot 1, Block 133, Plan 101851433 (327 Beechwood Crescent) for the purpose of a Residential Care Home - Type II for up to ten residents be approved subject to:

- 1) the applicant obtaining a Development Permit and all other relevant permits (such as Building and Plumbing Permits) and licenses;
- 2) the final plans submitted for the proposed Residential Care Home - Type II being substantially in accordance with those plans submitted in support of this Discretionary Use Application; and,
- 3) the applicant being solely responsible for the costs associated with the installation of a 50 mm (two inch) water connection to accommodate any required sprinkler system.

Attached is a copy of a report of the Municipal Planning Commission dated August 22, 2006 advising the Commission supports the above-noted recommendations.”

His Worship the Mayor opened the hearing.

Mr. Paul Whitenect, Community Services Department, expressed the Department’s support of the above discretionary use application.

Mr. Brad Sylvester, Chair, Municipal Planning Commission, expressed the Commission’s support of the above discretionary use application.

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

Moved by Councillor Birkmaier, Seconded by Councillor Paulsen,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Paulsen, Seconded by Councillor Alm,

THAT the application submitted by Majid Dumircheli and Nasrin Sagai requesting permission to use Lot 1, Block 133, Plan 101851433 (327 Beechwood Crescent) for the purpose of a Residential Care Home - Type II for up to ten residents be approved subject to:

- 1) the applicant obtaining a Development Permit and all other relevant permits (such as Building and Plumbing Permits) and licenses;*
- 2) the final plans submitted for the proposed Residential Care Home - Type II being substantially in accordance with those plans submitted in support of this Discretionary Use Application; and,*
- 3) the applicant being solely responsible for the costs associated with the installation of a 50 mm (two inch) water connection to accommodate any required sprinkler system.*

CARRIED.

**REPORT NO. 13-2006 OF THE ADMINISTRATION AND FINANCE COMMITTEE –
CONTINUED**

**6. Indoor Leisure Facilities – Rental Rates & General Admission Fees
(File No. CK. 1720-3)**

RECOMMENDATION: that the following financial objectives be approved for the Landlord Function and General Admission Program Function at the five indoor leisure centres (Cosmo, Lakewood and Lawson Civic Centres, Harry Bailey Aquatic Centre and the Saskatoon Field House) which are under the management of the Leisure Services Branch, Community Services Department:

- 1) Rental Rates
 - a) that the cost recovery objective for the landlord function (rentals) remain at 70 percent;
 - b) that this objective be achieved by increasing rental rates by four percent annually, as outlined in Attachment 1, commencing on September 1 of each year;
- 2) General Admissions
 - a) that the long-term cost recovery objective for general admissions remain at 65 percent of the total cost of providing the service; and
 - b) that this objective be achieved by increasing the base for the general admission rate for adults by \$0.30 annually, as outlined in Attachment 2, on January 1 of each year.

Attached is a copy of the report of the General Manager, Community Services Department dated July 24, 2006 regarding a review of the cost recovery objectives for the five indoor leisure centres, including the cost-recovery objective for the landlord function (rental rates) and for general admissions.

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Your Committee has reviewed this report with the Administration, and agrees with the proposed increases in that the appropriate analysis has been undertaken, and the costs will stay within a fair market rate. The four percent annual increase in rental rate and the annual increase to the adult base rate from \$0.20 to \$0.30 for general admissions will ensure the cost recovery objectives will be met as outlined in the report.”

Moved by Councillor Penner, Seconded by Councillor Heidt,

THAT the recommendation be adopted.

CARRIED.

REPORT NO. 12-2006 OF THE EXECUTIVE COMMITTEE

Composition of Committee

His Worship Mayor D. Atchison, Chair
Councillor T. Alm
Councillor D.L. Birkmaier
Councillor B. Dubois
Councillor O. Fortosky
Councillor M. Heidt
Councillor E. Hnatyshyn
Councillor M. Neault
Councillor T. Paulsen
Councillor G. Penner
Councillor G. Wyant

**1. Right of First Refusal
Purchase of Canada Post Building
(File No. CK. 4215-1)**

RECOMMENDATION: that the information be received.

One of the options for addressing the space needs of the Saskatoon Police Service was the possible purchase and renovation of the Canada Post building. To this end, the City obtained Right of First Refusal for the purchase of the building. On July 26, 2006 the City received a letter from Canada Post, advising that an offer of \$2,700,000 had been made for the purchase of the building, and requiring notice of the City’s intention to exercise its right to purchase the building for that amount within 30 days.

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The Board of Police Commissioners has now advised your Committee that it does not support the purchase of the building at that price. Accordingly, your Committee has instructed the City Manager not to exercise the City's right of first refusal.

Moved by Councillor Wyant, Seconded by Councillor Birkmaier,

THAT the recommendation be adopted.

CARRIED.

COMMUNICATIONS TO COUNCIL

The following communications were submitted and dealt with as stated:

B. ITEMS WHICH REQUIRE THE DIRECTION OF CITY COUNCIL

**1) Kevin Abrey, Pastor of Administration
Elim Tabernacle, undated**

Requesting a temporary road closure at the east end of Pawlychenko Lane and north end of Slimmon Road in the Lakewood Suburban Centre on Sunday, September 10, 2006, from 6:00 a.m. to 4:00 p.m. (File No. CK 205-1)

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

Moved by Councillor Paulsen, Seconded by Councillor Dubois,

THAT the request be approved subject to administrative conditions.

CARRIED.

2) David Miller, Mayor, City of Toronto, dated August 11

Submitting a copy of a petition to reduce U.S. air pollution, and encouraging Council to sign the petition. (File No. CK. 375-4)

RECOMMENDATION: that the direction of Council issue.

Moved by Councillor Birkmaier, Seconded by Councillor Heidt,

THAT the information be received.

DEFEATED.

Moved by Councillor Alm, Seconded by Councillor Neault,

THAT the matter be referred to the Administration and Finance Committee for a report.

CARRIED.

3) Vicki Towress, Saskatoon Health Region, dated August 16

Requesting that Cathy Nilson be appointed to the Cultural Diversity and Race Relations Committee as their representative, replacing Mariah Sinclair. (File No. CK. 225-40-1)

RECOMMENDATION: that Cathy Nilson be appointed as the Saskatoon Health Region representative on the Cultural Diversity and Race Relations Committee to replace Mariah Sinclair.

Moved by Councillor Penner, Seconded by Councillor Birkmaier,

THAT Cathy Nilson be appointed as the Saskatoon Health Region representative on the Cultural Diversity and Race Relations Committee to replace Mariah Sinclair.

CARRIED.

4) T. Hatcher, dated August 23

Requesting that a city-owned tree be removed from his yard. (File No. CK. 4139-4)

RECOMMENDATION: that the matter be referred to the Administration for the appropriate action.

Moved by Councillor Penner, Seconded by Councillor Wyant,

THAT the matter be referred to the Administration and Finance Committee to review the policy on trees.

CARRIED.

C. INFORMATION ITEMS

**1) Irene Boychuk, Chair,
Credit Union Centre Board of Directors, dated July 25**

Submitting an update on operations for the first half of 2006. (File No. CK. 175-31)

2) Cheryl Carlson, dated August 14

Thanking Council for approving the installation of a snow fence in the Avalon off-leash dog park. (File No. CK. 152-2)

**3) Wannetta Reimer, The Working Group to Stop the Exploitation of
Children and Youth, dated August 17**

Submitting a copy of a letter that has been sent to the Board of Police Commissioners. (File No. CK. 280-5)

4) Sasha Forsyth, dated August 16

Commenting on the recent cancellation of a fund-raising event. (File No. CK. 205-1)

5) Ken Turner, dated August 17

Commenting on the recent cancellation of a fund-raising event. (File No. CK 205-1)

6) Barbara Bateman, President, Equal Justice for All, dated August 1

Commenting on an incident that occurred involving an employee at the downtown Transit Mall. (File No. CK. 281-1)

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7) Dr. Neil Paterson, Director, Global Country of World Peace, dated August 9

Submitting a proposal on the construction of a "Peace Palace." (File No. CK. 150-1)

8) John Davidson, President, Royal Canadian Legion, dated August 23

Expressing gratitude for consideration given with regards to the sale of the Pensioners and Pioneers Pavilion. (File No. CK. 4215-1)

9) Sharon Roset, dated August 26

Commenting on the fireworks display at the Bridge Party. (File No. CK. 205-30)

10) Iris Spilchuk, dated August 27

Commenting on the positive response received from the City regarding an alley problem. (File No. CK. 6315-1)

11) Daniel P. Creighton, dated August 29

Submitting a copy of a letter sent to Hon. Brad Wall regarding oil in Saskatchewan. (File No. CK. 150-1-1)

12) Joe Kuchta, dated August 16

Submitting information and comments regarding the Royal Canadian Legion building. (File No. CK. 4129-21)

13) Joe Kuchta, dated August 29

Submitting a copy of the article "Saskatoon Legion Hall Loses Out to Development" that appeared in the Spring 2006 edition of *Heritage*, the magazine of the Heritage Canada Foundation. (File No. CK. 4129-21)

RECOMMENDATION: that the information be received.

Moved by Councillor Dubois, Seconded by Councillor Paulsen,

THAT the information be received.

CARRIED.

D. ITEMS WHICH HAVE BEEN REFERRED FOR APPROPRIATE ACTION

1) Sandra Finley, dated August 8

Submitting a copy of an email from Iulia Popa, Regulatory Information Officer regarding the deregistration of Vaporooter. (File No. CK. 375-1) **(Referred to Administration and the Planning and Operations Committee for further handling.)**

2) Don Storey, dated August 9

Submitting concerns about watermain breaks on Coy Avenue. (File No. CK. 7820-5) **(Referred to Administration to respond to writer.)**

**3) Terry Graff, Executive Director & CEO
Mendel Art Gallery, dated August 10**

Submitting a revised business plan and budget. (File No. CK. 620-1) **(Referred to Administration for further handling.)**

4) Bill Delainey, Planner, RM of Corman Park, dated August 10

Submitting proposed amendment to Section 3.11 of the General Regulations (Signage) of the Saskatoon Planning District Zoning Bylaw. (File No. CK. 4240-2) **(Referred to Administration to report to Council.)**

5) Linda Seaton, dated August 11

Expressing concerns regarding the 2006 Fringe Festival. (File No. CK. 205-1) **(Referred to Administration for consideration when evaluating the 2006 Fringe Festival.)**

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6) Lorelie Meyers, dated August 12

Enquiring about transit service to Stonebridge. (File No. CK. 7310-1) **(Referred to Administration to respond to the writer.)**

7) Robin Reaser, dated August 14

Expressing concerns regarding the intersection of Clarence Avenue and Melville Street. (File No. CK. 6320-1) **(Referred to Administration to respond to the writer.)**

8) Alice Farness, dated August 16

Enquiring about policies with respect to courier drivers and parking meters. (File No. CK. 6120-1) **(Referred to Administration to respond to the writer.)**

9) Michael Kraut, dated August 17

Expressing concern about the condition of Trounce House and offering his services with respect to repairs. (File No. CK. 710-28) **(Referred to Municipal Heritage Advisory Committee.)**

10) Pauline Gaudette, dated August 18

Enquiring about recycling of plastic in Saskatoon. (File No. CK. 7830-5) **(Referred to Administration to respond to the writer.)**

11) Tasha Hubbard, dated August 15

Submitting resignation from Cultural Diversity and Race Relations Committee. (File No. CK. 225-40) **(Referred to Executive Committee.)**

12) Marilyn Clark, dated August 21

Enquiring as to the status of constructing a sound attenuation wall in the Eastview neighbourhood. (File No. CK. 375-2) **(Referred to the Administration to respond to the writer.)**

13) Elaine Russell, dated August 23

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Commenting on garbage collecting in walkway in neighbourhood. (File No. CK. 7830-1)
(Referred to Administration to respond to the writer.)

14) Ron Teichreb, dated August 29

Expressing concerns about a recent incident where his driveway was inaccessible. (File No. CK. 6315-1) **(Referred to Administration to respond to the writer.)**

RECOMMENDATION: that the information be received.

Moved by Councillor Birkmaier, Seconded by Councillor Paulsen,

THAT, with respect to Item D14, that a copy of the response be forwarded to Councillor Birkmaier.

CARRIED.

Moved by Councillor Wyant, Seconded by Councillor Paulsen,

THAT the information be received.

CARRIED.

E. PROCLAMATIONS

**1) Meagan Wohlberg, The Avenue Community Centre for Gender
And Sexual Diversity, dated August 14**

Requesting Council to proclaim September 17, 2006, as Walk for Life Day. (File No. CK. 205-5)

2) Vanessa J. Charles, Co-Chair, Saskatoon Anti-Poverty Coalition, dated July 30

Requesting Council to proclaim the week of October 15 to 21, 2006, as Poverty Awareness Week.
(File No. CK. 205-5)

3) Terry McBride, Raymond James Ltd, dated August 17

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Requesting Council to proclaim October 1 to 7, 2006 as National Financial Planning Week. (File No. CK. 205-5)

4) Martin Chicilo, President, Saskatoon Housing Initiatives Partnership, dated August 24

Requesting Council to proclaim October 10 to 14, 2006 as Affordable Housing Week. (File No. CK. 205-5)

5) Fernando Ferrer, Saskatoon Literacy Coalition Member, August 31

Requesting Council proclaim September 8, 2006 as International Literacy Day in Saskatoon. (File No. CK. 205-5)

- RECOMMENDATION:**
- 1) that City Council approve all proclamations as set out in Section E; and
 - 2) that the City Clerk be authorized to sign the proclamations on behalf of City Council.

Moved by Councillor Dubois, Seconded by Councillor Neault,

- 1) that City Council approve all proclamations as set out in Section E; and*
- 2) that the City Clerk be authorized to sign the proclamations on behalf of City Council.*

CARRIED.

ENQUIRIES

**Councillor T. Alm
Property Tax Incentives – Downtown Housing
(File No. CK. 4110-1)**

Would the Administration please report on whether the property tax incentive being provided for new housing units in downtown Saskatoon is attracting owner occupied residents or are the units being purchased as a speculative real estate investment.

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If these properties are being purchased as speculative real estate investments I would ask that Council review the intent of the program.

**Councillor M. Neault
Rental Homes
(File No. CK. 4110-1)**

Would the Administration investigate if the City has the ability to legislate the amount or number of rental single homes in each community in Saskatoon.

GIVING NOTICE

Councillor Wyant gave the following Notice of Motion:

“TAKE NOTICE that at the next regular meeting of City Council, I will move the following motion:

“THAT the Waste Bylaw 8310 be amended so as to provide for the provision by the City of Saskatoon of metal bins for all multi-unit developments accompanied by City collection of the associated waste. The bylaw amendment would require the City to fund the acquisition of such bins to an amount equal to the cost of the number of 300 gallon containers based on one 300 gallon container for each of four units within such developments.”

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Councillor Hnatyshyn gave the following Notice of Motion:

“TAKE NOTICE that at the next regular meeting of City Council, I will move the following motion:

“THAT a bylaw be established regarding 72 hours be given to a neighbourhood prior to use of a pesticide that would impact on surrounding properties and residents.””

INTRODUCTION AND CONSIDERATION OF BYLAWS

Bylaw 8534

Moved by Councillor Wyant, seconded by Councillor Penner,

THAT permission be granted to introduce Bylaw No. 8534, being “The Animal Control Amendment Bylaw, 2006 (No. 3)”, and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Wyant, seconded by Councillor Neault,

THAT Bylaw No. 8534 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Wyant, Seconded by Councillor Fortosky,

THAT Council go into Committee of the Whole to consider Bylaw No. 8534.

CARRIED.

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

Committee arose.

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

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That while in Committee of the Whole, Bylaw No. 8534 was considered clause by clause and approved.

Moved by Councillor Wyant, Seconded by Councillor Paulsen,

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

CARRIED.

Moved by Councillor Wyant, Seconded by Councillor Alm,

THAT permission be granted to have Bylaw No. 8534 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Wyant, Seconded by Councillor Dubois,

THAT Bylaw No. 8534 be now read a third time, that the bylaw be passed and the Mayor and the City Clerk be authorized to sign same and attach the corporate seal thereto.

CARRIED.

Moved by Councillor Wyant,

THAT the meeting stand adjourned.

CARRIED.

The meeting adjourned at 7:35 p.m.

Mayor

City Clerk