

Council Chambers
City Hall, Saskatoon, Sask.
Monday, October 16, 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, Heidt, Hnatyshyn, Neault,
Paulsen, Penner, and Wyant;
City Manager Richards;
A/City Solicitor Davern;
General Manager, Corporate Services Bilanski;
A/General Manager, Community Services Grauer;
General Manager, Fire and Protective Services Bentley;
General Manager, Infrastructure Services Uzelman;
General Manager, Utility Services Totland;
A/City Clerk Hall; and
Council Assistant Mitchener

Councillor Wyant excused himself from the meeting at 7:00 p.m. immediately before Requests to Speak to Council.

Moved by Councillor Penner, Seconded by Councillor Dubois,

THAT the minutes of meeting of City Council held on October 2, 2006, be approved.

CARRIED.

Moved by Councillor Penner, Seconded by Councillor Heidt,

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

CARRIED.

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

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

Committee arose.

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

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

“REPORT NO. 11-2006 OF THE MUNICIPAL PLANNING COMMISSION”

Composition of Commission

Mr. Brad Sylvester, Chair
Mr. John Waddington, Vice-Chair
Councillor Bev Dubois
Mr. Jack Billinton
Mr. Gord Androsoff
Mr. Roy Ball
Mr. Michael Chyzowski
Ms. Debbie Marcoux
Mr. John McAuliffe
Mr. Kurt Soucy
Mr. Vern Waldherr
Mr. Randy Warick
Mr. Jim Zimmer

- 1. Proposed Rezoning from R1A to RMTN, R1B
McKague Crescent and Hampton Blvd
North East ¼ Section 1-37-6 WM Ext. 2, Surface Parcel 161504366
Hampton Village – R1A Zoning District
Applicant: City of Saskatoon, Land Branch
(File No. CK. 4351-1)**

- RECOMMENDATION:**
- 1) that City Council approve the advertising respecting the proposal to rezone the site on West Hampton Boulevard, as indicated on Attachment 2 to the report of the Community Services Department dated September 19, 2006, from R1A District to R1B District;
 - 2) that City Council approve the advertising respecting the proposal to rezone the site on McKague Crescent, as indicated on Attachment 2 to the report of the Community Services Department dated September 19, 2006, from R1A District to RMTN District;
 - 3) that the General Manager, Community Services Department,

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be requested to prepare the required notices for advertising the proposed amendments;

- 4) that the City Solicitor be requested to prepare the required bylaws; and
- 5) that at the time of the public hearing, City Council consider the Municipal Planning Commission's recommendation that the proposed Zoning Bylaw amendments be approved.

ADOPTED.

Your Commission has considered the attached report of the General Manager, Community Services Department dated September 19, 2006, with respect to the above proposed rezoning.

Following review of this matter, your Commission supports the recommendations of the Administration, as noted above.

ADMINISTRATIVE REPORT NO. 19-2006

Section A – COMMUNITY SERVICES

- A1) Proposed Amendments to Section 3.11 of the General Regulations (Signage) of the Saskatoon Planning District Zoning Bylaw
(File No. PL 4240-3, CK. 4240-1)**
-

RECOMMENDATION: that the information be received.

ADOPTED.

BACKGROUND

The Administration of the R.M. of Corman Park has proposed amendments to the signage regulations within the R.M. of Corman Park and Saskatoon Planning District Zoning Bylaw. These amendments have been presented to Council of the R.M. of Corman Park and Saskatoon District Planning Commission.

On August 8, 2006, the Saskatoon District Planning Commission recommended:

“That Section 3.11 of the R.M. of Corman Park and Saskatoon Planning District Zoning Bylaw General Regulations be amended to insert the enclosed textual changes to replace the existing text.”

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The proposed amendments (Attachment 1) are intended to update the existing signage regulations to provide improved signage regulation information and a more comprehensive tool to guide the placement of signage in the R.M of Corman Park and the Saskatoon Planning District.

REPORT

The proposed amendments have been created to mirror Saskatchewan Highways Regulations for signage and incorporate policies found in other municipalities. The proposed amendments include clear definitions of signage types and provide specific signage requirements for various land use districts within the R.M. of Corman Park and Saskatoon Planning district. The proposed amendments include definitions and regulations for sign types not previously included, such as Off Premise Identification signage, Temporary Signage, and special provisions for sports field advertising. The amendments also include regulations for the provision of Master Sign Plans in certain cases to guide sign placement and landscaping.

The Community Services Department, City Planning Branch, is of the opinion that the proposed regulations will have a minimal overall effect on signage appearance in the Saskatoon Planning District. The proposed regulations are positive in that they provide the R.M. administration with more control over signage placement and appearance, and provide applicants with additional sign types, and clearer definitions and regulations.

PUBLIC NOTICE

The proposed amendments will be advertised in accordance with Section 207 of the *Planning and Development Act* prior to a public hearing before the Council of the R.M. of Corman Park.

ATTACHMENT

1. Proposed Saskatoon Planning District Zoning Bylaw Sign Regulations and Application Form

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**A2) Request For Encroachment Agreement
2326 Eastlake Avenue
Lot 10, Block 16, Plan G922
(File No. CK. 4090-2)**

- RECOMMENDATION:**
- 1) that City Council recognize the encroachment at 2326 Eastlake Avenue (Lot 10, Block 16, Plan G922);
 - 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 new owner of the property located at 2326 Eastlake Avenue has requested to enter into an Encroachment Agreement with the City of Saskatoon. As shown on the attached Real Property Report, a portion of the eaves on the detached garage encroaches onto the lane. The total area of encroachment is approximately 0.16m² 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 received September 25th, 2006
2. Real Property Report dated June 14, 2005

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**A3) Policy – Residential Lot Sales
(File Nos. CK. 4110-1 and LA. 4214-0)**

RECOMMENDATION: that the following report be received as information.

EXECUTIVE SUMMARY

At its meeting on June 12, 2006 City Council resolved:

“that the Administration be requested to investigate and report back on the feasibility of changing the City’s residential lot allocation policy such that a contractor, or groups of contractors, could acquire more than one lot at a time or a pre-designated group of lots, starting with the 2007 lot development program.”

BACKGROUND

The Land Bank Committee received a request from a group of homebuilders asking that the City change its lot allocation policy to allow for the purchase of groups of lots to be sold to a contractor or group of contractors. The current lot draw process allows each eligible contractor to select one lot at a time but there is no guarantee that they will be able to purchase a group of lots.

REPORT

The policy change requested would be a significant departure from the current process and requires the identification of various options and the implications of each option. Significant consultation with the key stakeholders is required and is ongoing. At its meeting on September 22, 2006 the Land Bank Committee considered the information Administration had accumulated to date and provided direction to continue with consultation.

When all consultation is complete and recommendations are developed Administration will forward a subsequent report to City Council for its consideration. Administration will make these recommendations prior to the commencement of the 2007 lot development program.

PUBLIC NOTICE

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

Item B4 of Communications to Council was brought forward.

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“B4) Wally Mah, Builder Initiative Group, dated October 5

Submitting a copy of a letter that was sent the Phil Richards, City Manager with respect to the policy on residential lot sales. (File No. CK. 4110-1)”

IT WAS RESOLVED: that the information be received.

**A4) Land-Use Applications Received by the Community Services Department
For the Period Between September 25, 2006 and October 6, 2006
(For Information Only)
(File Nos. PL. 4355, 4300, CK. 4000-5)**

RECOMMENDATION: that the information be received.

ADOPTED.

The following applications have been received and are being processed:

Discretionary Use

- Application No. D13/06: 158 Keedwell Street
Applicant: Robert Fulford
Legal Description: Lots 29A and 29B, Block 516, Plan 101884338
Current Zoning: R2
Proposed Use: Care Home
Neighbourhood: Willowgrove
Date Received: September 27, 2006

Subdivision

- Application No. 64/06: McKague Cres./Pulles Cres./Greenfield
Cres./Terrace
Applicant: Tri-City Surveys for City of Saskatoon
Legal Description: Pt Lot 4, Blk 961, Plan 101877228; Lot Y, Block 959, Plan 101786991 & Pt. of N. ½ Section 1-37-4-3W3M
Current Zoning: R1A
Neighbourhood: Hampton Village
Date Received: September 26, 2006

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- Application No.65/06: Walkway btwn 234/142 Streb Cres. & 246 Poth Cres.
Applicant: Webb Surveys for Various
Legal Description: Pt. Lane, Block 866, Plan 77S06909 and Lots 87, 109 & 110, Block 866, Plan 77S24804
Current Zoning: R1A
Neighbourhood: Parkridge
Date Received: September 27, 2006

- Application No.66/06: Walkway between 402/406 Peberdy Crescent & 450/454 Wakabayashi Crescent
Applicant: Webb Surveys for Various
Legal Description: Lots 46, 47, 66, 67 & C, Block 166, Plan 81S44733
Current Zoning: R1A
Neighbourhood: Silverwood Heights
Date Received: September 27, 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 D13/06
2. Plan of Proposed Subdivision No. 64/06
3. Plan of Proposed Subdivision No. 65/06
4. Plan of Proposed Subdivision No. 66/06

**A5) Downtown Housing Incentives
2nd Avenue Lofts (former Bay Building) – 205 – 2nd Avenue North
(File No.: CK. 1965-1, PL. 4130-13)**

RECOMMENDATION:

- 1) that City Council approve the request by 101051911 Saskatchewan Ltd. for a rebate of existing property taxes paid during construction not exceeding 24 months or \$95,452.81;

- 2) that a five-year tax abatement on incremental taxes for the residential portion of the 2nd Avenue Lofts be applied upon completion of construction; and

- 3) that 75% of applicable off-site levies and direct servicing charges be rebated upon completion of the 2nd Avenue Lofts development.

ADOPTED.

BACKGROUND

On September 12, 2006, 101051911 Saskatchewan Ltd. applied for incentives under the City of Saskatoon Policy C09-032 (Downtown Housing Incentive Program). This company began work on the building in the fall of 2005. The building briefly fell into tax arrears. According to the Downtown Housing Incentive policy, the owner of a building, which is in tax arrears, is not eligible to apply for incentives. However, 101051911 Saskatchewan Ltd. paid the tax arrears in full in July 2006. They are now eligible to apply for development incentives under the City of Saskatoon Policy C09-032 (Downtown Housing Incentive Program).

On May 8, 2006, City Council formally adopted three amendments to the City of Saskatoon Policy C09-032 (Downtown Housing Incentives Program), specifically to provide new incentives for the conversion of a former commercial building to residential use.

City Council, at its meeting held on May 8, 2006, resolved:

- “1) that the proposed amendments to the Downtown Housing Incentive Program be approved by adding a new support program for residential conversion of commercial and industrial space to include the following:
 - a) five-year tax exemption on incremental taxes following construction;
 - b) rebate of up to 75% of off-site levies (new);
 - c) rebate of up to 75% of direct servicing charges (new); and,
 - d) rebate of existing taxes paid during construction up to a maximum of a two-year construction period (new).
- 2) that the Downtown Housing Reserve be used to fund the new incentive program identified in 1) above.”

REPORT

The owner, 101051911 Saskatchewan Ltd., intends to redevelop the former Bay Building into 131 residential loft condominium units, atrium area, and a main floor retail area with underground parking. A detailed description of the proposal is contained in Attachment 1.

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The owner, 101051911 Saskatchewan Ltd., is applying for a rebate of existing property taxes paid during construction for up to 24 months. The projected property taxes for 2007 are \$56,035.51 and \$39,417.30 in 2008. This incentive would be limited to 24 months, or a maximum amount of \$95,452.81.

Also, 101051911 Saskatchewan Ltd. is applying for a five-year tax abatement of the incremental taxes on the residential development upon completion of construction. The incremental taxes have been estimated at \$296,660 per year. The total value of the incremental tax abatement totals \$1,483,300.

Lastly, 101051911 Saskatchewan Ltd. is requesting a 75% rebate of off-site levies and direct servicing charges in accordance with the new policy adopted on May 8, 2006. The off-site levies have been calculated to be \$93,803.72. There are no direct servicing charges for this development. Seventy-five percent of the off-site levies total \$70,352.79. If this rebate is approved, this rebate will be drawn from the Downtown Housing Reserve.

The Administration has reviewed the request by 101051911 Saskatchewan Ltd., and has determined that they are eligible for the requested rebate under the Downtown Housing Incentive Program. This project is a very large conversion project which meets the intent of the Downtown Housing Incentive Program which is to “encourage residential development in the Downtown area”. The addition of 131 residential units within the Downtown could have a significant economic impact on surrounding businesses at this location. This development also furthers City Council’s goal of increasing the population of the Downtown to 10,000 people (currently approximately 3,000).

The applicant has indicated that the incentive program is a very important part of the overall business plan for the 2nd Avenue Lofts Project.

FINANCIAL IMPACT

The Downtown Housing Reserve currently has a projected balance of \$120,035.56 to December 31, 2006. The payment of the rebate for development levies is made only once the project is completed. The project is scheduled to be completed in late 2007. The reserve receives \$30,000 annually from parking meter revenue. The reserve has sufficient funds to grant the requested rebates.

OPTIONS

1. City Council may grant the request by 101051911 Saskatchewan Ltd.
2. City Council may decide not to approve, or approve a modified amount of incentive provided to 101051911 Saskatchewan Ltd.

PUBLIC NOTICE

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

ATTACHMENT

Development Plan for the 2nd Avenue Lofts

Section C – FIRE AND PROTECTIVE SERVICES

- C1) Agreement – City of Saskatoon and
Board of Education for Saskatoon Public Schools
Lease of Former W.P. Bate School for Temporary Training Facility
Saskatoon Police Service and Fire and Protective Services Department
(File Nos. CK 290-1 and 500-1)**
-

RECOMMENDATION:

- 1) that the information be received; and
- 2) that the City Solicitor be requested to prepare the appropriate Agreement for execution by His Worship the Mayor and City Clerk.

ADOPTED.

BACKGROUND

With the expansion to the west of the City, the Public School Board has moved the W.P. Bate elementary school on Ottawa Avenue to a new location in the Meadow Green area. The City of Saskatoon currently owns the former W.P. School and is leasing the property to the Public School Board.

REPORT

Your Administration is proposing to lease the property back from the School Board for a period of six months to be utilized as a temporary training facility for both Saskatoon Fire and Protective Services and the Saskatoon Police Service. The facility would be used for the following examples of scenario-based training:

- Rapid Deployment (hostile school situations) - SPS
- Rapid Intervention - SFPS
- SCBA Drill (Self-Contained Breathing Apparatus) - SFPS

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The above are slated as interior operations as we intend to keep the integrity of the school exterior for security purposes during this period of availability. After such time, the property will be returned to the School Board for demolition in the spring as planned.

At the request of the School Board and in an effort to keep area residents informed, a public consultation process will be undertaken.

PUBLIC NOTICE

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

Section D – INFRASTRUCTURE SERVICES

**D1) Essex Plaza Lease Agreement
(File No. 600-3)**

- RECOMMENDATION:**
- 1) that City Council approve entering into a lease agreement (the “Agreement”) between the City of Saskatoon and Essex Plaza Corp., for lease of office space at 230 23rd Street East that would be the base of operations for Municipal Engineering Branch Field Inspectors and the CS Treasurers Branch Meter Readers; and
 - 2) that the City Solicitor be requested to review and prepare the appropriate Agreement, and that the Mayor and City Clerk be authorized to execute the Agreement on behalf of the City under the Corporate Seal.

ADOPTED.

REPORT

In 2003, the City undertook some measures to address the office space shortfall within City Hall. One of the measures was the lease of office space from Canada Post Corporation on the 4th floor of the Main Post Office. The two groups that were relocated from City Hall into this space were the IS-Municipal Engineering Branch Field Inspectors and the CS-Treasurers Branch Meter Readers. With the recent purchase of the Post Office by VCOM, the lease agreement for this office space was terminated and new space must be leased to accommodate these two groups, preferably within close proximity to City Hall.

A review of the current available commercial space was conducted and the lowest cost space available is the recommended space.

The key terms in the proposed Agreement are the following:

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- a) 3,029 square feet of space to be leased;
- b) lease term will be five years, starting December 1, 2006 and ending November 30, 2011, with an option to renew for a second 5 year term;
- c) lease base rent to be \$2,208.65 per month plus estimated occupancy cost of \$883.46 per month, for an annual cost of \$37,105.32 (plus GST);
- d) landlord will perform renovations required by the City;
- e) the City is obliged to ensure it has commercial general liability insurance in an amount of not less than \$2,000,000; and
- f) the City can only use the premises as a general office space.

PUBLIC NOTICE

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

LEGISLATIVE REPORT NO. 17-2006

Section B – OFFICE OF THE CITY SOLICITOR

**B1) Ceremonial Flypast - Saturday, November 25, 2006
CIS Football Championship, PotashCorp Vanier Cup,
PotashCorp/Griffiths Stadium
(File No. CK. 205-13)**

- RECOMMENDATION:**
- 1) that City Council approve the PotashCorp Vanier Cup Flypast scheduled for November 25, 2006; and
 - 2) that City Council amend Policy C01-009 “Flypasts and Parachute Jumps - City Approval” as outlined in this report.

ADOPTED.

INTRODUCTION

The City has received a request from the Canadian Forces and the PotashCorp Vanier Cup 2006 Committee for permission to conduct a ceremonial flypast of military aircraft in conjunction with the PotashCorp Vanier Cup. The flypast will occur directly above PotashCorp/Griffiths Stadium on the evening of November 25, 2006 when “O’ Canada” is played at the PotashCorp Vanier Cup. The power to consider and grant permission for flypasts and parachute jumps has been delegated to the City Manager under Policy C01-009 “Flypasts and Parachute Jumps - City Approval”. However, a review of the Policy shows that the Policy is meant to apply to civilian flypasts and parachute jumps and does not apply to military aircraft and personnel performing flypasts and parachute jumps. Therefore, the City Manager has not been delegated the power to deal with the

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PotashCorp Vanier Cup flypast request. This report will address that specific request and also contains suggested changes to the Policy so that future similar requests may be dealt with by the City Manager.

REPORT

The City's Policy C01-009 - "Flypasts and Parachute Jumps - City Approval" deals with the conditions of administrative approval of flypasts and parachute jumps in the City. Under the Policy, a person must apply to the City Manager for permission to perform a flypast or parachute jump in the City. The applicant must comply with *The Aeronautics Act* and Regulations, must sign an Indemnification Agreement and in the case of parachute jumps onto private property, the applicant must get the consent of the private property owner and the City Manager.

Civilian aviation is controlled by Transport Canada and regulated by *The Aeronautics Act* and Regulations. Civilian aviation is operated privately and carriers hold their own insurance for their operations. Therefore, the Policy accords with flypasts and parachute jumps performed by civilian forces. However, military aircraft must comply with military flying orders. Moreover, military personnel operating military aircraft are part of Her Majesty's Canadian Forces and do not carry separate insurance for operations. Any accident which would occur would be investigated as a military incident and would be the responsibility of the Canadian Forces and the Federal Government.

Given this, we recommend that the Policy be amended to include a separate section dealing with military flypasts and parachute jumps. We have attached draft wording for City Council's consideration. City Council will note that we have removed subsection 3.1(b) of the Policy altogether which said "The Minister of Transport shall not approve Flypasts that do not comply with the Aeronautics Regulations, without the consent of City Manager." We feel this is redundant given that a requirement for a civilian flypast or parachute jump is compliance with *The Aeronautics Act* and Regulations. With this requirement, it would be difficult for the City to consent to a flypast or parachute jump that does not comply with the Regulations.

With respect to the specific request for the PotashCorp Vanier Cup flypast, we have been informed that a 2 Star General will be reviewing the request and issuing the military flying orders for it. Before the request is submitted to the General, the Captain who is the Special Events Coordinator in Winnipeg would like to receive the City's endorsement of the flypast. This is standard procedure when the military is going to perform a flypast over a city. The request to the General will be that the flypast take place at 500 feet. On the issue of indemnity, should an incident occur it would be investigated and dealt with by the Armed Forces. They would be responsible for any damages associated with an accident.

The City Manager has reviewed this report and draft amended Policy.

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. Policy C01-009 “Flypasts and Parachute Jumps - City Approval”; and
2. Draft Amended Section 3 of Policy C01-009 “Flypasts and Parachute Jumps - City Approval”.

REPORT NO. 15-2006 OF THE PLANNING AND OPERATIONS COMMITTEE

Composition of Committee

Councillor D. L. Birkmaier, Chair
Councillor O. Fortosky
Councillor E. Hnatyshyn
Councillor M. Neault
Councillor G. Wyant

**1. Request for Payment – Centenary Affordable
Housing Program Contribution – 136 Avenue U South
(File No. CK. 750-4)**

- RECOMMENDATION:**
- 1) that the payment of \$6,500 from the Affordable Housing Reserve to meet the City of Saskatoon’s commitment under the Centenary Affordable Housing Program based on actual expenditures for the QUINT project at 136 Avenue U South be approved; and
 - 2) that City Council delegate to the Administration the authority to disburse up to 15% over the estimated costs for applications approved under the Innovative Housing Incentive Program to cover unforeseen increases in costs associated with new construction or renovation.

ADOPTED.

Attached is a copy of the report of the General Manager, Community Services Department dated August 24, 2006, with respect to the above matter.

Your Committee has reviewed the report and supports the recommendations of the Administration, as outlined above.

**2. Organization Changes – Building Standards Branch
(File No. CK. 4560-1)**

RECOMMENDATION: 1) that the request for one additional Residential Plan Review position in the Building Standards Branch be approved for immediate hiring;

2) that the request for an Administration Officer position in the Building Standards Branch be approved for immediate hiring; and

3) that a one-time expenditure of up to \$50,000 for office renovations be approved and paid for directly from the Building and Plumbing Stabilization Reserve.

ADOPTED.

Attached is a copy of the report of the General Manager, Community Services Department dated September 25, 2006, with respect to a request for two additional positions in the Building Standards Branch, as well as a one-time expenditure for office renovations.

Your Committee has reviewed the report with the Administration and supports the recommendations, as outlined above.

**3. Business License Program – Fall Business Profile:
Celebrating Business and Heritage
(File No. CK. 430-32)**

RECOMMENDATION: that the information be received.

ADOPTED.

Attached is a copy of the report of the General Manager, Community Services Department dated September 29, 2006, submitting the Fall 2006 edition of the Business Profile: Celebrating Business and Heritage. Your Committee is forwarding the report to City Council as information.

REPORT NO. 14-2006 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. Dress Code Policy
(File No. CK. 150-1)**

RECOMMENDATION: that the information be received and a copy of the report be forwarded to R.J. and P.A.E. Rogers.

ADOPTED.

City Council, at its meeting held on May 8, 2006, received the attached letter from R.J. and P.A.E. Rogers suggesting that the City not permit the wearing of gang/criminal colours in civic facilities, and referred it to the Executive Committee.

Attached is a report of the City Solicitor, advising of the legislation in place to deal with the issue.

**2. Pleasant Hill Neighbourhood Activity Home – Second Disbursement
(File Nos. CK. 5000-1 and LS 5600-4)**

RECOMMENDATION: 1) that City Council authorize a performance grant of \$50,000 over a period of five years to the Kinsmen Neighbourhood Activity Home Board; and

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- 2) that the \$50,000 payment in 1) above be considered to be the final disbursement of the \$100,000 tentatively assigned by City Council for the Pleasant Hill Activity House Project.

ADOPTED.

Your Committee has considered the attached report of the General Manager, Community Services, dated September 28, 2006, and is pleased to put forward the above recommendation.

**3. Appointment to Cultural Diversity and Race Relations Committee
(File No. CK. 225-40)**

RECOMMENDATION: that Ms. Anna-Leah King be appointed to the Cultural Diversity and Race Relations Committee to the end of 2006, to replace Tasha Hubbard.

ADOPTED.

Ms. Tasha Hubbard has resigned from the Cultural Diversity and Race Relations Committee. Ms. Anna-Leah King was on the Committee as the representative of the Saskatoon Catholic School Board. Ms. King has been replaced as the Catholic School representative, but has indicated her willingness to remain on the Committee to the end of 2006 as Ms. Hubbard's replacement.

**4. Terms of Reference
Cultural Diversity and Race Relations Committee
(File No. CK. 225-40)**

RECOMMENDATION: that the Terms of Reference of the Cultural Diversity and Race Relations Committee be amended so as to include representation from the Department of Corrections and Public Safety.

ADOPTED.

The Cultural Diversity and Race Relations Committee has requested that the Committee's membership be increased by one, in order to include representation from the Department of Corrections and Public Safety."

Moved by Councillor Penner, Seconded by Councillor Birkmaier,

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

CARRIED.

His Worship the Mayor assumed the Chair.

COMMUNICATIONS TO COUNCIL

The following communications were submitted and dealt with as stated:

B. ITEMS WHICH REQUIRE THE DIRECTION OF CITY COUNCIL

1) Dave Viminitz, dated September 27

Requesting to learn what Council's position is on the proposed white water park. (File No. CK. 4129-1)

RECOMMENDATION: that consideration of the matter be deferred until more information is received.

Moved by Councillor Birkmaier, Seconded by Councillor Dubois,

THAT consideration of the matter be deferred until more information is received.

CARRIED.

2) Bob McLeod, President, Central Urban Métis Federation Inc., dated October 6

Requesting continued assistance for Infinity House, a shelter and transitional home for single Aboriginal mothers and their children. (File No. CK. 1965-1)

RECOMMENDATION: that the matter be referred to the Budget Committee.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT the matter be referred to the Administration to report to the Budget Committee.

CARRIED.

3) Kaitlin O'Brien, dated October 10

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Commenting on issues regarding cycling during all four seasons. (File No. CK. 5200-4)

RECOMMENDATION: that the information be received, and that the letter be forwarded to the Traffic Safety Committee.

Moved by Councillor Penner, Seconded by Councillor Birkmaier,

THAT the information be received, and that the letter be forwarded to the Traffic Safety Committee.

CARRIED.

4) Wally Mah, Builder Initiative Group, dated October 5

Submitting a copy of a letter that was sent the Phil Richards, City Manager with respect to the policy on residential lot sales. (File No. CK. 4110-1)

DEALT WITH EARLIER. SEE PAGE NO. 6.

C. INFORMATION ITEMS

1) Dr. Hughes, Jean Goldie and Douglas Goldie, dated September 8

Commenting on the possible rezoning of the corner of Broadway Avenue and 8th Street East. (File No. CK. 4351-1)

2) Ron Halina, dated September 28

Commenting on a possible development at the corner of Broadway Avenue and 8th Street East. (File No. CK. 4351-1)

3) Joe Kuchta, dated October 5

Commenting on access to information with respect to the Spa Hotel site. (File No. CK. 416-1)

4) Jay Cochlan, dated October 8

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Commenting on the Whitewater Park Project. (File No. CK. 4129-1)

5) Steve Osborn, dated October 9

Commenting on crime and security issues. (File No. CK. 2000-5)

6) Flora Chen, dated October 10

Commenting on the difficulties of finding satisfactory work in Saskatoon. (File No. CK. 150-1)

7) Joanne Sproule, Deputy Assistant City Clerk, dated September 26

Submitting notice of the Development Appeals Board hearing for the property located at 413 Cumberland Avenue South. (File No. CK. 4352-1)

8) Joanne Sproule, Deputy Assistant City Clerk, dated October 2

Submitting notice of the Development Appeals Board hearing for the property located at 3310 Idylwyld Drive North. (File No. CK. 4352-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Hnatyshyn, Seconded by Councillor Wyant,

THAT, with respect to Items C1 and C2, that the information be received and that the letters be forwarded to the Administration.

CARRIED.

Moved by Councillor Penner, Seconded by Councillor Dubois,

THAT the information be received.

CARRIED.

D. ITEMS WHICH HAVE BEEN REFERRED FOR APPROPRIATE ACTION

1) Karen Turner, Turner Coben Event Marketing Inc., dated September 29

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Requesting approval for a shot gun start for the Dale and Justin Sproat Memorial Golf Tournament; proposed date of Saturday, July 21, 2007. (File No. CK. 205-1) **(Referred to Administration for consideration and response to the writer.)**

2) Eleanor Shia, dated September 30

Submitting her resignation from the Board of Police Commissioners. (File No. CK. 175-23) **(Referred to Executive Committee.)**

3) Lloyd Kuz, dated October 2

Requesting Council to offer discounted Leisure Cards for retired Civic Employees. (File No. CK. 4500-1.) **(Referred to Administration for consideration and response to the writer.)**

4) Diana Braun, dated October 4

Commenting on the need for a downtown grocery store. (File No. CK. 4125-1) **(Referred to the Administration to respond to the writer.)**

5) Ron Halina, dated October 6

Commenting on an alternative electricity source – Green Power. (File No. CK. 2000-5) **(Referred to Administration for consideration.)**

RECOMMENDATION: that the information be received.

Moved by Councillor Birkmaier, Seconded by Councillor Paulsen,

THAT with respect to Item D1, the Administration also report back to City Council on this matter.

CARRIED.

Moved by Councillor Wyant, Seconded by Councillor Paulsen,

THAT the information be received.

CARRIED.

E. PROCLAMATIONS

1) Monte Solberg, Minister of Citizenship and Immigration

Requesting Council to proclaim the week of October 16 – 22, 2006, as Citizenship Week.
(File No. 205-5)

2) Adrian Olenick, CA, Finance Officer, Ukrainian Catholic Eparchy of Saskatoon, dated October 10

Requesting Council to proclaim November 3, 2006, as Ukrainian Catholic Day. (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 Paulsen, Seconded by Councillor Dubois,

- 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 G. Penner
Traffic Calming - Cambridge Crescent (next to Park)
(File No. CK. 6320-1)

Could I please have a report indicating what safety/traffic calming measures can be put in place on Cambridge Crescent, next to the park.

Councillor B. Dubois
Traffic Calming – Transition Road between
Rutherford/Lanyan
(File No. CK. 6320-1)

Would the Administration please investigate the feasibility of some type of traffic calming measures on the transition road between Rutherford Crescent and Lanyon Avenue.

Councillor B. Dubois
Feasibility of Installing Left-Turn Arrow East
on 115th Street turning North on Central
(File No. CK. 6250-1)

Would the Administration please investigate the feasibility of installing a left-turn arrow going east on 115th Street and turning north on Central Avenue.

Councillor E. Hnatyshyn
Health and Safety Issues - Outdoor Fire Pits
(File No. CK. 2500-1)

Would the Administration please report on the health and safety issues related to outdoor fire pits.

Councillor E. Hnatyshyn
Four-Way Stop Signs – Wilson Crescent and Ruth Street
(File No. CK. 6280-1)

Would the Administration please report on the feasibility of a four-way stop at Wilson Crescent and Ruth Street.

MOTIONS

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Councillor Alm gave the following Notice of Motion at the meeting of City Council held on October 2, 2006:

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

“THAT City Council send a letter to the Premier and SaskPower requesting they undertake immediate action to reduce the noxious pollutants created by coal-fired electrical generation – it is in the interest of all Canadians to install modern pollution control equipment that is readily available today.”

Moved by Councillor Alm, Seconded by Councillor Hnatyshyn,

THAT City Council send a letter to the Premier and SaskPower requesting they undertake immediate action to reduce the noxious pollutants created by coal-fired electrical generation – it is in the interest of all Canadians to install modern pollution control equipment that is readily available today.

CARRIED.

GIVING NOTICE

Councillor D. L. Birkmaier gave the following Notice of Motion:

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

“THAT City Council extend their thanks to the Committee responsible for centennial celebrations for our 100th Anniversary as a city. And further that City Council extend our congratulations to our City staff and Business Improvement District’s for the beautification of our city this summer.”

Moved by Councillor Wyant, Seconded by Councillor Penner,

THAT notice be waived.

CARRIED UNANIMOUSLY.

Moved by Councillor Birkmaier, Seconded by Councillor Wyant,

THAT City Council extend their thanks to the Committee responsible for centennial celebrations for our 100th Anniversary as a city. And further that City Council extend our congratulations to our City staff and Business Improvement District's for the beautification of our city this summer.

CARRIED.

The meeting recessed at 6:35 and reconvened at 7:00 p.m.

COMMUNICATIONS TO COUNCIL - CONTINUED

A. REQUESTS TO SPEAK TO COUNCIL

1) Doug Farnsworth, dated September 27

Requesting representatives from the four Lions Clubs to address Council to present a cheque in regard to the Lions Skate Park. (File No. CK. 610-8)

RECOMMENDATION: that the representatives from the four Lions Clubs be heard.

Moved by Councillor Hnatyshyn, Seconded by Councillor Paulsen,

THAT the representatives from the four Lions Clubs be heard.

CARRIED.

Mr. Doug Farnsworth, representing the Lions Club, presented a cheque to the City of Saskatoon in the amount of \$20,000 to be applied to the Lions Skate Park.

Moved by Councillor Birkmaier, Seconded by Councillor Neault,

THAT the City accept the \$20,000 cheque and express gratitude to the Lions Club.

CARRIED.

2) Kelly Patrick, dated September 27

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Requesting to address Council with respect to an initiative involving matching aboriginal youth to the private sector for a four-month internship. (File No. CK. 1870-1)

RECOMMENDATION: that Kelly Patrick be heard.

Moved by Councillor Hnatyshyn, Seconded by Councillor Paulsen,

THAT Kelly Patrick be heard.

CARRIED.

It was noted that Kelly Patrick was not present in the gallery.

Moved by Councillor Paulsen, Seconded by Councillor Heidt,

THAT the matter be referred to the Administration and Finance Committee.

CARRIED.

3) Brian Graham, dated September 27

Requesting to address Council with respect to the Pleasant Hill Neighbourhood. (File No. CK.-5000-1)

RECOMMENDATION: that Brian Graham be heard.

Moved by Councillor Hnatyshyn, Seconded by Councillor Paulsen,

THAT Brian Graham be heard.

CARRIED.

Mr. Brian Graham, President, Pleasant Hill Community Association, expressed concerns with respect to the aesthetic look of the Pleasant Hill community.

Moved by Councillor Birkmaier, Seconded by Councillor Dubois,

THAT the information be received.

CARRIED.

4) **Paul Hanley, dated October 3**

Requesting to address Council with respect to a proposal by Prairie Ecovillage Development Corporation to develop an Ecovillage as part of River Landing Phase II. (File No. CK. 4129-5)

RECOMMENDATION: that Paul Hanley be heard.

Moved by Councillor Hnatyshyn, Seconded by Councillor Paulsen,

THAT Paul Hanley be heard.

CARRIED.

Mr. Paul Hanley, Prairie Ecovillage Development Corporation, spoke with respect to a proposed \$10 million residential/commercial development in River Landing Phase II.

Moved by Councillor Paulsen, Seconded by Councillor Hnatyshyn,

THAT the matter be referred to the Executive Committee with an invitation being extended to representatives from the Prairie Ecovillage Development Corporation to attend, and that a copy of the report be sent to the Saskatoon Environmental Advisory Committee for information.

CARRIED.

5) **Randy Pshebylo, President, Riversdale Business Improvement District, dated October 5**

Requesting to address Council to request that the Riversdale Business Improvement District boundaries be expanded. (File No. CK. 4129-5)

RECOMMENDATION: that Randy Pshebylo be heard.

Moved by Councillor Hnatyshyn, Seconded by Councillor Paulsen,

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THAT Randy Pshebylo be heard.

CARRIED.

Mr. Randy Pshebylo, President, Riversdale Business Improvement District, requested that the boundaries of the Riversdale Business Improvement District be expanded to include the River Landing Phase II development. He provided Council with a copy of his presentation.

Moved by Councillor Neault, Seconded by Councillor Birkmaier,

THAT the matter be referred to the Administration to report to the Executive Committee.

CARRIED.

6) Vanessa Charles, Co-Chair, Anti-Poverty Coalition, dated October 6

Requesting to address Council with respect to Poverty Awareness Week. (File No. CK. 205-1)

RECOMMENDATION: that Vanessa Charles be heard.

Moved by Councillor Hnatyshyn, Seconded by Councillor Paulsen,

THAT Vanessa Charles be heard.

CARRIED.

Ms. Vanessa Charles, Co-Chair, Anti-Poverty Coalition, provided information with respect to events for Poverty Awareness Week. She also expressed appreciation to Council and the Transit Branch for the discounted bus pass program.

Moved by Councillor Heidt, Seconded by Councillor Birkmaier,

THAT the information be received, and that a letter be sent to the staff of the Transit Branch expressing gratitude for their respect and patience shown during the line-ups for bus passes.

CARRIED.

7) **Ken Kinakin, Lynx Enterprises, dated October 16**

Requesting permission to address Council with respect to the proposed lane closure along Koyl Avenue. (File No. CK. 6295-1)

RECOMMENDATION: that Item 9a) of Unfinished Business be brought forward and Ken Kinakin be heard.

Moved by Councillor Hnatyshyn, Seconded by Councillor Paulsen,

THAT Item 9a) of Unfinished Business be brought forward and that Ken Kinakin be heard.

CARRIED.

“9a) **Proposed Lane Closure**

**Proposed Closure of Portion of right-of-way along Koyl Avenue
Block 622, Plan 67S25767
(File No. CK. 6295-1)**

REPORT OF THE A/CITY CLERK:

“Attached is an excerpt from the minutes of meeting of City Council held on October 2, 2006 regarding the above matter. City Council resolved that consideration of this matter be deferred for two weeks time at which time the Administration report back on the proposed purchase of the lane behind 2401 and 2415 Koyl Avenue by Mr. Ken Kinakin.

The following is a report of the General Manager, Infrastructure Services Department dated October 10, 2006:

- RECOMMENDATION:**
- 1) that the information be received, and
 - 2) that City Council consider Bylaw No. 8539 for proposed closure of portion of right-way along Koyl Avenue.

REPORT

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With reference to the above closure, City Council at its October 2, 2006 meeting, considered the report of the General Manager, Infrastructure Services with regard to the proposed closure of right-of-way along Koyl Avenue and resolved that:

“the consideration of this matter be deferred for two weeks time at which time the Administration report back on the proposed purchase of the lane behind 2401 and 2415 Koyl Avenue by Mr. Ken Kinakin.”

Infrastructure Services is in agreement of the disposal of the above lane, and offered the lane for purchase to Ken Kinakin of Lynx Enterprises of 2401 Koyl Avenue for \$11,439.92 plus GST and Derrick Astle of Mid-West Sportswear Ltd. of 2415 Koyl Avenue for \$11,230.60 plus GST. Mr. Derrick Astle is not interested in purchasing the lane adjacent to his property but is in agreement in letting Ken Kinakin of Lynx Enterprises Ltd. purchase the lane.

Mr. Ken Kinakin of Lynx Enterprises Ltd. has agreed to purchase Area C and Area D as outlined in Plan No. 242-0005-002r001 (Attachment 1) for the purchase price of \$22,670.52 plus GST. Typically, the City will not sell a lane unless it is adjacent to the owners' property. In this case, it is recommended that City Council make an exception.

Since Mr. Kinakin has agreed to purchase both Areas C and D, Infrastructure Services is advising City Council to proceed in the following manner:

1. City Council should pass Bylaw 8539 as presented in the October 2 meeting to close Area A and B and sell the right-of-way as previously proposed: Area A will be sold to Maria Krimmer for \$18,998.69 plus GST, and Area B will be sold to Paul Collyer for \$8,669.52 plus GST.
2. Allow the Administration to commence a separate process to sell Areas C and D to Mr. Ken Kinakin for \$22,670.52 plus GST. A new plan of subdivision, surveys and public hearing will be conducted. A separate bylaw to close Areas C and D will be drafted and presented to City Council for consideration at a later date. This process could take up to six weeks to complete. Costs associated with public hearing and surveys will be borne by Mr. Ken Kinakin.

PUBLIC NOTICE

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

ATTACHMENT

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1. Plan No. 242-0005-002r001”

Mr. Ken Kinakin, Lynx Enterprises, asked Council to defer the proposed lane closure until such time as all properties involved in the lane closure can be dealt with at the same time.

Moved by Councillor Penner, Seconded by Councillor Heidt,

- 1) *that City Council consider Bylaw No. 8539;*
- 2) *that the City Solicitor be instructed to take all necessary steps to bring the intended closing forward and to complete the closing;*
- 3) *that upon closing the portion of right-of-way adjacent to Block 622, Plan 67S25767, as shown on Plan of Proposed subdivision prepared by Tri-City Surveys Ltd. (Attachment 1), Parcel “A” as shown on Plan No. 242-0005-002r001 (Attachment 2) be sold to Maria Krimmer for \$18,998.69 plus GST, and Parcel “B” as shown on Plan No. 242-0005-002r001 (Attachment 2) be sold to Paul Collyer for \$8,669.52 plus GST;*
- 4) *that all costs associated with this closing be paid by the applicant; and*

Moved by Councillor Birkmaier, Seconded by Councillor Neault,

- 5) *that the Administration commence a separate process to sell Areas C and D to Mr. Ken Kinakin for \$22,670.52 plus GST.*

CARRIED.

UNFINISHED BUSINESS

- 9a) Proposed Lane Closure
Proposed Closure of Portion of right-of-way along Koyl Avenue
Block 622, Plan 67S25767
(File No. CK. 6295-1)**
-

DEALT WITH EARLIER. SEE PAGE NO.30.

INTRODUCTION AND CONSIDERATION OF BYLAWS

Bylaw 8539

Moved by Councillor Penner, seconded by Councillor Neault,

THAT permission be granted to introduce Bylaw No. 8539, being “The Street Closing Bylaw, 2006 (No. 10)”, and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Penner, seconded by Councillor Birkmaier,

THAT Bylaw No. 8539 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Penner, Seconded by Councillor Neault,

THAT Council go into Committee of the Whole to consider Bylaw No. 8539.

CARRIED.

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

Committee arose.

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

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That while in Committee of the Whole, Bylaw No. 8539 was considered clause by clause and approved.

Moved by Councillor Penner, Seconded by Councillor Paulsen,

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

CARRIED.

Moved by Councillor Penner, Seconded by Councillor Alm,

THAT permission be granted to have Bylaw No. 8539 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Penner, Seconded by Councillor Dubois,

THAT Bylaw No. 8539 be now read a third time, that the bylaw be passed and the Mayor and the A/City Clerk be authorized to sign same and attach the corporate seal thereto.

CARRIED.

Councillor Alm rose on a point of privilege and expressed appreciation to various colleagues and committees for their help during his term on City Council.

His Worship the Mayor rose on a point of privilege and expressed appreciation to all Council members for their work during the past three-year term.

Moved by Councillor Penner,

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THAT the meeting stand adjourned.

CARRIED.

The meeting adjourned at 7:55 p.m.

Mayor

City Clerk