

Council Chambers
City Hall, Saskatoon, SK
Monday, March 10, 2003
at 7:00 p.m.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

PRESENT: His Worship Mayor Maddin, in the Chair;
Councillors Atchison, Fortosky, Heidt, McCann, Paulsen,
Roe, Swystun and Waygood;
City Manager Richards;
General Manager, Community Services Gauthier;
General Manager, Corporate Services Veltkamp;
A/General Manager, Fire and Protective Services Fawcett;
General Manager, Infrastructure Services Uzelman;
General Manager, Utility Services Hewitt;
City Solicitor Dust;
City Clerk Mann;
Councillors' Assistant Long.

Moved by Councillor Swystun, Seconded by Councillor Heidt,

THAT the minutes of the regular meeting of City Council held on February 24, 2003 be approved.

CARRIED.

HEARINGS

- 2a) Discretionary Use Application**
Night Club
Parcel A, Plan G 693
119 Avenue F North (604 – 22nd Street West)
Caswell Hill Neighbourhood
Applicant: Bentley J. Hamm and Dale W. Budgell
(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 the necessary notification poster has been placed on the site and letters have been sent to adjacent land owners within 60 metres of the site.

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Attached is a report of the Community Services Department dated January 29, 2003, recommending that the application submitted by Bentley J. Hamm requesting permission to use Parcel A, Plan G693 (119 Avenue F North) for the purpose of a night club be approved, subject to the following:

- 1) the night club containing a maximum of 240 square metres (2583.42 square feet) of public assembly area and a maximum of 175 seats;
- 2) there shall be no outdoor deck or seating area;
- 3) the final site development plans for the proposed night club being substantially in accordance with those plans submitted in support of this discretionary use application; and
- 4) the applicant obtaining a development permit and all other relevant permits (such as building and plumbing permits) and licenses prior to the use of this site for the purpose of a night club.

Attached is a report of the Municipal Planning Commission dated February 24, 2003, advising that the Commission supports the above-noted recommendations.

Also attached are copies of the following communications:

- From D.M. Sawatzky, Caswell Hill Community Association, dated March 5, 2003;
- From Sharon Laird, 126 Avenue G North, undated;
- From Dorothy Johnstone, 502 24th Street West, dated March 5, 2003;
- From Lynn Hainsworth, 813 Avenue D North, dated March 5, 2003;
- From Irene Bieber, 134 Avenue G North, dated March 5, 2003; and
- From Milton and Paul Taylor, 716 Queen Street, dated March 7, 2003.”

His Worship Mayor Maddin opened the hearing.

Mr. Randy Grauer, Community Services Department, indicated the Department's support of the proposed application.

Mr. John Waddington, Chair, Municipal Planning Commission, indicated the Commission's support of the proposed application.

Ms. Lynn Hainsworth, 813 Avenue D North, spoke against the proposed application expressing the opinion that there are too many bars in the neighbourhood already.

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Ms. D.M. Sawatzky, Caswell Hill Community Association, spoke against the application, referring to the Caswell Local Area Plan.

Ms. Donna Laird, 125 Avenue G North, indicated that she lives directly behind the proposed night club. She expressed concerns with respect to damage to her property if the application is approved.

Mr. Bentley Hamm, applicant, addressed some of the concerns of the neighbourhood including garbage, damage to property, parking, traffic, impaired drivers and noise. He asked that Council support the application.

Moved by Councillor Heidt, Seconded by Councillor Atchison

THAT the submitted correspondence be received.

CARRIED.

Moved by Councillor Atchison, Seconded by Councillor Roe,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Atchison, Seconded by Councillor McCann,

THAT the application submitted by Bentley J. Hamm requesting permission to use Parcel A, Plan G693 (119 Avenue F North) for the purpose of a night club be approved, subject to the following:

- 1) the night club containing a maximum of 240 square metres (2583.42 square feet) of public assembly area and a maximum of 175 seats;*
- 2) there shall be no outdoor deck or seating area;*
- 3) the final site development plans for the proposed night club being substantially in accordance with those plans submitted in support of this discretionary use application; and*

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- 4) *the applicant obtaining a development permit and all other relevant permits (such as building and plumbing permits) and licenses prior to the use of this site for the purpose of a night club.*

THE MOTION WAS PUT AND LOST.

**2b) Discretionary Use Application
Bed and Breakfast Home
Lot 50, Block 4, Plan 99SA06423
1036 Spadina Crescent East – City Park Neighbourhood
Applicant: Bernadette/Lorne Mysko
(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 the necessary notification poster has been placed on the site and letters have been sent to adjacent land owners within 60 metres of the site.

Attached is a report of the Community Services Department dated January 30, 2003, recommending that the application submitted by Bernadette/Lorne Mysko requesting permission to use Lot 50, Block 4, Plan 99SA06423 (1036 Spadina Crescent East) for the purpose of a Bed and Breakfast Home be approved, subject to:

- 1) the applicant obtaining all relevant permits (such as building and plumbing permits) and licenses prior to the use of this site for the purpose of a Bed and Breakfast Home;
- 2) the owner/applicant being solely responsible for any work and expense associated with upgrades to water and sewer connections; and
- 3) the proposal being commenced within 24 months of the date of City Council’s approval.

Attached is a report of the Municipal Planning Commission dated February 24, 2003, advising that the Commission supports the above-noted recommendations.”

His Worship Mayor Maddin opened the hearing.

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Mr. Randy Grauer, Community Services Department, indicated the Department's support of the application.

Mr. John Waddington, Chair, Municipal Planning Commission, indicated the Commission's support of the application.

Moved by Councillor Atchison, Seconded by Councillor Fortosky,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Atchison, Seconded by Councillor Roe,

THAT the application submitted by Bernadette/Lorne Mysko requesting permission to use Lot 50, Block 4, Plan 99SA06423 (1036 Spadina Crescent East) for the purpose of a Bed and Breakfast Home be approved, subject to:

- 1) the applicant obtaining all relevant permits (such as building and plumbing permits) and licenses prior to the use of this site for the purpose of a Bed and Breakfast Home;*
- 2) the owner/applicant being solely responsible for any work and expense associated with upgrades to water and sewer connections; and*
- 3) the proposal being commenced within 24 months of the date of City Council's approval.*

CARRIED.

COMMUNICATIONS TO COUNCIL

The following communications were submitted and dealt with as stated:

A. REQUESTS TO SPEAK TO COUNCIL

**1) P. Raymond Martineau
410 Skeena Court, dated February 20**

Requesting permission to address Council with respect to the Mendel Art Gallery.

RECOMMENDATION: that P. Raymond Martineau be heard.

Moved by Councillor Atchison, Seconded by Councillor Roe,

that P. Raymond Martineau be heard.

CARRIED.

Mr. P. Raymond Martineau, 410 Skeena Court, spoke with respect to the Mendel Art Gallery's plans for a new facility. He provided Council with a copy of his presentation, as well as a copy of a letter sent to him from the Mendel Art Gallery dated May 9, 2003 and his reply dated May 16, 2003.

Moved by Councillor Atchison, Seconded by Councillor Heidt,

THAT the matter be referred to the Administration and Finance Committee for further discussion with members of the Mendel Board, if they wish to attend, and report back to Council.

CARRIED.

**2) D.M. Sawatzky
Caswell Hill Community Association, dated February 26**

Requesting permission to address Council with respect to Enterprise Zones.

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RECOMMENDATION: that D.M. Sawatzky be heard.

The City Clerk advised that Ms. D.M. Sawatzky has asked that her request to speak be withdrawn at this time.

Moved by Councillor Atchison, Seconded by Councillor Swystun,

THAT the information be received.

CARRIED.

**3) Caroline Melsted
Canadian Progress Club, Saskatoon Meewasin, dated March 4**

Requesting permission for Brenda McBain to address Council with respect to a request for use of facilities at the Forestry Farm Park and Zoo, in connection with a spring party for the Candlelighters, children receiving cancer treatment and their families. (File No. CK. 1870-3)

RECOMMENDATION: that Brenda McBain be heard.

Moved by Councillor Atchison, Seconded by Councillor Swystun,

THAT Brenda McBain be heard.

CARRIED.

Ms. Brenda McBain, Canadian Progress Club, explained that the Canadian Progress Club is an organization involved with children suffering from cancer, and their families (Candlelighters). She requested that the City waive entrance fees, train ride fees and rental of the hall at the Forestry Farm Park and Zoo for a spring party planned for the Candlelighters.

Moved by Councillor Paulsen, Seconded by Councillor Atchison,

THAT the request be referred to the Administration to consider as part of the Community Initiatives Program process and report to the Administration and Finance Committee.

CARRIED.

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**4) Sue Barrett, Chairperson
Marr Residence Management Board, dated March 4**

Requesting permission to address Council to present the 2002 Marr Residence Management Board Annual Report. (File No. CK. 430-60)

RECOMMENDATION: that Sue Barrett be heard.

Moved by Councillor Atchison, Seconded by Councillor Roe,

THAT Sue Barrett be heard.

CARRIED.

Ms. Sue Barrett, Chairperson, Marr Residence Management Board, presented the 2002 Annual Report of the Marr Residence Management Board, highlighting some of the aspects of the report.

Moved by Councillor Waygood, Seconded by Councillor Swystun,

THAT the information be received.

CARRIED.

AA. ITEMS WHICH REQUIRE THE DIRECTION OF CITY COUNCIL

**1) Arnold Grambo, President
Hudson Bay Route Association, dated February 18**

Providing an update on the Hudson Bay Route Association, and submitting an invoice in the amount of \$200.00 for the 2003 Membership Fees. (File No. CK. 155-7)

RECOMMENDATION: that the 2003 Membership Fee of \$200.00 for the Hudson Bay Route Association be paid.

Moved by Councillor Roe, Seconded by Councillor Atchison,

THAT the 2003 Membership Fee of \$200.00 for the Hudson Bay Route Association, be paid.

CARRIED.

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**2) Howard Pushie and Harold Kinzel,
Walking Path Group, dated February 17**

Expressing appreciation for the City's support for the Walking Path Group's initiative to construct a pathway in Nutana Kiwanis Park suitable for use by older adults, and the hope that construction can begin in the spring of 2003.

RECOMMENDATION: that the information be received.

Moved by Councillor Waygood, Seconded by Councillor Swystun,

THAT the information be received.

CARRIED.

**3) Janice Mann, Secretary
The Board of Police Commissioners, dated February 25**

Forwarding a report of the Chief of Police regarding bus mall crime statistics. (File CK. 7311-2)

RECOMMENDATION: that the information be received.

Moved by Councillor Roe, Seconded by Councillor Waygood,

THAT the information be received and joined to the file.

CARRIED.

**4) Janice Mann, Secretary
The Board of Police Commissioners, dated February 25**

Forwarding a copy of a communication dated February 22, 2003, from Colleen Norris, with respect to the Community Policing Initiative. (File No. CK. 5000-1)

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RECOMMENDATION: that the information be received.

Moved by Councillor Waygood, Seconded by Councillor Atchison,

THAT the information be received.

CARRIED.

5) Judy Junor, Minister of Learning, dated February 24

Responding to the letter from Council asking the province to establish a Tax Review Committee relative to the funding of education in Saskatchewan, and forwarding an information sheet describing how education is funded in Saskatchewan, and comparative information on Saskatoon school division funding. (File No. CK. 225-56)

RECOMMENDATION: that the information be received and a copy forwarded to the Committee on Economic Growth.

Moved by Councillor Atchison, Seconded by Councillor Swystun,

THAT the information be received and a copy forwarded to the Committee on Economic Growth and to the Saskatchewan Urban Municipalities Association.

CARRIED.

**6) Judy M. Koutecky, Administrative Assistant
Mendel Art Gallery, dated February 26**

Submitting notice of the Annual General Meeting of the Saskatoon Gallery and Conservatory Corporation to be held on Tuesday, April 1, 2003 at 7:00 p.m. (File No. CK. 153-1)

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RECOMMENDATION: that the City of Saskatoon, being a member of The Saskatoon Gallery and Conservatory Corporation, appoint James Maddin, or in his absence, Patricia Roe or Lenore Swystun of the City of Saskatoon in the Province of Saskatchewan, as its proxy to vote for it on its behalf at the Annual General Meeting of the members of The Saskatoon Gallery and Conservatory Corporation, to be held on the 1st day of April, 2003, or at any adjournment or adjournments thereof.

Moved by Councillor McCann, Seconded by Councillor Roe,

THAT the City of Saskatoon, being a member of The Saskatoon Gallery and Conservatory Corporation, appoint James Maddin, or in his absence, Patricia Roe or Lenore Swystun of the City of Saskatoon in the Province of Saskatchewan, as its proxy to vote for it on its behalf at the Annual General Meeting of the members of The Saskatoon Gallery and Conservatory Corporation, to be held on the 1st day of April, 2003, or at any adjournment or adjournments thereof.

CARRIED.

**7) K. C. (Ken) Turner
1503 Adelaide Street East, dated February 24**

Submitting comments with respect to the costs to use city-owned recreation facilities, and supporting youth in recreation. (File No. CK. 1720-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Atchison, Seconded by Councillor Roe,

THAT the information be received.

CARRIED.

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**8) Ryan Rosenberg, Property Management Committee
Saskatoon Farmers' Market, dated February 19**

Expressing gratitude for the use of Lakewood Civic Centre parking lot for the Farmers' Market in 2002, and requesting use of the parking lot from May, 2003 until Thanksgiving week, on Tuesdays from 9:30 a.m. to 5:30 p.m. (File No. CK. 205-7)

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

Moved by Councillor Paulsen, Seconded by Councillor Swystun,

THAT the request be approved subject to administrative conditions.

CARRIED.

**9) Heather Larson, Executive Director
Broadway Business Improvement District, dated February 21**

Requesting that Brent Herman be appointed to the Broadway Business Improvement District Board of Management. (File No. CK. 175-47)

RECOMMENDATION: that Mr. Brent Herman be appointed to the Broadway Business Improvement District Board of Management.

Moved by Councillor Paulsen, Seconded by Councillor Atchison,

THAT Mr. Brent Herman be appointed to the Broadway Business Improvement District Board of Management.

CARRIED.

**10) Stuart Makaroff
106 Lindsay Drive, undated**

Submitting comments with respect to renaming Saskatchewan Place. (File No. CK. 611-3)

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RECOMMENDATION: that the information be received and forwarded to the Saskatchewan Place Board of Directors.

Moved by Councillor Atchison, Seconded by Councillor Heidt,

THAT the information be received and forwarded to the Saskatchewan Place Board of Directors.

CARRIED.

**11) John Romancia
239 Willoughby Crescent, dated February 26**

Submitting comments with respect to police staffing. (File No. CK. 5000-1)

RECOMMENDATION: that the information be received and forwarded to the Board of Police Commissioners.

Moved by Councillor Heidt, Seconded by Councillor Paulsen,

THAT the information be received and forwarded to the Board of Police Commissioners.

CARRIED.

**12) Dave Dutchak, Chair
Saskatoon District Planning Commission, dated March 4**

Providing an update to the District Planning Commission's letter dated February 10, 1999, regarding its willingness to explore opportunities to discuss its mandate, role and method of operation with the City and R.M. Councils.

RECOMMENDATION: that the matter be referred to the Administration for a report.

Moved by Councillor Paulsen, Seconded by Councillor Atchison,

THAT the information be received and joined to the file.

CARRIED.

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**13) Shelley Newfeldt
747 Coppermine Crescent, dated March 2**

Expressing concerns with respect to a possible re-opening of Coppermine Crescent. (File No. CK. 6320-1)

RECOMMENDATION: that the information be received and the writer be advised that the City is not considering re-opening Coppermine Crescent.

Moved by Councillor Heidt, Seconded by Councillor Swystun,

THAT the information be received and the writer be advised that the City is not considering re-opening Coppermine Crescent.

CARRIED.

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

Requesting that Phyllis Lodoen be appointed, as the Riversdale Business Improvement District's representative, to the Municipal Heritage Advisory Committee, to replace Jan Beavis.

RECOMMENDATION: that Ms. Phyllis Lodoen be appointed as the Riversdale Business Improvement District's representative, to the Municipal Heritage Advisory Committee, to replace Ms. Jan Beavis.

Moved by Councillor Fortosky, Seconded by Councillor Waygood,

THAT Ms. Phyllis Lodoen be appointed as the Riversdale Business Improvement District's representative, to the Municipal Heritage Advisory Committee, to replace Ms. Jan Beavis.

CARRIED.

**15) M. Kralkay
306 Jan Crescent, undated**

Expressing support for the proposed University Heights complex, and the need for a soccer facility. (File No. CK. 610-6)

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**16) Neil Pritchard
102 810 Mendel Crescent, undated**

Expressing support for the proposed University Heights complex, and the need for a soccer facility. (File No. CK. 610-6)

**17) Brent Burbridge
306 Braeshire Rise, dated February 28, 2003**

Requesting a soccer facility on the east side of Saskatoon. (File No. CK. 610-6)

RECOMMENDATION: that the information be received and joined to the file.

Moved by Councillor Paulsen, Seconded by Councillor Atchison,

THAT the information be received and joined to the file.

CARRIED.

18) Garry Burhart and Others, undated

Four letters expressing opposition to the campaign by the Canadian Federation of Independent Business to privatize city services. (File No. CK. 1910-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Atchison, Seconded by Councillor Roe,

THAT the information be received.

CARRIED.

**19) Mary Smillie, President and Lynn Greaves, Chairperson, Advocacy Committee
Saskatchewan Coalition for Tobacco Reduction, dated February 21**

Encouraging the City to pass a bylaw that will protect hospitality workers from the dangers of second-hand smoke, and providing Council with an information kit. (File No. CK. 185-3)

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**20) Paul Van Loon
Lung Association of Saskatchewan, dated March 5**

Submitting a document entitled *Tobacco Industry Uses Hospitality Associations to Fight ETS Protection, Does it Happen In Saskatchewan?* (File No. CK. 185-3)

RECOMMENDATION: that the letters be referred to the Executive Committee's file.

Moved by Councillor Heidt, Seconded by Councillor Swystun,

THAT the letters be referred to the Executive Committee's file, and that the writers be advised as to the process the City is undertaking.

CARRIED.

**21) Joanne Sproule, Secretary
Saskatoon Development Appeals Board, dated February 26**

Submitting notice of Development Appeal Board Hearing for property located at 622 Duchess Street. (File No. CK. 4352-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Waygood, Seconded by Councillor Swystun,

THAT the information be received.

CARRIED.

**22) James Knight, Chief Executive Officer
Federation of Canadian Municipalities (FCM), dated March 5**

Advising that The Federation of Canadian Municipalities (FCM) is partnering with Health Canada to test a new resource called "*Smoke-Free Public Places: You Can Get There*", and that municipalities interested in applying to participate, must have the completed Expression of Interest Form returned to FCM by March 17, 2003. (File No. CK. 185-3)

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RECOMMENDATION: that the direction of Council issue.

Moved by Councillor Paulsen, Seconded by Councillor Swystun,

THAT the letter be forwarded to the Public Health Officer.

CARRIED.

B. ITEMS WHICH HAVE BEEN REFERRED FOR APPROPRIATE ACTION

**1) Roy and Cecile Kargut
2301 Taylor Street East, dated February 24**

Expressing concerns with respect to parking around Walter Murray Collegiate. (File CK. 6120-2)
(Referred to the Administration to be joined to the previous referral.)

**2) R.J. Rogers, Habitat Trust Chairman
Saskatoon Wildlife Federation, dated February 14**

Expressing concerns with respect to the removal of trees as part of the Southeast Sector Storm Water Management Project. (File No. CK. 4131-12-1) **(Referred to the Administration for a report.)**

**3) K.C. (Ken) Turner
1503 Adelaide Street East, dated February 26**

Commenting on the removal of trees in the south east sector area. (File No. CK. 4139-4)
(Referred to the Administration for a report.)

**4) Stu Irvine, President and Chief Operating Officer
Mitchell's Gourmet Foods Inc., dated February 21**

Expressing concerns with respect to traffic on 11th Street. (File No. CK. 6320-1) **(Referred to the Administration for a report.)**

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- 5) **Thomas Anweiler**
425 Avenue I North, dated February 27

Submitting comments with respect to Holiday Park Golf Course. (File No. CK. 4135-1) **(Referred to the Administration.)**

- 6) **Les and Leanne Zmud**
3315 Cassino Avenue, dated March 3

Requesting a subdivision on property located at 1203 Lancaster Boulevard. (File No. CK. 4300-2) **(Referred to the Administration.)**

RECOMMENDATION: that the information be received.

Moved by Councillor Roe, Seconded by Councillor McCann,

THAT the information be received.

CARRIED.

C. PROCLAMATIONS

- 1) **Laura Hahn, President**
Saskatchewan Association of Records Managers & Administrators, dated March 3

Requesting that Council proclaim the month of April, 2003 as Records and Information Management Month (RIMM) in Saskatoon. (File No. CK. 205-5)

- 2) **Jim Bitinsky, President**
Saskatoon and District Labour Council, dated February 24

Requesting that Council proclaim April 28, 2003 as an Annual Day of Mourning in Saskatoon, in recognition of workers killed, injured or disabled on the job. (File No. CK. 205-5)

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**3) Karen Conway, General Manager
Saskatoon Symphony, dated March 3**

Requesting that Council proclaim September 22 to 28, 2003 as Symphony Week in Saskatoon.
(File No. CK. 205-5)

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

Moved by Councillor Fortosky, Seconded by Councillor Atchison,

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

CARRIED.

REPORTS

General Manager, Community Services Gauthier presented Section A, Administrative Report No. 5-2003;

General Manager, Infrastructure Services Uzelman presented Section D, Administrative Report No. 5-2003;

City Manager Richards presented Section F, Administrative Report No. 5-2003:

Councillor Roe, Chair, presented Report No. 4-2003 of the Planning and Operations Committee;

Councillor McCann, Member, presented Report No. 1-2003 of the Board of Trustees – City of Saskatoon General Superannuation Plan,

Councillor Heidt, Chair, presented Report No. 2-2003 of the Land Bank Committee; and

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His Worship the Mayor presented Report No. 4-2003 of the Executive Committee.

Moved by Councillor Swystun, Seconded by Councillor Atchison,

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

- a) Administrative Report No. 5-2003;*
- b) Report No. 4-2003 of the Planning and Operations Committee;*
- c) Report No. 1-2003 of the Board of Trustees – City of Saskatoon General Superannuation Plan;*
- d) Report No. 2-2003 of the Land Bank Committee; and*
- e) His Worship the Mayor presented Report No. 4-2003 of the Executive Committee.*

CARRIED.

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

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

Committee arose.

Councillor Fortosky, 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:

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ADMINISTRATIVE REPORT NO. 5-2003

Section A – Community Services Department

- A1) Easement Requirement – SaskPower
Briarwood Road - Briarwood
MB25 & MB26, Saskatoon, Plan 101427588 and
Lot C, Block 115, Saskatoon, Plan 00SA24077
(File No. CK. 4090-3)**

- RECOMMENDATION:**
- 1) that City Council grant an easement to SaskPower as outlined on the attached plan; and
 - 2) that His Worship the Mayor and the City Clerk be authorized to execute, on behalf of the City of Saskatoon under the Corporate Seal, the appropriate agreement as prepared by the City Solicitor.

ADOPTED.

Carol A. Moore, on behalf of SaskPower's Land Department, has requested the City's approval for an easement over MB25 & MB26, Saskatoon, Plan 101427588 and Lot C, Block 115, Saskatoon, Plan 00SA24077, as outlined on Attachment 1. The purpose of this easement is to install some facilities on the above-mentioned area.

The Community Services Department and Infrastructure Services Department have no objection to the granting of this easement to SaskPower.

PUBLIC NOTICE

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

ATTACHMENT

1. Part of Registered Plan 101427588

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**A2) Request For Encroachment Agreement
1801 Avenue E North
Lots 1 & 2, Block 12, Plan G215
(File No. CK. 4070)**

- RECOMMENDATION:**
- 1) that City Council recognize the encroachment at 1801 Avenue E North (Lot 1 & 2, Block 12, Plan G215);
 - 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.

Leland Kimpinski, Barristers & Solicitors, on behalf of Rose Mallow, the new registered owner of the property located at 1801 Avenue E North, have requested to enter into an Encroachment Agreement with the City of Saskatoon. As shown on the attached Real Property Report, part of the garage encroaches onto the lane at the rear of Lot 1. The total area of encroachment is approximately 4 metres squared and will, therefore, be subject to an annual charge of \$50.00. This encroachment has probably existed since the building was constructed.

PUBLIC NOTICE

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

ATTACHMENTS

1. Letter from Leland Kimpinski, Barristers & Solicitors dated February 7, 2003
2. Real Property Report dated March 29, 2000

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**A3) Land-Use Applications Received by the Community Services Department
For the Period Between
(For Information Only)
(File No. CK. 4000-5)**

RECOMMENDATION: that the following report be received as information.

ADOPTED.

The following applications have been received and are being processed:

Condominium

- Application No. 1/03: 219 Heath Avenue
Applicant: Peters Surveys for Seymour Pacific Developments Ltd.
Legal Description: Lot 2, Block 437, Registered Plan 01SA04536
Current Zoning: M3
Neighbourhood: University Heights Suburban Centre
Date Received: February 17, 2003

Condominium

- Application No. 2/03: 406 Nelson Road
Applicant: Peters Surveys for Seymour Pacific Developments Ltd.
Legal Description: Lot 1, Block 437, Plan 01SA04536
Current Zoning: M3
Neighbourhood: University Heights Suburban Centre
Date Received: February 17, 2003

Condominium

- Application No. 3/03: 498 Perehudoff Crescent
Applicant: T. Webb Surveys for David Lazeski
Legal Description: Lot Y, Block 302, Plan 94S22021
Current Zoning: RM3
Neighbourhood: Erindale
Date Received: February 24, 2003

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Development Plan

- Amendment No. DPA10/03: Caswell Hill LAP implementation
Applicant: City of Saskatoon
Legal Description: various
Current Land Use Designation: various
Proposed Land Use Designation: various
Neighbourhood: Caswell Hill
Date Received: February 19, 2003

Discretionary Use

- Application No. D 2/03: 1114 Avenue P South
Applicant: Tamara Katelnikoff
Legal Description: Lots 12 & 13, Block A, Plan (EF) G1776
Current Zoning: R2
Proposed Use: Day Care
Neighbourhood: Holiday Park
Date Received: February 27, 2003

Rezoning

- Application No. Z8/03: 201 Avenue O South
Applicant: Larson Intervention House Inc.
Legal Description: Lots 1 and 2, Block 25, Plan FV
Current Zoning: M3 by Agreement
Proposed Zoning: Amendment to the M3 by Agreement
Neighbourhood: Pleasant Hill
Date Received: February 5, 2003

Rezoning

- Application No. Z11/03: Caswell Hill LAP implementation
Applicant: City of Saskatoon
Legal Description: various
Current Zoning: various
Proposed Zoning: various
Neighbourhood: Caswell Hill
Date Received: February 19, 2003

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Section D – INFRASTRUCTURE SERVICES

**D1) Appointment of Pest Control Officer – 2003
Dutch Elm Disease Control Regulations, *The Pest Control Act*
(File No. CK. 4200-8)**

- RECOMMENDATION:**
- 1) that Mr. Ian Birse and Mr. Jeff Balone of the Infrastructure Services Department be appointed as the City of Saskatoon’s 2003 Pest Control Officers, in accordance with the provisions of *The Pest Control Act*; and
 - 2) that the City Clerk notify the Minister of Agriculture and Food as per Article 14 of *The Pest Control Act*.

ADOPTED.

Section 13, Article 1 of *The Pest Control Act* (Saskatchewan) requires that City Council appoint one or more Pest Control Officers annually. The function of the Officer is to enforce the Dutch Elm Disease Regulations specified in this Act.

Mr. Ian Birse, Superintendent, Urban Forestry, and Mr. Jeff Balone, Pest Control Technician, both of Infrastructure Services, are recommended for appointment to this office for 2003.

PUBLIC NOTICE

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

**D2) Proposed Disabled Person’s Loading Zone
(File No. CK. 6145-1)**

- RECOMMENDATION:** that a Disabled Person’s Loading Zone be installed in front of 108A – 111th Street West.

ADOPTED.

Infrastructure Services has received a request from the resident of 108A – 111th Street West for the installation of a Disabled Person’s Loading Zone in front of the residence. The resident has a physical impairment such that direct access to the front of their home is required.

The loading zone conforms to City guidelines with respect to Disabled Person’s Loading Zones, and no fee is assessed for its installation.

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PUBLIC NOTICE

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

**D3) Willowgrove Neighbourhood Area Grading
Capital Project No. 1396-2
(File No. CK. 4111-1)**

- RECOMMENDATION:**
- 1) that City Council approve the excavation and hauling of fill material from the Willowgrove neighbourhood to the planned Circle Drive/College Drive interchange location in order to construct the approach embankments; and
 - 2) that the General Prepaid Engineering Services Reserve be used as an interim funding source for this work at an estimated cost of \$500,000, and that the 2003 budget for Capital Project 2002 – Circle Drive/College Drive Interchange be increased by this amount to allow the work to proceed.

ADOPTED.

REPORT

The City will begin the servicing of approximately 225 residential lots in the Willowgrove neighbourhood this year. In preparation for underground servicing and construction of area roadways, topsoil removal and grading will occur to bring the lots, roadways, and drainage areas to design grades. This work is scheduled to begin as conditions permit this spring. Sufficient approved funding is in place for this to occur.

The Administration has also begun the process of completing the design of the interchange planned for Circle Drive/College Drive as detailed under Capital Project 2002. The project has \$250,000 of approved funding in place for 2003 to complete the detailed roadway and overpass designs. Based upon the most recent design estimates, relatively little, if any, of this project funding will be available to begin construction of the interchange approach embankments as previously contemplated. It is always the objective of Infrastructure Services to construct the overpass approach embankments in advance of the road and bridge construction to allow settlements to occur. This is not only good engineering practice, but saves on long term maintenance costs and provides a more serviceable riding surface.

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As with other past interchange projects, the availability of suitable fill material for the approach embankment construction has become an issue. The material must have suitable structural characteristics as well as be relatively inexpensive to import, as there is insufficient material available at the planned interchange site. The shortfall of material for the embankment construction is estimated at 100,000 cubic metres. Without creating a borrow source, there are no known sources of this volume of fill material that may be available over the next several years.

JUSTIFICATION

With the Willowgrove development beginning this year, an opportunity presents itself to produce the required volume of fill material for the Circle Drive/College Drive interchange. The Willowgrove neighbourhood plan incorporates a linear drainage/park feature as well as two storm water management/park areas that can be designed to produce the required amounts of suitable material for the interchange. The material cut from the Willowgrove neighbourhood would be 'free', but the interchange project would have to pay the excavation, load, haul, place, and compaction costs. The estimated cost to construct the approach embankments for the Circle Drive/College Drive interchange project, utilizing this cut material from Willowgrove, is \$500,000.

Aside from the technical reason for placing the embankment material for the interchange now, rather than later, as mentioned above, there are a number of other reasons for aligning the two projects in this fashion.

- Cost saving measure for the Circle Drive/College Drive interchange project. The embankment material will be obtained at no cost from a nearby source, thus minimizing the truck haul and thus total costs. The Administration wants to mitigate the risk that this quantity of material would not be available at a future date and if it was, the additional costs that would be involved to secure it.
- While the Willowgrove neighbourhood project will incur no additional costs as a result of this diversion of material, there is a very good probability that overall area grading development costs will be reduced by avoiding the potential for hauling and stockpiling this material within the development area at some future date.
- McOrmond Drive will be reconstructed this year between Attridge Drive and Highway #5. In order to utilize the fill material generated by Willowgrove, trucks would have to travel along McOrmond Drive to haul the material to the Circle Drive/College Drive intersection. As such, Infrastructure Services wishes to utilize the existing McOrmond Drive as a haul route. The existing road was originally constructed as a temporary structure and it will be removed once the haul is complete, thus avoiding the severe truck loading that would occur on the new McOrmond Drive roadway if the material were hauled at a later time.

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- Beginning the Circle Drive/College Drive embankments creates the further opportunity for the City to accept 'free' material from private sources that will again reduce overall project costs. For example, when the embankments for the Circle Drive/22nd Street Interchange were being built, the City was able to obtain nearly 15,000 cubic metres of suitable, free material from private sources.
- By adding this additional work to the Willowgrove area-grading contract, which is already a relatively large contract, the Administration hopes to realize further economies of scale and obtain very favourable unit pricing for this work.

OPTIONS

The only other option considered was to not proceed with the construction of the embankments at this time. The Administration recommends against this course of action for the reasons stated above.

POLICY IMPLICATIONS

There are no policy issues associated with the action requested of City Council in this report as it has been past practice to interim finance components of projects from the City's reserves.

FINANCIAL IMPACT

There is currently no funding available for this work in Capital Project 2002 – Circle Drive/College Drive Interchange. The Administration is very desirous of taking advantage of the unique opportunity to marry these two projects with an overall positive outcome for both. As such, the Administration is recommending that interim funding for this work be allocated from the General Prepaid Engineering Services Reserve in the amount of \$500,000. To reflect this, 2003 funding for Capital Project 2002 – Circle Drive/College Drive Interchange would be increased by \$500,000 to \$750,000. There is sufficient funding available within the general prepaid land development reserves to fund this interim financing proposal, and the reserve will be repaid once project funding is approved for Capital Project 2002 – Circle Drive/College Drive Interchange. Construction of the interchange is currently identified within the 5 Year Capital Plan to begin in 2004 and be completed in 2005, subject to City Council approval.

The tender for the Willowgrove Neighbourhood area grading is currently being prepared and Infrastructure Services wishes to include the additional work of embankment construction for the Circle Drive/College Drive Interchange within it, should City Council agree to the recommendations in this report. The tender is being prepared for pickup on March 24 with tender award occurring by April 15. Construction would commence approximately May 1.

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PUBLIC NOTICE

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

Section F – CITY MANAGER

**F1) Year 2002 Annual Report
2003 - 2005 Corporate Business Plan
(File No. CK. 430-71)**

RECOMMENDATION: that City Council receive the 2003 - 2005 Corporate Business Plan and the 2002 Annual Report.

At their annual planning session in January, 2003, the senior managers reviewed the Strategic Plan in preparation for both the 2002 Annual Report and the 2003 - 2005 Corporate Business Plan.

Your Administration is now pleased to present its third Annual Report. This report highlights the major accomplishments that took place in the year 2002.

Also attached is a new three-year Corporate Business Plan for the years 2003 to 2005. Included in this plan are the objectives that will guide the Administration over the next three years.

PUBLIC NOTICE

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

ATTACHMENTS

1. Annual Report – City of Saskatoon – Year 2002
2. Corporate Business Plan 2003 - 2005

IT WAS RESOLVED: 1) that the 2003-2005 Corporate Business Plan and 2002 Annual Report be received; and

2) that the matter be referred to the Executive Committee for further discussion regarding Council's priorities.

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REPORT NO. 4-2003 OF THE PLANNING AND OPERATIONS COMMITTEE

Composition of Committee

Councillor P. Roe, Chair
Councillor D. Atchison
Councillor P. McCann
Councillor K. Waygood

- 1. The Traffic Amendment Bylaw, 2002 (No. 3)
and
Enquiry – Councillor G. Penner (October 21, 2002)
School Speed Zone Sign – Preston Avenue near Circle Drive Alliance Church
and
Communications to Council
From: Ron Arnold
15 McLean Crescent
Date: November 15, 2002
Subject: School Speed Zone Sign on Preston Avenue South
(FILES CK 5200-5 and 6280-1)**

RECOMMENDATION: that the Draft Policy, Reduced Speed Zones for Schools, be adopted as City Council policy respecting the installation of reduced speed limits on streets near schools in Saskatoon.

Your Committee has considered the attached report of the General Manager, Infrastructure Services Department dated February 11, 2003, with respect to the above matters. The report includes a copy of the proposed Reduced Speed Zones for Schools Policy, as well as a copy of the report of the General Manager, Infrastructure Services Department, dated April 23, 2002.

Following review of the matter with the Administration, your Committee is supporting the recommendation that the draft policy, Reduced Speed Zones for Schools, be adopted as City Council policy respecting the installation of reduced speed limits on streets near schools in Saskatoon.

Your Committee does not support the recommendation from the Administration for removal of the reduced speed zone on Preston Avenue south of Circle Drive for the Maria Montessori School. This recommendation was submitted in response to an enquiry made by Councillor Penner, as well as a request under the attached letter dated November 19, 2002, from Mr. Ron Arnold.

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As background information, City Council, at its meeting held on May 6, 2002, adopted the following recommendations of the Executive Committee:

- “1) that the Administration proceed with the implementation of reduced speed limits in elementary and secondary school zones in 2002;
- 2) that the City Solicitor be instructed to prepare an amendment to Bylaw No. 7200, The Traffic Bylaw, describing the reduced limits in school and playground zones;
- 3) that a formal policy be developed regarding the implementation of reduced speed limits in school and playground zones as described in the report of the General Manager, Infrastructure Services, dated April 23, 2002 and as amended above; and
- 4) that the Administration report further with respect to reduced speed zones in stand-alone playground areas.”

As noted in the report of the General Manager, Infrastructure Services Department dated February 11, 2003:

“The implementation of the reduced speed zones was based upon the policy presented by the Administration to the Executive Committee, and after considerable debate the Committee resolved that the reduced speed zones would be a 30 kph speed limit in effect from 0800 – 1700, Monday to Friday from September 1 to June 30. This report formalizes, by policy, reduced speed zones for schools as directed by Resolution 3) of the Executive Committee recommendations stated above.”

With respect to Resolution 2) above, City Council, at its meeting held on August 12, 2002, passed the attached Bylaw No. 8141 to provide for reduced speeds in school or playground zones, and referred the matter of the days and times on the signs to the Administration for a report. The February 11, 2003 report of the General Manager, Infrastructure Services Department also addresses this issue, as noted above.

IT WAS RESOLVED: that the matter be deferred until the April 7, 2003, City Council meeting.

**2. Amendments to the Residential Parking Permit Program
Varsity View
(File No. CK. 6120-4-3)**

RECOMMENDATION: that the Residential Parking Permit Program Policy be adopted as formal City Council policy.

ADOPTED.

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Your Committee has considered the attached report of the General Manager, Infrastructure Services Department dated February 20, 2003, regarding an update on the Varsity View Residential Parking Permit Program and outlining a recommendation that the Residential Parking Permit Program be adopted as formal City Council Policy.

During review of this matter, your Committee also considered the attached letter dated March 3, 2003 from Mr. Murray Fulton, Past President, Varsity View Community Association. Your Committee has been advised that the issues raised by Mr. Fulton are covered in the proposed policy. Your Committee supports the recommendation for approval of the Residential Parking Permit Program Policy.

As background information, City Council, at its meeting held on September 24, 2001, when dealing with amendments to the Varsity View Residential Parking Permit Program, resolved, in part:

- “9) that the Administration undertake consultation with the broadest possible range of stakeholders in as timely a fashion as possible and report back to the Planning and Operations Committee respecting a solution to the parking issues within the Varsity View neighbourhood including, but not limited to, a discussion on a 2 ½ hour limit on parking restrictions.”

As further background information with respect to the overall Residential Parking Permit Program, City Council, at its meeting held on April 17, 1998, approved criteria for the establishment of such a program and requested the City Solicitor to prepare the appropriate bylaw to implement the program. Since that time, the necessary bylaw has been passed by City Council. Attached is a copy of Residential Parking Program Bylaw No. 7862. As noted in the February 20, 2003 report of the General Manager, Infrastructure Services, the Administration would like to formalize the proposed City Council Policy - Residential Parking Permit Program, attached to that report.

**3. 2002 Annual Report – Traffic Safety Committee
(File No. CK. 430-59)**

RECOMMENDATION: that the information be received.

ADOPTED.

Your Committee has considered the 2002 Annual Report of the Traffic Safety Committee, copy attached, and is forwarding the report to City Council as information.

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**4. 2002 Annual Report
Visual Arts Placement Jury
(File No. CK. 225-44)**

RECOMMENDATION: that the information be received.

ADOPTED.

Your Committee has reviewed and is forwarding the attached 2002 Annual Report of the Visual Arts Placement Jury to City Council as information.

**5. Enquiry – Councillor T. Paulsen (May 21, 2002)
Development of Environmental Purchase Plan
(File No. CK. 1000-1)**

RECOMMENDATION:

- 1) that City Council authorize the development of an Environmental Purchasing Policy similar to policies referred to in report dated September 17, 2002, in order to establish direction and increase awareness of environmentally-preferable purchasing;
- 2) that Department Managers promote the Environmental Purchasing Policy to their staff, once the Policy has been established, and encourage staff to review and amend specifications and purchase products that are environmentally-friendly whenever possible, and economically feasible;
- 3) that Purchasing Services work with departments to review tender specifications and revise them to reflect environmental considerations as appropriate;
- 4) that all Departments endeavour to expand the number of environmentally-friendly products that are currently purchased and focus on other items that are available with recycled content;
- 5) that the Administration be authorized to develop standard clauses to be included with tender documents which would provide for consideration of environmental characteristics of products and reduced product packaging;

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- 6) that selection of environmentally-friendly products shall include competitive prices and fall within approved City criteria, and as well, the performance of products or services shall not alter the intended use of the products/services; and
- 7) that Purchasing Services continue to participate in the Association of Canadian Cities for Environmentally-Sound Strategies.

ADOPTED.

Your Committee has considered the attached report of the General Manager, Corporate Services Department dated January 8, 2003, which includes the September 17, 2002 report referenced in Recommendation 1) above.

Your Committee has been advised by the Saskatoon Environmental Advisory Committee that the above report of the Corporate Services Department has been considered by that Committee and that the above recommendations are being submitted for consideration by the Planning and Operations Committee and City Council. The Planning and Operations Committee supports the above recommendations.

Your Committee has been advised further regarding Recommendation 7) above that the Association of Canadian Cities for Environmentally-Sound Strategies was formed to investigate, develop and promote effective purchasing policies and practices which will help in the reduction, reuse and recycling of material. In addition, that Association is a resource that facilitates cooperative purchasing and also provides current information on environmental preferable products and their suppliers.

As background information, attached is a copy of Clause 3, Report No. 14-2002 of the Planning and Operations Committee, which included the October 21, 2002 report of the Saskatoon Environmental Advisory Committee. City Council, at its meeting held on November 4, 2002, adopted recommendations that the Administration be requested to report on what the City of Saskatoon is doing now to support environmental purchasing and on a staged development leading eventually to an Environmentally Preferable Purchasing (EP3) program. The January 8, 2003 report of the Corporate Services Department addresses this referral.

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**6. Enquiry – Councillor T. Paulsen (August 12, 2002)
Expanding Recycle Depots to Include Glass and Plastic Bottles
(File No. CK. 7830-5)**

RECOMMENDATION: that the information be received.

ADOPTED.

Your Committee has considered the attached report of the General Manager, Utility Services Department dated February 6, 2003, which was previously considered by the Saskatoon Environmental Advisory Committee. Your Committee has been advised by the Saskatoon Environmental Advisory Committee that the matter of product stewardship is one of its Goals and Objectives for 2003, and further study will be undertaken on viable options in this regard.

As background information, City Council, at its meeting held on November 4, 2002, considered the attached copy of Clause E1, Administrative Report No. 19-2002 on the above matter and resolved:

- “1) that the information be received;
- 2) that the matter of a joint program of glass diversion with SARCAN be referred back to the Administration for review and report through the Environmental Advisory Committee; and
- 3) that the Administration report, through the Environmental Advisory Committee, on market conditions which would allow the Region of Peel to recycle 70% of its waste (see article in November, 2002 issue of Municipal World), and anything which the City of Saskatoon could do to achieve that.”

The above report of the General Manager, Utility Services Department was submitted in response to Resolutions 2) and 3) above and is being forwarded to City Council as information.

**7. Safer City Annual Report
(File No. CK. 430-64)**

RECOMMENDATION: that the information be received.

ADOPTED.

Your Committee has considered the attached report of the General Manager, Community Services Department dated February 6, 2003, which contains the 2002 Annual Report of the Safer City Committee. This report is being forwarded to City Council as information.

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**8. Community Perception Survey
Safer City Committee
(File No. CK. 365-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

Your Committee has considered the attached report of the General Manager, Community Services Department dated February 6, 2003, forwarding the Community Perception Survey which was undertaken through funding received from the National Crime Prevention Centre. Your Committee has been further advised that the survey was done in follow-up to the first survey completed in 1999. A large majority (86 percent) of residents in Saskatoon perceive Saskatoon as being very safe or somewhat safe as compared to other cities. This is consistent with the results from 1999, which showed 89 percent of residents perceived Saskatoon as being very safe or somewhat safe.

Your Committee is submitting the results of the Community Perception Survey to City Council for its information.

**9. Festival Incubation Support Period Program
(File No. CK. 1870-15)**

RECOMMENDATION: that the Community Services Department be authorized to access up to \$2,000 from the Community Support Grant Reserve in order to provide web site and print information for special event organizers in Saskatoon.

ADOPTED.

Your Committee has considered the attached report of the General Manager, Community Services Department dated January 30, 2003, with respect to requesting authorization to access funding to provide information for special event organizers in Saskatoon.

Your Committee supports the recommendation of the Administration to access funding under the Community Support Grant Reserve to provide web site and print information for special event organizers in Saskatoon about the City's funding opportunities, as well as City services that are available for the event. This would include information on event planning details, park booking process, noise bylaw, parking requirements and funding availability through various grants.

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As background information, City Council, at its meeting held on November 18, 2002, considered the attached copy of Clause A2, Administrative Report No. 20-2002, which dealt with a number of requests in relation to the Cameco Victoria Park Summer Festival. The matter was referred to the Planning and Operations Committee. Your Committee has reviewed the requests for support and has been advised that there may be some existing programs, such as the Provision of Civic Services, which could address some of the requests. At that time, the issue of whether funding was available for new groups was raised and your Committee requested a report on a festival incubation support period program. The above report of the Community Services Department has been submitted in response to this referral, as well as providing information on the requests for support submitted by the Cameco Victoria Park Summer Festival group.

**10. Request for Funding – Tamara’s House
(File No. CK. 1870-1)**

RECOMMENDATION: that funding of up to \$32,522.00 be provided to Tamara’s House, from the Affordable Housing Reserve, and that the file be closed.

ADOPTED.

Your Committee has reviewed and supports the recommendation outlined in the attached report of the General Manager, Community Services Department dated January 27, 2003, with respect to a request for funding from Tamara’s House.

As background information, your Committee had previously considered a request for funding from Tamara’s House and had deferred consideration of the matter pending receipt of a further report from the Administration on additional details of the funding request. Your Committee has been advised that the above report of the Community Services Department addresses the previous issues raised by your Committee, including the sustainability of the project in light of the lack of core funding identified at that time and how much of the project actually met the City’s identified priorities to only fund residential uses.

**11. Innovative Housing Policy Low Income Criteria for 2003
(File No. CK. 750-1)**

RECOMMENDATION:

- 1) that the information be received and forwarded to the Social Housing Advisory Committee and the Saskatoon Housing Initiatives Partnership for their information;
- 2) that City Council approve the 2003 low-income household qualifying level definition of \$36,260; and

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- 3) that the revised definition take effect upon date of City Council approval.

ADOPTED.

Your Committee has considered and supports the recommendations outlined in the attached report of the General Manager, Community Services Department, dated January 21, 2003, with respect to the above matter.

**12. Saskatchewan Lotteries Trust Fund for Sport, Culture, and Recreation
Urban Aboriginal Community Grant Program
(File No. CK. 1871-2)**

RECOMMENDATION: that the information be received.

ADOPTED.

Your Committee has reviewed and is forwarding the attached report of the General Manager, Community Services Department dated February 18, 2003, to City Council as information.

**13. Willowgrove Neighbourhood – Walkways and Community Gardens
(File No. CK. 4131-1)**

RECOMMENDATION: that the information be received.

Your Committee has considered the attached report of the General Manager, Community Services Department dated December 10, 2002, with respect to the above matter, and is forwarding the report to City Council as information.

As background information, City Council, at its meeting held on September 23, 2002, approved the Willowgrove Neighbourhood Concept Plan dated June 3, 2002, in principle, and resolved that the Administration report further, through the Planning and Operations Committee, on architectural guidelines regarding row housing, duplexes, RM3 and town housing, on the design of walkways, and on the utilization of community gardening in the area. The above report addresses the issues of walkways and community gardens in general, and more specifically in relation to the proposed Willowgrove neighbourhood.

IT WAS RESOLVED: that the matter of walkways in new neighbourhoods be referred back to the Planning and Operations Committee for further discussion.

**14. Enquiry – Councillor G. Penner (August 13, 2001)
Backyard Fire Pits
(File No. CK. 2500-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

Your Committee has considered the attached report of the General Manager, Fire and Protective Services Department dated February 10, 2003, providing an update on the number of complaints received in 2002 compared to 2001, as was previously requested by your Committee. This report is forwarded to City Council as information.

REPORT NO. 1-2003 OF BOARD OF TRUSTEES – CITY OF SASKATOON GENERAL SUPERANNUATION PLAN

Composition of Board

Mr. F. Smith, Chair
Mr. M. Baraniecki, Vice-Chair
Councillor P. McCann
Councillor R. Steernberg
Mr. P. Richards
Mr. W. Wallace
Mr. W. Furrer
Mr. M. Totland
Mr. L. Thiessen

**1. Amendment to General Superannuation Plan
Implementation of Grievance Settlement
C.U.P.E. Local 859
(File No. CK. 4705-1)**

RECOMMENDATION: that Bylaw No. 8195 be considered at this meeting.

ADOPTED.

CUPE Local 859 brought forward to the City three expansive grievances regarding pension issues and the General Superannuation Plan in 2002. After many deliberations, an arbitration date was set, however, the parties agreed to participate in mediation prior to the arbitration hearing. This mediation took place in December, 2002 and January, 2003, and resulted in a Memorandum of

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Settlement. The parties agreed to recommend to the Board of Trustees that employees who had originally opted out of the Plan now be allowed into the Plan and that they be allowed to buy back past service. The Board of Trustees has requested an actuarial report regarding the buy back, which is expected in May.

In the meantime, the Board believes that the excluded employees should be allowed to become members of the Plan without delay. The buy back provisions will be the subject of a further report. CUPE Local 859 concurs with this course of action.

Attached is a copy of Bylaw No. 8195 which provides for the named employees to become members of the Plan making the necessary contributions as at March 17, 2003.

REPORT NO. 2-2003 OF THE LAND BANK COMMITTEE

Composition of Committee

Councillor M. Heidt, Chair
Councillor D. Atchison
Councillor G. Penner
Councillor R. Steernberg
Councillor K. Waygood

**1. Multiple Bids on City-Owned Property
(File No. CK. 4214-1)**

RECOMMENDATION: that future Instructions to Bidders specify that multiple bids will not be allowed with respect to tenders for the sale of City-owned land.

ADOPTED.

City Council, considered a report on the sale of 403 Ludlow Street – University Heights Suburban Centre), at its meeting held on May 22, 2001, resolved, in part:

“that Recommendation No. 5) be referred to the Land Bank Committee, as follows:

- 5) that future Instructions to Bidders to specify that multiple bids will not be allowed with respect to tenders for the sale of City-owned land.”

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The Land Bank Committee considered Council's referral at its meeting held on June 15, 2001 and resolved that the matter of allowing multiple bids on City-owned property be referred to the Administration for a report.

The following is an excerpt from the report of the General Manager, Community Services Department dated January 21, 2003 in response to the Committee's resolution: (The Land Bank Committee has reviewed this report with the Administration, and believes that allowing multiple bids is not a good business practice in that it could result in lengthy and costly litigation that could tie up the sale of the property for years.)

“REPORT

On June 15, 2001, the Land Bank Committee referred the matter of not allowing multiple bids on City-owned property to the Administration for a report.

Your administration met with the City Solicitor's Office on this matter and there are several reasons, from a legal standpoint, why multiple bids should not be allowed.

- 1) It can be argued that there really is no such thing as a multiple bid and that the last bid received from a party must be taken as a retraction of any previous bid. Whether or not this argument is accepted, it does serve to illustrate the major problem with multiple bids – the practice leads to uncertainties and confusion, which, in turn, can lead to litigation over the bidding process; and
- 2) The City can easily become involved in lengthy and costly litigation surrounding the bid process when multiple bids are allowed. Such litigation can take several forms. The City may attempt to hold a bidder to its high bid and then sue for damages when the bidder defaults. In cases where the City allows a party to default and pursue a second bid, there is a possibility of a claim from other bidders. A further unpalatable side effect of such litigation is that it may tie up the subject land for years. This can have both financial implications and implications with respect to the orderly development of the area in which the land is situated.

In conclusion, allowing multiple bids can lead to uncertainties and costs to the City and can have negative consequences for the integrity of the tender system. Fundamentally, the City's objective in selling land by tender is to obtain the highest price possible for that land whereas the purpose of the bidder in placing multiple bids is to defeat that objective. It is the City Solicitor's Office view that allowing multiple bids is an invitation to compromise the tender process.”

2. Request to Sell City-Owned Property
University Heights Suburban Centre M3 Lands
(File No. CK. 4215-1)

RECOMMENDATION:

- 1) that the Land Branch Manager be authorized to purchase Parcel UU, Plan 86S17947 from the Episcopal Corporation of Saskatoon for the sum of \$120,450.00 plus applicable taxes and that the purchase price is paid from the Property Realized Reserve;
- 2) that the Land Branch Manager be authorized to offer Lot 1 and Lot 2, Block 436, Plan 01SA04536 to the Episcopal Corporation of Saskatoon at the reserve bid price of \$1,115,004.00 plus applicable taxes;
- 3) that, should the Episcopal Corporation of Saskatoon not proceed to purchase Lots 1 and 2, Block 436, Plan 01SA04536 by March 28, 2003, the Land Branch Manager be authorized to sell Lots 1 and 2, Block 436, Plan 01SA04536 to the highest bidder, through a tender process, with reserve bid prices as stated in this report;
- 4) that the Land Branch Manager be authorized to sell Lots 3 and 4, Block 436 and Lots 4 to 6, Block 437, all in Plan 01SA04536, to the highest bidder through a tender process, with reserve bids as stated in this report;
- 5) that any lots not sold through the tender process be placed for sale over-the-counter, on a first-come, first-served basis;
- 6) that a condition of sale be that residential construction be restricted to apartment style units with a minimum height of three storeys; and
- 7) that his Worship the Mayor and the City Clerk be authorized to execute the necessary documentation to complete the purchase and sales.

ADOPTED.

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The following is an excerpt from the report of the General Manager, Community Services Department dated January 27, 2003 on the above matter, which the Land Bank Committee has reviewed with the Administration, and supports the sales proposal:

“BACKGROUND

The City has developed 20 institutional zoned lots in the University Heights Suburban Area (Attachment No. 1). Nine lots have already been offered for sale through public tender. Six of these lots have been sold and another is on hold.

To ensure that the Land Branch has a serviced inventory available for sale, the Land Branch Manager is seeking pricing and method of sale approval for seven of the remaining eleven lots.

REPORT

The purpose of the report is to seek pricing approval for seven of the lots, approval to sell two of the lots by direct sale in exchange for lands owned by the Episcopal Corporation of Saskatoon and approval to sell the balance of the lots by the public tender process.

Land Exchange

The Episcopal Corporation of Saskatoon owns 4.38 acres of raw land (Attachment No. 1) in the proposed Willowgrove Subdivision (Parcel UU, Plan 86S17947). The Episcopal Corporation has offered to sell its Willowgrove holdings to the City in exchange for the right to purchase City-owned Lots 1 and 2, Block 436, Plan 01SA04536 in the University Heights Suburban Centre (Attachment No. 2).

As the Episcopal land is the only land not owned by the City in the Willowgrove subdivision, your administration is in favour of the proposed exchange. This would simplify the process for the subdivision and development of land. The City land would be priced at the reserve bid price and the Episcopal land is at a price agreed to by the Land Manager and an internal city appraisal from the Assessment Branch. The Episcopal Corporation of Saskatoon has agreed to the land exchange and respective prices as follows:

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Episcopal Land

Legal Description: Parcel UU, Plan 86S17947
Land Type: Unserviced raw land in the Willowgrove Neighbourhood
Area: 4.38 gross acres (2.75 net acres after subdivision)
Zoning: R1A
Price: \$120,450.00 plus applicable taxes
Price Per Acre: \$27,500 per gross acre (\$43,800 per net acre)

City Land

Legal Description: Lots 1 and 2, Block 436, Plan 01SA04536
Land Type: Fully serviced, subdivided and ready for sale in University Heights
Suburban Centre
Area: Lot 1 - 2.65 acres
Lot 2 - 2.29 acres
Total area - 4.94 acres
Zoning: M3
Reserved Bid Price: Lot 1 - \$610,764.00
Lot 2 - \$504,240.00
Total \$1,115,004.00 plus applicable taxes
Price Per Acre: Lot 1 - \$231,000.00 per acre
Lot 2 - \$220,000.00 per acre

If Lots 1 and 2, Block 436, Plan 01SA04536 are not sold to the Episcopal Corporation, they will be offered for sale through the public tender process with a reserved bid.

Lots to be Tendered

Each of the lots to be tendered will be advertised with a reserve bid. The administration recommends that a price of \$220,000.00 per acre be used in establishing the reserve bids with the exception of lots adjacent to the existing commercial site where a price of \$238,000.00 will be used due to the increased visibility of these lots. The corner lot at the intersection of Nelson Road and Lowe Road (Lot 1, Block 436, Plan No. 01SA04536) has been priced at \$231,000.00 per acre due to increased site access along Lowe Road. A listing of the reserve bids for each lot is attached (Attachment No. 3). These prices are comparable to the prices in effect for the three existing properties for sale in this area and will be adjusted based on the 2003 Prepaid Rate Schedule to be established by City Council later this year.

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Lots 1 to 4, Block 436, Plan No. 01SA04536 are fully serviced and can be tendered immediately (Lots 1 and 2, Block 436, Plan No. 01SA04536 will first be offered to the Episcopal Corporation). Lots 4 to 6, Block 437, Plan 01SA04536 still require sidewalks and asphalt paving which will be completed in the spring. These lots will be offered for tender to coincide with the completion of the services. The balance of the lots along Nelson Road (Lots 5 to 8, Block 436, Plan 01SA04536) will be the subject of a further report later this year pending the completion of a design for the establishment of a centre median with left turn bays along Nelson Road.

Tenders will be awarded to the highest bid at or above the reserve bid. If there is any uncertainty with regard to the bids, an appropriate report and recommendations will be provided to City Council.

Any lots that do not sell through the tender process will be made available for direct purchase at the Land Branch.

In keeping with the development controls previously established for the area, your staff is recommending that residential use of the land be restricted to the construction of apartment style units with a minimum height of three stories. The purpose of the restriction is to promote medium and high-density development in the suburban centre to achieve public policy objectives of the City's Development Plan. There are no restrictions proposed for non-residential uses other than those contained in the M3 zoning district.

ATTACHMENTS

1. Map of University Heights Suburban Centre
2. Map of Lands Owned by Episcopal Corporation of Saskatoon
3. Listing of Reserve Bids"

REPORT NO. 4-2003 OF THE EXECUTIVE COMMITTEE

Composition of Committee

His Worship Mayor J. Maddin, Chair
Councillor D. Atchison
Councillor O. Fortosky
Councillor M. Heidt
Councillor P. McCann
Councillor T. Paulsen
Councillor G. Penner
Councillor P. Roe
Councillor R. Steernberg
Councillor L. Swystun
Councillor K. Waygood

**1. Appointment to the Saskatoon Gallery and Civic Conservatory Corporation
Board of Trustees
(File No. CK. 153-1)**

RECOMMENDATION: that Councillor Swystun be appointed to the Saskatoon Gallery and Civic Conservatory Corporation Board of Trustees.

ADOPTED.

There is one vacancy on the Saskatoon Gallery and Civic Conservatory Corporation Board of Trustees, being a replacement for Councillor McCann who does not wish to be reappointed.

Moved by Councillor Fortosky , Seconded by Councillor Waygood,

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

CARRIED.

ENQUIRIES

**Councillor D. Atchison
Funding of Sask Place
(File No. CK. 611-3)**

Would the Administration report on all funding arrangements with Sask Place since it's proposed construction up to and including Sask Place's latest financial statement. Has Sask Place defaulted on any of it's agreements with the City which include productivity loans and most recently a new maintenance reserve. If Sask Place has defaulted on any of its payments, please report on which ones were defaulted along with amounts and year.

**Councillor D. Atchison
Possible Implementation of a "Safe Streets" Bylaw
(File No. CK. 5000-1)**

Under the new *Cities Act*, I'm assuming that we have been given more authority to govern ourselves in a way that reflects the communities' wishes.

Would the City Solicitor report back to Council on how *Safe Streets Act, 1999* – Province of Ontario, can be implemented in Saskatoon as a bylaw. I have attached a copy of the *Safe Streets Act, 1999*.

**Councillor M. Heidt
Water Tanks for Citizens with No Water
(File No. CK. 7900-1)**

Would the Administration please report back on the number of tanks we presently have and the cost to increase water wagons to meet the demand (i.e. one per year for next five years).

Also would the Administration look at providing the option and costs of having water delivered to addresses if out of service in excess of 24 hours.

**Councillor O. Fortosky
Reducing City Council's Use of Paper
(File No. CK. 255-13)**

Would the Administration please report on possible ways to reduce Council's use of paper to do its business. Please take into consideration what is being done in other cities.

INTRODUCTION AND CONSIDERATION OF BYLAWS

Bylaw No. 8195

Moved by Councillor Fortosky, Seconded by Councillor Waygood,

THAT permission be granted to introduce Bylaw No. 8195, being “A bylaw of The City of Saskatoon to amend Bylaw No. 6321, entitled ‘A bylaw of the City of Saskatoon to amend Bylaw No. 4324, entitled “A bylaw of The City of Saskatoon to provide for a superannuation plan for City employees not covered by the Police and Fire Departments’ superannuations plans”.” and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Fortosky, Seconded by Councillor Paulsen,

THAT Bylaw No. 8195 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Fortosky, Seconded by Councillor Swystun,

THAT Council go into Committee of the Whole to consider Bylaw No. 8195.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 8195 was considered clause by clause and approved.

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Moved by Councillor Fortosky, Seconded by Councillor Roe,
THAT the report of the Committee of the Whole be adopted.

CARRIED.

Moved by Councillor Fortosky, Seconded by Councillor Atchison,
THAT permission be granted to have Bylaw No. 8195 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Fortosky, Seconded by Councillor McCann,
THAT Bylaw No. 8195 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.

The bylaw was then read a third time and passed.”

*Moved by Councillor Fortosky,
THAT the meeting stand adjourned.*

CARRIED.

The meeting adjourned at 9:40 p.m.

Mayor

City Clerk