

Council Chambers  
City Hall, Saskatoon, Sask.  
Monday, February 26, 2007  
at 6:00 p.m.

## **MINUTES OF THE REGULAR MEETING OF CITY COUNCIL**

**PRESENT:** His Worship the Mayor, in the Chair;  
Councillors Clark, Dubois, Heidt, Hill, Lorje, Neault, Paulsen,  
Penner, Pringle, and Wyant;  
City Manager Richards;  
City Solicitor Dust;  
A/General Manager, Corporate Services Tarasoff;  
General Manager, Community Services Gauthier;  
General Manager, Fire and Protective Services Bentley;  
General Manager, Infrastructure Services Totland;  
City Clerk Mann; and  
Council Assistant Mitchener

*Moved by Councillor Penner, Seconded by Councillor Dubois,*

*THAT the minutes of meeting of City Council held on February 12, 2007, be approved.*

*CARRIED.*

*Moved by Councillor Heidt, Seconded by Councillor Dubois,*

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

*CARRIED.*

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

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

*Committee arose.*

*Councillor Heidt, Chair of the Committee of the Whole, made the following report:*

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

**“REPORT NO. 3-2007 OF THE MUNICIPAL PLANNING COMMISSION”**

Composition of Commission

Mr. Brad Sylvester, Chair  
Mr. Gord Androsoff, Vice Chair  
Councillor Bev Dubois  
Ms. Carole Beitel  
Mr. Bruce Waldron  
Mr. Roy Ball  
Mr. Michael Chyzowski  
Ms. Debbie Marcoux  
Mr. John McAuliffe  
Mr. Kurt Soucy  
Mr. Vern Waldherr  
Mr. Randy Warick  
Mr. Fred Sutter

**1. Amendment to Briarwood Neighbourhood Concept Plan  
(File No. CK. 410-34)**

**RECOMMENDATION:** that the information be received and considered with Clause 1, Report No. 3-2007 of the Planning and Operations Committee.

*IT WAS RESOLVED: that the matter be considered with items A1-A4, A14 – A17, B8 and B9 of Communications to Council and Clause No. 1 of Report No. 3-2007 of the Planning and Operations Committee.*

**ADMINISTRATIVE REPORT NO. 5-2007**

**Section A – COMMUNITY SERVICES**

- A1) Request For Encroachment Agreement  
810/820 Central Avenue  
Lot 39, 40 and 41, Block 1, Plan I5611 and  
Lot 43, Block 1, Plan 101327071  
(File No. CC. 4090-2)**

- RECOMMENDATION:**
- 1) that City Council recognize the encroachment at 810/820 Central Avenue (Lot 39, 40 & 41, Block 1, Plan I5611 and Lot 43, Block 1, Plan 101327071);
  - 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.*

On behalf of the owner, the Coordinating Design Professional for the proposed addition to the building at 810/820 Central Avenue has requested to enter into an Encroachment Agreement with the City of Saskatoon. As shown on the attached sketches for this future addition, the proposed balcony and canopy will each encroach over the sidewalk on City Property by approximately 1.5 metres. The total area of encroachment is approximately 14.0m<sup>2</sup> and will, therefore, be subject to an annual charge of \$50.

**PUBLIC NOTICE**

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

**ATTACHMENTS**

1. Letter from the Coordinating Design Professional, received January 23rd, 2007.
2. Sketch drawings of the proposed structures that will be encroaching.

- A2) Request For Encroachment Agreement**

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**806/810 Duchess Street  
Lots 12 to 17 Inclusive, Block D, Plan H1323  
(File No. CC 4090-2)**

- RECOMMENDATION:**
- 1) that City Council recognize the encroachment at 806/810 Duchess Street (Lots 12 to 17 Inclusive, Block D, Plan H1323);
  - 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 owner of the property located at 806/810 Duchess Street, 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 building encroaches onto City Property on Lauriston Street by 0.07 metres. The total area of encroachment is approximately 0.2m<sup>2</sup> 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 February 6, 2007.
2. Copy of Real Property Report dated November 22, 2006.
3. Sketch drawing of building showing area that encroaches.

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**A3) Request For Encroachment Agreement  
343 20<sup>th</sup> Street West  
Lot 26, Block 19, Plan E5618  
(File No.: CC. 4090-2)**

- RECOMMENDATION:**
- 1) that City Council recognize the encroachment at 343 20<sup>th</sup> Street West (Lot 26, Block 19, Plan E5618);
  - 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.

Robertson Stromberg Pederson LLP, on behalf of the owner of the property located at 343 20<sup>th</sup> Street West, have requested to enter into an Encroachment Agreement with the City of Saskatoon. An Encroachment Agreement is already in place but because the name on the agreement is changing, a new Encroachment Agreement is being requested. As shown on the attached Real Property Report, a portion of the building encroaches onto City Property on Ave D South by 0.12 metres. The total area of encroachment is approximately 2.56m<sup>2</sup> and will, therefore, be subject to an annual charge of \$50.00.

**PUBLIC NOTICE**

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

**ATTACHMENTS**

1. Letter from the Solicitor, received February 14, 2007.
2. Copy of Real Property Report dated September 7, 2004.

*Councillor Paulsen excused herself from discussion and voting on the matter due to a conflict of interest and left the Council Chamber.*

**IT WAS RESOLVED:** *that the recommendation be adopted.*

*Councillor Paulsen re-entered the Council Chamber.*

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**A4) Naming Report – Roadway renaming in Willowgrove - “Muzyka Road”  
(File No.: PL 4001-5; CK. 6310-1)**

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**RECOMMENDATION:** that the information be received.

*ADOPTED.*

**REPORT**

On October 25, 2006, City of Saskatoon Land Branch notified the Naming Advisory Committee Administrator, that a new street name was required for a portion of Lamarsh Road, South of Keedwell Street, in Willowgrove (See Attachment 1). The new name was required to allow for proper addressing of lots on this street.

City of Saskatoon Policy No. C09-008 (Naming of Civic Property and Development Areas), requests for street names from the Names Master List will be selected by the Mayor. All of the names on the Names Master List, have been previously screened by the Naming Advisory Committee, and meet Council’s guidelines for name selection. The request was made through the Community Services Department to His Worship, Mayor Donald Atchison to choose a name from the Names Master List.

On January 24, 2007, His Worship, Mayor Donald Atchison selected “Muzyka” as the name of the new road. A proper suffix for the new road was added, creating “Muzyka Road”.

The “Muzyka” name was selected in honour of John Muzyka, a Sutherland pioneer who owned land now owned by City where he operated a dairy farm and draying business.

The decision of His Worship, Mayor Donald Atchison was forwarded to the applicant and the Muzyka family has been notified.

**PUBLIC NOTICE**

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

**ATTACHMENT**

1. Map indicating location of “Muzyka Road”.

**A5) Land-Use Applications Received by the Community Services Department**



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1. Plan of Proposed Condominium No. 4/07.
2. Plan of Proposed Rezoning No. 2/07.
3. Plan of Proposed Subdivision No. 8/07.

**A6) Future-Use Options for the 50-metre pools space at Harry Bailey Aquatic Centre  
(File No. CK. 613-2, LS. 613-9)**

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**RECOMMENDATION:** that this report be received as information.

*ADOPTED.*

**BACKGROUND**

During its November 20, 2006 meeting, City Council considered a report from the General Manager of Community Services Department which outlined the planning and decision-making process regarding the future use of the 50-metre pool space. The purpose of this report is to provide further information on the public consultation strategy and timelines.

**REPORT**

The Blairmore Civic Recreation Centre is scheduled to open in Fall 2008, and this provides an opportunity to discuss the future use of the 50-metre pool located at Harry Bailey Aquatic Centre.

The City of Saskatoon will continue to operate Harry Bailey Aquatic Centre. There are no major structural changes being planned for the 25-metre pool and the leisure pool. The uncertainty lies in the future use of the 50-metre pool space. There are generally two options for future use for this space: one option is the continued use as an aquatic facility while the second option is the adaptive re-use as a dry-land space for recreation and education programming.

In order to develop these options, the following is a list of input opportunities for the public and stakeholders:

1. Public Input Meeting

The general public is invited to attend a public input meeting on March 17, 2007 from 9:00 a.m. – 12:00 noon. The public input meeting provides the public with the opportunity to share their programming ideas and priorities for both aquatic and dry-land programs at Harry Bailey Aquatic Centre.

2. Call for Proposal from Businesses and Community Organizations



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There will be a call for proposals from businesses and community organizations asking for interested parties to identify the following:

- Preferred option (aquatic vs. dry-land) for the 50-metre space at Harry Bailey Aquatic Centre;
- Description of potential program or service they would offer;
- The amount of space and time anticipated for use on an annual basis; and
- Level of annual rental fees the organization is willing to pay over the long term.

Interested parties are asked to submit their proposal, in writing, by March 23, 2007, to the Community Services Department.

3. Competitive Aquatic User Input Meeting

This meeting is to provide an additional opportunity for competitive aquatic users to outline their rental requirements for their programming needs at Harry Bailey Aquatic Centre. The Administration has already heard from some of the aquatic groups as to what their future plans are for Harry Bailey Aquatic Centre once the Blairmore Centre is open. However, this is an opportunity to confirm their requirements and to ensure all aquatic users have an opportunity for input.

This meeting will be held on March 17, 2007, from 1:00 – 3:00 p.m. at the SIAST Kelsey Campus Cafeteria.

4. On-line and Telephone Survey

The Administration will collect and sort the program ideas into priority areas based on the information gathered through the public input process, and develop a program plan for the Harry Bailey Aquatic Centre. This program plan will be further tested through an on-line survey and a telephone survey. The on-line survey will be posted on the City of Saskatoon website and will ask respondents to comment on the proposed program plan.

A telephone survey will be conducted with residents living in the communities neighbouring Harry Bailey Aquatic Centre asking respondents to comment on the proposed program plan.

Next Steps

1. Concept Plans - Spring 2007

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An architectural consultant will identify what space is needed to accommodate the programs that have been identified through the public input process. Using this information, the consultant will prepare concept schematic plans for each of the broad options (aquatic vs. dry-land) for future use of the 50-metre pool space. The consultant will also be requested to prepare order-of-magnitude costs to construct and operate this space.

2. Present Concept Plans to Decision-makers and Seek Direction - Fall 2007

The concept plans, along with the order-of-magnitude costs and revenue projections, will be presented to City Council and the Province of Saskatchewan – Property Management Department. One option will be selected to be implemented for the 50-metre space within Harry Bailey Aquatic Centre.

3. Review concept with the public and seek further input on programming opportunities under this option - Fall 2007.

**COMMUNICATIONS PLAN**

1. Public Input Meeting

The public input meeting scheduled for March 17, 2007, will be advertised in The StarPhoenix on March 3 and March 10, 2007. There will also be a flyer delivered to the residents in the neighborhoods adjacent to Harry Bailey Aquatic Centre advertising the public input meeting and the decision-making process outlined in this report. This flyer will be delivered the week of February 26, 2007.

Residents not able to attend the March 17, 2007 meeting will be encouraged to fax or mail their comments to the Community Services Department.

2. Call for Proposals

The call for proposals from businesses and community organizations will be advertised in The StarPhoenix on March 3 and March 10, 2007.

3. Competitive Aquatic User Meeting

A notice will be sent directly to the representatives of the competitive aquatic users advising them of the meeting and its purpose.

4. On-line Survey

A public service announcement and a newspaper ad will be developed to direct people to the on-line survey.

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5. Other

There will a static display posted at Harry Bailey Aquatic Centre with storyboards outlining the decision-making process and public input opportunities listed above.

In addition, there have been two separate petitions tabled with City Council in support of the continued use of the 50-metre pool remaining an aquatic facility. The individuals who have signed this petition will be advised of the public input opportunities listed above.

**PUBLIC NOTICE**

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

**Section B – CORPORATE SERVICES**

**B1) Enquiry – Councillor P. Lorje (November 20, 2006)  
Safety Partitions in Taxi-Cabs  
(File No. 307-1; CK. 7000-1)**

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**RECOMMENDATION:** that the information be received.

**BACKGROUND**

The following enquiry was made by Councillor Lorje at the meeting of City Council held on November 20, 2006:

“Would the administration please report on this matter of safety partitions in taxi-cabs, including their usage in other similar urban centres; their efficacy in improving security for taxi-cab operators; and their cost and acceptability to taxi-cab operators?”

**REPORT**

The *Traffic Safety Act* defines taxi-cabs as a public service vehicle and as such, requires operators to demonstrate to Saskatchewan Government Insurance that appropriate insurance has been obtained, and that a certificate of approval from the Municipality prior has been received.

City of Saskatoon Bylaw No. 6066 defines the number of taxicabs that are licensed within the City, the process for obtaining a license, requirements for installation and testing of meters, fees that may be charged, and the requirement for a cab-operator to display photo identification.

Your Administration conducted research into responses to the issue of safety partitions in taxi-cabs, including contact with four comparable Western Canadian Cities: Regina, Edmonton, Calgary, and

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Winnipeg. Of the Cities contacted, only Winnipeg, which also requires in-car cameras, has implemented requirements for safety partitions in taxi-cabs.

While the other jurisdictions have reviewed safety requirements for taxi-cabs, the common conclusion was that such requirements are driven by, and the responsibility of the industry. In July, 2006, the Planning and Transportation Committee of the City of Toronto deferred consideration of shields until such time that shields have been approved by the Canadian Standards Association, or a similar regulatory body.

Studies have shown that the use of safety devices in taxicabs, including safety shields, have reduced the number of violent acts towards drivers. The cost of safety partitions, generally constructed of a metal base that covers the back of the driver's seat and a clear plastic shield, may range from \$700 to \$2,000, dependent upon design and materials.

In municipalities where the use of safety equipment has been mandated, it has generally been as a result of a request of the taxi-cab industry. The United Group and Radio Cabs were contacted to discuss this issue. In a letter to the Administration from Mr. Ron Yuzik, Director of Saskatoon Radio Cabs Ltd. he summarizes the perspective put forth by both companies:

*We as a taxi industry have been doing an excellent job in monitoring our industry. In the past, the United Group and Saskatoon Radio Cabs have worked very well together to deal with concerns in our industry. If we felt that safety partitions were an issue, I feel very comfortable that we would have already put the shields in, ourselves.*

The view expressed, like that in other municipalities, is that the safety of the drivers is of utmost concern, and any potential use of safety devices in Saskatoon taxi-cabs will be considered by the industry as deemed necessary.

**PUBLIC NOTICE**

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

**IT WAS RESOLVED:** *that the matter be referred to the Minister of Justice for consideration.*

**B2) Canada-Saskatchewan Municipal-Rural Infrastructure Program  
Capital Project 2160, Blairmore Suburban Multi-District Park Development  
(File No. CK. 1860-1)**

**RECOMMENDATION:** that His Worship the Mayor and the City Clerk be authorized to execute the agreements between the City of Saskatoon and the Province of Saskatchewan, relating to Project 2160 – Blairmore

Suburban Multi-District Park Development, under the Corporate Seal.

*ADOPTED.*

## **REPORT**

City Council, at its meeting on December 18, 2006, approved the 2007 Capital Budget including Phase II of Project 2160 – Blairmore Suburban Multi-District Park Development which included a recommendation to submit Phase II of this project for application for funding under the Canada-Saskatchewan Municipal-Rural Infrastructure Program (MRIF). The project involves the implementation of the concept plan approved by City Council, June 13, 2005, for the Multi-District Park and school site located in the Blairmore Suburban Centre. The City of Saskatoon, Saskatoon Public Library, the Public School Division and Greater Catholic Schools will integrate programs, services, land and buildings in a common location. Phase II of the project is the construction of a 10-lane, 50-metre competitive pool and walking track.

The Provincial Government has approved this project for funding under MRIF.

Attached are the standard forms of agreement between the City of Saskatoon and the Province of Saskatchewan relating to the Canada-Saskatchewan Municipal-Rural Infrastructure Program and the Capital Project 2160.

This agreement outlines the responsibilities of each party and has been reviewed by the Corporate Services Department, the City Solicitor, and by the Community Services Department.

The funding to be received for the Blairmore Suburban Project under this program, and as outlined in the agreement, is consistent with the application submitted by the City of Saskatoon. The amount of funding to be received under this application is \$1,248,902.

The agreement has an effective date of December 20, 2006, and covers costs incurred after this date.

## **PUBLIC NOTICE**

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

## **ATTACHMENT**

1. Agreement between the City of Saskatoon and the Province of Saskatchewan (MRIF – Blairmore Civic Recreation Centre).

**B3) Laser Printer Maintenance Services**  
**(File No. 1100-1)**

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- RECOMMENDATION:**
- 1) that the proposal submitted by Ecol Laser Services for the supply of all inclusive maintenance support services for laser printers for a period of two years, and the option to extend the contract for an additional 3<sup>rd</sup> and 4<sup>th</sup> year, for an estimated cost of \$300,000, be accepted; and,
  - 2) that the Corporate Services Department, Purchasing Services, issue the appropriate blanket purchase order.

*ADOPTED.*

**REPORT**

In November of 2005, the Corporate Information Services (CIS) Branch of the Corporate Services Department entered into a one-year pilot project with Ecol Laser for black and white laser printer maintenance services. Ecol Laser Services provided maintenance services for four printers in CIS for this period of time to determine if there was an opportunity for savings from the City's maintenance costs. After the pilot was completed, it was determined that there was an annual savings of \$4,400, or 43%, on the four printers involved in the pilot. With this information it was decided to issue a public Request for Proposal for the provision of black and white, as well as, color laser printers on a corporate wide basis.

Three firms responded to the Request for Proposals. Each proposal was evaluated against the published evaluation criteria. The proposal from Ecol Laser Services is recommended because they provided the highest overall score and the lowest overall costs. The printer maintenance evaluation summary is attached.

**PUBLIC NOTICE**

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

**ATTACHMENT**

1. Printer Maintenance Evaluation Summary.
- B4) 2006 Residential Property Taxes and  
Utility Charges Survey  
Prepared by the City of Edmonton  
(File Nos. 1905-1 and 1920-1)**

**RECOMMENDATION:** that the information be received.

*ADOPTED.*

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**REPORT**

Attached, for City Council's information, is a copy of the most recent Residential Property Taxes and Utility Charges Survey that is prepared annually by the City of Edmonton. While a large part of the report pertains to Alberta, including a large component that deals specifically with the Edmonton region, comparisons are made to other cities across Canada.

Your Administration draws Council's attention to three tables that provide summary comparative information that gives a general overview of how Saskatoon compares to other municipalities in Canada. The intent of the survey is to have each municipality provide property tax information on a sample house that has been defined within the survey. Some municipalities have chosen to provide information based on the average taxes charged on single family homes. Where that has a potential to distort the comparative information, this will be noted.

Table 1, Page 13

The information in this table has been used to extract a comparison of taxes that are charged directly by each municipality (i.e. those taxes directly in the control of the local Council). At a value of \$1,103 (\$1,073 in 2005), Saskatoon continues to rank 5<sup>th</sup> lowest of the 24 municipalities surveyed (Table 6 on page 28 continues to reflect Saskatoon as 5<sup>th</sup> when library taxes are added, which is an improvement from 6<sup>th</sup> in 2005 and 7<sup>th</sup> in 2004). Of the other four municipalities demonstrating lower taxes, three are from Alberta (Calgary, Red Deer, and Medicine Hat), and the fourth is Surrey. Consistent with the 2005 survey, Surrey reports based on average taxes.

This table also reveals that the City of Saskatoon's ranking, when inclusive of school taxes and library taxes, falls to 18<sup>th</sup> out of the 24 municipalities surveyed. While this is an improvement in ranking from 20<sup>th</sup> place in 2004 (a direct result of the education property tax credit), it has dropped from 17<sup>th</sup> in 2005. Saskatoon's school taxes before the tax credit continue to be the highest of those surveyed.

Table 6, Page 28

The information on this table compares the total cost of the municipal property tax, the library tax, plus utility charges but excluding school taxes. Saskatoon ranks 5<sup>th</sup> out of the 24 municipalities surveyed, an improvement from 6<sup>th</sup> in 2005, however equivalent to 5<sup>th</sup> place in 2004.

Table 3, Page 20

This table takes into account all of the taxes generated by each municipality (property taxes on residential, multi-family, and commercial properties plus any business taxes still collected by some

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municipalities). The taxes collected by each municipality are then divided by population to determine the average tax paid per person. Saskatoon, which as previously stated, ranked 18<sup>th</sup> overall when residential taxes were compared (Table 1, Page 13), moves well up the ranking to 9<sup>th</sup> lowest when total taxes collected are taken into account. Cities, such as Calgary, that ranked 3<sup>rd</sup> overall in the residential category, moves down to 16<sup>th</sup> place when all taxes are included. This is largely due to the substantial business tax that is still collected by that City.

The following table summarizes comparative results from past surveys:

	2006	2005	2004
Municipal Property Tax on a Sample House	5 <sup>th</sup>	5 <sup>th</sup>	5 <sup>th</sup>
Municipal & Library Property Tax on a Sample House	5 <sup>th</sup>	6 <sup>th</sup>	7 <sup>th</sup>
Municipal, Library, Utility (excluding schools) on a Single Family House	5 <sup>th</sup>	6 <sup>th</sup>	5 <sup>th</sup>
Total Property & Business Taxes per Person	9 <sup>th</sup>	10 <sup>th</sup>	8 <sup>th</sup>

To summarize, it should be noted that those taxes under the direct control of City Council compare favourably with other cities in Canada. The City's ranking for having one of the lowest municipal tax rates in Canada has not changed considerably in recent years despite the fact that Council has implemented a tax policy that is reducing the tax rates on multi-family and commercial properties, with a corresponding shift to the residential sector. By remaining competitive, Saskatoon can attract business so that these businesses add to their City's tax base by way of increased assessment, not increased tax rates.

**PUBLIC NOTICE**

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

**ATTACHMENT**

1. 2006 Edmonton Survey.

**B5) 10-Year Capital Deficiency Discussion Paper (2007-2016)  
(File No. CK. 1701-1)**

**RECOMMENDATION:** that the information be received.

Attached, for City Council's information, is a copy of an updated 10-Year Capital Deficiency Discussion Paper for the period 2007 to 2016. This paper was first issued in 1998, was updated and re-issued in 2002, and has now been updated to look at the next 10 year period. The previous reports formed the basis for a number of City Council decisions that dealt with the broad issue of capital funding shortfalls. The reports are intended to raise the awareness of capital funding needs, not to create an expectation for the approval of projects that are defined in the report.



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There are two principal observations flowing from this report. First, City Council has, since 1999, noticeably increased its annual capital provisions to protect and enhance its capital infrastructure. Initiatives include:

- the conversion of debt charges, as debt matures, to incremental capital provisions;
- introduction of new, or increased infrastructure and land development fees;
- the continued dedication of 1/3 of annual assessment growth to capital needs;
- periodic mill rate increases and capital debt;
- the dedication of one-time funds to capital needs;
- maximum participation in various Federal/Provincial capital funding programs; and,
- two new capital borrowing strategies (one for large transportation projects and one for culture and recreation projects).

The second principal observation from the updated report is, in spite of efforts to-date, capital needs continue to grow. The estimated annual average deficiency for the next 10 years has grown substantially – from \$23.8M per year in the last report to over \$86.5M per year in this report. However, there is a substantive change in the scope of this report that addresses much of the increase. The previous two reports focused on the mill rate impact of capital programs. While text data was provided for utilities and various civic boards, no financial data was included in previous annual capital deficiency estimates. This report estimates all unfunded civic capital requirements for the first time. These inclusions increase the annual deficiency by more than \$50M.

Your Administration is aware that many budget increases to capital provisions could alternately be reductions to the mill rate. The continued recognition by City Council that both operating programs and capital programs require attention on an on-going basis has served Saskatoon well. Some of the options Council has used in past years to increase capital provisions will have limited impact in the next few years. For example, there is very little mill rate debt maturing in the next few years. The Capital Deficiency Report does provide some suggestions for new local revenue sources that could be considered over time. Your Administration will continue to look for new funding options and present recommendations to City Council.

One of the most positive capital funding developments that has occurred since the last deficiency report in 2002 is the re-entry of both the Federal and the Provincial Governments in assisting municipalities in financing infrastructure. Saskatoon has participated, to the limits imposed by the various programs, in virtually all of the senior government infrastructure funding programs to-date. Your Administration continues to believe that current negotiations will lead to some form of long-term, sustainable and predictable infrastructure funding at both the Federal and the Provincial level. Such funding will be of great assistance to Saskatoon in dealing with our current infrastructure deficit.

**PUBLIC NOTICE**

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

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**ATTACHMENT**

1. 10-Year Capital Deficiency Discussion Paper (2007 – 2016).

*IT WAS RESOLVED: that the report be forwarded to the Land Bank Committee for discussion on how the City is funding new developments.*

**B6) 2007 Capital Budget (2008 – 2011 Capital Plan)  
(File No. 1702-1)**

**RECOMMENDATION:** that the information be received.

*ADOPTED.*

At its meeting held on December 18, 2006, City Council approved the first phase of the 2007 Capital Budget (2008-2011 Capital Plan). Attached, for Council's information, is the revised version of that budget which incorporates any changes that were confirmed at that meeting.

As agreed by Council, the second phase of the 2007 Capital Budget will be reviewed at a later date when the Administration deems appropriate, awaiting announcements from the Federal and Provincial Governments regarding funding programs that may provide opportunities to completely fund or match City funding for these projects. The second phase will deal with the remainder of the unfunded capital projects that compete for funds from the Reserve for Capital Expenditures (RCE).

The document attached has separated the remainder of the unfunded projects towards the back of the book for review at a later date.

**PUBLIC NOTICE**

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

**ATTACHMENT**

1. 2007 Capital Budget (2008-2011 Capital Plan).

**B7) Preliminary Statement of Revenues and Expenditures  
Year Ended December 31, 2006  
(File No. 1704-1)**

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**RECOMMENDATION:** that the information be received.

*ADOPTED.*

Attached, for City Council's information, is a copy of the Preliminary Statement of Revenues and Expenditures for the year ended, December 31, 2006. This statement, still subject to external audit, reveals a deficit of \$1,843,000. The Revenue Stabilization Reserve has sufficient funds to offset this deficit so there is no mill rate impact in 2007.

Enclosed with the statement is a letter of transmittal highlighting the major variances contributing to this deficit.

The year-end projection prepared by the Administration for the eight months to August 31, 2006, revealed a projected deficit of \$1.7 million. This estimate was based on the most current information at the time which included a break-even estimate on the snow removal program, after the full reserve was applied to the 2006 operating deficit.

At the time the projection was provided to Senior Management, the City Manager directed the Administration to cut all discretionary spending. This contributed to considerable expenditure savings.

Unfortunately, circumstances beyond the control of the Administration negatively affected the year-end results. While there are many variances between actual results and budget, which are explained in the attached Letter of Transmittal, the heavy snow falls in the early part of the winter negatively impacted the overall expenditures. In the end, the snow removal and sanding program expenditures exceeded budget, as well as the reserve, by \$1.9 million.

The external audit of the financial statements is expected to be completed in April at which time the final financial statements will be forwarded to the Audit Committee and then City Council for approval.

**PUBLIC NOTICE**

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

**ATTACHMENT**

1. Preliminary Statement of Revenue and Expenditures for the year ended December 31, 2006.

**Section D – INFRASTRUCTURE SERVICES**

**D1) Proposed Parking Restrictions  
Arlington Avenue  
(File No. 6280-2; CK. 6120-2)**

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**RECOMMENDATION:** that parking restrictions be installed on Arlington Avenue from Taylor Street extending south 30 metres back as shown on Plan No. 210-0023-008r001 (Attachment 1).

*ADOPTED.*

Infrastructure Services received a request for parking restrictions to be placed on the east side of Arlington Avenue. There are four lanes on Arlington Avenue, south of Taylor Street. The northbound centre lane is a shared through and left turn lane, while the curb lane is used by eastbound right turning vehicles. Currently, vehicles are allowed to park on both the east and west side of Arlington Avenue. The presence of parked vehicles causes traffic to back up because they prevent the right turning movements to occur, particularly during peak periods. The restriction of on-street parking, as shown on Plan 210-0023-008r001, will free up the lane capacity and allow the facilitation of traffic movement.

Infrastructure Services has reviewed the location and recommends that parking restrictions be installed on the east side of Arlington Avenue.

**PUBLIC NOTICE**

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

**ATTACHMENT**

1. Plan No. 210-0023-008r001

**D2) Proposed General Loading Zone  
(File No. 6145-1)**

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**RECOMMENDATION:** that a five minute General Loading Zone be installed on the west side of the 100 block of Avenue G South.

*ADOPTED.*

Infrastructure Services has received a request from a business located on the 100 block of Avenue G South for the installation of a five minute General Loading Zone in front of their building on the east side of the street, as shown on Plan No. 210-0042-011r002 (Attachment 1).

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The loading zone conforms to City guidelines with respect to Loading Zones. The location of the loading zone is in a Business Improvement District; therefore, a fee for installation is not required.

**PUBLIC NOTICE**

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

**ATTACHMENT**

1. Plan No. 210-0042-011r002

**D3) Capital Project 2009  
Circle Drive Bridge Widening  
(File No. 6005-43, 6050-104-10; CK. 6050-1)**

**RECOMMENDATION:** 1) that the construction start date for Phase 2 of the Circle Drive Bridge Widening Project be revised to allow Graham Industrial Services to immediately begin work on the third lane of the eastbound bridge; and

- 2) that all pedestrian and cyclist traffic across the eastbound Circle Drive Bridge be rerouted to the CP Railway Bridge to the south for a period of approximately three (3) months, until the new Circle Drive Pedestrian Bridge is complete.

*ADOPTED.*

**BACKGROUND**

As part of Capital Project 2009 - Circle Drive Widening: Attridge to Millar Avenue, Circle Drive Bridge is to be widened by one lane in each direction by converting the existing sidewalks to traffic lanes. Due to the conversion of the sidewalks to traffic lanes, the project includes the erection of a new pedestrian bridge below and between the existing bridges.

In order to maintain a pedestrian corridor over the South Saskatchewan River at this location for the duration of the project, the original construction phasing plan was to widen the westbound bridge first, construct the new pedestrian bridge, and then widen the eastbound bridge.

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Widening of the westbound bridge, had a contract completion date of September 30, 2006 (Phase 1 of Contract 6-0009). Construction of the new pedestrian bridge is currently in progress and has a contract completion date of April 30, 2007 (Contract 6-0011).

Widening of the eastbound bridge is currently scheduled to begin May 1, 2007, and has a contract completion date of October 31, 2007 (Phase 2 of Contract 6-0009). Graham Industrial Services Ltd. is the general contractor for Contract 6-0009, while Saskcon Repair Services Ltd. is the general contractor for Contract 6-0011.

**REPORT**

Due to the volume of work required and various complications encountered during the widening of the westbound Circle Drive Bridge in 2006, the third outside lane was not opened to traffic until November 22, 2006, nearly two months behind schedule. In addition, there remains certain portions of the 2006 work that need to be completed in 2007.

The scope of work required for widening of the eastbound bridge in 2007 is greater than what was required to widen the westbound bridge in 2006. It is anticipated that the same complications will not be encountered, however, due to the nature of rehabilitating existing structures, additional complications could be encountered that could potentially cause delays in the project.

Due to the increased scope of work and uncertainty in conditions that could be encountered, and in order to avoid portions of the work potentially being pushed into 2008, the Administration is recommending that Phase 2 of Contract 6-0009 be revised in order for Graham Industrial Services to begin work immediately upon approval.

If approved, there exists the possibility that the widening of the eastbound Circle Drive Bridge could be completed earlier than the current contract completion date of October 31, 2007. This would significantly reduce Circle Drive user costs (i.e. driver wait time, driver frustration, trip delays etc.). Furthermore, the possibility of an early completion is more attractive traffic-wise, given the possible traffic impacts that other projects planned for 2007 could have on the city's other river crossings.

Allowing an early start date for Phase 2 of Contract 6-0009 is a departure from the original construction phasing plan, and would require a closure of the pedestrian corridor over the South Saskatchewan River at this location. This would mean that all pedestrian and cyclist traffic that currently use the remaining sidewalk on the Circle Drive Bridge will have to be rerouted to the CP Railway Bridge to the south for a period of approximately three (3) months, until completion of the new Circle Drive Pedestrian Bridge. Suitable signage would be placed in the appropriate locations to inform pedestrians and cyclists in advance of the temporary closure so that alternate routes can be taken.

**PUBLIC NOTICE**

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

**D4) Capital Project 877 – City-Wide Radio Trunking System  
City Owned Trunked Radio System Upgrade – Motorola Canada  
(File No. 1000-1)**

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**RECOMMENDATION:** that Motorola Canada be awarded the sole source contract to provide labour and materials necessary to complete the required system upgrades to the Trunked Radio System, at a total cost of \$242,732.00 (including P.S.T. and G.S.T.).

*ADOPTED.*

**REPORT**

The city-owned Trunked Radio System provides radio communications for Police Services, Fire and Protective Services, Utility Services, Infrastructure Services and several Leisure Services facilities. It is 11 years old, and due to changes in communications technology, the current software and hardware are no longer supported by Microsoft or Motorola, therefore, a significant system upgrade is required.

The Administration is recommending a sole source contract be awarded to Motorola Canada because the Trunked Radio System owned by the City was designed and built by Motorola, and no other vendor's equipment is compatible.

There is sufficient funding available in the Trunked Radio System Infrastructure Replacement Reserve, which was established in 2003 to fund this type of infrastructure upgrade.

The total cost is as follows:

Base Cost	\$218,678.00
G.S.T. @ 6%	\$ 13,120.00
P.S.T. @ 5%	<u>\$ 10,934.00</u>
Total	\$242,732.00
G.S.T. Rebate	\$ 13,120.00
Net Cost	<u>\$229,612.00</u>

**PUBLIC NOTICE**

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

**D5) Post Budget Adjustment and Contract Award  
Capital Project 2020 - 17<sup>th</sup> Street Linear Green Space and Pathway System  
Contract No. 6-0103  
(File No. 4205-1)**

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- RECOMMENDATION:**
- 1) that City Council approve additional funding for Capital Project 2020 - 17<sup>th</sup> Street Linear Green Space and Pathway System, in the amount of \$330,572, to be funded from the Waterworks Capital Projects Reserve;
  - 2) that the tender submitted by Wilco Landscape Contractors Ltd., at an estimated cost of \$934,347.60, including PST and GST, be accepted; and
  - 3) that His Worship the Mayor and the City Clerk by authorized to execute, on behalf of the City of Saskatoon, under the Corporate Seal, the appropriate contract as prepared by the City Solicitor.

**REPORT**

The 17<sup>th</sup> Street landscape project was initially tendered on May 2, 2006, and upon the tender's closing it was confirmed that the project was approximately \$280,000 over the approved budget of \$650,000.



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In a report to the Planning and Operations Committee on June 19, 2006, the Administration recommended re-tendering the project in December, in an attempt to secure a lower bid quotation.

The original scope of the project was not adjusted from the May 2, 2006 tender, and Project 2020 - 17<sup>th</sup> Street Linear Green Space and Pathway System was re-tendered on December 5, 2006. One bid was received, from Wilco Landscape Contractors Ltd., and opened on December 19, with a total tender price of \$934,347.60, including PST and GST. Wilco Landscape Contractors has upgraded and built many new parks in Saskatoon and the Administration is satisfied that they are fully capable of performing this work.

The net cost to the City for the bid submitted by Wilco Landscape Contractors Ltd. will be as follows:

Base Price (includes PST)	\$867,960.00
Optional Price (includes PST)	<u>\$ 13,500.00</u>
Total	\$881,460.00
GST (6%)	<u>\$ 52,887.60</u>
<b>Total Tender Price</b>	\$934,347.60
GST Rebate (6%)	<u>(52,887.60)</u>
<b>Net Cost to the City</b>	<b>\$881,460.00</b>

This tender exceeds the approved Capital Project budget by \$330,572, therefore, additional funding is required to allow the project to proceed. The Administration is recommending that this additional funding be provided from the Waterworks Capital Project Reserve. This reserve is sufficient to fund this amount.

The Administration recommends award of the tender at this time as it is anticipated further delays in performance of the work will further increase construction costs. Public expectation is for this development to take place, and there is growing frustration with the ongoing delays. The site is on the border between King George and Riversdale neighbourhoods, both of which are deficient in park space. This landscape development will provide additional greenspace for the area and improve pedestrian linkages into Victoria Park and the river valley park system. It is also important to note that this development was part of the Local Area Plan recommendations for the King George Neighbourhood.

**PUBLIC NOTICE**

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

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*Item B1 of Communications to Council was brought forward.*

**“B1) Tom Morgan and Jacqui Barclay, Riversdale Community and School Association, dated February 7”**

Commenting on concerns regarding the issue of developing green space along 17<sup>th</sup> Street. (File No. CK. 4205-1)”

*IT WAS RESOLVED: that the recommendation be adopted.*

**Section F – CITY MANAGER**

**F1) River Landing Phase II  
Pocket Park/Substation Conceptual Design  
(File No. CC 4129-1 and SPR 4129-27)**

**RECOMMENDATION:** that the River Landing Phase II Pocket Park/Substation Conceptual Design be approved.

*ADOPTED.*

**REPORT**

The South Downtown Concept Plan envisioned three new parks for the River Landing area - the riverfronts on Phase I and Phase II, and a third, smaller park next to Avenue C and the electrical substation. The Plan noted that:

*“There are a number of choices for the use and design of this park and further consultation will be needed.”*

The Plan also indicated the electrical substation presents a visual and noise problem:

*“Moving this substation is considered to be far too expensive. The prospect of reducing the noise levels emanating from the substation should be examined. This can best be undertaken by the construction of a noise wall around the whole substation. The small park has been located adjacent to the substation to permit mounding against the wall and landscaping.”*

As the two projects are intertwined in this fashion, the City engaged the services of UMA Engineering Ltd. to develop a plan that would encompass both the new pocket park and mitigation of the substation.

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The consultation process for the new pocket park began on October 27, 2006, with a stakeholder meeting (including representatives of the Riversdale Community and School Association, the Meewasin Valley Authority, the Farmers' Market, the Riversdale Business Improvement District, and the White Buffalo Youth Lodge). Subsequently a public open house was held on November 15, 2006 at Princess Alexandra School. Citizens were given an opportunity to provide valuable input at an early stage of the development. Additional consultation was held with the Grade 4/5 and 6/7 classes at Princess Alexandra School. The common consensus throughout the consultation process was a desire to see a passive park that complements the adjacent Farmers' Market and its events, and includes such amenities as children's play structures, walkways, green space and a central meeting place. They felt that the park should recognize the ethnic diversity of the neighbourhood. Citizens also stressed the importance of safety and security, with the maintenance of clear sightlines, open layout, and adequate park lighting.

Several meetings were also held with civic departments, primarily the Parks Branch, Urban Design Section (involved in the streetscape development), and Saskatoon Light and Power. This allowed for the refinement of the design to address the functional and programming requirements of the respective departments.

Based on the input from the public and civic consultations, UMA has developed the attached conceptual design (Attachment 1). There will be a public open house on February 28, 2007 to present the plan to the public. The plan will also be posted on the River Landing website. The park development includes ample green space, trees, pathways and lighting, park furniture, and play structures. Additional landscape treatment (walls, fencing, low berms, and plantings) will provide visual screening, sound attenuation, and aesthetic improvements to the perimeter of substation. Substation access and security are also critical components of the perimeter treatment.

Detailed design and tendering will follow the input received from the open house and construction could begin late in the spring.

**PUBLIC NOTICE**

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

**ATTACHMENT**

1. Pocket Park/Substation Conceptual Design

**F2) Mendel Art Gallery Expansion  
Audit Opinion – Operating Costs  
(File No. CC. 153-1)**

- RECOMMENDATION:**
- 1) that City Council confirm, as owner of the building, it is responsible for the increased operating costs due to the expansion; and,
  - 2) that the direction of Council issue with respect to financing options.

*IT WAS RESOLVED: that the matter be considered with items A9-A13 and B11-B33 of Communications to Council.*

**LEGISLATIVE REPORT NO. 2-2007**

**Section A – OFFICE OF THE CITY CLERK**

**A1) Enquiry – Councillor G. Penner (February 12, 2007)  
Ward Boundaries  
(File No. CK. 265-2)**

**RECOMMENDATION:** that the information be received.

*ADOPTED.*

The following enquiry was made by Councillor Penner at the meeting of City Council held on February 12, 2007:

“Would the City Clerk please report to Council, in her capacity as Returning Officer, on any change she might recommend to ward boundaries for the next civic election – due to city growth”

Sections 57 to 62 of *The Cities Act* set out the rules for establishing ward boundaries. The *Act* requires that City Council appoint a Municipal Wards Commission to establish ward boundaries, and that the population of each ward not vary by more than 10% from the figure that is obtained by dividing the total population of the city by the number of wards into which the city is divided. The Municipal Wards Commission is also required to review the boundaries of the wards at least once every nine years or when the population of a ward exceeds the 10% variation limit. The *Act* defines “population” as being determined in accordance with the latest census taken pursuant to the *Statistics Act*.

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City Council has appointed a Municipal Wards Commission, which is comprised of Mr. Justice Peter Foley, Professor Joseph Garcea, and the City Clerk. Ward boundaries were last reviewed in 2003, and new ward boundaries were established for the October 2003 civic elections. The population figures used were from the 2001 census, the information on which became available in 2003.

There is a census conducted every five years, and it takes two years for the information to become available to us. Thus the information from the 2006 census will be available in 2008, and will be used to conduct a review of ward boundaries prior to the 2009 election.

A preliminary review of ward populations, based on information that the Planning Branch has obtained from health card information and other sources, is that Wards 6 and 10 have too large of a population, and Ward 2 has too small of a population. It is likely that this will be confirmed when the 2006 census information becomes available. One possible change that immediately comes to mind is that the downtown central business district could likely be removed from Ward 6, and joined to either Ward 1 or Ward 2.

The process for the review of ward boundaries is that a public meeting will be held, in the Fall of 2008 or early 2009, in order for the Municipal Wards Commission to receive input from everyone, including Council members. Once proposed ward boundaries are drawn another public meeting will be held in order to receive input prior to a final decision being made. The Municipal Wards Commission will then submit its report to City Council, setting out the revised boundaries to take effect for the 2009 civic elections.

The legislation provides that the Municipal Wards Commission must take into consideration current and prospective geographic conditions, including density and relative rate of growth of population and any special diversity or community of interest of the inhabitants. Neighbourhood boundaries are a reflection of community of interest, and the Commission has in the past been able to honour neighbourhood boundaries by ensuring that ward boundaries do not split a neighbourhood. However the population variance requirement does take precedence and it is a challenge to draw boundaries that keep neighbourhoods intact, allow for future growth and also meet the population requirements.

**PUBLIC NOTICE**

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

**Section B – OFFICE OF THE CITY SOLICITOR**

**B1) Trespassing on Private Property  
(File No. CK. 5000-1)**

**RECOMMENDATION:** that Council consider Bylaw No. 8583.

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

“that the City Solicitor be requested to draft a trespassing bylaw to regulate trespassing on private property that is fenced or posted so as to protect the safety, health and welfare of people or property, including an appropriate fine, and that the bylaw not apply where the Federal Railways Act takes precedence”.

Attached please find Bylaw No. 8583 The Anti-Trespass Bylaw, 2007 for Council’s consideration.

This Bylaw makes it an offence to trespass on “private property”, which is defined as:

“... property, whether publicly or privately owned, to which the public has no access as of right or by express or implied invitation”.

This means that the Bylaw does not apply to public parks or private property such as shopping malls to which the public is normally invited.

The Bylaw does apply to:

1. the yards of one-unit, two-unit or semi-detached dwellings;
2. commercial, industrial or multi-unit dwelling properties, provided they are fenced and posted; and
3. construction or demolition sites provided they are fenced and posted.

The Bylaw provides for an optional voluntary ticket of \$100.00 for a first offence.

As instructed by Council, the Bylaw does not apply to lands owned by a railway company as they already have *The Railway Safety Act*. In that regard, Councillor Dubois has advised that the railway companies are indicating that they still have concerns regarding the railway yards in Saskatoon. We have, therefore, asked the Saskatoon Police Service to come with us to talk to the railway companies to review whether there is anything that the City should be doing.

This Bylaw is intended as a tool for the Saskatoon Police Service. We have been working with them and they have been of great assistance in preparing the Bylaw.

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**PUBLIC NOTICE**

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

**ATTACHMENT**

1. Proposed Bylaw No. 8583.

*Item B10 of Communications to Council was brought forward.*

**“B10) Ron Chomyn, dated February 23**

Submitting comments with respect to the proposed anti-trespassing bylaw. (File No. CK. 5000-1)”

*IT WAS RESOLVED: that the matter be referred to the Executive Committee.*

*Moved by Councillor Heidt, Seconded by Councillor Penner,*

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

*CARRIED.*

*His Worship the Mayor assumed the Chair.*

**HEARINGS**

- 4a) Proposed Zoning Bylaw Text Amendment  
The Keeping of Animals  
Proposed Bylaw No. 8577  
(File No. CK. 4350-1)**

**REPORT OF THE CITY CLERK:**

The purpose of this hearing is to consider proposed Bylaw No. 8577, a copy of which is attached.

Attached is a copy of Clause 1, Report No. 1-2007 of the Municipal Planning Commission which was adopted by City Council at its meeting held on January 22, 2007.

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Attached is a copy of the notice that appeared in the local press under dates of February 10 and 17, 2007.”

*His Worship the Mayor opened the hearing.*

*Mr. Paul Whitenect, Community Services Department, expressed the Department’s support of the proposed zoning bylaw amendment.*

*Mr. Brad Sylvester, Chair, Municipal Planning Commission, expressed the Commission’s support of the proposed zoning bylaw amendment.*

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

*Moved by Councillor Dubois, Seconded by Councillor Paulsen,*

*THAT the hearing be closed.*

*CARRIED.*

*Moved by Councillor Penner, Seconded by Councillor Wyant,*

*THAT Council consider Bylaw No. 8577.*

*CARRIED.*

**LEGISLATIVE REPORT NO. 2-2007 - CONTINUED**

**B2) Enquiry - Councillor C. Clark (December 18, 2006)  
Trade, Investment, Labour Mobility Agreement  
(File No. 127-1)**

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**RECOMMENDATION:** that the direction of City Council issue.

Councillor Clark made the following enquiry at the meeting of Council on December 18, 2006:

“Would the Administration please investigate the terms of the Trade, Investment and Labour Mobility Agreement which has been signed between British Columbia and Alberta, with an open invitation to join to other provinces and report to Council on the impact that this agreement would have on the City of Saskatoon’s jurisdictional powers.



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In addition, would the Administration also inquire with the Provincial Government as to their intentions in regards to signing onto the TILMA Agreement with Alberta and British Columbia?"

This report is in response to the first part of the enquiry.

**BACKGROUND**

In April of 2006, the Provinces of British Columbia and Alberta signed a Trade, Investment and Labour Mobility Agreement (copy attached). The Agreement comes into effect on April 1, 2007. "TILMA", as it is called, is basically an interprovincial free trade agreement. As set out in the attached material from the British Columbia and Alberta governments, the Agreement is comprehensive, applying to all government measures such as legislation, regulations, standards, policies, procedures and guidelines that affect trade, investment and labour mobility.

The key requirement of the Agreement is that governments will ensure that government measures will not operate to restrict or impair trade, investment or labour mobility between the parties. A key goal of the Agreement is to mutually recognize or reconcile standards and regulations that operate to restrict or impair trade, investment or labour mobility between the parties.

Governments which are alleged to be restricting or impairing trade, investment or labour mobility contrary to the Agreement may be taken to a binding dispute resolution process by any individual or corporation within the boundaries of the signatory provinces. The dispute resolution body may award damages of up to \$5 million.

There are exceptions set out in Part V of the Agreement. These exceptions list measures which are exempt from the operation of the Agreement. The Agreement also includes a list of "legitimate objectives" which can be used by governments as a justification and defence of their actions when appearing before the dispute resolution body. However that body, and not the government, will decide whether or not, in fact, the law, regulation or government policy can be protected as being in aid of a "legitimate objective".

A province may withdraw from the Agreement by giving 12 months' written notice.

Like other free trade agreements, TILMA is the subject of significant debate. Attached is a "pro-TILMA" article by Mr. Robert Roach of The Canada West Foundation and an "anti-TILMA" article by Ms. Ellen Gould of The Canadian Centre for Policy Alternatives. There are a number of articles for and against TILMA available on the Web.

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TILMA is written to include municipalities. However, the municipalities have been granted a two-year transitional period. During that time, the two Provinces are to negotiate any required special provisions, exclusions and transitional measures to determine the extent of the coverage of the Agreement regarding municipalities. As of April 1, 2009, TILMA (with presumably some amendments) will be fully applicable to municipalities in British Columbia and Alberta.

We asked the Alberta Urban Municipalities Association and the Union of British Columbia Municipalities to share with us their position papers, research, etc. on the effect of TILMA on municipalities. We were advised that they have no such information. They were told of TILMA shortly before signing, and advised that they would be consulted during the two-year transition period. No consultations have occurred to date.

It is our understanding from a City of Burnaby council report that in British Columbia, leading up to TILMA, consultations were carried out by the Provincial Government with government departments and agencies, business groups, academic institutions and provincial regulatory bodies. No consultations were done with municipalities and no apparent analysis was done of the real impact of TILMA on municipalities.

We have not had an opportunity, as yet, to talk to individual Alberta cities as to what is occurring in their communities.

Effect on The City of Saskatoon

This report is not intended to deal with the pros and cons of TILMA for the Province of Saskatchewan. Its sole focus is to review the possible effects of a TILMA-type agreement on The City of Saskatoon. Whether TILMA is good for the Province and whether TILMA is good for Saskatoon can be two different issues. This is because of the significantly different roles of provincial governments and local governments.

Provinces are in the business of regulating trade, investment and labour mobility. They set regulations for the registration of vehicles and businesses. They set the criteria for professions and trades. They set minimum standards in areas of health and safety. They regulate transportation, agriculture, energy and minerals, forests, fish and wildlife, the environment and financial institutions. There is an argument to be made that it makes sense to try to harmonize at least some standards and regulations across provincial boundaries (although the critics would say that TILMA goes far beyond this goal).

The role of cities however, is to establish unique rules in specific areas to achieve the specific goals of their community. This aspect of local government is described in several different ways. For the purposes of this report, it is called local choice. Local choice allows cities to deal with local issues according to the wishes of their citizens.

The right of cities to local choice has been considerably strengthened in recent years by both the courts and by legislation. For example, in 2001, the Supreme Court of Canada in *Spray Tech v.*

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*Town of Hudson* upheld the town's right to set higher standards for the use of pesticides than those set by the provincial and federal governments. In Saskatchewan, *The Cities Act* was passed in 2002 with the support of all three political parties. A major purpose of *The Cities Act* was to recognize and strengthen the right to local choice.

There is, in our view, a fundamental problem in trying to reconcile local choice with the TILMA concept of standardization and harmonization. A few examples of this in Saskatoon are as follows:

## 1. **Enhancement of Downtown**

Saskatoon's success in maintaining a healthy downtown is widely recognized. That success has been created in many ways by many different people. One component of that success was the issue of the location of stadium-style theatres. Throughout North America, stadium-style theatres have been built almost exclusively in suburban areas. Saskatoon went against the trend and insisted that stadium-style theatres be built only in downtown. The risk, of course, was that the theatre companies would refuse to invest in Saskatoon and the community would have no stadium-style theatre. In the end, that did not happen. The Galaxy Theatre was built downtown. By all accounts, it is a significant success for both the theatre company and for a healthy downtown. That is the kind of independence and risk-taking by cities which does not fit with the TILMA concept of standardization of regulations affecting business investment.

## 2. **Business Subsidies**

Part of maintaining a healthy downtown in Saskatoon has been the granting of tax incentives for developing housing downtown. In addition, the areas of the City immediately adjacent to downtown have been declared a Municipal Enterprise Zone. The purpose of the Zone is to revitalize the core areas by encouraging business investment through a variety of small incentives. All of these incentives are not only successful in achieving their purpose, but also are widely supported in the community. They are examples of local choice. All such incentives would be prohibited by TILMA as business subsidies, as we understand the Agreement.

Interestingly, as we read TILMA, because taxation is exempted, TILMA would not deal with or prohibit the real business subsidies in the municipal world, which are the ability of cities like Calgary to offer lower property taxes because of much larger infusions of cash from the Province of Alberta and a much lower dependence on property tax for funding education in that Province.

**3. Residential Housing Standards**

Saskatoon is a leader in Canada in setting property maintenance standards for residential property and making enforcement thereof a priority. This is an example of local choice. There is a direct connection between regulations like this and the condition of a City's housing stock. The condition of housing stock, in turn, is a significant factor in the creation and maintenance of healthy, stable urban neighbourhoods. Under TILMA, as we understand it, "investments" could include residential rental property purchases. Investors may be able to challenge the City's right to set higher standards for this industry, and perhaps, also, the City's right to set higher standards of enforcement.

**4. Smoking**

Saskatoon attempted to pass its first comprehensive anti-smoking bylaw in 1996 and succeeded in passing it, after a change in provincial legislation, in 2003. This was in advance of all other cities in the province.

More recently, Saskatoon has taken advantage of the right to set higher than minimum standards by banning smoking on outdoor patios and decks, and is moving towards restricting smoking in outdoor stadiums, etc. This is in advance of most cities in Canada. This is an exercise of local choice. It would not be permitted if harmonization with Regina, Calgary and Vancouver was required.

**5. Petitions and Referendums**

At the local government level, citizens have the ability to directly exercise their right to local choice through referendums. Saskatoon citizens take more advantage of this right than virtually any other city in Canada. Referendums often deal with business regulation and investment. For example, Sunday shopping was permitted in Saskatoon as a result of a referendum. As another example, it is fair to assume that Saskatoon is the only city in Canada which has, on two separate occasions, through a referendum, refused to allow a casino business within its boundaries. As we read TILMA, referendums would not have recognition or priority.

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Based on the information that we have to date, we do not believe that local choice can be adequately protected by adding specific exceptions to TILMA. Some areas, such as “land use regulation” could be added to the TILMA exceptions. However, local choice is far broader than a few areas. It is also unpredictable. Over the last two decades, store hours, smoking and casinos have all been major issues of local choice in Saskatoon. None of these were obvious before they happened. They could not be written into “exceptions” in advance, because no one could predict that they were going to become issues. In order to write appropriate exceptions into TILMA, we need to know now what will be the local choice issues in Saskatoon in 2010, 2015 and 2020. And we do not (and can not) know that.

Writing “legitimate objectives” for cities into TILMA is also unsatisfactory. At best, legitimate objectives give cities a chance to defend themselves when challenged before a TILMA tribunal. The problem is that that defence is expensive and uncertain. The safe and reasonable course for cities under TILMA is to avoid being challenged. And the way to do that, will be to do what everyone else is doing, when everyone else is doing it. Cities like Saskatoon, which have a long history of doing things first and doing things differently, will be at the greatest risk of TILMA challenges.

**SUMMARY**

As we mentioned at the beginning, this report is not about the pros and cons of TILMA for the Province of Saskatchewan. That debate revolves around significant issues of inter-provincial trade.

The sole issue dealt with in this report is the potential effect of TILMA on local government, and specifically The City of Saskatoon. The issue for Saskatoon is the issue of local choice and its importance and priority to this community.

The assumption of the governments of British Columbia and Alberta seems to be that TILMA can be “adjusted” to fit cities. That is why they have been included from the beginning, with a two-year transition period. If that assumption is shared by City Council, then the two-year transition period is an option to be considered.

Our concern is that the British Columbia/Alberta assumption appears to have been made without any study or consultation. Based on the information that we have to date, it is equally possible to assume that TILMA cannot be adjusted to fit cities. It may well be that the issue which will be facing cities is “Do you want TILMA or do you want local choice, or at least a protected local choice, free from the risk of TILMA challenges?” That would be a very different debate than what is proposed for British Columbia and Alberta.

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If City Council is concerned about local choice, the safer course is to ask the Provincial Government, should it decide to sign TILMA, to exempt cities completely at the beginning. A process can then occur which identifies whether TILMA and local choice can co-exist, or whether cities must essentially pick between TILMA and local choice. This process can occur without pre-assumptions. It would also be possible to discuss options not considered in British Columbia and Alberta, such as whether individual cities would have the right to opt-in or opt-out of TILMA. That would be an example of local choice applied to this issue.

**PUBLIC NOTICE**

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

**ATTACHMENTS**

1. Trade, Investment and Labour Mobility Agreement between British Columbia and Alberta dated April, 2006;
2. Document entitled "The British Columbia-Alberta Trade, Investment, and Labour Mobility Agreement" (two pages);
3. Two-page article by Mr. Robert Roach of The Canada West Foundation; and
4. Two-page article by Ms. Ellen Gould of The Canadian Centre for Policy Alternatives.

*Moved by Councillor Lorje, Seconded by Councillor Penner*

*THAT the report be forwarded to the Minister of Government Relations, Leader of the Opposition, Leader of the Third Party, SUMA, and the City Mayor's Caucus.*

*CARRIED.*

**COMMUNICATIONS TO COUNCIL**

The following communications were submitted and dealt with as stated:

**A. REQUESTS TO SPEAK TO COUNCIL**

**1) Rene Pinel, dated February 14**

Requesting permission to address City Council on the matter of the Briarwood Neighbourhood Concept Plan. (File No. CK. 4110-34)

**2) Ephrem Theoret, dated February 20**

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Requesting permission to address City Council on the matter of the Briarwood Neighbourhood Concept Plan. (File No. CK. 4110-34)

**3) Al Lozinski, dated February 20**

Requesting permission to address City Council on the matter of the Briarwood Neighbourhood Concept Plan. (File No. CK. 4110-34)

**4) Alexandra Gomez, dated February 20**

Requesting permission to address City Council on the matter of the Briarwood Neighbourhood Concept Plan. (File No. CK. 4110-34)

**RECOMMENDATION:** that items A14 – A17, B8 and B9 of Communications to Council and Clause No. 1 of Report No. 3-2007 of the Planning and Operations Committee be brought forward and that Rene Pinel, Ephrem Theoret, Al Lozinski, Alexandra Gomez, Doug Durrant, Glenn Stefanko, Duane Pochylko and Ron Olson be heard.

*Moved by Councillor Paulsen, Seconded by Councillor Penner,*

*THAT items A14 – A17, B8 and B9 of Communications to Council, Clause 1, Report No. 3-2007 of the Municipal Planning Commission, and Clause 1 of Report No. 3-2007 of the Planning and Operations Committee be brought forward and that Rene Pinel, Ephrem Theoret, Al Lozinski, Alexandra Gomez, Doug Durrant, Glenn Stefanko, Duane Pochylko and Ron Olson be heard.*

*CARRIED.*

**“A14) Doug Durrant, North Ridge Development Corp., dated February 21**

Requesting permission to address Council with respect to the Briarwood Neighbourhood Concept Plan. (File No. CK. 4110-34)

**A15) Glenn Stefanko, dated February 25**

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Requesting permission to address Council with respect to the Briarwood Neighbourhood Concept Plan. (File No. CK. 4110-34)

**A16) Duane Pochylko, dated February 26**

Requesting permission to address Council with respect to the Briarwood Neighbourhood Concept Plan. (File No. CK. 4110-34)

**A17) Ron Olson, Boychuk Construction Corp., dated February 26**

Requesting permission to address Council with respect to the Briarwood Neighbourhood Concept Plan. (File No. CK. 4110-34)

**B8) Matthew Keys, dated February 21**

Commenting on the matter of the Briarwood Neighbourhood Concept Plan. (File No. 4110-34)

**B9) Bobs Davidson, dated February 23**

Commenting on the matter of the Briarwood Neighbourhood Concept Plan. (File No. 4110-34)

**REPORT NO. 3-2007 OF THE MUNICIPAL PLANNING COMMISSION**

**1. Amendment to Briarwood Neighbourhood Concept Plan  
(File No. CK. 410-34)**

**RECOMMENDATION:** that the information be received and considered with Clause 1, Report No. 3-2007 of the Planning and Operations Committee.

The Municipal Planning Commission, at its meeting held on February 13, 2007, considered the report of the Community Services Department dated January 29, 2007, with respect to proposed amendments to the Briarwood Neighbourhood Concept Plan to re-designate Parcels C and D, Plan 96S13323 from "School Sites" to "Residential".

The Commission heard presentations from the owners of the above parcels in support of their application, including the need for additional lots in the city and interest expressed to them from people wanting to buy homes in this area. Through the Administrative report and discussions with



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the owners, the Commission determined that the school boards would not be constructing schools in Briarwood and the proposal before the Commission was for the development of these sites for single family residential purposes.

The Commission also received several presentations expressing opposition to different aspects of the proposals. Presentations were heard with respect to a petition signed by approximately 215 residents of Briarwood, asking that houses on lots 1 to 6 in Parcel C be constructed with the front of the house facing east onto Brookmore Crescent to complete the normal plan and appearance of Brookmore Crescent and Lane. They also expressed concern about the size of the six lots presently proposed to be backing onto Brookmore Crescent and the buffer zone and recommended that the proposed site plan be amended by deleting one of the lots (i.e. five lots instead of six lots). There was concern about the size and appearance of the homes in comparison to others in the area. The North Ridge Development Corp. representative provided the Commission with drawings of the front elevations of possible homes for this development.

Those expressing opposition to the proposed amendments to the concept plan also identified the following issues:

- When they purchased their homes, the expectation that there would be schools on the sites, i.e. identified as proposed school sites in information available.
- The impact the proposed developments would have on the view from their homes.
- The loss of green space and open space.
- The negative impact on property values.
- The impact on parking around the park and the additional traffic that this would bring to the area.
- There are opportunities for development in other areas of the city.
- With respect to the proposed Option 3, there were comments that the proposed linear park was not wide enough to provide an acceptable level of open space/green space.

Other issues identified by Commission members included opportunities for other uses, including more community centre space for the area, and whether low pollution lighting was considered for the proposed developments.

Following review of this matter, the Commission determined that it does not support the proposal as outlined in the January 29, 2007 report of the Administration. The Commission respectfully puts forward the following suggestions for consideration:

- With respect to Parcel C, position the homes along Brookmore Crescent so that the front of the homes face east onto Brookmore Crescent and move the buffer strip to the west of these lots.
- With respect to Parcel C, increase the size of the six smaller lots along Brookmore Crescent by reducing the number of lots to five and ensuring that the lot size in general is consistent with the lot size in this area.

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- Consider mitigating the loss of green space in relation to both proposed developments, especially for those existing homes backing onto the proposed new developments, perhaps through the use of linear or pocket parks.

This matter is also being reported on under Clause 1, Report No. 3-2007 of the Planning and Operations Committee. All attachments are included with that report.

**REPORT NO. 3-2007 OF THE PLANNING AND OPERATIONS COMMITTEE**

**1. Amendment to Briarwood Neighbourhood Concept Plan  
(Files CK. 4110-34 and PL 4131-10)**

**RECOMMENDATION:** that City Council approve, in principle, the Briarwood Neighbourhood Concept Plan dated September 8, 2006.

Attached is a copy of the report of the General Manager, Community Services Department with respect to a proposed amendment to the Briarwood Neighbourhood Concept Plan to re-designate Parcels C and D, Plan 96S13323 from “School Sites” to “Residential”.

Your Committee has reviewed the report with the Administration and was advised that this matter was also considered by the Technical Planning Commission and the Municipal Planning Commission. The Technical Planning Commission has supported the proposed amendments but has recommended that specific care in drainage issues be taken at the time the subdivision application is considered. The proposed amendments were not supported by the Municipal Planning Commission, as outlined in the attached memo dated February 13, 2007.

Your Committee also heard from Mr. Doug Durrant, representing North Ridge Development Corporation, with respect to their proposed development. He circulated information about the lot sizes, size and position of the homes on the lots, front and back elevations, and the location of the buffer strip, a copy of which is attached. The landscaping of the buffer strip would include mature vegetation, with undulating topography to add character, and a wrought iron fence to separate the yards from the buffer strip. This type of fencing was recommended by the City to address issues relating to graffiti. The back elevations of the homes would be upgraded, such as the trim and window grills, to enhance the view from the street. Based on the size of the parcel purchased and the costs involved, they are not looking at any changes to the proposed development, such as adding green space, repositioning the homes to face east onto Brookmore Crescent or reducing the number of lots.

Your Committee has also received a number of presentations from residents in the area, opposing the developments as presented. Copies of the written presentations are attached to this report. The following is a summary of issues identified by the residents:

- Loss of green space.

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- Impact on the view of the park from the residences in relation to the proposed developments versus a school, school yard and parking lot.
- Disappointment that schools would not be located on these sites and requests to set aside the land, for at least five years, to determine what the future needs may be, with reference to changing demographics in the area.
- Since the City owns 30% of the land, keep this for green space to compensate for the loss of green space that would have been there if schools were located on the sites.
- The density of housing is high enough in the area. There are already concerns about parking in the park and the addition of the homes will add to this. Parking should be provided somewhere in the park.
- There is need for gymnasium space in the park. There was reference to the role of a school or community centre in helping to establish a sense of community.
- With respect to Parcel C, there were concerns identified with respect to the size of some of the lots and with respect to the positioning of the homes along Brookmore Crescent in that the back of the homes would face Brookmore Crescent. A petition on these issues, with approximately 215 signatures, is attached to the report.

Following consideration of this matter, your Committee is supporting the recommendation of the Administration that the Briarwood Neighbourhood Concept Plan dated September 8, 2006, be approved, in principle.”

*Mr. Rene Pinel expressed concerns with respect to the proposed Briarwood Neighbourhood Concept Plan and submitted a petition containing approximately 227 signatures.*

*Mr. Ephrem Theoret expressed concerns with respect to the proposed Briarwood Neighbourhood Concept Plan and suggested there be an inclusion of linear parks and greenspace.*

*Mr. Al Lozinski expressed concerns with respect to the proposed Briarwood Neighbourhood Concept Plan and suggested linear pocket parks. He submitted a copy of his presentation.*

*Ms. Bernadette Pochylko spoke on behalf of Alexandra Gomez and expressed concerns with respect to the proposed Briarwood Neighbourhood Concept Plan.*

*Mr. Doug Durrant, North Ridge Development Corporation, indicated that North Ridge is prepared to increase lot sizes in the proposed plan to 15 metres. He submitted an information package for Council's review.*

*Mr. Glenn Stefanko expressed concerns with respect to the proposed Briarwood Neighbourhood Concept Plan and submitted a petition containing approximately 225 signatures.*

*Mr. Duane Pochylko expressed concerns with respect to the proposed Briarwood Neighbourhood Concept Plan.*

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*Mr. Ron Olson, Boychuk Construction Corp., provided information on the proposed Briarwood development.*

*Moved by Councillor Wyant, Seconded by Councillor Penner,*

*THAT Clause 1, Report No. 3-2007 of the Municipal Planning Commission be received as information.*

*CARRIED.*

*Moved by Councillor Wyant, Seconded by Councillor Lorje,*

*THAT City Council approve, in principle, the Briarwood Neighbourhood Concept Plan dated September 8, 2006.*

*DEFEATED.*

*Moved by Councillor Paulsen, Seconded by Councillor Wyant,*

*THAT, with respect to Parcel D (west side), the matter be referred back to the Administration to discuss with the developer the inclusion of a buffer strip (linear park) between the development and Brookhurst Crescent.*

*CARRIED.*

*Moved by Councillor Paulsen, Seconded by Councillor Dubois,*

*THAT, with respect to Parcel C (east side), the matter be referred back to the Administration to discuss the offer put forward by North Ridge Developments and also to discuss a minimum lot size of 15 metres, the inclusion of a buffer strip (linear park) between the existing development and the proposed development, and turning the houses on Brookmore around so that they face Brookmore and do not have a buffer strip.*

*CARRIED.*

**REQUESTS TO SPEAK TO COUNCIL – CONTINUED**

**5) Daryl Dawson, dated February 13**

Requesting permission to address City Council with respect to the proposed closure of the walkway between Peberdy and Wakabayashi Crescents. (File No. CK. 6295-1)

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**6) Daryl Torwalt, dated February 16**

Requesting permission to address City Council with respect to the proposed closure of the walkway between Peberdy and Wakabayashi Crescents. (File No. CK. 6295-1)

**7) Kevin Jantzen, dated February 17**

Requesting permission to address City Council with respect to the proposed closure of the walkway between Peberdy and Wakabayashi Crescents. (File No. CK. 6295-1)

**8) Linda Jantzen, dated February 21**

Requesting permission to address City Council with respect to the proposed closure of the walkway between Peberdy and Wakabayashi Crescents. (File No. CK. 6295-1)

**RECOMMENDATION:** that Daryl Dawson, Daryl Torwalt, Kevin Jantzen, and Linda Jantzen be heard.

*Moved by Councillor Heidt, Seconded by Councillor Penner,*

*THAT Daryl Dawson, Daryl Torwalt, Kevin Jantzen, and Linda Jantzen be heard.*

**CARRIED.**

*Mr. Daryl Dawson expressed concerns with respect to the walkway between Peberdy and Wakabayashi and asked that Council move forward with the closure.*

*Mr. Daryl Torwalt expressed concerns with respect to the walkway between Peberdy and Wakabayashi and asked that Council move forward with the closure.*

*Mr. Kevin Jantzen expressed concerns with respect to the walkway between Peberdy and Wakabayashi and asked that Council move forward with the closure.*

*Ms. Elaine Dawson and Ms. Gail Shawaga expressed concerns with respect to the walkway between Peberdy and Wakabayashi and asked that Council move forward with the closure. They submitted an information package to Council.*

*Moved by Councillor Wyant, Seconded by Councillor Penner,*

*1) that the Administration proceed with the public hearing on the closing of the walkway between Wakabayashi and Peberdy; and*

- 2) *that a freeze be put on all future walkway closures until the policy can be further reviewed.*

*CARRIED.*

**REQUESTS TO SPEAK TO COUNCIL – CONTINUED**

9) **Henry Woolf, dated February 22**

Requesting permission to address Council with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

10) **Don Kerr, dated February 22**

Requesting permission to address Council with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

11) **Douglas Bentham, dated February 25**

Requesting permission to address Council with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

12) **Michael Hosaluk, dated February 26**

Requesting permission to address Council with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

13) **Adrian Stimson, dated February 26, 2007**

Requesting permission to address Council with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**RECOMMENDATION:** that items B11 – B33 of Communications to Council and Clause F2, Administrative Report No. 5-2007 be brought forward and that Henry Woolf, Don Kerr, Douglas Bentham, Michael Hosaluk and Adrian Stimson be heard.

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*Moved by Councillor Heidt, Seconded by Councillor Penner,*

*THAT items B11 – B33 of Communications to Council and Clause F2, Administrative Report No. 5-2007 be brought forward and that Henry Woolf, Don Kerr, Douglas Bentham, Michael Hosaluk and Adrian Stimson be heard.*

*CARRIED.*

**“B11) Howard Janzen, Manager of Finance and Operations  
Mendel Art Gallery, dated February 21**

Submitting the Mendel Art Gallery’s Response to Robert Prosser & Associates’ Audit Opinion.  
(File No. CK. 1600-5)

**B12) Randy Schmidt, dated February 25**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**B13) Maureen Cline, dated February 24**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**B14) Georgina Nemeth, dated February 26**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

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**B15) Wayne Wohlberg, dated February 23**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**B16) Marie Lannoo and Dan Shapiro, dated February 26**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**B17) Professor Patrick Traer, dated February 21**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**B18) John Penner, dated February 22**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**B19) Susan Wittrup, dated February 23**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**B20) Nathan Risling, dated February 23**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**B21) Charles Fox, dated February 22**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**B22) Kate Davis, Director, MacKenzie Art Gallery, dated February 21**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**B23) Robert Epp, Gallerist, Gallery One One One, dated February 22**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**B24) Diana Nemiroff, Director, Carleton University, dated February 22**



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Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**B25) Dean Bauche, Director of Galleries, City of North Battleford, dated February 21**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**B26) Jann Bailey, Executive Director, Kamloops Art Gallery, dated February 22**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**B27) Taras Polataiko, dated February 23**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**B28) Peter Derrick, dated February 23**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**B29) Josephine Mills, Director/Curator, University of Lethbridge, dated February 22**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**B30) Felipe Diaz, Executive Director  
Saskatchewan Filmpool Cooperative, dated February 23**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**B31) Allan Mackay, dated February 22**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**B32) Donna Kriekle, dated February 23**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**B33) Mark Stobbe, Executive Director, Saskatchewan Craft Council, dated February 26**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

**ADMINISTRATIVE REPORT NO. 5-2007**

**F2) Mendel Art Gallery Expansion  
Audit Opinion – Operating Costs  
(File No. CC. 153-1)**

- RECOMMENDATION:**
- 1) that City Council confirm, as owner of the building, it is responsible for the increased operating costs due to the expansion; and,
  - 2) that the direction of Council issue with respect to financing options.

**BACKGROUND**

The Board of Directors of the Mendel Art Gallery has proposed a major expansion of the building. The estimated cost is \$18.4M, of which \$4.5M will come from the City (which is committed); \$4.6M each from the provincial and federal governments; and \$4.7M in fundraising.

Your Administration is working with both the federal and provincial governments to secure the capital funding. As we proceed with these requests, both senior levels of government are requesting confirmation that the increased operating expenses will be the full responsibility of the City of Saskatoon as owners of the building.

Initially, it was thought the increase in operating expenditures would be minimal. However, after the development of a business plan and a subsequent audit of the plan by Robert Prosser & Associates Inc., by the attached letter (Attachment 1) Mr. Prosser has confirmed, at full build-out, a potential annual operating cost increase of \$658,468. As well, an annual increase in the contribution to the Capital Building Replacement Reserve of \$144,300 is required.

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A further review of the potential increase of operating costs by Nicole Garman of Robert Prosser and Associates (Attachment 2) has found that of the proposed increased costs, \$304,210 would have occurred through normal inflationary increases, regardless of whether the expansion proceeded or not.

Regardless of inflationary costs, assuming the building is completed in 2010, \$802,768 will be required to be in place by that date.

**FINANCING OPTIONS**

City Council could place the full increase on the mill rate in 2010, which would equal an approximate .75% mill rate increase.

As an option, City Council could phase in the increase starting in 2008, with an approximate annual increase of \$267,000 per year. This would spread the mill rate impact over three years.

As a third option, if City Council did not wish to bind a future Council, it could have two increases of approximately \$400,000 in the 2008 budget, and \$400,000 in the 2009 budget.

**PUBLIC NOTICE**

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

**ATTACHMENTS**

1. Letter dated September 11, 2006, from Robert Prosser & Associates Inc. – Audit Opinion - Mendel Art Gallery (financial viability).
2. Letter dated February 13, 2007, from Nicole Garman, Robert Prosser & Associates Inc. – Audit Opinion – Mendel Art Gallery Business Plan – No Expansion.”

*Mr. Henry Woolf spoke in favour of the proposed Mendel Art Gallery expansion.*

*Mr. Don Kerr, Saskatchewan Arts Alliance, spoke in favour of the proposed Mendel Art Gallery expansion and invited members of Council to attend an opening at the Mendel.*

*Mr. Douglas Bentham spoke in favour of the proposed Mendel Art Gallery expansion.*

*Mr. Michael Hosaluk spoke in favour of the proposed Mendel Art Gallery expansion.*

*Mr. Adrian Stimson, Aboriginal Curator at the Mendel, spoke in favour of the proposed Mendel Art Gallery expansion.*

*Ms. Alice Kuipers spoke in favour of the proposed Mendel Art Gallery expansion.*

*Moved by Councillor Wyant, Seconded by Councillor Lorje,*

- 1) *that City Council confirm, as owner of the building, it is responsible for the increased operating costs due to the expansion; and,*
- 2) *that Council phase in the increased operating cost over a three-year period, starting in 2008.*

**IN AMENDMENT**

*Moved by Councillor Heidt, Seconded by Councillor Dubois,*

*THAT the motion be amended by adding the following:*

- 3) *that the Mendel Art Gallery implement an admission charge and report back on the amount they will be charging.*

**IN DEFERRAL**

*Moved by Councillor Penner, Seconded by Councillor Lorje,*

*THAT consideration of the amending motion be deferred and that the Board of the Mendel Art Gallery be requested to report on the possible implementation of an admission charge.*

***THE DEFERRAL MOTION WAS PUT AND CARRIED.  
THE MAIN MOTION WAS PUT AND CARRIED.***

**REQUESTS TO SPEAK TO COUNCIL - CONTINUED**

**14) Doug Durrant, North Ridge Development Corp., dated February 21**

Requesting permission to address Council with respect to the Briarwood Neighbourhood Concept Plan. (File No. CK. 4110-34)

*DEALT WITH EARLIER. SEE PAGE NO. 38.*

**15) Glenn Stefanko, dated February 25**

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Requesting permission to address Council with respect to the Briarwood Neighbourhood Concept Plan. (File No. CK. 4110-34)

*DEALT WITH EARLIER. SEE PAGE NO. 38.*

**16) Duane Pochylko, dated February 26**

Requesting permission to address Council with respect to the Briarwood Neighbourhood Concept Plan. (File No. CK. 4110-34)

*DEALT WITH EARLIER. SEE PAGE NO. 38.*

**17) Ron Olson, Boychuk Construction Corp., dated February 26**

Requesting permission to address Council with respect to the Briarwood Neighbourhood Concept Plan. (File No. CK. 4110-34)

*DEALT WITH EARLIER. SEE PAGE NO. 38.*

**REPORT NO. 3-2007 OF THE PLANNING AND OPERATIONS COMMITTEE**

Composition of Committee

Councillor G. Wyant, Chair  
Councillor B. Dubois  
Councillor P. Lorje  
Councillor C. Clark  
Councillor B. Pringle

**1. Amendment to Briarwood Neighbourhood Concept Plan  
(Files CK. 4110-34 and PL 4131-10)**

**RECOMMENDATION:** that City Council approve, in principle, the Briarwood Neighbourhood Concept Plan dated September 8, 2006.

*DEALT WITH EARLIER. SEE PAGE NO. 38.*

**2. Strategy to Address Nutana Park Space Deficiency**

**(File No. CK. 4205-1)**

- RECOMMENDATION:**
- 1) that the Administration enter into negotiations with Saskatoon Public Schools to develop or co-develop the school yards at Victoria School and Nutana Collegiate as neighbourhood park space; and
  - 2) that the Dedicated Lands Account be used to fund any development of the above mentioned school yards, as well as an upgrade of Idylwyld Park.

Attached is a copy of the report of the General Manager, Community Services Department dated January 24, 2007, with respect to the above matter.

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

*Moved by Councillor Wyant, Seconded by Councillor Dubois,*

*THAT the recommendation be adopted.*

*CARRIED.*

**3. Urban Design Program 2006 Report  
(Files CK. 430-28 and UD 216-01)**

**RECOMMENDATION:** that the information be received.

Your Committee has reviewed the attached report of the General Manager, Community Services Department dated February 5, 2007, submitting the 2006 Annual Report of the Urban Design Program. The report is forwarded to City Council for information.

City Council members have already received a copy of the Annual Report. A copy is available for review in the City Clerk's Office and on the City's Website, under the City Council agenda.

*Moved by Councillor Wyant, Seconded by Councillor Dubois,*

*THAT the recommendation be adopted.*

*CARRIED.*

**4. Cultural Capitals of Canada Overview  
(File No. CK. 1860-1)**

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**RECOMMENDATION:** that the information be received.

Your Committee has considered the attached report of the General Manager, Community Services Department dated February 1, 2007 on the above matter and is forwarding the report to City Council for information.

*Moved by Councillor Wyant, Seconded by Councillor Dubois,*

*THAT the recommendation be adopted.*

*CARRIED.*

**REPORT NO. 3-2007 OF THE ADMINISTRATION AND FINANCE COMMITTEE**

Composition of Committee

Councillor G. Penner, Chair  
Councillor D. Heidt  
Councillor M. Hill  
Councillor M. Neault  
Councillor T. Paulsen

**1. 2007 Tag Days  
(File No. CK. 200-3)**

**RECOMMENDATION:** that the applications for 2007 Tag Days be approved as outlined in the attached report.

Attached is a copy of the report of the General Manager, Corporate Services Department dated January 30, 2007 forwarding a list of applications received for 2007 Tag Days.

Your Committee has reviewed this report with the Administration and supports the approval of the twelve applications.

*Moved by Councillor Penner, Seconded by Councillor Wyant,*

*THAT the recommendation be adopted.*

*CARRIED.*

**2. Transit Charter Rates  
(File No. CK. 1905-4)**

**RECOMMENDATION:** that the information be received.

Attached is a copy of the report of the Acting General Manager, Utility Services Department dated January 21, 2007 forwarding information on the upcoming increases to Transit Charter Rates – effective March 1, 2007.

Your Committee has reviewed this report with the Administration and supports the proposed increases as the existing rates have been in effect since July 1, 2005 and costs have increased for this service.

The bound document from the above report was provided to City Council the Administration in the Administration and Finance Committee agenda for February 12, 2007 and therefore has had limited distribution at this time.

*Moved by Councillor Penner, Seconded by Councillor Paulsen,*

*THAT the recommendation be adopted.*

*CARRIED.*

**3. Biodiesel Fuel Project – Phase III  
(File No. CK. 7300-1)**

**RECOMMENDATION:**

- 1) that Saskatoon Transit use 1.0% biodiesel blend for the entire fleet; and
- 2) that Saskatoon Transit implement Phase III of the Biodiesel Project.

Attached is a copy of the report of the General Manager, Utility Services Department dated January 30, 2007 regarding the Biodiesel Fuel Project.

Your Committee has reviewed this report with the Administration and is pleased with the outcome of this project to date, and supports the implementation of Phase III based on these results. The Committee determined that the Administration is exploring whether a higher percentage of



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biodiesel fuel could be handled by the vehicles, and will advise Council on the outcome of their findings.

*Moved by Councillor Penner, Seconded by Councillor Dubois,*

*THAT the recommendation be adopted.*

*CARRIED.*

**REPORT NO. 1-2007 OF THE LAND BANK COMMITTEE**

Composition of Committee

Councillor M. Heidt, Chair  
Councillor D. Hill  
Councillor P. Lorje  
Councillor G. Penner  
Councillor M. Neault

**1. Willowgrove Financial Information and Allocation of Distribution  
(File No. CK. 4131-21)**

**RECOMMENDATION:** that a \$4,000,000 distribution from the Willowgrove neighbourhood be disbursed.

Attached is a copy of the report of the General Manager, Community Services Department dated January 25, 2007 with respect to the above matter. Your Committee has reviewed this report with the Administration, and supports the disbursement of the \$4,000,000 distribution at this time.

*Moved by Councillor Heidt, Seconded by Councillor Wyant,*

*THAT the recommendation be adopted.*

*CARRIED.*

**REPORT NO. 4-2007 OF THE EXECUTIVE COMMITTEE**

Composition of Committee

His Worship Mayor D. Atchison, Chair  
Councillor C. Clark  
Councillor B. Dubois  
Councillor M. Heidt  
Councillor D. Hill  
Councillor P. Lorje  
Councillor M. Neault  
Councillor T. Paulsen  
Councillor G. Penner  
Councillor B. Pringle  
Councillor G. Wyant

**1. Appointment to Saskatoon Environmental Advisory Committee**  
**(File No. CK. 175-9)**

**RECOMMENDATION:** that Mark Warbanski be appointed to the Saskatoon Environmental Advisory Committee to the end of 2008, to replace Erika Ritchie.

Ms. Erika Ritchie has resigned from the Saskatoon Environmental Advisory Committee.

*Moved by Councillor Heidt, Seconded by Councillor Wyant,*

*THAT the recommendation be adopted.*

*CARRIED.*

**2. Appointment to Board of Police Commissioners**  
**(File No. CK. 175-23)**

**RECOMMENDATION:** that Vera Pezer be appointed to the Board of Police Commissioners to the end of 2007, to replace Eleanor Shia.

There is one vacancy on the Board of Police Commissioners.

*Moved by Councillor Heidt, Seconded by Councillor Dubois,*

*THAT the recommendation be adopted.*

*CARRIED.*

**3. Plastics Granulator**  
**(File No. CK. 7830-5)**

- RECOMMENDATION:**
- 1) that the City of Saskatoon partner with Saskatoon Curbside Recycling and Cosmopolitan Industries to implement a pilot plastics recycling program in 2007; and
  - 2) that the City of Saskatoon partner with Saskatoon Curbside Recycling and Cosmopolitan Industries in the purchase of a plastic granulator, by contributing up to \$10,000, to be funded from Capital Project 1482 – Recycling Depots.

Your Committee has considered and supports the following report of the General Manager, Utility Services Department dated January 23, 2007.

*Moved by Councillor Heidt, Seconded by Councillor Hill,*

*THAT the recommendation be adopted.*

*CARRIED.*

**4. Allocation of Funds From**  
**Land Bank Distribution**  
**(File No. CK. 4000-1)**

- RECOMMENDATION:** that the General Manager, Community Services Department be authorized to allocate the \$4 million distribution from the Land Bank Program as follows:
- a) Urban Development Agreement (UDA) funding for 2007 and 2008 - \$1,000,000;
  - b) Pleasant Hill project land acquisition - \$1,000,000;
  - c) Avenue K up to \$40,000;
  - d) Local Area Plan (LAP) Neighbourhood – surface deficiencies up to \$1,460,000; and
  - e) Municipal Enterprise Zone Program Initiatives - \$500,000.

The Land Bank Committee, under Clause 1, Report No. 1-2007 on this agenda has recommended to City Council that there be a \$4M distribution from the Willowgrove Land Development Project.

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The purpose of this report is to recommend allocation of these funds, should Council agree to the Land Bank Committee's recommendation.

Your Committee has considered the following report of the General Manager, Community Services Department dated January 25, 2007:

**“BACKGROUND**

The City has experienced a growing need to support initiatives which maintain and enhance the quality of life within some core neighbourhoods. The Station 20 West project and the Pleasant Hill project stand out as two major undertakings which require significant financial support if Saskatoon is to maintain the core neighbourhoods as viable and attractive places to live.

According to the 2002 Pleasant Hill Local Area Plan, the Pleasant Hill neighbourhood requires revitalization to stop the continued decline of the neighbourhood's social and economic fabric.

Revitalization efforts require a source of funding. Often, funding assistance which comes from other levels of governments require the City to contribute as a partner. Profits from the sale of land from the Land Bank Program can be used to provide such a source of funds for reinvestment and/or incentive for development within older areas of our city.

**REPORT**

The following report outlines a proposed allocation of the funds obtained from a distribution from the Land Bank program.

1. Pleasant Hill Revitalization

This project will produce over one block of clean, vacant, and fully serviced land that is ready for development in the Pleasant Hill area. The City of Saskatoon proposes to purchase the properties on Avenue O South, Avenue N South, and 20<sup>th</sup> Street West, and to undertake the demolition of all existing buildings. The site will be prepared for a mixed-housing development, new elementary school, green space, and possibly some community space. The proposal includes land acquisition, site preparation, clean up, demolition, and infrastructure upgrades.

The Pleasant Hill Revitalization Project is contingent upon a financial contribution by the City towards the Urban Development Agreement Program. Under the terms of the Agreement, the Federal Government will contribute 24 percent or up to \$789,471, the Provincial Government will provide 24 percent or up to \$789,471, and the City of Saskatoon will contribute the remaining 52 percent or \$1,715,012, for a total of \$3,293,954.

The City's contribution will be used mainly for property acquisition. This will include:

- Phase 1 Environmental Screening charges.
- Appraisal fees to acquire properties not owned by Patrick Wolfe but within the redevelopment area.
- Land Branch fees and charges for property acquisition, including appraisals and screening charges.

Other charges such as concept planning, community consultation, road and lane closures, subdivision fees and charges, project management fees, cost increases for infrastructure upgrades and a contingency amount for unforeseen costs will require that the City be prepared with approved funding to account for these charges. It is recommended that up to \$2 million of the \$4 million Land Bank distribution be allocated to the Pleasant Hill Revitalization Project.

2. Station 20 West

There were several outstanding charges related to the Station 20 West Redevelopment Project which either could not be covered under the Urban Development Agreement, or have no source of funding. These charges include land administration fees, concept planning, building condition assessments, and project management fees for remediation from Infrastructure Services. The total charges are estimated to be \$40,000. It is proposed that the Land Bank distribution would be the source to cover these charges.

3. Surface Deficiencies in LAP neighbourhoods

The City of Saskatoon has conducted local area planning since 1999. To date, eight local area plans have been completed and adopted. Some of the recommendations arising out of the Sutherland, Pleasant Hill and West Industrial Local Area Plans concern the paving of unpaved streets and maintenance or construction of new sidewalks. In 2005, the Infrastructure Services Department estimated that over \$1.1 million was needed to complete this work. A list of identified locations is included (See Attachment 1). Three locations identified for surface improvements do not have an estimate at the time of this writing. Infrastructure Services is updating the estimates provided in Attachment 1 and will report in due course. It is estimated that \$2 million will cover the list of surface deficiencies in Attachment 1. This accounts for the three locations without estimates plus construction cost increases since 2005 (26.9 percent)."

Your Committee has added to the Administration's list of programs to receive funding from the \$4M distribution, the Municipal Enterprise Zone Program in the amount of \$500,000. This

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allocation will allow the program to continue operating until after completion of an audit of the program, at which time a decision will be made as to the future of the program.

*Moved by Councillor Heidt, Seconded by Councillor Dubois,*

*THAT the recommendation be adopted.*

*CARRIED.*

**5. Request for Transit Service  
76<sup>th</sup> Congress of the Humanities and Social Sciences  
(File No. CK. 1870-1)**

**RECOMMENDATION:** that delegates to the 76<sup>th</sup> Congress of the Humanities and Social Sciences be authorized to use the city Transit services free of charge by displaying their Congress conference badge.

Your Committee has reviewed and supports the attached report of the City Manager dated February 5, 2007.

*Moved by Councillor Heidt, Seconded by Councillor Penner,*

*THAT the recommendation be adopted.*

*CARRIED.*

**6. Travel Expenses and Car Allowance – Councillors  
(File No. CK. 1970-1)**

**RECOMMENDATION:** that the information be received.

Section 3.4 of Policy No. C01-023, “City Councillors’ Travel and Training”, states that the City Clerk will, on an annual basis, prepare a report listing the total cost of Councillors’ combined travel and training from the Councillors’ Common Travel and Training Budget, and the total cost of each Councillor’s individual travel and training. Upon approval of the Councillors, the report is to be submitted to a City Council meeting.

Each Councillor is allotted \$3,500 per year for general travel and training, such as attendance at the annual SUMA and FCM conferences. This amount is pro-rated in an election year. In addition, a Common Travel and Training Budget in the amount of \$3,500 is provided in order for a Councillor to attend annual conferences or board meetings of any organization on which he or she sits as an official representative of the City of Saskatoon, such as the Trans Canada Yellowhead Highway Association.

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The amount spent on car allowance in 2006 is also included. There was a total budget of \$20,000 for use by all Councillors.

The following are the expenditures in 2006:

Individual Travel and Training

Total Amount Budgeted	\$ 35,000
Total Amount Spent	\$ 23,609

Individual Expenditures

Councillor Clark	\$ 0
Councillor Dubois	\$ 4,163
Councillor Heidt	\$ 993
Councillor Hill	\$ 0
Councillor Lorje	\$ 0
Councillor Neault	\$ 1,553
Councillor Paulsen	\$ 2,057
Councillor Penner	\$ 0
Councillor Pringle	\$ 0
Councillor Wyant	\$ 3,157
Former Councillor Alm	\$ 2,937
Former Councillor Birkmaier	\$ 2,961
Former Councillor Fortosky	\$ 2,837
Former Councillor Hnatyshyn	\$ 2,951

Combined Travel and Training

Total Amount Budgeted	\$ 3,500
Total Amount Spent	\$ 10,597
Councillor Dubois	\$ 4,679
Councillor Paulsen	\$ 1,780

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Former Councillor Birkmaier	\$	2,244
Former Councillor Fortosky	\$	1,894

Car Allowance

Total Amount Budgeted	\$	20,000
Total Amount Spent	\$	11,669

Individual Expenditures

Councillor Clark	\$	77
Councillor Dubois	\$	1,622
Councillor Heidt	\$	3,165
Councillor Hill	\$	291
Councillor Lorje	\$	429
Councillor Neault	\$	340
Councillor Paulsen	\$	925
Councillor Penner	\$	731
Councillor Pringle	\$	237
Councillor Wyant	\$	1,537
Former Councillor Alm	\$	2,315
Former Councillor Birkmaier	\$	0
Former Councillor Fortosky	\$	0
Former Councillor Hnatyshyn	\$	0

*Moved by Councillor Heidt, Seconded by Councillor Neault,*

*THAT the recommendation be adopted.*

*CARRIED.*



**COMMUNICATIONS TO COUNCIL - CONTINUED**

**B. ITEMS WHICH REQUIRE THE DIRECTION OF CITY COUNCIL**

**1) Tom Morgan and Jacqui Barclay, Riversdale Community and School Association, dated February 7**

Commenting on concerns regarding the issue of developing green space along 17<sup>th</sup> Street. (File No. CK. 4205-1)

*DEALT WITH EARLIER. SEE PAGE NO. 24.*

**2) Lisa Hildebrandt, Saskatoon SPCA, dated February 7**

Requesting permission to use Kiwanis Park on Sunday, July 8, 2007, for the 2<sup>nd</sup> Annual "Pets in the Park" event. (File No. CK. 205-1)

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

*Moved by Councillor Heidt, Seconded by Councillor Dubois,*

*THAT the request be approved subject to administrative conditions.*

*CARRIED.*

**3) Patricia Krutzen, dated February 7**

Commenting on proposed development of Chief Whitecap Park. (File No. CK. 4205-38)

**RECOMMENDATION:** that the information be received and joined to the file and the writer advised of the next steps in the process.

*Moved by Councillor Heidt, Seconded by Councillor Dubois,*

*THAT the information be received and joined to the file and the writer advised of the next steps in the process.*

*CARRIED.*

**4) Laurette Lefol, President,**

**Le Federation des francophones de Saskatoon, dated February 9**

Requesting permission to hold a flag raising ceremony outside City Hall on Monday, March 12, 2007. (File No. CK. 205-1)

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

*Moved by Councillor Heidt, Seconded by Councillor Dubois,*

*THAT the request be approved subject to administrative conditions.*

*CARRIED.*

**5) Brad Sylvester, Chair, Official Ceremonies, Optimist Canada Day, 2007, undated**

Submitting various requests with respect to Saskatoon Optimist Canada Day being held in Diefenbaker Park on July 1, 2007.

**RECOMMENDATION:**

- 1) that the issue with respect to transit services be referred to the Administration for consideration;
- 2) that permission be granted to the organizers of Optimist Canada Day to extend the time during which fireworks can be displayed in Diefenbaker Park until 11:15 P.M. on July 1, 2007;
- 3) that all other requests be approved subject to administrative conditions; and
- 4) that a copy of the letter be forwarded to the Chief of Police.

*Moved by Councillor Heidt, Seconded by Councillor Dubois,*

*1) that the issue with respect to transit services be referred to the Administration for consideration;*

*2) that permission be granted to the organizers of Optimist Canada Day to extend the time during which fireworks can be displayed in Diefenbaker Park until 11:15 P.M. on July 1, 2007;*

*3) that all other requests be approved subject to administrative conditions; and*

*4) that a copy of the letter be forwarded to the Chief of Police.*

*CARRIED.*

6) **Nicholas Dietrick, High Voltage Classic, dated February 12**

Requesting the closure of 23<sup>rd</sup> Street between 3<sup>rd</sup> and 4<sup>th</sup> Avenues at 6:00 A.M. Saturday, March 24<sup>th</sup> until 5 P.M. on Sunday, March 25, 2007 to accommodate the annual High Voltage Classic charity road hockey tournament. (File No. CK. 205-1)

**RECOMMENDATION:** that the request be granted subject to administrative conditions.

*Moved by Councillor Heidt, Seconded by Councillor Dubois,*

*THAT the request be granted subject to administrative conditions.*

*CARRIED.*

7) **Jacque Pickard, dated February 20**

Requesting that buses run on Canada Day. (File No. CK. 7300-1 & 205-12)

**RECOMMENDATION:** that the direction of Council issue.

*Moved by Councillor Heidt, Seconded by Councillor Dubois,*

*THAT the matter be referred to the Administration for a report.*

*CARRIED.*

8) **Matthew Keys, dated February 21**

Commenting on the matter of the Briarwood Neighbourhood Concept Plan. (File No. 4110-34)

*DEALT WITH EARLIER. SEE PAGE NO. 38.*

9) **Bobs Davidson, dated February 23**

Commenting on the matter of the Briarwood Neighbourhood Concept Plan. (File No. 4110-34)

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*DEALT WITH EARLIER. SEE PAGE NO. 38.*

**10) Ron Chomyn, dated February 23**

Submitting comments with respect to the proposed anti-trespassing bylaw. (File No. CK. 5000-1)

*DEALT WITH EARLIER. SEE PAGE NO. 30.*

**11) Howard Janzen, Manager of Finance and Operations  
Mendel Art Gallery, dated February 21**

Submitting the Mendel Art Gallery's Response to Robert Prosser & Associates' Audit Opinion. (File No. CK. 1600-5)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**12) Randy Schmidt, dated February 25**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**13) Maureen Cline, dated February 24**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**14) Georgina Nemeth, dated February 26**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**15) Wayne Wohlberg, dated February 23**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

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*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**16) Marie Lannoo and Dan Shapiro, dated February 26**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**17) Professor Patrick Traer, dated February 21**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**18) John Penner, dated February 22**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**19) Susan Wittrup, dated February 23**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**20) Nathan Risling, dated February 23**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**21) Charles Fox, dated February 22**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

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**22) Kate Davis, Director, MacKenzie Art Gallery, dated February 21**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**23) Robert Epp, Gallerist, Gallery One One One, dated February 22**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**24) Diana Nemiroff, Director, Carleton University, dated February 22**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**25) Dean Bauche, Director of Galleries, City of North Battleford, dated February 21**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**26) Jann Bailey, Executive Director, Kamloops Art Gallery, dated February 22**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**27) Taras Polataiko, dated February 23**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

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**28) Peter Derrick, dated February 23**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**29) Josephine Mills, Director/Curator, University of Lethbridge, dated February 22**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**30) Felipe Diaz, Executive Director  
Saskatchewan Filmpool Cooperative, dated February 23**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**31) Allan Mackay, dated February 22**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**32) Donna Kriekle, dated February 23**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**33) Mark Stobbe, Executive Director, Saskatchewan Craft Council, dated February 26**

Submitting comments with respect to the Mendel Art Gallery expansion. (File No. CK. 620-1)

*DEALT WITH EARLIER. SEE PAGE NO. 28.*

**C. INFORMATION ITEMS**

**1) Paul Van Loon, Lung Association, Saskatchewan, dated February 6**

Submitting information with respect to a smoke-free multi-unit dwelling proposal. (File No. CK. 185-3)

**2) Rob and Sheila Lavender, dated February 7**

Commenting on what a good job the City has done with respect to snow removal this winter. (File No. CK. 6290-1)

**3) Norman Cagle, dated February 7**

Advising of a law in the State of Washington whereby newborns can be left at various locations with “no questions asked.” (File No. CK. 225-69)

**4) Mary Cone, undated**

Commenting on issues with respect to the Traffic Bridge and to City Transit. (File Nos. CK. 7300-1 and 6050-8)

**5) Lynn Moen, dated February 9**

Commenting on various issues of concern. (File No. CK. 150-1)

**6) Joanne Sproule, Secretary to the Board,  
The Board of Police Commissioners, dated February 15**

Submitting copy of a response by the Chief of Police to Mr. David Klatt with respect to the EAGLE air patrol. (File No. CK. 5000-1)

**7) Joe Kuchta, dated February 19**

Submitting copies of articles with respect to heritage structures. (File No. CK. 710-1)

**8) Joanne Sproule, Deputy Assistant City Clerk, dated February 13**



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Submitting Notice of Hearing of the Development Appeals Board respecting the property at 1520 17<sup>th</sup> Street West. (File No. CK. 4352-1)

**RECOMMENDATION:** that the information be received.

*Moved by Councillor Lorje, Seconded by Councillor Dubois,*

*THAT the information be received.*

*CARRIED.*

**D. ITEMS WHICH HAVE BEEN REFERRED FOR APPROPRIATE ACTION**

**1) Valerie Schrivener, undated**

Commenting on recycling. (File No. CK. 7830-5) **(Referred to the Administration to respond to the writer.)**

**2) Norm Campbell, Chief Executive Officer, Communities in Bloom, dated February 8**

Inviting participation in the Communities in Bloom program. (File No. CK. 1870-1) **(Referred to Administration for further handling.)**

**3) Kveta Tuma, dated February 15**

Commenting on the need for snow removal on sidewalks. (File No. CK. 6290-1) **(Referred to Administration to respond to the writer.)**

**4) Barb Sopotyik, Host Committee, Saskatchewan Country Music Awards, dated February 15**

Requesting sponsorship for the 2007 Saskatchewan Country Music Awards together with a welcome note from His Worship the Mayor to be published in a souvenir booklet. (File No. CK. 1870-1) **(Referred to Administration for further handling.)**

**5) Lorelie Meyers, dated February 19**

Enquiring about a proposed bus shelter at Preston Crossing and commenting on other transit issues.  
(File No. CK. 7311-1)

**RECOMMENDATION:** that the information be received.

*Moved by Councillor Penner, Seconded by Councillor Wyant,*

*THAT the information be received.*

*CARRIED.*

**E. PROCLAMATIONS**

**1) Darren Williams, Rotary Clubs of Saskatoon, dated February 9**

Requesting that City Council proclaim the week of April 23<sup>rd</sup>, 2007, as Rotary Week in Saskatoon.

**2) Marion Laroque, Lung Association of Saskatchewan, dated February 20**

Requesting that Council proclaim the week of March 5 to 11, 2007, as Sleep Awareness Week.

**RECOMMENDATION:**

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

*Moved by Councillor Dubois, Seconded by Councillor Penner,*

*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.*

**INTRODUCTION AND CONSIDERATION OF BYLAWS**

**Bylaw 8577**

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Moved by Councillor Penner, seconded by Councillor Pringle,

THAT permission be granted to introduce Bylaw No. 8577, being "The Zoning Amendment Bylaw, 2007 (No. 4)", and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Penner, seconded by Councillor Neault,

THAT Bylaw No. 8577 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Penner, Seconded by Councillor Wyant,

THAT Council go into Committee of the Whole to consider Bylaw No. 8577.

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:

That while in Committee of the Whole, Bylaw No. 8577 was considered clause by clause and approved.

Moved by Councillor Penner, Seconded by Councillor Lorje,

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

CARRIED.

Moved by Councillor Penner, Seconded by Councillor Hill,

THAT permission be granted to have Bylaw No. 8577 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Penner, Seconded by Councillor Dubois,

THAT Bylaw No. 8577 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.

**MATTERS OF PARTICULAR INTEREST**

- 7a) Prohibiting Smoking at Outdoor Stadiums and Bleachers at Sports Fields in City Neighbourhood, District, Multi-District and Special-Use Parks  
(File No. CK. 185-3, LS 4206-GO1-2 and LS 4133-0)**
- 

**REPORT OF THE CITY CLERK:**

“The following is a report of the General Manager, Community Services Department dated February 14, 2007:

- RECOMMENDATION:**
- 1) that a No Smoking Policy be established for all outdoor seating at City-owned sports fields located in neighbourhood, district, multi-district and special-use parks effective May 1, 2007;
  - 2) that the Administration be instructed to take the appropriate steps to provide for this No Smoking Policy and prepare the required documentation including a change to all lease and license agreements;
  - 3) that the Administration arrange for the designation of smoking area(s) at larger City-owned stadiums;
  - 4) that the Administration arrange for installation of the appropriate signage at the various civic facilities; and

- 5) that an increase of \$6,500 to supply and install the appropriate no smoking signage, and to undertake a public awareness strategy be referred to the Budget Committee for consideration as part of the 2007 Operating Budget.

### **BACKGROUND**

During its December 4, 2006, meeting, City Council considered Clause 1, Report No. 16-2006 of the Administration and Finance Committee and adopted the following recommendation:

“that City Council support the intention of imposing a No Smoking Policy at all outdoor stadiums and bleachers for City-owned sports fields and that the Administration be directed to notify all user groups that this matter will be considered by City Council on February 26, 2007, at which time Council will be asked to endorse the following recommendations:

- 1) that a No Smoking Policy be established for all outdoor seating at City-owned sports fields located in neighbourhood, district, multi-district and special-use parks effective May 1, 2007;
- 2) that the Administration be instructed to take the appropriate steps to provide for this No Smoking Policy and prepare the required documentation including a change to all lease and license agreements;
- 3) that the Administration arrange for the designation of smoking area(s) at larger City-owned stadiums; and
- 4) that the Administration arrange for installation of the appropriate signage at the various civic facilities.”

### **REPORT**

Leisure Services staff have contacted representatives from the following organizations utilizing City-operated sports fields, informing them of the No Smoking Policy to be considered by City Council on February 26, 2007:

- Saskatoon Amateur Softball Association
- Saskatoon Baseball Council
- Saskatoon Secondary Schools Athletic Directorate
- Saskatoon Hilltops
- Saskatoon Minor Softball Association
- Saskatoon Amateur Softball Association
- Saskatoon District Soccer Association

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- Saskatoon Youth Soccer Association
- Saskatoon Men's Baseball League
- Saskatoon Amateur Slo-Pitch Association
- Saskatoon Ultimate Disc Sports

Representatives from the sport associations contacted were unanimous in their support of a No Smoking Policy restricting smoking in bleachers at all City-owned sports fields. Following is a summary of general comments received from the various groups:

- Will support the no smoking initiative.
- Good to include all spectator seating areas.
- Will include information in coaches' newsletters, bulletins, etc.
- Will announce over P.A. System during games.
- Support having designated smoking areas away from bleachers.

**JUSTIFICATION**

In the interest of promoting a safe and healthy environment for our patrons, the Administration supports making the bleachers at all City-owned sports facilities smoke free.

**OPTIONS**

There are no other options proposed.

**POLICY IMPLICATIONS**

City of Saskatoon Policy A06-001 (Smoking Within City Hall, Recreation Buildings, and Municipal Pools) would need to be amended to include a section addressing the smoking ban in bleachers at outdoor sports fields.

**FINANCIAL IMPACT**

The cost to supply and install the appropriate signage at all sites is estimated at \$4,000. A public awareness strategy (e.g. newspaper ads, posters, notices, etc) is estimated at \$2,500. It is being recommended that an increase of \$6,500 to supply and install the appropriate no smoking signage, and to undertake a public awareness strategy be referred to the Budget Committee for consideration as part of the 2007 Operating Budget.

**COMMUNICATIONS PLAN**

The communications plan includes placing newspaper ads to inform the general public of the No Smoking Policy, providing notices to all users as part of the field allocation process, posting no smoking signs at all designated facilities, and continue to work directly with the respective sport associations concerning enforcement issues.

**PUBLIC NOTICE**

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

*Moved by Councillor Penner, Seconded by Councillor Paulsen,*

- 1) *that a No Smoking Policy be established for all outdoor seating at City-owned sports fields located in neighbourhood, district, multi-district and special-use parks effective May 1, 2007;*
- 2) *that the Administration be instructed to take the appropriate steps to provide for this No Smoking Policy and prepare the required documentation including a change to all lease and license agreements;*
- 3) *that the Administration arrange for the designation of smoking area(s) at larger City-owned stadiums;*
- 4) *that the Administration arrange for installation of the appropriate signage at the various civic facilities; and*
- 5) *that an increase of \$6,500 to supply and install the appropriate no smoking signage, and to undertake a public awareness strategy be referred to the Budget Committee for consideration as part of the 2007 Operating Budget.*

*CARRIED.*

**UNFINISHED BUSINESS**

- 9a) Enquiry – Councillor M. Neault (March 27, 2006)  
Clancy Drive Entrance to Circle Drive North  
(File No. CK. 6320-1)**

**REPORT OF THE CITY CLERK:**

“Attached is a copy of Clause D2, Administrative Report No. 4-2007 which City Council, at its meeting held on February 12, 2007, deferred consideration of this matter to this meeting.”

*Moved by Councillor Neault, Seconded by Councillor Dubois,*

*THAT the information be received.*

*CARRIED.*

**MOTIONS**

Councillor Lorje gave the following Notice of Motion at the meeting of City Council held on February 12, 2007:

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

‘THAT the Administration and Finance Committee consider the possibility of establishing a taxi commission in the City of Saskatoon.’”

*Moved by Councillor Lorje, Seconded by Councillor Paulsen,*

*THAT consideration of the matter be deferred to the next meeting of City Council.*

*CARRIED.*

*Moved by Councillor Heidt,*

*THAT the meeting stand adjourned.*

*CARRIED.*

*The meeting adjourned at 11:00 p.m.*

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Mayor

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City Clerk



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