

Council Chambers
City Hall, Saskatoon, Sask.
Monday, September 22, 2003
at 7:00 p.m.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

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

Moved by Councillor Swystun, Seconded by Councillor Roe,

THAT the minutes of the regular meeting of City Council held on September 8, 2003, and the special meeting of City Council held on September 22, 2003 be approved.

CARRIED.

HEARINGS

- 2a) **Heritage Property Designation**
838 Spadina Crescent East
Knox United Church
Proposed Bylaw No. 8232
(File No. CK. 710-1)

Report of the A/City Clerk:

“The purpose of this hearing is to consider proposed Bylaw No. 8232, a copy of which is attached.

Attached is a copy of Clause 1, Report No. 9-2003 of the Planning and Operations Committee which was adopted by City Council at its meeting held on June 23, 2003.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 2**

The following is a report of the City Solicitor dated September 16, 2003:

‘City Council, at its meeting held on June 23, 2003, resolved that the City Solicitor bring forward a bylaw to designate the property at 838 Spadina Crescent East as Municipal Heritage Property under *The Heritage Property Act*.

In this regard we enclose proposed Bylaw No. 8232, The Knox United Church Heritage Designation Bylaw, 2003. *The Heritage Property Act* requires that a Notice of Intention to Designate be served on the Registrar of Heritage Property and all persons with an interest in the property. As well, the Notice of Intention must be registered against the title to the property and advertised in at least one issue of a newspaper in general circulation in the municipality. All pre-requisites to the passing of the Bylaw have been undertaken. The date advertised in the Notice of Intention to Designate for consideration of this Bylaw by Council is September 22, 2003.

The Heritage Property Act further provides that anyone wishing to object to the proposed designation must serve Council with an objection stating the reason for the objection and providing the relevant facts. The objection must be served at least three days prior to the Council meeting, at which the Bylaw is to be considered.

If an objection is received Council shall either refer the matter to a review board constituted under Section 14 of the *Act*, or withdraw the proposed bylaw. The original and all required copies of the bylaw, as well as a copy of the Notice of Intention to Designate are enclosed.”

His Worship the Mayor opened the hearing and ascertained that there was no one present in the gallery who wished to address Council with respect to the matter.

Moved by Councillor Penner, Seconded by Councillor Heidt,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Atchison, Seconded by Councillor Waygood,

THAT Council consider Bylaw No. 8232.

CARRIED.

COMMUNICATIONS TO COUNCIL

The following communications were submitted and dealt with as stated:

A. REQUESTS TO SPEAK TO COUNCIL

**1) Curtis Newton and Rachel Molder, Co-Directors
Shinerama, undated**

Requesting permission for representatives of Shinerama to shine the shoes of Council members.
(File No. CK. 205-1)

RECOMMENDATION: and that representatives of Shinerama be given permission to shine the shoes of Council.

Moved by Councillor Steernberg, Seconded by Councillor Fortosky,

THAT representatives of Shinerama be given permission to shine the shoes of Council.

CARRIED.

Representatives of Shinerama Saskatoon explained that Shinerama is a national event that raises money for cystic fibrosis. Students from the University of Saskatchewan and Saskatoon Business College participate in the fundraiser, and their goal this year is to raise over \$14,000. They shined the shoes of City Council.

Moved by Councillor Steernberg, Seconded by Councillor Fortosky,

THAT the information be received.

CARRIED.

Moved by Councillor Roe, Seconded by Councillor McCann,

THAT Item A20) of Communications and Clause 3, Report No. 14-2003 of the Administration and Finance Committee be brought forward and considered and that Gordon Wilson be heard.

CARRIED.

“A20) Gordon W. Wilson, Chairman

The Kiwanis Club of Saskatoon Memorial Park Committee, dated September 21

Requesting permission to address Council with respect to their request for financial assistance for the Vimy Memorial at Kiwanis Memorial Park. (File No. CK. 4205-16)

RECOMMENDATION: that Clause 3, Report No. 14-2003 of the Administration and Finance Committee be brought forward and considered and that Gordon Wilson be heard.”

“REPORT NO. 14-2003 OF THE ADMINISTRATION AND FINANCE COMMITTEE

3. Request For Financial Assistance

Vimy Memorial – Kiwanis Memorial Park

(File No. CK. 1870-1, 4205-6)

RECOMMENDATION: that the request for \$30,000 in funding for upgrading work on the Vimy Memorial in Kiwanis Memorial Park be approved, and that this matter be referred to the Budget Committee for consideration during the 2004 Budget debate.

Attached is a copy of a communication from Mr. Gordon Wilson, Chairman of the Kiwanis Memorial Park, Kiwanis Club of Saskatoon, requesting funding in the amount of \$30,000 for completion of the upgrading work on the Vimy Memorial, which includes the Promenade and flower border project. This would match the \$30,000 Kiwanis Club contribution, and there will also be a \$10,000 commitment from the Meewasin Valley Authority, as well as their consulting and project management expertise.

Your Committee supports this request for funding.”

Mr. Gordon Wilson, Chairman, The Kiwanis Club of Saskatoon Memorial Park Committee, outlined the history of donations that The Kiwanis Club of Saskatoon have made to Memorial Park, and outlined their plans for the future requesting that the City contribute up to \$30,000.

Moved by Councillor Waygood, Seconded by Councillor Atchison,

THAT the request for \$30,000 in funding for upgrading work on the Vimy Memorial in Kiwanis Memorial Park be approved, and that this matter be referred to the Budget Committee for consideration during the 2004 Budget debate.

CARRIED.

REQUESTS TO SPEAK TO COUNCIL – CONTINUED

- 2) **J.A. Gillies P. Eng., Chair**
Saskatoon Environmental Advisory Committee, dated September 16

Requesting permission to address Council to present the 2001 State of the Environment Report.
(File No. CK. 430-19)

RECOMMENDATION: that J.A. Gillies and Erika Ritchie be heard.

Moved by Councillor McCann, Seconded by Councillor Swystun,

THAT Clause 1, Report No. 12-2003 of the Planning and Operations Committee be brought forward and considered and that Leo Monseler and Erika Ritchie be heard.

CARRIED.

“REPORT NO. 12-2003 OF THE PLANNING AND OPERATIONS COMMITTEE

1. **2001 State of the Environment Report**
Saskatoon Environmental Advisory Committee
(File No. CK. 175-9)

RECOMMENDATION: that the information be received.

Your Committee has considered the 2001 State of the Environment Report, which has been submitted by the Saskatoon Environmental Advisory Committee. This report is an update of the 1996-97 State of the Environment Report. The Saskatoon Environmental Advisory Committee commissioned Ms. Erika Ritchie, graduate student in Environmental Engineering at the University of Saskatchewan, to prepare this report, which contains an assessment on how well Saskatoon is achieving the goals of urban sustainability indicators of environmental health. This report also contains recommendations for consideration by your Committee and City Council, as outlined in the attached copy of Appendix B of the above report. Your Committee is submitting the report to City Council as information.

City Council members received copies of the 2001 State of the Environment Report in June. A copy is available for review in the City Clerk’s Office.”

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 6**

Mr. Leo Monseler, Member, Saskatoon Environmental Advisory Committee, introduced Ms. Erika Ritchie, author of the 2001 State of the Environment Report. Ms. Ritchie gave a summary review of the main issues outlined in the report.

Moved by Councillor Penner, Seconded by Councillor Roe,

THAT the information be received.

CARRIED.

REQUESTS TO SPEAK TO COUNCIL - CONTINUED

3) Raoul Granger, dated September 17

Requesting permission to address Council with respect to the South Downtown. (File No. CK. 4130-2)

RECOMMENDATION: that Raoul Granger be heard.

Moved by Councillor Penner, Seconded by Councillor Roe,

THAT Raoul Granger be heard.

CARRIED.

Mr. Raoul Granger was not in attendance.

Moved by Councillor McCann, Seconded by Councillor Atchison,

THAT the information be received.

CARRIED.

**4) Dr. David Butler-Jones
Public Health Services, dated August 20 and September 17**

Requesting permission to address Council to present the Medical Health Officer's report on Tobacco, including the Saskatoon smoking survey. (File No. CK. 185-3)

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 7**

**5) Dr. Cordell Neudorf
Public Health Services, dated September 17**

Requesting permission to address Council with respect to the Medical Health Officer's report on Tobacco, including the Saskatoon smoking survey. (File No. CK. 185-3)

**6) Mr. Paul Van Loon
Lung Association of Saskatchewan, dated September 16**

Requesting permission to address Council with respect to tobacco smoke in public places. (File No. CK. 185-3)

**7) Donna Pasiechnik
Canadian Cancer Society, dated September 9**

Requesting permission to address Council with respect to a smoke-free bylaw. (No. CK. 185-3)

8) Dr. Anne Doig, dated September 17

Requesting permission to address Council with respect to banning smoking in public places in Saskatoon. (File No. CK. 185-3)

9) Dr. Peter Butt, dated September 17

Requesting permission to address Council with respect to banning smoking in public places in Saskatoon. (File No. CK. 185-3)

10) Dr. Joel Yelland, dated September 17

Requesting permission to address Council with respect to banning smoking in public places in Saskatoon. (File No. CK. 185-3)

**11) Dr. Bruce Reeder
Department of Community Medicine, Royal University Hospital, dated September 17**

Requesting permission to address Council with respect to banning smoking in public places in Saskatoon. (File No. CK. 185-3)

12) **Heart and Stroke Foundation of Saskatchewan, dated September 17**

Requesting permission to address Council with respect to the smoking bylaw. (File No. CK. 185-3)

13) **Ruth Robinson**
People for Smoke Free Places, dated September 17

Requesting permission to address Council with respect to the report of the Medical Health Officer, and exposure to secondhand smoke in public places. (File No. CK. 185-3)

14) **Judy Nurse, Executive Director, Education and Corporate Affairs Division**
Saskatchewan Cancer Agency, dated September 17

Requesting permission to address Council with respect to smoking in public places. (File No. CK. 185-3)

RECOMMENDATION: that Item AA9) of Communications and Clause B2) Legislative Report No. 13-2003 be brought forward and considered and that the speakers be heard.

Moved by Councillor Waygood, Seconded by Councillor Paulsen,

THAT Item AA9) of Communications and Clause B2 Legislative Report No. 13-2003 be brought forward and considered and that the speakers be heard.

CARRIED.

“AA9) **Paul Van Loon**
Lung Association of Saskatchewan, dated September 10

Submitting a document entitled “More Communities Go Smoke Free”. (File No. CK. 185-3)

RECOMMENDATION: that the matter be considered with Item A4) of Communications.

LEGISLATIVE REPORT 13-2003

**B2) Enquiry - Councillor O. Fortosky (July 14, 2003)
Smoking Legislation for Public Places in Major Canadian Cities
(File No. CK. 185-3)**

RECOMMENDATION: that the information be received.

Councillor Fortosky made the following enquiry at the meeting of City Council held on July 14, 2003:

"Would the Administration please report on no less than three major Canadian municipalities that have enacted no smoking legislation for public places. As part of the report, would the following be covered:

- 1) Period of implementation and bylaw wording;
- 2) Business reaction/community reaction;
- 3) Economic impact both positive and negative.

In addition, would the Administration please report on the process of creating such a policy for the City of Saskatoon."

Our Office has reviewed smoking regulation bylaws from Edmonton, Ottawa and Winnipeg. This report summarizes our review of those bylaws.

1) Period of Implementation and Bylaw Wording

a) Edmonton

The Edmonton *Smoking Bylaw* prohibits smoking inside a building, on a patio or inside a public transportation vehicle. The provisions of the *Bylaw* do not apply to a private living accommodation.

The Edmonton *Bylaw* also contains exceptions for smoking in a workplace, bar or licenced gaming premises (i.e. bingo hall or casino).

The workplace exception requires that all designated smoking areas prevent smoke, by ventilation or physical barriers, from entering any place where smoking is prohibited. The combined area of all designated smoking areas must not exceed 50% of the total floor area of the workplace. Designated smoking areas must not include any common areas of the workplace (i.e. waiting rooms, meeting rooms, eating areas, cloak rooms or hallways). Designated smoking areas must not include any area which a worker must use for work purposes. No person under the age of 18 years is allowed to enter, or remain in, a designated smoking area.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 10**

The bar exception permits smoking in a bar provided the smoke does not enter any place where smoking is prohibited. No person under 18 years of age is allowed to enter, or remain in, the bar. **The exception is in effect only until June 30, 2005.**

The licensed gaming exception permits smoking in a licensed gaming premise but only in a designated smoking area. If persons under the age of 18 years are permitted to enter the premises, the designated smoking areas must prevent smoke, by ventilation and physical barriers, from entering any place where smoking is prohibited. The combined area of all designated smoking areas must not exceed 65% of the total floor area of the premises. No person under 18 years of age is allowed to enter, or remain in, a designated smoking area.

If persons under the age of 18 years are prohibited from entering the gaming premises, the requirement that the designated smoking areas be physically separated from the remainder of the premises does not apply. The combined area of all designated smoking areas still must not exceed 65% of the total floor area of the premises. And no person under 18 years of age is allowed to enter, or remain in, the gambling premises.

The licensed gaming exception is in effect only until June 30, 2005.

b) Ottawa

The Ottawa *Smoking in Public Places Bylaw* prohibits smoking in designated “public places”. A public place is defined as “the whole or part of an indoor area to which the general public is invited or permitted access and includes a school bus”.

The following are some of the areas designated as public places for the purpose of the *Bylaw*:

- the common area of a public building;
- an indoor service line or service counter in any premise to which the public has access;
- a place of public assembly;
- a public rest room;
- a food court (i.e. an area with a shopping mall where food or drink is offered for sale or sold to the public for immediate consumption);
- a public facility (i.e. any hall, room or banquet area that is publicly owned and is rented for an event or function);
- a reception area (i.e. the public space used by an office or establishment for the receiving or greeting of customers, clients or other persons);

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 11

- the public portion of an amusement arcade (i.e. a place to which the public has access and which is equipped with 5 or more machines or devices for the entertainment and amusement of the players);
- a municipally owned building;
- a bingo hall (i.e. any building, location or premises where the conduct of bingo events is licensed);
- a bowling alley;
- a billiard hall;
- the public portion of a restaurant (i.e. an establishment engaged in the sale and service of food or drink or both food and drink to the public for consumption on the premises but does not include a bar);
- the public portion of any bar (i.e. an establishment licensed by the Province where persons under 19 years of age are not permitted to enter, either as a patron or as an employee);
- an arena (i.e. any building, location or premises comprised of, but not limited to a rink, floor or ice surface, spectator seating areas, dressing rooms and canteen facilities, to which the public has access to view or participate in sporting events);
- the public portion of any retail shop (any building or part of a building, booth, stall or place where goods are exposed for sale or offered for sale by retail);
- the common area of a shopping mall (i.e. any enclosed building or group of buildings containing one or more retail shops);
- the public portion of a laundromat (i.e. any facility, premises or area within a building to which the public has access established for the purposes of laundering, washing or drying clothes on a self-service basis);
- the public portion of any barber shop or hairdressing establishment (i.e. any building, location or premises where hair is styled, cut, trimmed, treated or washed);
- a school bus;
- a taxicab; and
- a limousine.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 12**

This *Bylaw* was passed on May 9, 2001 and came into effect on August 1, 2001.

Ottawa also enacted a *Smoking in the Workplace Bylaw* at the same time to complement the *Smoking in Public Places Bylaw*. *The Workplace Bylaw* requires an employer to adopt and implement a non-smoking policy that prohibits smoking in the workplace for which it was adopted. This *Bylaw* also came into effect on August 1, 2001.

c) Winnipeg

The City of Winnipeg adopted *The Smoking Regulation Bylaw* on April 30, 2003.

This *Bylaw* prohibits smoking in:

- any enclosed public place;
- any motor vehicle used for the public transportation of persons or property including buses, taxis and limousines;
- any area of a private club or private function to which a member or person invited has access.

An “enclosed public place” is defined as any part of an enclosed place to which members of the public have access, including, without restricting the generality of the foregoing:

- a) any part of
 - i) an office building,
 - ii) a retail store or other commercial establishment, or the common areas of a residential building or shopping mall,
- b) a health care facility,
- c) a day care centre or nursery,
- d) an educational institution or facility,
- e) a restaurant, and
- f) an elevator, pedestrian walkway, pedestrian corridor or pedestrian tunnel or bus shelter.

Smoking is permitted in:

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 13

- a) an area of a health care facility, or personal care home designated by the board of the health care facility or personal care home and for use by residents or patients of the facility or home only;
- b) guest rooms in hotels, motels and inns;
- c) any tobacconist shop;

provided that the area, room or tobacconist shop is physically separated and enclosed by a ceiling and floor to ceiling walls and doors from any adjacent or attached enclosed public place, private club or private function.

The Bylaw was to come into effect on July 1, 2003. However, the City granted a 2 month grace period before it began issuing tickets under the bylaw. For the first 2 months, the City issued warnings and handed out educational pamphlets. Enforcement began in earnest on September 1, 2003.

2) Business Reaction/Community Reaction

It is difficult to say with any certainty how the public in each city reacted to these various bylaws. However, certain general observations can be made, based on the newspaper articles which we were able to obtain.

The community reaction to a more comprehensive smoking ban in public places appears to be positive overall. A prohibition against smoking in public places is viewed as a public health issue. Environmental tobacco smoke ("ETS") is considered a health hazard and eliminating exposure to ETS is seen as desirable outcome. This is not particularly surprising given that the majority of Canadians are non-smokers.

The level of support appears to vary depending upon a number of factors including location, gender, age, education level and income level.

The business reaction has been mixed for the most part. The hospitality industry (i.e. restaurants, bars, hotels, bingo halls, billiard halls, bowling alleys and casinos) has been the most vocal opponent of a more comprehensive smoking ban. For persons in the hospitality business, it would appear to be an economic issue. The fear is that a smoking ban will drive away customers. As a result, sales will drop and some businesses may be forced to close.

The argument is made that a smoking ban should not be imposed by government. Rather, smoking should be regulated by the market place. If customers truly want a smoke free environment, businesses will voluntarily ban smoking in order to satisfy their customers. Government regulation is simply not needed.

3) Economic Impact

The impact of a comprehensive smoking ban on the general economy is difficult to assess. However, several studies have been undertaken with respect to the impact on the hospitality industry.

Generally speaking, studies in other cities have found restrictive legislation does not have a permanent negative impact on restaurant, bar and pub sales, although short term effects have been observed, generally lasting a month or two, but occasionally as long as six months.

On the other hand, surveys based upon establishment owners' or managers' perceptions of the impact have often reported significant impacts, but these have not been borne out by studies. Bar and pub owners report a decrease in customers and a loss of sales. They also report that many establishments are forced into bankruptcy or simply close because of declining sales. However, these perceptions are not supported by the empirical studies that we examined.

It is difficult to draw any conclusions about how a comprehensive ban would affect the Saskatoon economy generally or the hospitality sector in particular. Experiences will undoubtedly vary from city to city and one can only speculate as to how a smoke-free policy would impact the Saskatoon economy.

4) Creation of a Smoke-Free Policy

As Council is aware, under *The Cities Act*, a city has the general power to pass bylaws in relation to the safety, health and welfare of people and the protection of people and property. This power is sufficiently broad to permit Council to regulate smoking in public places if it so chooses. Traditionally, in Saskatchewan, municipalities have never regulated smoking in work places. That has been left to the Province. If Council wanted to consider this type of regulation, we would have to look into it further.

As Council is also aware, the Province has enacted *The Tobacco Control Act*. Part III of the *Act* deals specifically with ETS and has specific provisions with respect to smoking in public places including restaurants, bars, bingo halls and casinos. The *Act* does not, however, preclude a city from passing a bylaw which is more restrictive than the *Act*, in which case the more restrictive provisions prevail.

The first issue, therefore, that Council may wish to address is whether or not to pass a bylaw at all. In the absence of a bylaw, the provisions of *The Tobacco Control Act* would govern.

If Council chooses to enact its own bylaw, there are several issues which Council must address. There are undoubtedly many issues, but some of those issues might include:

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 15

- a) the places or areas in which Council wishes to prohibit or regulate smoking, or put another way, the places or areas, if any, which may be exempt from the provisions of the bylaw;
- b) the accommodation, if at all, for smokers in public places (i.e. designated smoking areas);
- c) the implementation of the bylaw (i.e. immediate, delayed or phased);
- d) the method of enforcement of the bylaw; and
- e) the penalties for violation of the bylaw.

In deciding these various matters, Council may wish to seek input from interested stakeholders and the general public. Given the contentious nature of the smoking issue, some sort of public consultation process appears warranted. It is likely that Council would, at a minimum, receive representations from the health profession and businesses in the hospitality trade. There are undoubtedly others who would like to be heard on this issue. Through this consultation process, it is to be hoped that a consensus can be reached upon which the bylaw can be based.

PUBLIC NOTICE

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

Dr. David Butler-Jones, Public Health Services, gave a presentation outlining the Medical Health Officer's report on Tobacco and the Saskatoon smoking survey, and requested that Council pass a bylaw to ban smoking in all public places.

Dr. Cordell Neudorf, Public Health Services, spoke with respect to the Medical Health Officer's report on Tobacco and the Saskatoon smoking survey, and requested that Council pass a bylaw to ban smoking in all public places. He reminded Council that many cities have passed this type of bylaw.

Mr. Paul Van Loon, Lung Association of Saskatchewan, spoke with respect to the effects of second-hand smoke in the workplace, and the importance of a 100% ban on smoking.

Ms. Donna Pasiechnik, Canadian Cancer Society, spoke with respect to second-hand smoke in the workplace, stressing the health issues that employees face.

Dr. Anne Doig was not present in the gallery.

Dr. Peter Butt was not present in the gallery.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 16

Dr. Joel Yelland indicated that he was speaking as a practicing family physician. He indicated that Drs. Anne Doig, Peter Butt and Bruce Reeder chose not to speak at the meeting, because they did not want to take any more of Council's time than was necessary, but they are willing to speak to Council at a future date if required. He spoke with respect to the effects of smoking and second-hand smoke, and his support of the Medical Health Officer's report. He requested that Council put a ban on smoking in public places.

Dr. Bruce Reeder, Department of Community Medicine, University Hospital, was not present in the gallery.

Ms. Gwen Gordon, Heart and Stroke Foundation of Saskatchewan, spoke with respect to the effects of second-hand smoke and requested that Council pass a bylaw making Saskatoon 100% smoke free.

Ms. Ruth Robinson, People for Smoke Free Places, provided information on those involved with People for Smoke Free Places and the work they have done. She spoke with respect to the effects of second-hand smoke, and urged Council to pass a bylaw banning smoking in all public places, without exception.

Ms. Judy Nurse, Executive Director, Education and Corporate Affairs Division, Saskatchewan Cancer Agency, quoted statistics with respect to the increase in lung cancer in women, and spoke with respect to the effects of second-hand smoke. She indicated the Agency's support of banning smoking in public places.

Moved by Councillor Roe, Seconded by Councillor Waygood,

THAT following the development of appropriate implementation strategies with affected groups and businesses, the City enact a 100% ban on smoking in public places.

IN REFERRAL

Moved by Councillor Atchison, Seconded by Councillor McCann,

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

THE REFERRAL MOTION WAS PUT AND CARRIED.

REQUESTS TO SPEAK TO COUNCIL – CONTINUED

**15) Wayne Hachl, Chairperson, Pastoral Council
Holy Spirit Roman Catholic Church, dated September 18**

Requesting permission to address Council with respect to the ringing of church bells. (File No. CK. 185-9)

16) Michael Pamedli, dated September 21

Requesting permission to address Council with respect to the ringing of church bells. (File No. CK. 185-9)

17) Rev. Paul Donlevy, dated September 21

Requesting permission to address Council with respect to the ringing of church bells. (File No. CK. 185-9)

18) Morris Michayluk, dated September 21

Requesting permission to address Council with respect to the ringing of church bells. (File No. CK. 185-9)

19) Larry Hrabok, dated September 21

Requesting permission to address Council with respect to the ringing of church bells. (File No. CK. 185-9)

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 18**

RECOMMENDATION: that Items AA1, AA17, AA18 of Communications, Clause B3, Legislative Report No. 13-2003 and Clause 1, Report No. 14-2003 of the Administration and Finance Committee be brought forward and considered and that the speakers be heard.

Moved by Councillor Swystun, Seconded by Councillor Atchison,

THAT Items AA1, AA17, AA18 of Communications, Clause B3, Legislative Report No. 13-2003 and Clause 1, Report No. 14-2003 of the Administration and Finance Committee be brought forward and considered and that the speakers be heard.

CARRIED.

“AA1) T. Peddie, Camrose, Alberta, dated August 30

Submitting comments with respect to ringing of church bells. (File No. CK. 375-2)

RECOMMENDATION: that the letter be considered with Clause B3, Legislative Report No. 13-2003.

AA17) Rev. Canon Brian Evans, dated September 18

Submitting comments with respect to the Noise Bylaw and the ringing of church bells. (File No. CK. 185-9)

AA18) Trevor and Dolores Hanna, dated September 22

Submitting comments with respect to the ringing of church bells at Holy Spirit Church. (File No. CK. 185-9)

RECOMMENDATION: that the matter be considered with A15 to A19 of Communications, Clause B3, Legislative Report No. 13-2003 and Clause 1, Report No. 14-2003 of the Administration and Finance Committee.

LEGISLATIVE REPORT NO. 13-2003

**B3) New Noise Bylaw
- Church Bells
(File No. CK. 185-9)**

- RECOMMENDATION:**
- 1) that the direction of Council issue on the question of whether or not the sounding of church bells be exempt in the *Noise Bylaw*; and
 - 2) that the draft *Noise Bylaw* be referred to the Administration and Finance Committee for further review and comment.

The Administration and Finance Committee at its meeting on August 11, 2003 heard representations from a number of persons regarding the sounding of church bells in this community. The issue before the Committee was whether or not the sounding of church bells should be exempt under *The Noise Bylaw*. The Committee resolved in part:

“that a draft Noise Bylaw, including an exemption for church bells, be forwarded to City Council for consideration at its meeting to be held on September 22, 2003”.

We are pleased to submit with this report a “draft” bylaw for Council’s information.

By way of background, City Council, at its meeting on February 19, 2001, resolved that a review and revision of *The Noise Bylaw* be undertaken by the City Solicitor’s Office. Since that time, this Office has been working with representatives of the Community Services Department and the Saskatoon Police Service to prepare a new Noise Bylaw for Council’s consideration.

As part of that process, this Office reported to the Administration and Finance Committee at its meeting on November 19, 2002. That report described certain options that might be included in the substantive portions of the proposed bylaw, and asked for the Committee’s instructions on which options it wished to see in the proposed bylaw. The draft bylaw now before Council reflects those instructions.

One of the issues addressed in the November 19, 2002 report concerned what activities would be exempt under the bylaw. It was in that context that the issue of church bells arose.

As discussed in the Committee, the draft bylaw continues to exempt the sounding of church bells from the provisions of the bylaw. This is a total exemption from the provisions of the Bylaw. If Council chooses to remove the exemption, the general prohibition would apply. That is to say, the sounding of church bells would be subject to the general prohibition against unreasonably loud or excessive noise. As an alternative, Council could consider exempting the **reasonable** sounding of church bells from the Bylaw.

The proposed bylaw does make some changes from the existing bylaw. These changes include:

(a) General Prohibition

The existing bylaw refers to “loud, unnecessary or unusual noise”. The proposed bylaw refers to “unreasonably loud or excessive noise”. The new terminology is more descriptive and is consistent with recent court decisions.

(b) Factors Determining Whether Noise is Unreasonably Loud or Excessive

The existing bylaw provides that what amounts to a loud, unnecessary or unusual noise is a question of fact to be determined by the court which hears the prosecution. The proposed bylaw lists a number of factors the court may consider in determining whether a noise is unreasonably loud or excessive. These factors are intended to assist the court in making its determination.

(c) Evidence of Peace Officer

The proposed bylaw provides that a court may convict under the bylaw on the evidence of a peace officer alone. The evidence of a complainant is preferred but not mandatory. This is a new provision in the proposed bylaw.

(d) Noises Prohibited

The existing bylaw prohibits the making of certain kinds of noise at certain times of the day, particularly at night. The proposed bylaw contains similar prohibitions. The proposed bylaw continues to regulate domestic noises, construction noises, stereos and sound amplification equipment.

The existing bylaw restricts the hours for outdoor concerts. The proposed bylaw continues the restrictions for outdoor public events. The proposed bylaw permits a person to apply to the City to extend the hours of such events.

The proposed bylaw prohibits the idling of any truck or power unit or semi-trailer motor in a residential district for more than 20 minutes.

The proposed bylaw also prohibits the use of an air horn on a motor vehicle within the City, except in cases of emergency.

The proposed bylaw also prohibits any unreasonably loud or excessive noise to be made in a bar or pub or an attached patio which can be heard in a residential district and which unreasonably disturbs the peace, quiet and comfort of persons in the residential district.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 21

(e) Extension of Hours for Outdoor Public Events

Under the existing bylaw, extensions for outdoor concerts were referred to City Council. The proposed bylaw would delegate the responsibility for granting extensions to the General Manager of the City's Community Services Department. Most outdoor public events are held in a public park. For this reason, it seemed logical to delegate the responsibility to the Department.

(f) Exemptions

The existing bylaw contained several exemptions. The proposed bylaw has updated the list and has maintained most of the exemptions. As mentioned, the sounding of church bells has been exempted in the proposed bylaw.

(g) Enforcement

The proposed bylaw contains provisions with respect to voluntary tickets. For a first offence, a peace officer may issue a notice of violation to the person who contravened the bylaw. The person has the option to pay the sum of \$100 within 14 days of the date of the notice of violation in order to avoid prosecution. If the person does not pay the violation voluntarily, the person will be liable to prosecution under the bylaw in the usual manner.

The existing bylaw contained no provisions with respect to voluntary tickets.

(h) Penalties

The existing bylaw provides for fines of not less than \$50 and not more than \$500, and in default of payment to imprisonment for a period not exceeding 1 year.

The proposed bylaw provides for fines in accordance with the limits prescribed in *The Cities Act*. For an individual, the fine could be up to \$10,000, and in default of payment to imprisonment for a period not exceeding 1 year. In the case of a corporation, the fine could be up to \$25,000.

The proposed bylaw has not been considered by the Administration and Finance Committee. It is respectfully suggested that once Council has considered the church bells issue, the draft bylaw should be referred back to the Committee for further review and comment. Our Office will then prepare a further draft of the proposed bylaw for submission to City Council at the appropriate time.

PUBLIC NOTICE

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

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 22**

ATTACHMENT

1. A Draft Copy of the proposed new Noise Bylaw.

REPORT NO. 14-2003 OF THE ADMINISTRATION AND FINANCE COMMITTEE

**1. New Noise Bylaw
(File No. CK. 185-9)**

RECOMMENDATION: that the information be received.

City Council, at its meeting held on February 19, 2001, adopted a recommendation of your Committee that a further review and revision of the Noise Bylaw be undertaken by the City Solicitor.

On November 25, 2002, your Committee reviewed the attached copy of report of the City Solicitor dated November 19, 2002, and resolved that the City Solicitor be requested to prepare a new Noise Bylaw based upon the assessment outlined in the November 19, 2002, report.

On July 14, 2003, your Committee was advised, in a report dated July 9, 2003, from the City Solicitor (copy attached), that while it had been recommended previously that the exemption for church bells in the Noise Bylaw continue, the City Solicitor's Office was dealing with a complaint arising out of the ringing of church bells. At the same meeting, your Committee received presentations from Messrs. Larry Hrabok and Morris Michayluk regarding the ringing of church bells at Holy Spirit Church. Your Committee subsequently resolved:

- 1) that the City Solicitor's Office submit a new draft Noise Bylaw for consideration by the Administration and Finance Committee at its meeting to be held on August 11, 2003, and that the proposed draft bylaw remove churches from the exemption under the Noise Bylaw; and
- 2) that the Administration contact all churches to advise them of the above proposed change to the Noise Bylaw and of the opportunity to address the Administration and Finance Committee at the August 11, 2003, meeting.

Your Committee met on August 11, 2003, at which time the City Solicitor reported, as follows:

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 23**

“With respect to the second resolution, our Office contacted the Assessor’s office and received a list of the assessed owners of places of worship in Saskatoon. Letters were sent to every assessed owner on the list. In addition, individual letters were sent to each Roman Catholic Church. In total, 156 letters were sent out on July 21, and 29, 2003. To the best of our knowledge we have advised all churches in Saskatoon that the Committee would be considering this matter at its meeting on August 11, 2003.

With respect to the first resolution, our Office has prepared a draft Noise Bylaw. However, there are one or two outstanding matters that need to be resolved administratively before the draft is presented to the Committee. It is our intention to provide the Committee with the draft at its next meeting on September 15, 2003. We apologize for the delay in this matter but we are confident that the draft Bylaw will be more complete by your next meeting. We trust this will be satisfactory.”

As a result of the undertaking to inform all places of worship of the Committee’s consideration of this matter on August 11, 2003, your Committee received several letters and heard presentations on the issue of church bells. Messrs. Hrabok and Michayluk also appeared before your committee on August 11, 2003. An excerpt from the minutes of the Committee’s meeting is attached.

Your Committee subsequently had some concerns regarding the appropriateness of its consideration of the question of removal of the exemption for church bells in the Noise Bylaw, without having first received the direction of City Council. As a result of the presentations made to the Committee and the concerns raised with respect to the appropriateness of the Committee’s consideration of the matter, it was resolved:

- 1) that the information be received;
- 2) that with respect to the specific complaints regarding the church bells at Holy Spirit Church, the City offer mediation services to the two parties; and
- 3) that a draft Noise Bylaw, including an exemption for church bells, be forwarded to City Council for consideration at its meeting to be held on September 22, 2003.

In accordance with resolution 3) above, the City Solicitor will be submitting a separate report to this meeting of City Council, together with a “Draft” Noise Bylaw.”

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 24

Mr. Wayne Hachl, Chairperson, Pastoral Council, Holy Spirit Roman Catholic Church, explained that the bells have been in place at Holy Spirit Roman Catholic Church since 1981. The problems began in the winter of 2003, and since receiving complaints, they have reduced the ringing from approximately 23 times a week to approximately 9 times a week. He indicated that, according to the City's report, the noise is within the allowed decibels, and expressed the opinion that they have acted in good faith by reducing the ringing, and that it is not unreasonable or extreme.

Mr. Michael Pamedli, spoke with respect to the history of church bell ringing, and encouraged Council to support the exclusion of church bells in the Noise Bylaw.

Rev. Paul Donlevy was not present in the gallery.

Mr. Morris Michayluk, explained that he built his house in 1980, before the church was built, and that his house is located only 50 feet away. The bells at Holy Spirit Roman Catholic Church were imported from Rome and are unique in comparison to other church bells in the City. He spoke with respect to the health problems related to excessive noise, and requested that Council amend the Noise Bylaw to remove the exclusion of church bells.

Mr. Larry Hrabok, indicated that the issue started in 2001, and stressed the opinion that it is a health and safety issue. He requested that Council amend the Noise Bylaw to remove the exclusion of church bells.

Moved by Councillor Paulsen, Seconded by Councillor McCann,

- 1) that the word "reasonable" be inserted with respect to the exemption of church bells in the Noise Bylaw; and*
- 2) that the draft Noise Bylaw be referred to the Administration and Finance Committee for further review and comment.*

CARRIED.

REQUESTS TO SPEAK TO COUNCIL – CONTINUED

- 20) Gordon W. Wilson, Chairman**
The Kiwanis Club of Saskatoon Memorial Park Committee, dated September 21

DEALT WITH EARLIER. SEE PAGE NO. 3.

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

1) **T. Peddie, Camrose, Alberta, dated August 30**

DEALT WITH EARLIER. SEE PAGE NO. 17.

2) **Amal Chaaban, Edmonton, Alberta, dated September 5**

Submitting comments with respect to the Stonechild inquiry. (File No. CK. 150-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Penner, Seconded by Councillor Atchison,

THAT the information be received.

CARRIED.

3) **Merle Shannon, dated September 8**

Submitting comments with respect to the report of the General Manager, Infrastructure Services Department which was submitted to City Council at its meeting held on September 8, 2003 regarding vandalism at Woodlawn Cemetery. (File No. CK. 4080-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Atchison, Seconded by Councillor Swystun,

THAT the information be received.

CARRIED.

4) **Chris Adams, dated September 9**

Submitting comments with respect to Council's decision to support the proposed casino on the Whitecap Reserve. (File No. CK. 4110-23)

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 26**

RECOMMENDATION: that the information be received.

Moved by Councillor Atchison, Seconded by Councillor Penner,

THAT the information be received.

CARRIED.

**5) Ken Achs, President
Mid-West Development (2000) Corp., dated September 10**

Requesting a median opening on 8th Street at Summerfeld Avenue. (File No. CK. 6320-5-2)

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

Moved by Councillor Penner, Seconded by Councillor Atchison,

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

CARRIED.

6) Paul C. Hamilton, dated September 8

Submitting comments with respect to special needs transportation, and commending FirstBus Canada on their service. (File No. CK. 7305-1)

7) Kathleen Roberston, dated September 10

Expressing concerns with respect to the proposed changes to the current special needs transportation service. (File No. CK. 7305-1)

RECOMMENDATION: that the information be received.

Moved by Councillor McCann, Seconded by Councillor Atchison,

THAT the information be received.

CARRIED.

8) **Darwin Wagner, dated September 9**

Expressing concerns with respect to semi tractor and trailer units parking on residential streets.
(File No. CK. 6120-1)

RECOMMENDATION: that the matter be referred to the Planning and Operations Committee.

Moved by Councillor Penner, Seconded by Councillor Waygood,

THAT the matter be referred to the Planning and Operations Committee.

CARRIED.

9) **Paul Van Loon**
Lung Association of Saskatchewan, dated September 10

DEALT WITH EARLIER. SEE PAGE NO. 6.

10) **Janice Mann, Secretary**
The Board of Police Commissioners, dated September 15

Submitting a report of the Chief of Police dated June 1, 2003 regarding the issue of consensual fights in public places, and requesting that the City Solicitor's Office be requested to work with Police Administration in order to prepare an appropriate bylaw amendment for consideration by City Council. (File No. CK. 5000-1)

RECOMMENDATION: that the matter be referred to the City Solicitor and the Chief of Police to bring forward appropriate bylaw amendments.

Moved by Councillor McCann, Seconded by Councillor Roe,

THAT the matter be referred to the City Solicitor and the Chief of Police to bring forward appropriate bylaw amendments.

CARRIED.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 28**

**11) Janice Mann, Secretary
Board of Police Commissioners, dated September 15**

Submitting a copy of a letter dated June 25, 2003 from the Principal and Assistant Principals of Walter Murray Collegiate Institute, expressing appreciation for the work done during the 2002/2003 school year by Constable Brad Senger, School Police Liaison officer. (File No. CK. 5000-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Penner, Seconded by Councillor Atchison,

THAT the information be received.

CARRIED.

**12) Janice Mann, Secretary
Board of Police Commissioners, dated September 15**

Responding to Councillor Fortosky's enquiry of August 11, 2003 with respect to the possibility of partially closing the alley between Avenues V and W and 19th and 20th Streets. (File CK. 6295-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Heidt, Seconded by Councillor Atchison,

THAT the information be received.

CARRIED.

**13) Joanne Fedyk, Executive Director
Saskatchewan Waste Reduction Council, dated September 15**

Inviting Council to participate in and officially kick off Waste Reduction Week, October 20 to 26, 2003. (File No. CK. 205-1)

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 29**

RECOMMENDATION: that the information be received.

Moved by Councillor Penner, Seconded by Councillor Atchison,

THAT the information be received.

CARRIED.

14) Yolanda van Petten, dated September 15

Submitting comments with respect to a casino in downtown Saskatoon and the Whitecap Reserve, and requesting a youth curfew. (Files CK. 4110-23 and 5000-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Paulsen, Seconded by Councillor Swystun,

THAT the information be received.

CARRIED.

**15) Joanne Sproule, Secretary
Saskatoon Development Appeals Board, dated September 2**

Submitting notice of Development Appeal Board hearing for property located at 315 Herold Road. (File No. CK. 4352-1)

**16) Joanne Sproule, Secretary
Saskatoon Development Appeals Board, dated September 8**

Submitting notice of Development Appeal Board hearing for property located at 2323 8th Street East. (File No. CK. 4352-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Paulsen, Seconded by Councillor Penner,

THAT the information be received.

CARRIED.

17) **Rev. Canon Brian Evans, dated September 18**

DEALT WITH EARLIER. SEE PAGE NO. 17.

18) **Trevor and Dolores Hanna, dated September 22**

DEALT WITH EARLIER. SEE PAGE NO. 17.

B. ITEMS WHICH HAVE BEEN REFERRED FOR APPROPRIATE ACTION

1) **John Riggs, President
Saskatoon Soccer Centre Inc., dated September 3**

Requesting a further five year extension of exemption from property taxes on the Saskatoon Kinsmen/Henk Ruys Soccer Centre. (File No. CK. 1965-1) **(Referred to the Administration and Finance Committee for a report.)**

2) **Tenants
Diamond Industrial Centre, dated September 8**

Expressing concerns with respect to parking on Ontario Avenue between 33rd and 34th Streets. (File No. CK. 6120-1) **(Referred to the Administration for a report.)**

3) **Brian Anthony, Executive Director
Heritage Canada Foundation, dated September 11**

Forwarding a copy of a report entitled, "Human Resource Issues in the Preservation of Heritage Buildings". (File No. CK. 710-1) **(Referred to the Municipal Heritage Advisory Committee.)**
(Note: A copy of the report may be viewed in the City Clerk's Office.)

RECOMMENDATION: that the information be received.

Moved by Councillor McCann, Seconded by Councillor Atchison,

THAT the information be received.

CARRIED.

C. **PROCLAMATIONS**

1) **Michelle Rusk, President**
Saskatoon Branch, Saskatchewan Genealogical Society, dated September 1

Requesting that Council proclaim October, 2003, as Genealogy month in Saskatoon, and October 20 to 26, 2003 as Family History Week in Saskatoon. (File No. CK. 205-5)

2) **Cindy Haftner, Executive Director**
Adoption Support Centre of Saskatchewan Inc., dated September 9

Requesting that Council proclaim November, 2003, as Adoption Awareness Month in Saskatoon. (File No. CK. 205-5)

3) **Brian Bentley, Fire Chief/General Manager**
Fire and Protective Services Department, dated September 10

Requesting that Council proclaim October 5 to 11, 2003 as Fire Prevention Week in Saskatoon, and requesting permission for temporary closure of the southbound lanes of Diefenbaker Drive between 22nd Street and Laurier Drive on Tuesday, October 7, 2003 from 6:30 p.m. to 8:30 p.m. (File No. CK. 205-5)

- RECOMMENDATION:**
- 1) that City Council approve all proclamations as set out in Section C;
 - 2) that the City Clerk be authorized to sign the proclamations on behalf of City Council; and
 - 3) that the request for temporary closure of Diefenbaker Drive between 22nd Street and Laurier Drive on Tuesday, October 7, 2003 from 6:30 p.m. to 8:30 p.m. in connection with Fire Prevention Week activities be approved subject to administrative conditions.

Moved by Councillor Heidt, Seconded by Councillor Swystun,

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

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 32

- 3) *that the request for temporary closure of Diefenbaker Drive between 22nd Street and Laurier Drive on Tuesday, October 7, 2003 from 6:30 p.m. to 8:30 p.m. in connection with Fire Prevention Week activities be approved subject to administrative conditions.*

CARRIED.

REPORTS

Councillor Swystun, Member, presented Report No. 6-2003 of the Municipal Planning Commission;

General Manager, Community Services Gauthier presented Section A, Administrative Report No. 15-2003;

General Manager, Infrastructure Services Uzelman presented Section D, Administrative Report No. 15-2003;

General Manager, Utility Services Hewitt presented Section E, Administrative Report No. 15-2003;

City Manager Richards presented Section F, Administrative Report No. 15-2003;

City Solicitor Dust presented Section B, Legislative Report No. 13-2003;

Councillor Penner, Member, presented Report No. 12-2003 of the Planning and Operations Committee;

Councillor Waygood, Chair, presented Report No. 14-2003 of the Administration and Finance Committee;

His Worship the Mayor, Member, presented Report No. 2-2003 of the Firefighters' Pension Fund Trustees;

Councillor Sternberg, Member, presented Report No. 3-2003 of the Board of Trustees – City of Saskatoon General Superannuation Plan;

Councillor Atchison, Member, presented Report No. 8-2003 of the Land Bank Committee; and

His Worship the Mayor, Chair, presented Report No. 12-2003 of the Executive Committee.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 33**

Moved by Councillor Heidt, Seconded by Councillor Atchison,

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

- a) Report No. 6-2003 of the Municipal Planning Commission;*
- b) Administrative Report No. 15-2003;*
- c) Legislative Report No. 13-2003;*
- d) Report No. 12-2003 of the Planning and Operations Committee;*
- e) Report No. 14-2003 of the Administration and Finance Committee;*
- f) Report No. 2-2003 of the Firefighters' Pension Fund Trustees;*
- g) Report No. 3-2003 of the Board of Trustees – City of Saskatoon General Superannuation Plan;*
- h) Report No. 8-2003 of the Land Bank Committee; and*
- i) Report No. 12-2003 of the Executive Committee.*

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

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

Committee arose.

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

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

REPORT NO. 6-2003 OF THE MUNICIPAL PLANNING COMMISSION

Composition of Commission

Mr. John Waddington, Chair
Ms. Jo-Anne Richter, Vice-Chair
Mr. Dieter André
Mr. Gord Androsoff
Mr. Roy Ball
Mr. Jack Billinton
Mr. Michael Chyzowski
Mr. Lloyd Hedemann
Councillor L. Swystun
Ms. Karen Thogersen
Mr. Vern Waldherr
Mr. Randy Warick
Mr. Jim Zimmer

- 1. Proposed Rezoning from R1A District to R1B District
Portion of SE 6-37-4 West 3rd As indicated on attached map
Maguire Crescent/Lane – Willowgrove Neighbourhood
Applicant: City of Saskatoon
(File No. CK. 4351-1)**
-

- RECOMMENDATION:**
- 1) that City Council approve the advertising respecting the proposal to rezone a portion of SE 6-37-4 West 3rd (Maguire Crescent and Lane) from an R1A District to an R1B District;
 - 2) that the General Manager, Community Services Department be requested to prepare the required notice for advertising the proposed amendments;
 - 3) that the City Solicitor be requested to prepare the required Bylaw; and,
 - 4) that at the time of the public hearing, City Council consider the Municipal Planning Commission's recommendation that the rezoning be approved.

ADOPTED.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 35

Your Commission has considered the attached report of the Community Services Department dated August 29, 2003, with respect to the above proposed rezoning.

Your Commission's review of this matter included issues such as lot size and pricing in relation to affordability, possible development controls, snow removal in the back lanes, and the elements of the proposed R1B Zoning District and the location within the neighbourhood. Your Commission supports the recommendations of the Community Services Department, as outlined above.

**2. Proposed Rezoning from an R2 District to R1B District
Lots 1-26, Block 750, and Lots 10-28, Block 754, Plan 89S54198
Portion of Blakeney Crescent - Confederation Park
Applicant – City of Saskatoon
(File No. CK. 4351-1)**

- RECOMMENDATION:**
- 1) that City Council approve the advertising respecting the proposal to rezone Lots 1-26, Block 750, and Lots 10-28, Block 754, Plan 89S54198 (portion of Blakeney Crescent) from an R2 District to an R1B District;
 - 2) that the General Manager, Community Services Department be requested to prepare the required notice for advertising the proposed amendments;
 - 3) that the City Solicitor be requested to prepare the required Bylaw; and
 - 4) that at the time of the public hearing, City Council consider the Municipal Planning Commission's recommendation that the rezoning be approved.

ADOPTED.

Your Commission has reviewed the application with the Administration and supports the recommendations outlined in the attached report of the Community Services Department dated August 21, 2003, with respect to the above proposed rezoning.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 36

- 3. Proposed Rezoning from RM2 District to R2 and R1B District**
All that portion of the SE ¼ 2-37-5-W 3rd lying to the South
of the South limit of Plan 83S50429, to the East of the West
limit of Plan G219, and to the West of the East limit of Plan 83S27375
Rutherford Crescent/Lane/Way - Sutherland Neighbourhood
Applicant – City of Saskatoon
(File No. CK. 4351-1)
-

- RECOMMENDATION:**
- 1) that City Council approve the advertising respecting the proposal to rezone all that portion of the SE ¼ 2-37-5-W 3rd lying to the South of the South limit of Plan 83S50429, to the East of the West limit of Plan G219, and to the West of the East limit of Plan 83S27375 (Rutherford Crescent, Way and Lane) from an RM2 District to R1B and R2 Districts;
 - 2) that the General Manager, Community Services Department be requested to prepare the required notice for advertising the proposed amendments;
 - 3) that the City Solicitor be requested to prepare the required Bylaw; and,
 - 4) that at the time of the public hearing, City Council consider the Municipal Planning Commission's recommendation that the rezoning be approved.

ADOPTED.

Your Commission has considered the attached report of the Community Services Department dated August 21, 2003, with respect to the above proposed rezoning.

Your Commission reviewed the matter with the Administration and discussed issues relating to lot size, density and provisions for sound attenuation. Your Commission is supporting the recommendations of the Community Services Department, as outlined above.

ADMINISTRATIVE REPORT NO. 15-2003

Section A – COMMUNITY SERVICES

A1) Report of the General Manager, Community Services Department

Date: September 8, 2003

**Subject: Alterations to the Saskatoon Planning District Boundary
(File No. CK. 4240-1)**

- RECOMMENDATION:**
- 1) that City Council agree to amend the District Planning Agreement to delete the lands as described in Attachment 1 (The Willows) from the Saskatoon Planning District.
 - 2) that the City Clerk be instructed to write to the Minister of Municipal Government requesting a Ministerial Order to amend the District Planning Agreement to remove the lands noted in Recommendation 1) above from the Saskatoon Planning District; and,
 - 3) that a copy of this report be sent to the District Planning Commission and the Rural Municipality of Corman Park.

ADOPTED.

BACKGROUND

On July 4, 2003, the Deputy Minister of Municipal Government approved the annexation request by the City of Saskatoon for lands commonly referred to as The Willows Golf and Country Club. (please refer to Attachment No. 2). The annexation took effect on July 1, 2003. While the Order in Council altered the Corporate limits of the City of Saskatoon and removed the noted lands from the Rural Municipality of Corman Park, the Order did not delete the subject lands from the Saskatoon Planning District. As a result, the annexed lands remain under the control of the Saskatoon Planning District Development Plan and Zoning Bylaw.

REPORT

According to Section 119 of *The Planning and Development Act, 1983*, a Provincial Minister's Order is now required to amend the boundaries of the Saskatoon Planning District. The action is required so that the Willows Golf and Country Club will be removed from the Planning District and come under the control of the City of Saskatoon Development Plan and Zoning Bylaw.

The Council of the Rural Municipality of Corman Park will receive a copy of this report for information about the requested changes to the Planning District boundaries.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 38

Coinciding with the Minister's Order removing the land from the control of the Saskatoon Planning District, City Council will receive a report from the Administration containing recommended amendments to the City's Development Plan and Zoning Bylaw to bring the use of the above lands under the control of the City's Development Plan and Zoning Bylaw. The amendments have been requested by the Dundee Development Corporation in order to commence with subdivision and servicing of The Willows to create residential lots integrated with the golf course.

ATTACHMENTS

1. Legal Description of Land to be removed from the Saskatoon Planning District.
2. Map Showing Annexed Lands (Willows)

**A2) Municipal Enterprise Zone
Proposed Two-unit Dwelling
1031 Avenue J South
(File No. CK. 375-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

BACKGROUND

On August 28, 2003, the Municipal Enterprise Zone Adjudication Committee considered an application from Russcliff Holdings Ltd., for 100% rebate of fees related to the environmental screening and site remediation for 1031 Avenue J South in the King George neighbourhood.

The environmental screening and site remediation are required to permit the development of a new two-unit dwelling at 1031 Avenue J South. This site was formerly a gas station and is presently unfit for residential use due to soil contamination.

According to City of Saskatoon Policy No. A09-031 (Municipal Enterprise Zone), City Council approval is only required if a property tax abatement or a change to the Enterprise Zone policy is being requested. The proposed use does not qualify for a property tax abatement. Russcliff Holdings Ltd. is only requesting rebate of the environmental screening charges and site remediation fees. Therefore, this report is for City Council's information only.

Please refer to Attachments 1, 2, and 3.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 39

REPORT

Russcliff Holdings Ltd.'s application for incentives under the Municipal Enterprise Zone was made through the office of the City's Housing Facilitator. A thorough review of the application by Russcliff Holdings was conducted and it has been determined that the project warrants consideration for incentives under the Enterprise Zone. Russcliff Holdings has applied for 100% rebate of the fees related to screening and soil remediation at 1031 Avenue J South. The estimated value of the incentives is:

Phase 1 and 2 Screening	-	\$ 2,805.00
Phase 3 (soil remediation)	-	\$29,152.50

<u>Total</u>		<u>\$31,957.50</u>

All required building and plumbing permit fees would also be automatically rebated to the owner of the property upon completion of the project (estimated at \$1,319.50). The total estimated value of this application will be \$33,277.00 and will be funded from the Enterprise Zone account.

The Adjudication Committee agrees with the Housing Facilitator's recommendation, and has noted that it is consistent with City of Saskatoon Policy No. A09-031 (Municipal Enterprise Zone).

The Committee has approved Russcliff Holdings' request for rebate of the Environmental Screening, Phase 1 and 2 (screening) and Phase 3 (soil remediation) fees, up to a maximum of \$32,000, subject to completion of the project. The City's Housing Facilitator will conduct a follow-up inspection to ensure that the project is completed according to the proposal described in Attachment 1.

ATTACHMENTS

1. Project Proposal from Russcliff Holdings Ltd.
2. Photograph of Site at 1031 Avenue J South.
3. Location Map of 1031 Avenue J South.

A3) Addition of Names to the Names Master List
(File No. CK. 6310-1)

RECOMMENDATION: that City Council approve the names contained in this report to be added to the Names Master List.

ADOPTED.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 40

REPORT

According to City of Saskatoon Policy No. C09-008 (Naming of Civic Property and Development Areas), all requests for adding names to the Names Master List must be screened by the Naming Advisory Committee and approved by City Council.

The Naming Advisory Committee has reviewed and screened the following names in accordance with City Council's naming guidelines and recommends to City Council that they be added to the Names Master List.

1. LEDINGHAM: family – Aleck, Robert, Charles and Lloyd with contributions in science, agricultural research, farming and business (street).
2. WALDNER: family – Nancy, Bruce and Ennis for outstanding achievement in sports ranging from local to the national level, community involvement and volunteer work.
3. PETIT – Claude Petit as a member of the Order of Canada, President of the National Aboriginal War Veterans Association and recipient of the Saskatchewan Order of Merit.

The Names Master List is kept in the Mayor's Office and contains all screened and approved name suggestions for naming municipally owned or controlled facilities, streets, suburban development areas, neighbourhoods, and parks. There are currently 131 names on the Names Master List.

The City Planning Branch will notify the applicants of the outcome of Council's decision.

PUBLIC NOTICE

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

A4) Easement Requirement – City Land Branch Kelsey Woodlawn Neighbourhood Lot E and F, Block 14, Plan No. G727 (File No. CK. 4090-1)

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

ADOPTED.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 41

The City of Saskatoon Land Branch has requested City Council's approval, for a three meter easement on Lots E and F, Block 14, Plan G727, as outlined on Attachment 1. The easement is necessary to provide continued access for SaskPower, City Electrical, and Shaw Cable Systems to utilities as the existing lane is being closed ahead of sale by the City.

The Community Services Department and Infrastructure Services Department have no objection to the granting of this easement SaskPower, City of Saskatoon Electrical, and Shaw Cable Systems.

PUBLIC NOTICE

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

ATTACHMENT

1. Site Plan

**A5) Land-Use Applications Received by the Community Services Department
For the Period Between September 1, and September 15, 2003
(For Information Only)
(File No. CK. 4000-5)**

RECOMMENDATION: that the information be received.

ADOPTED.

The following applications have been received and are being processed:

Condominium

- Application No.6/03 : 230 Heath Avenue
Applicant: Webb Surveys for Milbrandt Homes Ltd.
Legal Description: Lot 7, Block 438, Plan 101472791
Current Zoning: M3
Neighbourhood: University Heights Suburban Centre
Date Received: August 13, 2003

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 42

Condominium

- Application No.7/03 : 825 Heritage Green
Applicant: Webb Surveys for Northridge Development Corp.
Legal Description: Lot 5, Block 404, Plan 97S49157
Current Zoning: RMTN
Neighbourhood: Wildwood
Date Received: August 13, 2003

Subdivision

- Application No.35/03 : Maguire Crescent/Lane/Willowgrove Blvd.
Applicant: Webster Surveys Ltd. for City of Saskatoon
Legal Description: Blocks 501 and 502, Plan not yet registered
Current Zoning: R1A to R1B
Neighbourhood: Willowgrove
Date Received: September 2, 2003

Subdivision

- Application No.36/03 : 615 Saskatchewan Crescent West
Applicant: UMA Engineering for RiverCrest Condos Inc.
Legal Description: Parcel D, Plan 70S00223
Current Zoning: RM4
Neighbourhood: Buena Vista
Date Received: September 2003

PUBLIC NOTICE

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

ATTACHMENTS

1. Plan of Proposed Subdivision No. 35/03
2. Plan of Survey showing Utility Right of Way No. 36/03
3. Plan of Proposed Condominium No.6/03
4. Plan of Proposed Condominium No. 7/0

Section D – INFRASTRUCTURE SERVICES

**D1) Enquiry – Councillor T. Paulsen (July 14, 2003)
Application of Pesticides and Herbicides on City-owned Property
(File No. CK. 4200-7)**

RECOMMENDATION: that the information be received.

ADOPTED.

The following enquiry was made by Councillor Paulsen at the meeting of City Council held on July 14, 2003:

“Could the Administration please report on the amount, frequency and location of any pesticide or herbicide application by the City that occurs on city-owned land.”

REPORT

The City of Saskatoon has not banned the use of pesticides, but every consideration is given to providing cost effective control, reducing environmental impact and ensuring public safety. The Parks Branch recognizes that the responsible use of pesticides is an integral part of its maintenance function. Since the cessation of the herbiciding program in 1992, the Parks Branch has adopted an Integrated Pest Management approach which incorporates the use of physical, horticultural, biological, and least toxic chemical controls as it pertains to Horticultural Maintenance Practices.

The City of Saskatoon has programs that continue to utilize pesticides to control various pests on city property. For example, Woodlawn Cemetery is in direct competition with similar private sector operations. These municipal operations must respond to their customers who pay the fees to maintain the services. There is a certain level of public expectation which requires the cemetery program to utilize pesticides to some extent. Pesticides are used only when necessary to maintain customer satisfaction and are applied by licensed staff in accordance with both Provincial and Federal Regulations.

Within the Parks Branch, in an attempt to improve the quality of turf and reduce weeds, the turf maintenance program has adopted “Cultural Practices” instead of using herbicides to control weed infestations in turf areas. Cultural Practices include fertilizing with slow release fertilizer, soil aeration, mowing schedule adjustments (mowing weeds before they go to seed), water budgeting, etc. Improving turf growth, quality and density through the use of cultural practices has an adverse effect on the severity of weed infestations. The Branch continues to utilize glyphosate (Round Up) as a tool, not as an overall program, to control unwanted vegetation in planting beds, on pathways and gravel parking lots, etc.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 44**

The following is a comprehensive listing of the amount, type, and locations where the Parks Branch programs have applied pesticides. The frequency and rate of pesticide applications are based on the appropriate timing to control the specific targeted pest.

2003 Pesticide Applications

Sportsfields - Pesticide/Herbicide applications on eighty (80) Class I, II & III charge fields, in various locations throughout the city. (Location list - Attachment 1)

- Killex - 60ml used on heavier weed infestations, spot spraying, not an overall spray program.
- Roundup – 7.3L used for weed control on sand/shale ball diamond infields.
- Giant Destroyer – 5834 cartridges for Richardson Ground Squirrel control.

Horticultural Maintenance – Citywide applications

- Roundup – 40L used for weed control in shrub beds, on pathways, gravel parking lots

Pest Management – Citywide applications (Location lists)

- Giant Destroyer – 1,538 cartridges for Richardson Ground Squirrel control (Attachment 2)
- Liquid Rozol (Rodenticide) – 267.5Kg (Attachment 3)
- Liquid Aquabac XT – 87L (Larvicide) utilized for mosquito control (Attachment 4)
- Granular Aquabac – 1,627.5Kg utilized for mosquito control (Attachment 4)

Greenhouse Program – all chemicals utilized in the greenhouse are low toxicity type.

- Safer Soap – 83L
- Endall – 2.1L

Woodlawn Cemetery

- Weed n' Feed Fertilizer – 40 – 25Kg Bags for control of broadleaf weeds.
- Giant Destroyer – 38 cartridges for Richardson Ground Squirrel control.

The Parks Branch utilizes the basic fundamentals of Integrated Pest Management when considering the use of pesticides. The Administration continues to carry out their operations in a responsible manner and within the regulations of the Provincial Pest Control Act.

PUBLIC NOTICE

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

ATTACHMENTS

1. Charge Sportsfields 2004
2. Giant Destroyer (ground squirrel control)
3. Liquid Rozol (rodenticide)
4. Granular Aquabac (mosquito control)

**D2) Enquiry – Councillor L. Swystun (June 23, 2003)
Repair of Curbs and Boulevards – Willingdon Place
(File No. CK. 4020-1)**

RECOMMENDATION: that the information be received.

At the meeting of City Council held on June 23, 2003, Councillor Swystun made an enquiry regarding the above noted matter:

“Would the Administration please report on what steps we may be able to take promptly to repair and refurbish the curb sides and boulevards in Willingdon Place?”

REPORT

The Parks Branch has no funding available to upgrade or renovate boulevards. In some instances, homeowners and businesses have undertaken the renovation themselves at their own expense.

The Parks Branch funds the “Residential Grass Seed Program”, which allows home and business owners to pick up grass seed free of charge for use on adjacent city boulevards (frontages) and/or flankages (which is the side portion of homes/businesses on corner lots).

Home/business owners can access the program by contacting the Corporate Information Services Branch, Central Stores (located at 330 Ontario Avenue), provide their address, and a measured amount of grass seed is provided to them based on the square meters of city property.

Similarly, the Public Works Branch currently has no program in place for the replacement of curbs in residential areas for aesthetic reasons. All sidewalk maintenance funding is dedicated to the maintenance or restoration of walking surfaces. Curbs are replaced only if necessary when roadways are resurfaced, if roadway realignment is required, or if drainage conditions warrant. There are a number of locations throughout the City where the curb is missing or in poor condition.

The estimate for replacing the median curb only at Wellington Place is \$14,800, and the estimate for full replacement of all sidewalk and curb at this site is \$53,000.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 46**

PUBLIC NOTICE

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

IT WAS RESOLVED: that the issue of repairing curbs and boulevards be referred to the Administration to report to the Planning and Operations Committee.

**D3) Contract Awards
(File No. CK. 1000-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

For the information of City Council, attached is a listing of contracts awarded by Infrastructure Services through the City Manager for the 2003 calendar year, up to and including September 9, 2003. This list is maintained in the offices of Infrastructure Services.

PUBLIC NOTICE

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

ATTACHMENT

1. List of Tender Awards to City Manager

D4) Communications to Council
From: Erin Repesse
35-110 Keevil Crescent
Date: June 3, 2003
Subject: Condition of the Buffer Strip Backing onto
The Villas Condominium on 115th Street
(File No. CK. 4131-1)

RECOMMENDATION: that the information be received.

ADOPTED.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 47**

BACKGROUND

The above-noted correspondence was considered at the meeting of City Council held on June 9, 2003 with respect to the condition of the buffer strip backing onto the Villas Condominiums on 115th Street, and referred to the Administration for a report.

REPORT

The Land Development standard for landscaping all buffers is to seed with a non-irrigated (dryland) turfgrass seed mix and to plant seedling trees. The buffers in question were seeded in September 1999, but due to the lateness of the season, the turfgrass seed did not germinate until 2000. However, in 2000, the city experienced the start of a period of severe drought conditions, which continues to date. The Monday, August 21, 2000 site inspection notes state that "germination was poor, approximately 10 to 20%". As part of the contract, the contractor's responsibility is to attain a minimum of 75% germination before the City will assume maintenance responsibility. Because of the poor germination, the contractor was asked to oversee the buffer in 2000 (overseeding includes a light scarification of the topsoil and a use of a Brillion Seed Drill). Since the initial 1999 seeding, the contractor has reseeded the 115th Street Buffer a total of four times, spring/fall 2000, fall 2001, and fall 2002.

In May 2001, the contractor, on his own initiative and expense, set up a temporary irrigation system and began watering the buffer in an attempt to attain the 75% germination. It was noted in the inspection notes of June 2001 that, "with the watering, germination had improved from 20% in August 2000, to 75% germination in June 2001". The contractor continued watering until June 30, 2001, then removed the temporary irrigation system.

The City assumed maintenance responsibility on June 30, 2001. Again due to the continuing drought conditions, the turf soon declined to the present state due to a lack of natural rainfall. To further investigate the lack of seed germination, soil tests were taken in the fall of 2001. The results indicated there was a slight nitrogen deficiency on the buffer but there was no other test result that would indicate a cause for reduced seed germination other than the drought conditions experienced over the past three years.

The Parks Branch had the buffer reseeded in the fall of 2002 (by the contractor) in an attempt to utilize the spring moisture, which improved the germination somewhat this spring but not enough to make a great difference. Because we have not received sufficient rainfall over the past couple of months and due to the present poor condition of the buffer, we anticipate no improvement in turf quality. Another re-seeding is scheduled for late September or early October 2003 in anticipation of spring moisture. As of August 2003, a total of 43 trees have been planted from Bernie Drive to Kenderdine Road on 115th Street.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 48

There have been two separate letters sent dealing with the buffer condition outlining all information in this report: November 21, 2001, to the Bloomfield Condominium Corporation c/o Ms. Barb Petersen, President (Attachment 1); and March 25, 2003, to the McCallum Property Management Ltd. c/o Jayne Kellar, Property Manager (Attachment 2).

In some instances, the adjacent land developer and/or the landowners have developed or upgraded boulevards, buffers, and road rights-of-ways at their own expense. This is evident along the north side of Taylor Street from McKercher Drive to Heritage Crescent. If McCallum Property Management or the Condominium Association wants more than the city standard of dryland turf on this buffer, they could consider an upgrade. However, all costs associated with the upgrade would be at their expense.

PUBLIC NOTICE

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

ATTACHMENTS

1. Letter dated November 21, 2001 to Bloomfield Condo Corp.
2. Letter dated March 25, 2003 to McCallum Property Management Ltd.

**D5) 2003 Capital Budget
Capital Project No. 2002
Circle Drive/College Drive Interchange – Award of Structure Design
Request for Proposals
(File No. CK. 6001-1)**

- RECOMMENDATION:**
- 1) that the proposal for services submitted by Stantec Consulting Ltd. for the detailed design of the Circle Drive/College Drive overpass structure for a total cost of \$132,210 including G.S.T. and P.S.T. be accepted; and
 - 2) that the City Solicitor be instructed to prepare the necessary Engineering Services Agreement for execution by His Worship the Mayor and the City Clerk under the Corporate Seal.

ADOPTED.

Infrastructure Services issued a request for proposals for the detailed design of the overpass structure as part of the proposed Circle Drive/College Drive interchange. Proposals were received from seven qualified consulting engineering firms, which are listed below:

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 49

Stantec Consulting Ltd.
303 - 1919 Rose Street
Regina, SK

UMA Engineering Ltd.
200 - 2100 8th Street East
Saskatoon, SK

Earth Tech (Canada) Inc.
2629 - 29th Avenue
Regina, SK

NDLea and Associates Ltd.
111 - 93 Lombard Avenue
Winnipeg, MB

Wardrop Engineering Inc.
105 - 2103 Airport Drive
Saskatoon, SK

Robb Kullman Engineering Ltd.
3022 Louise Street
Saskatoon, SK

Associated Engineering
1 - 2225 Northridge Drive
Saskatoon, SK

After a systematic evaluation of the proposals, staff rated the submission from Stantec Consulting Ltd. as ranking highest within a rating matrix which evaluated both the proposal and the relative price. The net cost to the City for the proposal from Stantec is as follows.

Base Fees	\$	97,000.00
Optional Load Capacity Charts	\$	5,000.00
Optional Modular Design Cost	\$	5,000.00
Optional Architectural Assessment	\$	10,000.00
P.S.T.	\$	7,020.00
G.S.T.	\$	<u>8,190.00</u>
Total Fees	\$	132,210.00
G.S.T. Rebate	\$	<u>(4,680.00)</u>
Net Cost to City	\$	<u><u>127,530.00</u></u>

Capital Project No. 2002 has \$250,000 of approved funding allocated in 2003. As such, sufficient funding is in place to allow for the detailed design of the overpass structure to proceed.

PUBLIC NOTICE

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

**D6) Grade Separation – Clarence Avenue South and Canadian National Railway
(File No. CK. 6171-1)**

RECOMMENDATION: that the City Solicitor be instructed to prepare an agreement with Canadian National Railway (CNR) for the construction of a grade separation of the CNR Watrous Subdivision railway crossing of Clarence Avenue South, as detailed in this report, for execution by His Worship the Mayor and City Clerk under the Corporate Seal.

ADOPTED.

BACKGROUND

City Council, at its September 8, 2003 meeting, adopted Report No. 11-2003 (Attachment 1) of the Executive Committee, which recommended the following:

- “1) that the Administration continue discussions with Canadian National Railways to form a partnership agreement for the construction of a grade separation of the CNR Watrous Subdivision railway crossing of Clarence Avenue South;
- 2) that the City’s contribution to the funding of the grade separation be limited to the lesser of 25% of total actual construction cost or \$600,000, with construction planned to start in 2003; and
- 3) that the matter of the closure of Preston Avenue South, at its intersection with the CNR Watrous Subdivision trackage, be dealt with at the time Council considers the concept plan for Stonebridge Neighbourhood.”

REPORT

The Administration has finalized discussions with Canadian National Railway (CNR) for the construction of a grade separation of the CNR Watrous Subdivision railway crossing of Clarence Avenue South. The highlights of the proposed agreement are as follows:

- CNR contributes \$1,925,000.
- City of Saskatoon contributes \$892,000.
- CNR and the City will share in project cost overruns/underruns if they occur.
- The City will provide contract supervision and construction management.
- CNR will prepare contract documents, tender package, and award the contract.
- CNR will contribute, at its cost, all necessary building relocation, trackage modifications, and property transfers on their property to accommodate the overpass construction.
- The City will become owners of the overpass structure.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 51

- CNR will provide all required railway flagging for the project.
- The City will be granted a 10 metre easement, when required, for the construction of a future storm sewer along the north side of the CNR's rail line between Preston Avenue and the South Saskatchewan River. The cost of the easement to the City of Saskatoon will be the lesser of 50% of market value or \$12,500 per acre.
- The City will be granted an easement for a water and sewer line to cross the CNR rail line at a location between Clarence and Lorne Avenues at no cost.
- The City will be granted a rail crossing of the CN Warman Subdivision line for emergency vehicles in the north end of the City. This crossing is to the north of 60th Street where only a single track crossing would be required.

It should be noted that the City will contribute an additional \$292,000 for this project, from what was originally reported to City Council. The total contribution from the City is representative of the actual roadway costs to reconstruct Clarence Avenue. The additional funding is being contributed in order to meet the project's estimated budget of \$2,897,000. In addition, the CNR has agreed to several concessions with respect to easements and a private rail crossing.

Funding sources for this project are the Arterial Road Reserve and the Transportation Infrastructure Expansion Reserve. Funding from these reserves is an appropriate use, and allocations will be provided in the 2004 Capital Budget.

PUBLIC NOTICE

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

ATTACHMENT

1. Report No. 11-2003 of the Executive Committee

Section E – UTILITY SERVICES

E1) Capital Projects – Contract Amount Adjustments (File No. CK. 7800-1)

- | | |
|-------------------------------|---|
| <u>RECOMMENDATION:</u> | 1) that City Council approve an increase of \$21,178.60 (including PST & GST) to the Stantec Consulting Ltd. engineering services contract for the Pollution Control Plant Digester Modification; |
| | 2) that City Council approve an increase of \$17,500 (including PST & GST) to the Graham Construction contract for the Utility Services Department Office Expansion; |

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 52

- 3) that City Council approve an increase of \$34,600 (including PST & GST) to the Associated Engineering (Sask.) Ltd. engineering services contract for the City's Raw Water Intake and Pumping Facilities; and,
- 4) that the City Solicitor be instructed to make the appropriate contract adjustments.

ADOPTED.

REPORT

The Utility Services Department is currently carrying out three capital projects that required adjustments to total contract amounts. In accordance with Corporate Purchasing Procedure #A02-027 City Council approval is required to adjust these contracts. In all cases the approved budgets are adequate to cover the increase in contract amounts.

- **Pollution Control Plant Digester Modification – Capital Project #1229**
Two engineering services contracts provided by Stantec Consulting Ltd. for a total of \$379,414.30 (including PST & GST) require an increase of \$21,178.60 due to unexpected additional work during the detailed design and tendering process.
- **Utility Services Department Office Expansion – Capital Project #1221**
The construction contract awarded to Graham Construction for \$542,779.00 (including PST & GST) requires an increase of \$17,500.00 to provide adequate contingency to address minor changes not anticipated in the original construction scope of work.
- **Water Treatment Plant – Raw Water Intake and Pumping Facilities - Capital Project #1208**
The engineering services contract was awarded to Associated Engineering (Sask.) Ltd. for an amount net of GST rebate. This is incorrect since the contract award is to include all taxes. Therefore an adjustment of \$34,600 is required.

PUBLIC NOTICE

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

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 53**

**E2) 2003 Contract Negotiations
Amalgamated Transit Union, Local 615
Special Needs Transportation
(File No. 4720-2)**

RECOMMENDATION: that City Council approve the proposed changes set out in the attached Memorandum of Agreement, dated September 17, 2003, with respect to the Special Needs Transportation System (SNTS).

Attached is a report dated September 17, 2003, detailing conditions agreed upon by the bargaining team of the City and the Amalgamated Transit Union, Local 615.

The report is marked "Confidential Until Tabled at a meeting of City Council" and is only distributed to members of City Council. A wider distribution will be effected at 7:00 p.m. on Monday, September 22, 2003.

PUBLIC NOTICE

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

ATTACHMENTS

1. Report dated September 17, 2003.

Moved by Councillor Steernberg,

THAT City Council approve the proposed changes set out in the attached Memorandum of Agreement, dated September 17, 2003, with respect to the Special Needs Transportation System (SNTS).

*YEAS: His Worship the Mayor, Councillors Fortosky, Heidt, Penner,
Roe, Steernberg, Swystun and Waygood*

8

NAYS: Councillors Atchison, McCann and Paulsen

3

Section F – CITY MANAGER

**F1) Saskatoon Farmers' Market
(File No. CK. 205-7)**

- RECOMMENDATION:**
- 1) that the Saskatoon Farmers' Market be granted temporary use of the City-owned building at 401 Avenue A South for its winter market, from October 15, 2003, until April 30, 2004;
 - 2) that the use be once a week, from 8:00 a.m. to 2:00 p.m. on Saturdays;
 - 3) that, as the use is temporary and for limited hours, the City continue to pay utilities; and,
 - 4) that the use be subject to any required administrative conditions.

ADOPTED.

REPORT

At its meeting held August 11, 2003, City Council received a request from the Farmers' Market to use the Gathercole Building as a temporary location for its winter operations from October, 2003, to April, 2004.

City Council moved that the matter be referred to the Administration to assist the Saskatoon Farmers' Market in finding a temporary home for the winter.

Your Administration has met with the Farmers' Market and is pleased to advise that a temporary location, acceptable to the Farmers' Market, has been found for this winter's market.

The new temporary winter market location is proposed for the warehouse building owned by the City Electric System Branch at 401 Avenue A South (corner of 19th Street West and Avenue A South). City Electric currently uses this building for storage of Christmas street decorations and a small parts depot. The building can be arranged to accommodate these two electrical uses and still provide over 8,500 square feet of open and accessible space for the temporary winter location for the Farmers' Market.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 55

Although the site is not zoned for a market, this use is not inconsistent with a previous temporary use (paint exchange). Also, as this is a temporary use of only once a week for six months, the building need not be brought into full compliance with the building code. Should this building be considered as a permanent market location, it would have to be brought into full compliance with the National Building Code and the Zoning Bylaw.

PUBLIC NOTICE

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

LEGISLATIVE REPORT NO. 13-2003

Section B – OFFICE OF THE CITY SOLICITOR

**B1) *The Cities Act - The Unclaimed Personal Property Bylaw, 2003 and Impounding Amendment Bylaw, 2003*
(File No. CK. 185-1)**

RECOMMENDATION: that City Council consider Bylaws No. 8230 and 8231.

ADOPTED.

a) Unclaimed Property

Prior to January 1, 2003, the City relied on provisions in *The Urban Municipality Act, 1984* for authority to deal with unclaimed personal property. When the City moved to *The Cities Act* on January 1, 2003, these provisions under *The Urban Municipality Act, 1984* were replaced by general powers that allow the City to pass bylaws that deal with this issue. As a result, we have prepared Bylaw No. 8230 to deal with unclaimed personal property in the City's possession. The Bylaw incorporates provisions similar to the provisions of *The Urban Municipality Act, 1984*. It requires the City to hold unclaimed personal property for a period of 90 days to allow the owner to claim the property. If the property is not claimed, the Bylaw requires that the property be sold at auction or donated to any person or organization. These provisions do not represent a change in practice, and can be changed or expanded in the future should Council wish to do so.

b) Impounding of Vehicles

The Impounding Bylaw, 1999 refers to Section 180 of *The Urban Municipality Act, 1984* when indicating how the City is to deal with unclaimed property impounded under the Bylaw. As a result of the move to *The Cities Act*, the Impounding Bylaw, 1999 must be amended to remove references to *The Urban Municipality Act, 1984* and replace them with references to The Unclaimed Personal Property Bylaw, 2003 and *The Cities Act*.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 56**

Also, *The Cities Act* does not include the provision of *The Urban Municipality Act, 1984* regarding impounding vehicles where the owner has failed to pay parking offence fines. This is because this provision was unworkable in practice. The City Mayors and Managers are instead pursuing the possibility of SGI refusing to issue vehicle licenses where fines remain unpaid. In the meantime, the references to impounding vehicles for unpaid fines are removed from The Impounding Bylaw, 1999. Bylaw No. 8231 is attached.

PUBLIC NOTICE

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

ATTACHMENTS

1. Proposed Bylaw No. 8230.
2. Proposed Bylaw No. 8231.

**B2) Enquiry - Councillor O. Fortosky (July 14, 2003)
Smoking Legislation for Public Places in Major Canadian Cities
(File No. CK. 185-3)**

DEALT WITH EARLIER. SEE PAGE NO. 6.

**B3) New Noise Bylaw
- Church Bells
(File No. CK. 185-9)**

DEALT WITH EARLIER. SEE PAGE NO. 17.

REPORT NO. 12-2003 OF THE PLANNING AND OPERATIONS COMMITTEE

Composition of Committee

Councillor O. Fortosky, Chair
Councillor M. Heidt
Councillor P. Roe
Councillor T. Paulsen
Councillor G. Penner

1. **2001 State of the Environment Report
Saskatoon Environmental Advisory Committee
(File No. CK. 175-9)**

DEALT WITH EARLIER. SEE PAGE NO. 5.

2. **2002 Annual Report – Advisory Committee on Women’s Issues
(File No. CK. 225-48-2)**

RECOMMENDATION: that the information be received.

ADOPTED.

Your Committee has considered the attached copy of the 2002 Annual Report of the Advisory Committee on Women’s Issues and is forwarding the report to City Council as information.

3. **Application for Placement on the Community Heritage Register
505 – 10th Street East – Grace-Westminster United Church
(File No. CK. 710-1)**

RECOMMENDATION: that the Administration place Grace-Westminster United Church at 505 10th Street East (Lot A, Block 62, Plan Q1) on the Community Heritage Register.

ADOPTED.

Your Committee has considered the attached report of the General Manager, Community Services Department dated August 12, 2003, with respect to placement of the above property on the Community Heritage Register.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 58**

Your Committee has been advised that the Municipal Heritage Advisory Committee met with Rev. Daryl Woods and Mr. Peter Vogel, Grace-Westminster United Church, to discuss the application. The Municipal Heritage Advisory Committee supports the recommendation for placement of this property on the Community Heritage Register.

Upon review of this matter, your Committee is also supporting the recommendation of the Administration, as outlined above.

**4. Application for Placement on the Community Heritage Register
609 King Street
(File No. CK. 710-1)**

RECOMMENDATION: that the Administration place 609 King Street (Lots 8 and 9, Block 4, Plan (DE) F 1418, Condo Plan 98SA35499) on the Community Heritage Register.

ADOPTED.

Your Committee has reviewed the attached report of the General Manager, Community Services Department dated August 12, 2003, and supports the recommendation for placement of 609 King Street on the Community Heritage Register.

This application was also reviewed and supported by the Municipal Heritage Advisory Committee.

REPORT NO. 14-2003 OF THE ADMINISTRATION AND FINANCE COMMITTEE

Composition of Committee

Councillor, K. Waygood, Chair
Councillor D. Atchison
Councillor P. McCann
Councillor L. Swystun
Councillor R. Steernberg

**1. New Noise Bylaw
(File No. CK. 185-9)**

DEALT WITH EARLIER. SEE PAGE NO. 17.

2. **Indoor Leisure Facilities – Rates and Fees**

(File No. CK. 1720-3)

RECOMMENDATION:

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

a) General Admissions

- i) that the long-term cost recovery objective for general admissions be set at 65 percent of the total cost of providing the service; and
- ii) that this objective be achieved by maintaining the base increase for the general admission rate for adults by \$0.20 annually, as outlined in Attachment A, on January 1 of each year.

b) Children's Registered Aquatic Programs

- i) that the cost recovery objective for children's registered aquatics (water safety lessons) remain at 85 percent of the total cost for providing these programs; and
- ii) that children's aquatic lesson fees maintain the annual increase of 2 percent on March 1 of each year.

c) Special Initiatives Programs

- i) that the Special Initiatives Program Function be expanded to include registered recreational programs for children and all adult registered programs;
- ii) that the registered special initiatives program allocation be set at the current level of subsidy of \$71,400 effective 2003; and

- iii) that the Administration pursue a funding formula for this Special Initiatives Program Function and report back to City Council;
- 2) that the Administration review the monthly adult pass and report on the impact of reducing the cost to the market average.

ADOPTED.

Attached is a copy of the report of the General Manager Community Services Department dated August 8, 2003, containing a comprehensive report on the proposed changes in financial objectives for the five indoor leisure centres outlined in the report.

Your Committee has reviewed this proposal with the Administration and supports the change in financial objectives. Your Committee has added a recommendation regarding the monthly adult pass, and would like to see this pass reduced in cost to the market average.

**3. Request For Financial Assistance
Vimy Memorial – Kiwanis Memorial Park
(File No. CK. 1870-1, 4205-6)**

DEALT WITH EARLIER. SEE PAGE NO. 3.

REPORT NO. 2-2003 OF THE FIREFIGHTERS' PENSION FUND TRUSTEES

Composition of Committee

Mr. Jim Wood, Chair
Mr. Murray Gronsdahl, Vice Chair
His Worship the Mayor
Mr. Tim Leier
Mr. David Rumpel
Mr. Bruce Siemens

**1. Actuarial Valuation Report as at December 31, 2002
Firefighters' Pension Fund
Aon Consulting Inc.
(File No. CK. 430-52)**

- RECOMMENDATION:**
- 1) that the Actuarial Valuation Report as at December 31, 2002, as provided by Aon Consulting Inc., be approved including the improvement to the Plan of Ad Hoc indexing of 33% of Consumer Price Index;
 - 2) that the Administration be authorized to submit the Actuarial Valuation Report as at December 31, 2002, to the Superintendent of Pensions and the Canada Customs and Revenue Agency; and
 - 3) that Bylaw No. 8243 be considered at this meeting.

ADOPTED.

The Firefighters' Pension Fund Trustees reviewed the Preliminary Actuarial Valuation report to December 31, 2002, in which an Actuarial Surplus of \$3,453,000 was revealed. The Trustees approved a change to strengthen mortality table and adopted a revised merit and promotion salary scale to reflect current conditions, which used up \$1,506,000 of this surplus. Additional surplus of \$962,000 was identified to provide Ad Hoc indexing to current pensioners age 60 and older based on 33% of the change in Consumer Price Index for Canada from the later of January 1, 2000 or attainment of age 60 to December 31, 2002. Remaining surplus of \$985,000 was set aside as a contingency reserve. This report is being submitted to City Council for approval and filing of the report with the Superintendent of Pension, in that it contains an improvement to the Plan. The Committee is also submitting Bylaw No. 8243 for approval, which makes the appropriate amendment to the Plan to reflect this Plan improvement.

Attached are copies of Pages 4 and 34 of the Actuarial Valuation Report, which provide relevant information. A copy of the complete report is available for review in the City Clerk's Office.

**REPORT NO. 3-2003 OF THE BOARD OF TRUSTEES – CITY OF SASKATOON
GENERAL SUPERANNUATION PLAN**

Composition of Board

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

- 1. Actuarial Valuation Report as at December 31, 2002
General Superannuation Plan
Aon Consulting Inc.
(File No. CK. 1796-25)**

- RECOMMENDATION:**
- 1) that the information be received;
 - 2) that the Administration be authorized to file the Actuarial Valuation Report as at December 31, 2002 with the Superintendent of Pensions and the Canada Customs and Revenue Agency; and
 - 3) that a copy of this report be provided to the Pension Benefits Committee.

ADOPTED.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 63

Aon Consulting Inc. has performed an actuarial valuation of the Plan as at December 31, 2002 and the valuation indicated that the Plan's financial condition remains positive and that the current contribution rates by employees and the City continue to be adequate to meet the Plan's funding requirements. The Actuarial Valuation Report as at December 31, 2002 has been reviewed by the Board of Trustees with Aon Consulting Inc. and the Board is satisfied with the actuarial assumptions and methods used to determine the solvency position. The Board wishes to provide this report to the Pension Benefits Committee for their information. Attached are copies of pages 4 and 9 to 11 from the Actuarial Valuation Report as at December 31, 2002 for the General Superannuation Plan. A copy of the complete report is available for review in the City Clerk's Office.

REPORT NO. 8-2003 OF THE LAND BANK COMMITTEE

Composition of Committee

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

**1. Request to Sell and Transfer City-owned Property to
North Ridge Development Corporation
Sutherland Neighbourhood
(File No. CK. 4215-1)**

- RECOMMENDATION:**
- 1) that the portion of Parcel C lying to the west of the closed Murray Avenue right-of-way, as shown on Attachment No. 1, be sold to North Ridge Development Corporation for the sum of \$2,425.00, plus GST;
 - 2) that the ownership of Lots 29A, 29B, 30A, and 30B, Block 440, be transferred to North Ridge Development Corporation in consideration for dedicating a portion of Parcel C as Municipal Reserve in accordance with the requirements of subdivision approval; and
 - 3) that the City Solicitor prepare the necessary documentation for execution by His Worship the Mayor and the City Clerk.

ADOPTED.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 64**

Your Committee has reviewed the following report of the General Manager, Community Services Department dated August 29, 2003 with the Administration, and supports the land transfer as outlined in the report:

“The Sutherland Infill development project is being undertaken jointly by the Land Branch and North Ridge development Corporation. Approval of the concept plan was granted by City Council at its meeting held on April 7, 2003.

One of the conditions that needed to be met in order to receive concept plan approval was the dedication of land within the development to act as a buffer between the residential lots and the Canadian Pacific Railway. As part of the concept plan submission, the two developers agreed to allocate sufficient land for a 39 metre wide buffer adjacent to the railway right-of-way in order to reduce the effect of vibration and noise from passing trains. The creation of this buffer was critical to receiving approval of the concept plan.

Because the dedication of this land benefited the entire development area, both developers agreed to reappportion the remaining developable land based upon the area of the original land ownership. This was originally intended to be undertaken by way of a replotting scheme. The City was subsequently advised by the Information Services Corporation of Saskatchewan that changes to their business methods did not allow for this method of subdivision and issuance of titles.

The amount of land required to create the buffer along the CPR railway reduced North Ridge Development Corporation's share of developable land area significantly. It is therefore proposed that the City transfer ownership of Lots 29A, 29B, 30A, and 30B, in Block 440 to North Ridge Development Corporation in order to reappportion the amount of developable land owned by each developer.

In addition, North Ridge Development Corporation has indicated that they are interested in purchasing the parcel of land that lies between the land that they originally owned and the four lots that are proposed to be sold to them. The subject parcel, as shown an Attachment No. 1, is approximately 0.12 acres. Due to the presence of utility easements in the area and the irregular shape of the lot, it is recommended that the parcel be sold directly to North Ridge Development Corporation in a non-serviced state. The recommended sale price for the land is \$2,425.00 plus GST. This price is calculated as \$40,416.66 per acre less 50 percent for obsolescence due to the configuration of the parcel. North Ridge Development Corporation has agreed to this price for the land in a non-serviced state. Once they obtain ownership of the parcel, they will be responsible for all costs associated with developing the land.

The direct sale of this parcel to North Ridge Development Corporation complies with Council Policy C09-033 – Sale of Serviced City-Owned Land.

ATTACHMENTS

1. Plan showing proposed land transfer to North Ridge Development Corporation.”

Moved by Councillor Steernberg,

THAT the meeting be extended beyond the hour of 11:00 p.m.

CARRIED.

- 2. Request to Sell City-owned Property
Lots 1 to 28, Block 440, Lots 1 to 23, Block 441,
Lots 1 to 17, Block 442, and Lots 1 to 26, Block 443
All in Plan No. (To Be Registered)
Rutherford Crescent, Lane and Way, Sutherland Neighbourhood
(File No. CK. 4215-1)**

- RECOMMENDATION:**
- 1) that the Land Branch Manager be authorized to sell 94 lots on Rutherford Crescent, Lane and Way within the Sutherland Neighbourhood through a lot draw process as outlined in this report;
 - 2) that any of the lots which are not sold through the lot draw process be placed for sale over-the-counter, on a first-come, first-served basis; and
 - 3) that the Land Branch Manager be authorized to administer development controls for the 94 lots in accordance with the criteria as outlined in this report.

ADOPTED.

Your Committee has reviewed the following report of the General Manager, Community Services Department dated August 29, 2003 and supports the sale of 94 lots on Rutherford Crescent, Lane and Way, as outlined in the report:

“BACKGROUND

Approval of the concept plan for the Sutherland Infill development project was given by City Council at its meeting held on April 7, 2003. Since that time, the Land Branch has undertaken the servicing of Rutherford Crescent, Lane and Way.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 66

Construction has progressed over the course of the summer and it is anticipated that servicing will be completed by October 27, 2003. Preparations are now being made for the sale of these lots.

The boundaries of the area being developed are 115th Street to the south, Circle Drive to the west and the Canadian Pacific Railway to the north and east. Development of this area is being undertaken jointly by the Land Branch and North Ridge Development Corporation.

The land being developed by the City is being developed under *The Agreement For Sale and Development* between the City of Saskatoon and the University of Saskatchewan, dated April 1, 1987.

The land in this development area is currently zoned RM2; however, a rezoning application has been submitted by the Land Branch to change the zoning of its land to R1B and R2 as shown on Attachment No. 1. North Ridge Development Corporation has also submitted a rezoning application to have their lands rezoned from RM2 to RM3.

The R1B zoning district is a new zoning district that is currently being proposed by the Administration to encourage neo-traditional housing in areas developed with rear lanes. This new zoning district will restrict vehicular access to the lots from the front and will only permit garages and driveways from the rear. The other difference between this district and the R1A zoning district will be a change to the required setback of the building from the property line. A minimum setback of three metres and a maximum setback of six metres will be permitted. By comparison, the minimum setback in the R1A zoning district is six metres. This change will permit houses to be built closer to the roadway, which will help to define the neo-traditional character being established in these new development areas.

The rezoning of Rutherford Lane and Way are therefore contingent upon this new zoning district being created by City Council. It is anticipated that the R1B zoning district and the rezoning of Rutherford will be submitted to City Council in September and October respectively. The sale of these lots will not proceed until the outcome of the rezoning application has been determined.

REPORT

Your staff intends to offer these new lots for sale through a lot draw process open to both individuals and builders (40 percent to individuals, 60 percent to builders).

Any lots that are not sold through this process will be made available for purchase over-the-counter on a first-come, first-served basis.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 67

The widths of the R1B lots vary from a minimum frontage of 9.29 metres (30 feet) to a maximum of 14.94 metres (49 feet). The R2 lots are predominately 15 metres wide.

The majority of the lots in this development will either back onto a buffer strip or onto the park. Other features of these lots include paved rear lanes behind all lots and pie-shaped lots on the outside corners of the Crescent and Way.

The R2 lots have also been pre-serviced to accommodate semi-detached housing developments and have had a complete set of services provided to each half of the lot. The lots have also been subdivided into two separate lots with separate titles to encourage semi-detached developments. The two separate titles will be sold as a pair and will be treated as a single lot for the purposes of selling the lots through the lot draw process.

Lot prices have been determined by taking into account the 2003 off-site service levies and a projected five percent increase to the 2002 direct prepaid service rates. Using the example of a typical R1B lot located on Rutherford Lane with 9.29 metres of frontage, the breakdown of its sale price is as follows:

Total Lot Price, not including GST: \$30,300.00

Services	\$22,669.34
Land	\$5,984.79
<u>Administration Fee</u>	<u>\$1,645.87</u>
Total	\$30,300.00

Using the example of a typical R2 lot located on Rutherford Crescent across the street from the park and with 15 metres of frontage, the breakdown of its sale price is as follows:

Total Lot Price, not including GST: \$49,700.00

Services	\$37,768.76
Land	\$9,118.03
<u>Administration Fee</u>	<u>\$2,813.21</u>
Total	\$49,700.00

A list of the individual lot prices for the 94 new lots is attached (See Attachment No. 3).

Under the terms of *The Agreement For Sale and Development* between the City and the University of Saskatchewan, approval for the pricing of the lots must be received from the University prior to proceeding with the sale of the land. A list of the proposed prices was forwarded to the University for their consideration. Their subsequent approval was received on August 22, 2003.

Development Controls

Development controls will be administered separately as a condition of sale for the R1B and R2 lots as follows:

R1B Lots:

- The minimum dwelling size will be 1,000 square feet.

R2 Lots:

- The minimum size for each dwelling unit will be 800 square feet.
- A maximum of 85 percent of the shared building line between semi-detached units may be joined.
- A minimum of two paved parking stalls (covered or uncovered) shall be provided for each dwelling unit adjoining the rear lane.

The purpose of establishing these development controls on the R2 lots is to enhance the street appeal of the semi-detached units. Staggering the setbacks of the two adjoining units will evoke more interesting architecture and will tend to promote more human scale facades. Ensuring that sufficient parking stalls are provided at the rear of the lot will also help to further enhance the street appeal from the front and will tend to reduce the amount of parking in the front yards.

ATTACHMENTS

1. Plan showing the Sutherland Infill area within Sutherland neighbourhood.
2. Plan showing 94 lots on Rutherford Crescent, Lane and Way.
3. List of 94 individual lot prices.”

**3. Request to Lease City-Owned Land
Parcel UU, Plan 77S40956
McCormack Road – Parkridge Neighbourhood
James L. Alexander School
(File No. CK. 4225-1)**

RECOMMENDATION: 1) that City Council approve the lease of Parcel UU, Plan 77S40956 to the Saskatoon Public School Division for continued use as a school under the following terms and conditions:

a) the annual lease rate be \$36,523.00 plus GST;

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 69

- b) the term of lease to be five years with the option for two additional five-year renewals (rent to be negotiated);
 - c) there be a 12 month termination notice by the Lessee; and
 - d) the Lessee to carry minimum \$2,000,000.00 liability insurance; and
- 2) that the City Solicitor be instructed to prepare the necessary documentation for execution by His Worship the Mayor and the City Clerk.

ADOPTED.

Your Committee considered the following report to the General Manager, Community Services Department dated August 25, 2003 with the Administration, and supports the continued lease of this property to the Public School Board:

“BACKGROUND

The City has been leasing this property to the Saskatoon Public School Division for the purpose of accommodating James L. Alexander School since 1983 under various leases. The Board has advised Council in the past that it prefers to lease, rather than purchase this property because it intends to operate this facility only as long as a sufficient population of students exists within the Parkridge neighbourhood.

When the population declines, the Public School Division would vacate the site and the City, if it wished, could sell the land as residential lots.

REPORT

The current lease with the Public School Division expired on August 31, 2003, with no further options for extension. Therefore, the Public School Division has requested a new five-year lease with similar terms and conditions as the expired lease, including an option for two five-year extensions. The proposed rate for the lease (\$36,523.00) has been based on the current assessed value of the land and the prevailing interest rate, as per department policy. The previous annual lease rate for this property from 1998-2003 was \$30,800.00. The Saskatoon Public School Division has accepted the following terms and conditions:

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 70

Rate:	\$36,523.00 per year plus G.S.T., due the first day of September 2003-2007, with the option for two five-year renewals (rent to be negotiated).
Improvements:	Only those approved by the Land Manager.
Termination:	12 months notice by lessee.
Use:	Public School.
Insurance:	Lessee to carry minimum \$2,000,000.00 liability insurance with the City of Saskatoon named as an additional insured.

ATTACHMENTS

1. Plan showing location of leased land.
2. Letter from Saskatoon Public School Division.”

**4. Policy on Minimum Size of Homes
(File No. CK. 4215-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

City Council considered Clauses 2 and 3, Report No. 5-2002 of the Land Bank Committee regarding the sale of lots in the Arbor Creek and Briarwood Neighbourhoods, at its meeting held on May 21, 2002, and passed the following additional motion:

“that the policy on the minimum size of homes in the Arbor Creek and Briarwood neighbourhoods be referred back to the Land Bank Committee.”

Upon review of Council’s referral, your Committee asked the Administration for a report, which would include information on what is done in other cities, and information related to an equity policy.

The following report of the General Manager, Community Services Department, dated August 29, 2003, was received in response to the Committee’s referral:

REPORT

Minimum square footage requirements are used by most developers and municipalities to impose limitations on the size of home that can be built on a particular lot in a residential subdivision. Minimum square footage controls are generally included along with other development controls within a developer’s architectural control regulations or in the sales agreements between developers and homebuilders. The City of Saskatoon or any other

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 71

residential property developer may require development controls such as square footage requirements depending on the type of housing being built or housing market being served.

The purpose of a minimum square footage requirement is to ensure that homes built along a street have similar lot coverage, are of a similar size and create a consistent streetscape appearance. In some housing markets these controls are used by developers to further define their various market segments. For example, Carma Corporation of Calgary assigns different development controls to neighbourhoods or subdivisions marketed toward various levels of buyers, including entry-level homebuyers, move-up homebuyers and the estate-home market. Segmenting the market in this way lessens the possibility that their various developments will be competing against each other for customers.

Minimum square footage requirements have been included in the sales agreements for residential subdivisions developed by the City of Saskatoon within the Briarwood and Arbor Creek neighbourhoods. Clause 16 of the Briarwood sales agreement contains the development control regulations and reads as follows:

- ‘16. The Purchaser agrees to construct a dwelling on the property in accordance with the following development controls:
- The minimum above-grade floor area for a bungalow, bi-level or split-level dwelling will be 1,000 square feet and for a two-story dwelling will be 1,500 square feet.
 - All dwellings must be constructed with an attached two-car garage. The garage must be constructed at the same time as the dwelling is built.’

The Arbor Creek sales agreement is virtually the same with the exception of a requirement for an attached garage rather than an attached two-car garage.

Subdivisions developed by private developers in these neighbourhoods require minimum square footages ranging from 1,000 to 1,800 square feet for a bungalow, bi-level or split-level and from 1,500 to 2,400 square feet for a two-story home depending on the area of the neighbourhood and portion of market being served.

The lots in Arbor Creek and Briarwood neighbourhoods are aimed at a relatively high end of the Saskatoon housing market. The development controls (including minimum square footage requirements) imposed by private developers and the City of Saskatoon in these neighbourhoods are intended to provide buyers with some assurance that the future form and appearance of the neighbourhood will meet the expectations they have when they purchase their lot. Minimum square footage requirements dictate site coverage to some

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 72

extent and therefore, have a direct influence on the appearance of a residential street. Without minimum square footage requirements a smaller home may be built which may have significantly less mass and site coverage than adjacent homes creating a break in the streetscape and a lack of continuity. Neighbouring property owners may feel that the home, by not fitting with the rest of the street, could affect their own property values. Development controls in general also ensure that adjacent subdivisions or streets developed and marketed by different land developers have some measure of consistency with regard to form and appearance.

In a sample of homes queried in the Briarwood and Arbor Creek neighbourhoods, the average square footage was found to be approximately 1,700 square feet in the Briarwood neighbourhood and approximately 1,440 square feet in Arbor Creek. These averages do not include all homes in each neighbourhood, but are based on 148 homes queried in the Briarwood neighbourhood and 316 homes queried in the Arbor Creek neighbourhood (query consisted of those homes entered in the Community Services Department's Posse workflow system after January 1, 2002). The sample does not differentiate between styles of homes being constructed (i.e. bungalow, bi-level, etc.). It must be noted that in cases where the home is located in a privately developed subdivision, any issues related to square footage would be corrected prior to the City permit application stage during the developers home plan approval process.

It would appear from this limited research that homebuyers in these neighbourhoods generally want homes that are larger than the minimum square footage requirements imposed by the City.

Though the City's current equity policy does not directly address the issue of minimum square footage requirements, it is the intention of the City to provide a variety of housing options and housing types within new neighbourhoods. As a means of achieving housing variety, minimum square footage requirements may be required in some parts of a neighbourhood and not required in others. For example, some parts of a neighbourhood may be subdivided into smaller lots not suitable to a minimum square footage requirement, whereas other areas of the same neighbourhood may have larger lots requiring a minimum square footage.

Development controls in general are intended to ensure that new residential areas meet certain standards of quality and appearance. Therefore, these controls should be considered as a means to achieve a certain level of aesthetic quality regardless of the form of the subdivision or intended market. In areas or subdivisions where housing is intended to be more affordable, development controls should be applied in such a way as to ensure a certain level of housing quality without having a significant effect on the cost of that housing."

REPORT NO. 12-2003 OF THE EXECUTIVE COMMITTEE

Composition of Committee

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

**1. Proposed Sale – Main Street Substation
Building to Kindrachuk Agrey Architects Ltd.
(File No. CK. 710-27-3)**

RECOMMENDATION: that City Council approve the sale of the former Electric System Substation Building at 619 Main Street East to Kindrachuk Agrey Architects Ltd. on the terms and conditions outlined in this report.

ADOPTED.

Your Committee has considered and supports the following report of the General Manager, Utility Services Department dated September 8, 2003:

“BACKGROUND

In August, 2000 City Council authorized the Administration to negotiate an Agreement with Kindrachuk Agrey Architects Ltd. to redevelop and lease the former substation building located at 619 Main Street East. In requesting such authorization the Utility Services Department submitted a report outlining the physical state of the building which had stood vacant and unused for most of the past 30 years. At that time it was reported that the roof was leaking, the ceiling had disintegrated and fallen in, the roof timbers were rotting, and the floor and exterior were deteriorating. The Electric System had no use for the building and was contemplating demolishing it as an alternative to maintaining it. It was intended that Kindrachuk Agrey would restore the building. A long-term lease would be negotiated which would take into account the cost of renovations.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 74

The Electric System entered into negotiations with Kindrachuk Agrey toward the finalization of a long term lease. In the meantime, Kindrachuk Agrey were allowed to take possession of the building and undertake the renovations necessary to restore the building and convert it to use as the office for their architectural practice. The building has also been designated as Municipal Heritage Property. The rear portion of the property remains in use as an Electric System substation.

Discussions between the parties were undertaken toward finalizing a lease. The lease in question would have been a minimum of two ten year terms. At least the first 10 years would have been at a rental rate of \$1.00 per year to cover the cost of renovations. A long-term lease of the building has not been concluded. Several difficulties arose during negotiations. First, there is a potential problem in securing the lease against the title to the property. A lease of a part only of a property for more than 10 years requires subdivision approval in order to be registerable against the title to the property. Such a subdivision would not comply with The Subdivision Regulations due mainly to the lack of front street access to the substation located at the rear of the property. Secondly, it became clear during the course of negotiations that, when Kindrachuk Agrey had originally embarked on this project, they had in mind that the long term lease would include an option to purchase the property. They have maintained throughout the negotiations that an option to purchase the property be included in any lease arrangement. An option to purchase presents a similar problem to that of registration of a lease. An option to purchase the entire site could only be considered if and when the Electric System no longer operates the substation at the rear of the site. An option to purchase the building only would require subdivision approval. Once again, a subdivision of the site on a fee simple basis would not comply with The Subdivision Regulations.

REPORT

In view of the fact that a lease agreement has not been concluded to date and that Kindrachuk Agrey are in possession of the building and have renovated it, the Electric System Branch has concluded that the most appropriate solution is to sell the building to Kindrachuk Agrey. In reviewing how this might be accomplished, it has been determined that the building itself could be sold to Kindrachuk Agrey by way of converting the site to a bareland condominium and selling the building as one unit of the condominium. The substation would be retained by the City as a second unit of the condominium. A portion of the property to the east of the building would be common property of the condominium corporation.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 75

The creation of a condominium corporation would also require a subdivision of the site. However, internal access to units of a bareland condominium is allowed under The Subdivision Regulations. Accordingly, subdivision of the site to create a bareland condominium would comply with the Regulations in that front street access to the substation would be achieved by internal access over the common property of the condominium. The City has obtained an appraisal of the property which values the land at \$10.00 per square foot.

The Utility Services Department has consulted with the City Solicitor's Office and with an outside lawyer who specializes in condominium law. The Department has been advised that the condominium corporation which would own the site can be structured such that the City would have the minimum of involvement in the corporation and virtually no cost in maintaining it, yet it would be able to secure its right to use one unit as a substation and have perpetual access to that unit over the common property.

It is the Department's view that a sale of the property to Kindrachuk Agrey Architects would accomplish substantially the same goals as a long-term lease, especially in view of length of the lease and the request for an option to purchase. One of the major goals of the lease was to rehabilitate a building for which the City had no use and which it was considering demolishing. The property would then be in use and property taxes would be collected. Both of these goals are achieved by a sale. In any event, the City would not take back possession of the property for at least 20 years under a long-term lease. If the lease contained an option to purchase as requested by Kindrachuk Agrey, and given their substantial investment in the building, it is most probable that they would exercise such an option.

CONCLUSION

In view of the foregoing, the Department recommends that the substation building be sold to Kindrachuk Agrey Architects Ltd. on the following terms:

1. The site would be converted to a bareland condominium status and a condominium corporation would be created with the City and Kindrachuk Agrey Architects Ltd. as members. Unit 1 of the condominium would consist of the office building. This unit would be sold to Kindrachuk Agrey. Unit 2 of the condominium would consist of the substation located on the property which would be owned by the City. The land to the east of the office building would be common property of the condominium. This property would be used to provide perpetual access to the substation site and also could be used for parking for the office building.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

PAGE 76

2. The unit being sold to Kindrachuk Agrey would be sold for the appraised price of \$10.00 per square foot. It is presently estimated that the area of Unit 1 would be 3485 square feet resulting in a purchase price of \$34,850.00. The exact area would be determined by the requirements of The Subdivision Regulations and the survey required for a subdivision. This purchase price is based on the land cost only. This is due to the fact that the building had virtually no value (or a negative value) to the City and has been restored by Kindrachuk Agrey at a substantial cost.
3. The costs of the appraisal, the survey and subdivision costs and the legal fees for setting up the condominium corporation would be shared equally by the parties. Any ongoing costs of maintaining the condominium corporation would be paid by Kindrachuk Agrey.
4. Kindrachuk Agrey would be granted an option to purchase unit 2 of the condominium (the substation land) in the event that the City discontinues its use as a substation. The purchase price would be the market value of the land at the time of exercise of the option. The City would be responsible for removing the substation apparatus and remediating the site to the then prevailing standard for commercial property.
5. Kindrachuk Agrey would be responsible for the payment of off-site levies on subdivision with respect to unit 1 of the condominium.
6. The Mayor and Clerk would be authorized to execute all documents necessary to carry out the terms of the sale as outlined in this report.”

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 Atchison,

THAT the Committee of the Whole be adopted.

CARRIED.

ENQUIRIES

**Councillor L. Swystun
Traffic Calming Measures – Clearwater Road
(File No. CK. 5200-5)**

Would the Administration please report on possible traffic calming measures that may be taken on Clearwater to reduce speeding. There have been a number of concerns brought forward by residents in the area regarding this.

**Councillor L. Swystun
“Seniors” Services at Indoor Leisure Centres
(File No. CK. 610-1)**

Would the Administration please report on the potential of creating a senior category for services available through our five indoor leisure centres.

**Councillor P. Roe
Review of Criteria for Replacing Watermains
(File No. CK. 7820-5)**

Over the past 20 years or so, there have been 15 breaks in the watermain lines on the 100 block of Elm Street, and as a result the lines were replaced in 1999. There have been 14 breaks (4 of which happened this weekend) on the 200 block of Elm Street and that block will be replaced this fall. There have been 4 breaks on the 300 block of Elm Street.

Would the Administration review the criteria for replacing watermains in order to reduce the number of breaks before replacement is required; and to report on the cost to reduce the break criteria.

**Councillor P. Roe
Proposed Lighting and Condition of Walkway
2100 Block on Preston Avenue (Behind Legion Manor)
(File No. CK. 6300-1)**

Would the Administration report on the feasibility, including cost, of lighting the walkway behind Legion Manor that heads south beside Chalet Gardens to Adelaide.

Would the Administration also report on the feasibility of cleaning the walkway during the winter months. The walkway is heavily used by senior citizens and it can be quite dangerous when icy.

INTRODUCTION AND CONSIDERATION OF BYLAWS

Bylaw No. 8230

Moved by Councillor Penner, Seconded by Councillor Atchison,

THAT permission be granted to introduce Bylaw No. 8230, being “The Unclaimed Personal Property Bylaw, 2003” and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Penner, Seconded by Councillor Paulsen,

THAT Bylaw No. 8230 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Penner, Seconded by Councillor Waygood,

THAT Council go into Committee of the Whole to consider Bylaw No. 8230.

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. 8230 was considered clause by clause and approved.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 79**

Moved by Councillor Penner, Seconded by Councillor Swystun,

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

CARRIED.

Moved by Councillor Penner, Seconded by Councillor Roe,

THAT permission be granted to have Bylaw No. 8230 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Penner, Seconded by Councillor Swystun,

THAT Bylaw No. 8230 be now read a third time, that the bylaw be passed and the Mayor and the A/City Clerk be authorized to sign same and attach the corporate seal thereto.

CARRIED.

The bylaw was then read a third time and passed.

Bylaw No. 8231

Moved by Councillor Penner, Seconded by Councillor Atchison,

THAT permission be granted to introduce Bylaw No. 8231, being "The Impounding Amendment Bylaw, 2003" and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Penner, Seconded by Councillor Paulsen,

THAT Bylaw No. 8231 be now read a second time.

CARRIED.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 80**

The bylaw was then read a second time.

Moved by Councillor Penner, Seconded by Councillor Waygood,

THAT Council go into Committee of the Whole to consider Bylaw No. 8231.

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. 8231 was considered clause by clause and approved.

Moved by Councillor Penner, Seconded by Councillor Swystun,

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

CARRIED.

Moved by Councillor Penner, Seconded by Councillor Roe,

THAT permission be granted to have Bylaw No. 8231 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Penner, Seconded by Councillor Swystun,

THAT Bylaw No. 8231 be now read a third time, that the bylaw be passed and the Mayor and the A/City Clerk be authorized to sign same and attach the corporate seal thereto.

CARRIED.

The bylaw was then read a third time and passed.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 81**

Bylaw No. 8232

Moved by Councillor Penner, Seconded by Councillor Atchison,

THAT permission be granted to introduce Bylaw No. 8232, being “The Knox United Church Heritage Designation Bylaw, 2003” and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Penner, Seconded by Councillor Paulsen,

THAT Bylaw No. 8232 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Penner, Seconded by Councillor Waygood,

THAT Council go into Committee of the Whole to consider Bylaw No. 8232.

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. 8232 was considered clause by clause and approved.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 82**

Moved by Councillor Penner, Seconded by Councillor Swystun,

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

CARRIED.

Moved by Councillor Penner, Seconded by Councillor Roe,

THAT permission be granted to have Bylaw No. 8232 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Penner, Seconded by Councillor Swystun,

THAT Bylaw No. 8232 be now read a third time, that the bylaw be passed and the Mayor and the A/City Clerk be authorized to sign same and attach the corporate seal thereto.

CARRIED.

The bylaw was then read a third time and passed.

Bylaw No. 8243

Moved by Councillor Penner, Seconded by Councillor Atchison,

THAT permission be granted to introduce Bylaw No. 8243, being "The City of Saskatoon Fire and Protective Services Department Superannuation Plan Amendment Bylaw, 2003" and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Penner, Seconded by Councillor Paulsen,

THAT Bylaw No. 8243 be now read a second time.

CARRIED.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 83**

The bylaw was then read a second time.

Moved by Councillor Penner, Seconded by Councillor Waygood,

THAT Council go into Committee of the Whole to consider Bylaw No. 8243.

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. 8243 was considered clause by clause and approved.

Moved by Councillor Penner, Seconded by Councillor Swystun,

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

CARRIED.

Moved by Councillor Penner, Seconded by Councillor Roe,

THAT permission be granted to have Bylaw No. 8243 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Penner, Seconded by Councillor Swystun,

THAT Bylaw No. 8243 be now read a third time, that the bylaw be passed and the Mayor and the A/City Clerk be authorized to sign same and attach the corporate seal thereto.

CARRIED.

The bylaw was then read a third time and passed.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, SEPTEMBER 22, 2003
PAGE 84**

Moved by Councillor Penner,

THAT the meeting stand adjourned.

CARRIED.

The meeting adjourned at 11:20 p.m.

Mayor

A/City Clerk