

Council Chamber
City Hall, Saskatoon, Sask.
Monday, July 13, 1998
at 7:00 p.m.

MINUTES OF REGULAR MEETING OF CITY COUNCIL

PRESENT: His Worship Mayor Dayday in the Chair:
Councillors Atchison, Birkmaier, McCann, Harding, Heidt, Maddin,
Roe, Steernberg and Waygood;
A/City Manager Richards;
City Solicitor Dust;
A/City Clerk Hall;
City Councillor's Assistant Holmstrom

Moved by Councillor Roe, Seconded by Councillor Atchison,

THAT the minutes of the regular meeting of City Council held on June 29, 1998 be approved.

CARRIED.

HEARINGS

- 2a) Proposed Lane Closing
North West Corner Avenue C and Circle Drive
Bylaw No. 7774
(File No. CK. 6295-1)**

REPORT OF THE A/CITY CLERK:

“Attached is a copy of Clause B4, Report No. 11-1998 of the City Manager which was ADOPTED by City Council at its meeting held on June 1, 1998.

Council, at its meeting held on June 1, 1998, gave notice of its intention to consider the proposed lane closing and instructed the City Solicitor to take further necessary steps in respect of the matter.

The City Solicitor has now advised that all preliminary proceedings in connection with the closing of the lane have been taken including the receipt of approval of the Deputy Minister of Highways and Transportation and the advertisement of the notice of proposed closing and the service of such notice on abutting property owners.

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Accordingly, Council, at this meeting, is to consider and determine any submissions and objections to the proposed lane closing prior to consideration of Bylaw No. 7774, a copy of which is attached.”

His Worship Mayor Dayday 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 Heidt, Seconded by Councillor Atchison,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Harding, Seconded by Councillor Maddin,

THAT Council consider Bylaw No. 7774.

CARRIED.

**2b) Proposed Street Closing
Briarwood Road
Bylaw No. 7775
(File No. CK. 6295-1)**

REPORT OF THE A/CITY CLERK:

“Attached is a copy of Clause B6, Report No. 4-1998 of the City Commissioner which was ADOPTED by City Council at its meeting held on February 23, 1998.

Council, at its meeting held on February 23, 1998, gave notice of its intention to consider the proposed street closing and instructed the City Solicitor to take further necessary steps in respect of the matter.

The City Solicitor has now advised that all preliminary proceedings in connection with the closing of the street have been taken including the receipt of approval of the Deputy Minister of Highways and Transportation and the advertisement of the notice of proposed closing and the service of such notice on abutting property owners.

Accordingly, Council, at this meeting, is to consider and determine any submissions and objections to the proposed street closing prior to consideration of Bylaw No. 7775, a copy of which is attached.”

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His Worship Mayor Dayday 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 McCann, Seconded by Councillor Atchison,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Atchison, Seconded by Councillor Heidt,

THAT Council consider Bylaw No. 7775.

CARRIED.

COMMUNICATIONS TO COUNCIL

The following communications were submitted and dealt with as stated:

A. REQUESTS TO SPEAK TO COUNCIL

**1) John Maxin
326 Avenue D South, dated July 6**

Requesting permission to address Council regarding grass cutting on City property. (File No. CK. 4139-1)

RECOMMENDATION: that Mr. Maxin be heard.

Moved by Councillor Atchison, Seconded by Councillor Maddin,

THAT Mr. Maxin be heard.

CARRIED.

Mr. John Maxin raised concerns about the uncut grass at 327 Avenue D South.

Moved by Councillor Atchison, Seconded by Councillor Heidt,

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THAT the information be received.

CARRIED.

**2) Joan Flood, Co-Producer
Northern Saskatchewan International Children's Festival, dated July 7**

Requesting permission to address Council regarding the proposed Civic Arts Policy. (File No. CK. 100-0-2)

RECOMMENDATION: that Clause 1, Report 14-1998 of the Planning and Operations Committee be brought forward for consideration and that Ms. Flood be heard.

Moved by Councillor Birkmaier, Seconded by Councillor Harding,

THAT Clause 1, Report 14-1998 of the Planning and Operations Committee be brought forward for consideration and the speakers be heard.

CARRIED.

"REPORT NO. 14-1998 OF THE PLANNING AND OPERATIONS COMMITTEE

**1. Civic Arts Policy
(File No. CK. 100-0-2)**

RECOMMENDATION:

- 1) that the Civic Arts policy be approved;
- 2) that funding be increased for the City to fulfill its role as an owner of art assets (this is not art owned by the Mendel Art Gallery, but art owned by the City and placed in other locations such as sculptures in parks), as follows:
 - one time costs of \$10,000 divided over 3 years, starting with \$4,000 in 1999, for the preparation of an inventory and data base, an assessment of the value of existing art, and an assessment of conservation needs of existing art;
- 3) that if the policy is approved, the Administration develop an implementation plan, in consultation with arts stakeholders and applicable civic departments, boards, and committees of City Council; and

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- 4) that this report be forwarded to the Leisure Services Advisory Board for their information.

Your Committee has reviewed the report of the General Manager, Leisure Services Department dated June 15, 1998 with the Administration and has received presentations from Ms. Candace Savage, Saskatchewan Writers' Guild and Saskatoon Partnership for the Arts and Ms. Dorain Patrick, General Manager, Shakespeare on the Saskatchewan Festival Inc. Your Committee has also considered the attached copy of memo dated June 22, 1998 regarding comments from the Leisure Services Advisory Board.

Upon review of the matter, your Committee is recommending approval of the Civic Arts Policy, as outlined in the following report of the General Manager, Leisure Services Department, dated June 15, 1998:

BACKGROUND

During its February 18, 1998, meeting, the Planning and Operations Committee resolved, in part:

'that the discussion paper "An Arts Policy for the City of Saskatoon" be presented to relevant City Departments, the Visual Arts Placement Jury, the Leisure Services Advisory Board, and arts stakeholders for review, and that the Administration report back on the outcome.'

During its August 11, 1997, meeting, the Administration and Finance Committee considered a report dated June 16, 1997 from the General Manager, Leisure Services Department, on the subject of Assistance to Community Groups: Cast Grant - Cultural Component. The Committee resolved, in part:

'that the following proposal be referred to the Budget Committee:

- a) **that funding for the categories of Major Arts Institutions, Festivals, and Cultural Participation Grants be supported by a mill rate increase of \$207,600 (proposed grant level of \$301,500 less the existing grant of \$93,900) to be phased-in at \$25,000 a year starting in 1998.'**

The intent of the Administration's proposal was to increase funding for cultural groups to \$1.50 per capita. While this per capita number remains low compared to other cities, staff believe that it will provide an effective level of funding to enable groups to achieve the desired outcomes adopted by City Council. (See Attachment 4 - Outcomes for Cultural Grants.)

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City Council, during consideration of the 1998 Operating Budget at its meeting held on March 31, 1998, adopted the following motions:

- ‘a) that the question of phasing out the grant to Wanuskewin Heritage Park be referred to the Administration and Finance Committee;**
- b) that the matter of cultural grants be referred back to the Administration and Finance Committee.’**

During its May 11, 1998, meeting, the Administration and Finance Committee considered these resolutions and resolved:

- ‘1) that the above matters be referred to the Executive Committee for discussion on the policy issue relating to the following recommendations of the Administration and Finance Committee (Clause 1, Report No. 18-1997):**
 - 6) a) that the funding level for the Major Heritage Institutions category of the Cultural Grant Program be set at \$1.50 per capita, and that increased funding for this category be no more than \$10,000 per year starting in 1999;**
 - b) that the funding proposal for the categories of Major Arts Institutions, Festivals, and Cultural Participation Grants be set at \$1.50 per capita, and that increased funding for these categories be no more than \$25,000 per year starting in 1998; and**
- 2) that once its decision on Resolution No. 1) above has been made, the Executive Committee be requested to meet with representatives of Wanuskewin Heritage Park by late June, 1998 to discuss their budgetary requirements for 1999, in order to have this matter cleared up before the preparation of the preliminary budget document.’**

DISCUSSION

Your staff have now completed the stakeholder input process with respect to the preparation of a civic arts policy and revised the earlier policy as presented in the discussion paper (see

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Attachment 1 for the revised Civic Arts Policy). This report also includes the phase-in funding requirements to resource the policy.

About fifteen organizations as well as several individual artists attended one of the stakeholder input meetings held April 7 and 8, 1998. In addition, some arts organizations and individuals chose to respond to the discussion paper by letter or telephone. Three memos were received from civic departments, and the Saskatoon Public Library responded by telephone. The Leisure Services Advisory Board and the Visual Arts Placement Jury gave their comments during meetings specifically held with them (see Attachment 2 for the complete list).

Stakeholder Comments

The following section provides an overview of comments received through the stakeholder input process. It follows the outline of the Arts Policy Discussion Paper (see Attachment 3 for the original Arts Policy Discussion Paper).

In general, there was a clear and strong endorsement by individuals, groups, and artists for the concept of a civic arts policy, and agreement on the need for it. Groups expressed appreciation and support for the fact that the City was developing an arts policy. Particular support was given for the City's coordinating and facilitating roles. The Saskatchewan Jazz Festival made mention of how useful this had been in dealing with public input regarding the noise bylaw. Many people also underlined how important the City's support of property and amusement tax exemptions are to their organizations. If these taxes had to be paid, it would cause significant hardship to non-profit arts organizations. Non-profit arts groups also emphasized the importance of the City providing direct support in the form of grants and supported the proposed increase to \$1.50 per capita. They said this kind of support is crucial to their ability to continue to present excellence and variety in programs and services to the citizens of Saskatoon and to their ability to lever support from other funders.

The Leisure Services Advisory Board and the Visual Arts Placement Jury also supported the concept of the Civic Arts Policy. Civic Departments that responded either had no problems with it or provided information that will be noted in the appropriate sections following.

People wanted a clear statement that if adopted, the policy will be reviewed and evaluated periodically to determine its success. This has been added to the policy.

The definition of the arts had some revisions suggested. The Saskatchewan Arts Board said that movies should be moved from the performing arts to the visual arts, which is where it is more often placed. The Saskatchewan Jazz Festival wanted the performing arts to include a stronger reference to audiences. The Saskatchewan Craft Council and Gallery said that under visual arts, crafts be listed as a separate example, rather than included with folk arts.

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Some people also wanted a clear indication in the definition that the arts can also be a profession. These changes have been made.

Some groups asked that mention be made of the importance of excellence in the arts. This has been done under the fourth outcome, 'Saskatoon will enjoy a national profile as a culturally-rich city.'

Organizations asked whether the City will have a role in research other than that indicated under the awareness (e.g. from city wide needs assessment surveys). The intent of this point was to include a variety of types of information that is useful to arts groups, and surveys was only meant to be one example. In order to make this completely clear, additional examples of research have been added.

A couple of people suggested that the support role of the City needed to be clarified, in that grants are provided to non-profit agencies only. This has been added.

Under 'The City's role in the arts,' the 'Programming' section, the Saskatoon Public Library requested that a couple of additions be made. These are the library gallery which supports first time and developing artists by providing exhibition space, and the writer-in-residence program which has been in place for seventeen years. These have been added.

The Urban Design Coordinator noted that the policy does not deal specifically with future purchases or commissions of art. In the time since the Arts Policy Discussion Paper was first written, the Urban Design Committee has been considering the purchase of some of the most popular sculptures that were placed as part of the Temporary Placement of Public Sculpture Program. It has been noted in the revised policy under 'The City as Owner of Art Assets,' that guidelines and procedures for potential purchase, commissioning, and donations of art will need to be developed. This will be part of the implementation plan. It was also suggested by the Urban Design Coordinator that civic departments be allowed and encouraged to spend up to one percent of their budgets on art work. Leisure Services Department staff believe that it is crucial to first develop and maintain an inventory of existing art assets and then to ensure that a budget for cleaning, repair, and refurbishing of art works due to deterioration or damage be put in place. It has been suggested that when works of art are donated to the City, that the donor be requested to provide a sum of money to be put into reserve for ongoing maintenance. This issue will be dealt with as part of the implementation plan.

In the section 'Implementing the Role of the City in the Arts', a couple of people wanted clarification that the specifics under each heading such as under the coordinating role, are only examples and not meant to be limiting if, for example, issues change. It is intended that the implementation plan, that will be developed once the Civic Arts Policy is approved, will outline specific areas of emphasis with time frames attached. A statement to that effect has been added to this section of the policy. Because the revised policy also includes a

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statement about periodic review and evaluation of the success of the policy, provision has been made for future changes in order to deal proactively with issues that may arise.

A couple of people suggested that the role/contribution of the for-profit sector of the arts be acknowledged and that service clubs be mentioned. It is the view of your staff that these groups do not need to be specifically mentioned, but are inherent in the vision statement which speaks about various stakeholders working together, in the outcome statements which refer to a variety of arts organizations, and in the City's role in bringing together various agencies to foster a vibrant arts environment.

One organization suggested including the support of arts infrastructure as part of the policy. Leisure Services Department staff carefully considered this issue and concluded that, at present, the focus of the Civic Arts Policy should be on increasing the level of operating and project grant funding rather than on infrastructure.

Several organizations said that they would like to see an arms length body, such as an advisory committee or an arts commission, that would oversee the implementation and review of the policy. It was suggested that this body could be similar to the Municipal Heritage Advisory Committee. Your staff think that this issue requires further investigation in terms of need, structure and role of such a body, and resources required for it to operate. This should be explored further during the development of the Implementation Plan. In the meantime, the Leisure Services Department will be utilizing the expertise of the ad hoc Saskatoon Partnership for the Arts, which has been assisting in the arts policy process all the way along.

In addition, a number of groups and individuals raised issues that are best addressed as part of the detailed implementation plan. These are:

- finding ways to celebrate the arts such as naming streets after artists as has already been done in some areas of the city, and a Mayor's recognition dinner for artists who have won awards
- coordination among funding bodies (e.g. Foundations, the provincial government, the Saskatchewan Arts Board)
- review the present use of donations-in-kind (e.g. could the use of mobile stages be eligible)
- some would like to see operating grants in addition to existing project grants for smaller organizations
- could grants be awarded not always for "new" projects, but on the value and merit of ongoing programs
- issues around artists use of studios, selling work out of them, shows in their homes, review City regulations on home business; some information regarding the Downtown Housing Study was provided by the Zoning Branch of the Planning and Building Department, and artists would like additional discussion about these issues

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- could the City play a facilitation role in assisting with more business involvement in the arts
- provide property tax discounts for corporations that provide and create space for the arts; apparently this is done in Vancouver
- vandalism, graffiti, and garbage are issues for some arts organizations that own buildings (e.g. Sask. Craft Council Gallery) and they would like to be included in any discussion to seek solutions
- the importance of bus service to the Mendel, Wanuskewin Heritage Park
- more art in City Hall and other civic buildings, for example a piece commissioned for the lobby of City Hall, renting paintings to place in civic buildings

JUSTIFICATION

The Civic Arts Policy augments those parts of the City's Strategic Plan and the Public Recreation Policy that deal with culture and the arts. As demonstrated in the original Arts Policy Discussion Paper, the arts provide the citizens of a community with real personal, social, economic, and environmental benefits. In order to achieve and maintain these benefits, arts development must be addressed in a planned, comprehensive, and cost effective manner. Because the City is one of a number of players in supporting and influencing the arts in Saskatoon, its role must be clearly articulated. The Civic Arts Policy outlines the City's commitment to helping achieve the benefits provided by the arts to the community.

The intent of the Civic Arts Policy can be summarized in the following outcome statements which form the core of the policy:

- *Saskatoon will benefit from a diversity of arts organizations.*
- *People of all ages will have the opportunity to take part in the arts activities of their choice.*
- *Citizens of Saskatoon will be aware of the variety of arts activities available to them.*
- *Saskatoon will enjoy a national profile as a culturally rich city.*

The Civic Arts Policy will enable the City to make a clearly defined contribution towards achieving these outcomes.

OPTIONS

The alternative to approving the Civic Arts Policy is keeping the status quo and continuing to deal with each arts issue as it arises rather than as part of an overall plan. The Civic Arts Policy provides an effective framework for encouraging arts development and dealing with future arts issues.

POLICY IMPLICATIONS

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City Council is being asked to establish a Civic Arts Policy to supplement the Corporate Strategic Plan.

FINANCIAL IMPACT

In order to achieve the City's role in arts development, additional funding is required in the following two areas:

1. increased grant funding for major arts institutions and festivals, and for project grants to increase participation in cultural activities:
 - \$25,000 per year, beginning in 1999 for approximately eight years, to achieve per capita grant funding of \$1.50. This is in line with what other cities are doing.

NOTE: This funding was previously requested and is currently under review by the Executive Committee of City Council.

2. increased funding for the City to fulfill its role as an owner of art assets (this is not art owned by the Mendel Art Gallery, but art owned by the City and placed in other locations such as sculptures in parks)
 - one time costs of \$10,000 divided over 3 years, starting with \$4,000 in 1999, for the preparation of an inventory and data base, an assessment of the value of existing art, and an assessment of conservation needs of existing art; and,
 - ongoing maintenance costs for the art (cost undetermined until an inventory has been completed)

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COMMUNICATIONS PLAN

If the Civic Arts Policy is approved, arts stakeholders, applicable civic departments, and boards and committees of City Council will be given an opportunity to be involved in the development of the Implementation Plan.

ATTACHMENTS

1. Civic Arts Policy (revised version)
2. List of those providing input for the Civic Arts Policy
3. The Arts Policy Discussion Paper
4. Outcomes for Cultural Grants””

Ms. Joan Flood, Co-Producer, Northern Saskatchewan International Children’s Festival, spoke in support of the Civic Arts policy.

Mr. Jack Walton, Director, SaskCulture and Saskatchewan Director, The Canadian Conference of the Arts, spoke in favour of the Civic Arts policy.

Moved by Councillor Harding, Seconded by Councillor Steernberg,

- 1) *that the Civic Arts policy be approved;*
- 2) *that funding be increased for the City to fulfill its role as an owner of art assets (this is not art owned by the Mendel Art Gallery, but art owned by the City and placed in other locations such as sculptures in parks), as follows:*
 - *one time costs of \$10,000 divided over 3 years, starting with \$4,000 in 1999, for the preparation of an inventory and data base, an assessment of the value of existing art, and an assessment of conservation needs of existing art;*
- 3) *that if the policy is approved, the Administration develop an implementation plan, in consultation with arts stakeholders and applicable civic departments, boards, and committees of City Council; and*
- 4) *that this report be forwarded to the Leisure Services Advisory Board for their information.*

CARRIED.

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COMMUNICATIONS - CONTINUED

- 3) **Jack Walton, Director, SaskCulture**
Saskatchewan Director, The Canadian Conference of the Arts, dated July 8

DEALT WITH EARLIER. SEE PAGE NO. 4

- 4) **Henry Hamm, President**
Hamm Construction Ltd., dated July 8

Requesting permission to address Council regarding Contract #8-0024, Northeast Water Supply Main, Phase 1, Stage 1. (File No. CK. 7820-1)

RECOMMENDATION: that Clause B8), Report No. 14-1998 of the City Manager be brought forward for consideration and that Mr. Hamm be heard.

Moved by Councillor Heidt, Seconded by Councillor Atchison,

THAT Clause B.8, Report No. 14-1998 of the City Manager be brought forward for consideration and that Mr. Hamm be heard.

CARRIED.

“REPORT NO. 14-1998 OF THE CITY MANAGER

- B8) Proposed North East Water Supply Main Phase I, Stage I**
1050mm Water Supply Main Construction
Project No. 616
Award of Contract No. 8-0024
(File No. 7820-57)
-

RECOMMENDATION:

- 1) that City Council accept the tender submitted by Lux Construction Ltd. as the lowest qualified bidder for the supply and installation of the North East Water Supply Main; and,
- 2) that His Worship the Mayor and the City Clerk be authorized to execute the contract documents, as prepared by the City Solicitor, under the Corporate Seal.

Report of the General Manager, Public Works Department, July 7, 1998:

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Tenders were received and opened publicly on June 30, 1998, for the proposed North East Water Supply Main Phase I, Stage I. The work consists of the supply and installation of a 1050 mm water supply main to be installed from the City reservoir on 42nd A Street , eastward on 43rd Street to Warman Road, north on Warman Road to Assiniboine Drive, and then east for 100m on Assiniboine Drive. The work tendered includes the installation of all piping and appurtenances complete with surface restoration.

This is the second tender closing for this contract. On June 15, 1998, City Council adopted the recommendation to reject all tenders due to an alternate pipe material being deemed acceptable in this application.

The following tenders were received at the June 30, 1998, closing:

<u>Contractor</u>	<u>Total Tender Price</u>
Lux Construction Ltd. (Saskatoon)	\$1,856,925.04
Hamm Construction Ltd. (Saskatoon)	\$1,905,484.94
Wappel Construction Ltd. (Regina)	\$2,186,752.27

All tender prices include a \$70,000 contingency allowance and 7% GST.

The Public Works Department's estimate to supply and install the above-noted work is \$1,800,000.00.

Funds are provided under the 1998 Capital Budget (\$1,950,000), Waterworks Capital Projects Reserve - Primary Water Main North East Sector, Project No. 616-61.

The net cost for the construction portion of the project is calculated as follows:

Tender (including PST & GST)	\$1,856,925.04
GST Rebate	<u>(\$66,800.94)</u>
Net Cost	\$1,790,124.10

The Public Works Department met with Mi-Sask Construction Ltd. (Lux Construction's prime sub-contractor) and is satisfied that Mi-Sask possesses the necessary experience to perform the work as set out in the tender documents.

ATTACHMENT

1. Tabulation of Tenders."

Mr. Henry Hamm, President, Hamm Construction Ltd., requested that Council reconsider the recommendations to award Contract #8-0024, North East Water Supply Main, Phase I, Stage I.

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Moved by Councillor Waygood, Seconded by Councillor Steernberg,

- 1) *that City Council accept the tender submitted by Lux Construction Ltd. as the lowest qualified bidder for the supply and installation of the North East Water Supply Main; and*
- 2) *that His Worship the Mayor and the City Clerk be authorized to execute the contract documents, as prepared by the City Solicitor, under the Corporate Seal.*

THE MOTION WAS PUT AND LOST.

Moved by Councillor Heidt, Seconded by Councillor Harding,

THAT Contract #8-0024, North East Water Supply Main, Phase 1, Stage 1 be retendered.

IN REFERRAL

Moved by Councillor Steernberg, Seconded by Councillor Heidt,

THAT the matter be referred to the Executive Committee.

CARRIED.

COMMUNICATIONS - CONTINUED

- 5) **Daniel B. Konkin**
McKercher McKercher & Whitmore, dated July 9

Requesting permission to address Council regarding the Development and Servicing Agreement for 1201 Herman Avenue (Former Labatts Site). (File No. CK. 4110-10)

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RECOMMENDATION: that Clause B7), Report No. 14-1998 of the City Manager and Clause 2, Report No. 10-1998 of the Executive Committee be brought forward for consideration and that Mr. Konkin be heard.

Moved by Councillor Atchison, Seconded by Councillor McCann,

THAT Clause B7, Report No. 14-1998 of the City Manager and Clause 2, Report No. 10-1998 of the Executive Committee be brought forward for consideration and that the speakers be heard.

CARRIED.

“REPORT NO. 14-1998 OF THE CITY MANAGER

**B7) Subdivision Application #28/98
 1201 Herman Avenue
 (File No. 4300-1)**

RECOMMENDATION:

- 1) that City Council resolve, in connection with the approval of Subdivision Application No. 28/98, that it would be impractical and undesirable to require full compliance with Sections 14(10) and 15(4) of Subdivision Bylaw No. 6537 for the following reasons:
 - a) while proposed Parcel MR1 does not abut a public street, this land is to be dedicated to the City of Saskatoon for public purposes and is adjacent and contiguous with Part of the N.E. ¼ L.S. 10-Sec.20-Twp36-Rge. 5-W3M having access to Herman Avenue and which is owned by the City of Saskatoon;
 - b) the depth to frontage ratio of proposed Lot 3 is in keeping with the lot characteristics which exist for those lots north of 8th Street and which back onto the South Saskatchewan River Valley; and,
- 2) that Subdivision Application No. 28/98 be approved, subject to:
 - a) the payment of \$200.00 being the required approval fee;
 - b) the owner entering into a Development and Servicing Agreement with the City of Saskatoon;

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- c) the owner agreeing to the granting of a conservation easement in favour of the City of Saskatoon for a portion of Parcel D, Plan 70-S-00223 lying to the east of Herman Avenue for the purpose of :
 - i) conserving a rare example in Saskatoon of gardens created by a corporation for public use;
 - ii) conserving the picturesque design and appearance of the gardens, in particular the botanical, floral and landscape elements; and
 - iii) ensuring continued public access to the site;
- d) the owner providing a letter of credit in the amount of \$65,501.00 declining in value over a twenty-year period in favour of the City of Saskatoon to be used in the event that the garden site is not maintained in keeping for which the conservation easement was granted;
- e) the owner agreeing to the granting of conservation agreements in favour of the City of Saskatoon for those portions of each of proposed Lots 1, 2 and 3 and a portion of Parcel D, Plan 70-S-00223 lying to the west of Herman Avenue as shaded on the Plan of Proposed Subdivision for the purpose of preserving the steeply wooded banks of the South Saskatchewan River Valley;
- f) that the owner agrees to grant to the Meewasin Valley Authority or other similar entity, continued public access over its lands for the purpose of securing and maintaining facilities for public entry into Gabriel Dumont Park by way of easement, transfer, or other mutually agreeable method;
- g) the owner agreeing in writing to the granting of easements in favour of the City of Saskatoon for storm drainage purposes;
- h) the owner agreeing in writing to the granting of easements in favour of the City of Saskatoon for water main purposes; and,
- i) the owner agreeing in writing to the granting of easements in favour of the City of Saskatoon for electrical distribution purposes.

Report of the General Manager, Planning and Building Department, June 26, 1998:

“The following subdivision application has been submitted for approval:

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Subdivision Application: #28/98
Applicant: UMA Engineering for 598830 Saskatchewan Ltd.
Legal Description: Parcel D, Plan 70-S-00223, except Plan 78-S-42716
Location: 28/98

ATTACHMENT

1. June 18, 1998 Subdivision Report.

REPORT NO. 10-1998 OF THE EXECUTIVE COMMITTEE

2. **1201 Herman Avenue (Former Labatt's Property)
Subdivision 28/98
(File No. CK. 4110-10)**

RECOMMENDATION: that the Development and Servicing Agreement with 623183 Saskatchewan Ltd. for 1201 Herman Avenue to cover Lots 1, 2 and 3, Block 102, Plan 70-S-00223 all in N.E. ¼ Sect. 20, Twp. 36, Rge. 5, W 3rd M be approved.

Report of City Solicitor dated July 9, 1998:

The Executive Committee at its meeting held on June 29, 1998 resolved that a Development and Servicing Agreement as submitted by the Public Works Department for the above-noted property be submitted to Council subject to the addition of a term regarding sound attenuation and that the Developer grant access over its lands for the purpose of securing public entry to Gabriel Dumont Park by way of easement, transfer or other mutually agreeable method. The Committee also resolved that the Agreement be forwarded to this Office for formalization.

Pursuant to the Committee's resolution we enclose a proposed Development and Servicing Agreement. The deviations from the normal form of Agreement are, in part, outlined in the report of the Public Works Department to the Executive Committee dated June 19, 1998.

In addition to the matters outlined in the Public Works Department's Report, the following is by way of report on the matters raised by the Executive Committee.

1. Sound attenuation: In accordance with the Committee's resolution, paragraph 19(8) has been added to the Development and Servicing Agreement. This paragraph provides that the City will not construct any sound attenuation devices or take any sound attenuation measures within or adjacent to the Development Area. It further provides that should any future sound attenuation devices be constructed or

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measures taken, such devices and measures will be taken by and at the cost of the Developer or subsequent owners.

Paragraph 39(3) provides that this clause is to survive the completion of any works contemplated by the Agreement and that the caveat normally filed in connection with development agreements is to remain registered against the property.

It should be noted that, despite the inclusion of these clauses in the Agreement, there could well be difficulties in requiring future owners to construct sound attenuation devices.

2. Access to Gabriel Dumont Park: Paragraph 7(3) of the Agreement provides that the Developer shall enter into an Agreement with the Meewasin Valley Authority or the City of provide continued access to the Park by way of the existing access road as shown on Schedule "E". The access is to be by way of transfer, dedication or other mutually agreeable method.

The Executive Committee's resolution provided that "the Agreement not be approved until [the Developer] grants to the MVA continued public access...into Gabriel Dumont Park by way of easement, transfer or other mutually acceptable method."

While the Developer agrees that it **will** enter into an Agreement for access to Gabriel Dumont Park by way of paragraph 7(3), as of the date of this Memorandum, the parties have not entered into an actual agreement. We have added the City to the clause; however, the clause remains in essence an agreement that an agreement will be entered into in the future. Without an actual agreement having been entered into at this time, there could be difficulties in enforcing the requirement that an agreement be entered into and/or in obtaining the access.

3. Labatt Garden: While not specifically referred to in the Executive Committee resolution, several paragraphs have been added with respect to Labatt Garden. Paragraph 8 provides for public access. Paragraph 9 provides for a Letter of Credit to secure the Developer's maintenance obligations with respect to the site. These paragraphs are included in paragraph 39(3) as paragraphs which survive the completion of any work called for under the Agreement and for which a caveat will continue to be registered against the subject property.'

Attached is a report of the General Managers, Planning and Building and Public Works Departments, dated June 18, 1998, regarding the proposed development and servicing Agreement for the above noted property."

Mr. Daniel B. Konkin, McKercher McKercher & Whitmore, stated that Dr. Underhill, their client, and Meewasin Valley Authority reached an agreement earlier in the afternoon.

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Mr. John Gerstmar, Resource Planning Co-ordinator, Meewasin Valley Authority, stated that this agreement is subject to approval by the Meewasin Valley Authority Board.

Moved by Councillor Atchison, Seconded by Councillor McCann,

- 1) that City Council resolve, in connection with the approval of Subdivision Application No. 28/98, that it would be impractical and undesirable to require full compliance with Sections 14(10) and 15(4) of Subdivision Bylaw No. 6537 for the following reasons:*
 - a) while proposed Parcel MRI does not abut a public street, this land is to be dedicated to the City of Saskatoon for public purposes and is adjacent and contiguous with Part of the N.E. ¼ L.S. 10-Sec.20-Twp36-Rge. 5-W3M having access to Herman Avenue and which is owned by the City of Saskatoon;*
 - b) the depth to frontage ratio of proposed Lot 3 is in keeping with the lot characteristics which exist for those lots north of 8th Street and which back onto the South Saskatchewan River Valley; and,*
- 2) that Subdivision Application No. 28/98 be approved, subject to:*
 - a) the payment of \$200.00 being the required approval fee;*
 - b) the owner entering into a Development and Servicing Agreement with the City of Saskatoon;*
 - c) the owner agreeing to the granting of a conservation easement in favour of the City of Saskatoon for a portion of Parcel D, Plan 70-S-00223 lying to the east of Herman Avenue for the purpose of :*
 - i) conserving a rare example in Saskatoon of gardens created by a corporation for public use;*
 - ii) conserving the picturesque design and appearance of the gardens, in particular the botanical, floral and landscape elements; and*
 - iii) ensuring continued public access to the site;*
 - d) the owner providing a letter of credit in the amount of \$65,501.00 declining in value over a twenty-year period in favour of the City of Saskatoon to be used in the event that the garden site is not maintained in keeping for which the conservation easement was granted;*

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- e) *the owner agreeing to the granting of conservation agreements in favour of the City of Saskatoon for those portions of each of proposed Lots 1, 2 and 3 and a portion of Parcel D, Plan 70-S-00223 lying to the west of Herman Avenue as shaded on the Plan of Proposed Subdivision for the purpose of preserving the steeply wooded banks of the South Saskatchewan River Valley;*
- f) *that the owner agrees to grant to the Meewasin Valley Authority or other similar entity, continued public access over its lands for the purpose of securing and maintaining facilities for public entry into Gabriel Dumont Park by way of easement, transfer, or other mutually agreeable method;*
- g) *the owner agreeing in writing to the granting of easements in favour of the City of Saskatoon for storm drainage purposes;*
- h) *the owner agreeing in writing to the granting of easements in favour of the City of Saskatoon for water main purposes; and,*
- i) *the owner agreeing in writing to the granting of easements in favour of the City of Saskatoon for electrical distribution purposes.*

CARRIED.

Moved by Councillor Atchison, Seconded by Councillor Waygood,

THAT the Development and Servicing Agreement with 623183 Saskatchewan Ltd. for 1201 Herman Avenue to cover Lots 1, 2 and 3, Block 102, Plan 70-S-00223 all in N.E. ¼ Sect. 20, Twp. 36, Rge. 5, W 3rd M be approved.

CARRIED.

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COMMUNICATIONS - CONTINUED

- 6) **John Gerstmar, Resource Planning Co-ordinator
Meewasin Valley Authority, dated July 13**

DEALT WITH EARLIER. SEE PAGE NO. 15.

AA. ITEMS WHICH REQUIRE THE DIRECTION OF CITY COUNCIL

- 1) **Vaughan Evans
2181 West 38th H401, B.C., dated June 20**

Submitting a poem for Canada Day. (File No. CK. 205-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Atchison, Seconded by Councillor Roe,

THAT the information be received.

CARRIED.

- 2) **Del Ehlert, Superintendent of Boards & Agencies
Asset Management Department, dated June 29**

Submitting a request for approval for the renewal of the Marr Residence Lease Agreement. (File No. CK. 710-3)

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RECOMMENDATION: that the direction of Council issue.

Moved by Councillor Waygood, Seconded by Councillor Steernberg,

THAT the Agreement be approved.

IN REFERRAL

Moved by Councillor Atchison, Seconded by Councillor Steernberg,

THAT the Agreement be referred to the Administration for review and report back to Council.

CARRIED.

**3) Geri Yee, President
Saskatchewan Intercultural Association Inc., dated June 26**

Submitting a letter expressing concerns regarding the Police Service decision to withdraw its representative from the Race Relations Committee. (File No. CK. 225-40-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Atchison, Seconded by Councillor Heidt,

THAT the information be received.

CARRIED.

**4) Dallas Furmanic
Saskatchewan Lowbike Owners (S.L.O.W.), dated June 30**

Requesting permission for the temporary street closure of half of 21st Street between Spadina Crescent to the alleyway from 10:30 a.m. to 5:00 p.m. on Sunday, August 16, 1998 for the Lowrider and Classic Bicycle Show and Shine. (File No. CK. 205-1)

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

Moved by Councillor McCann, Seconded by Councillor Atchison,

THAT the request be approved subject to Administrative conditions.

CARRIED.

**5) Susan Cline, Program Coordinator
Big Brothers Association of Saskatchewan, dated July 6**

Requesting permission for the temporary street closure of the small side-street directly in front of the Big Brothers house located at 106 - 33rd Street East on September 10 and 11, 1998 for their fall recruitment drive. (File No. CK. 205-1)

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

Moved by Councillor Atchison, Seconded by Councillor Heidt,

THAT the request be approved subject to Administrative conditions.

CARRIED.

**6) Joanne Hritzuk, Chairperson
1998 Mother Daughter Walk for Heart and Stroke, dated July**

Requesting permission for the temporary street closure of 2nd Avenue North between 23rd Street and 24th Street on Sunday, September 13, 1998 from 9:00 a.m. to 3:00 p.m. for the Bay Heart and Stroke Walk for our Mothers and Daughters. (File No. CK. 205-1)

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

Moved by Councillor Birkmaier, Seconded by Councillor Atchison,

THAT the request be approved subject to Administrative conditions.

CARRIED.

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**7) Ben Mah
Mah-Williams Law Office, dated July 3**

Requesting a property tax vacancy adjustment retroactive to December 20, 1996 on 402 Avenue C South. (File No. CK. 1920-1)

RECOMMENDATION: that the direction of Council issue.

Moved by Councillor Steernberg, Seconded by Councillor Birkmaier,

THAT the information be received.

CARRIED.

**8) Dr. Ivan W. Yackel, Director of Education
Saskatoon Public School Division, dated July 6**

Requesting Council to approve the appointment of Mrs. Sigrid Hanson as the Public School Division representative to the Race Relations Committee commencing August 20, 1998, to replace Mrs. Freda Trew. (File No. CK. 225-40)

RECOMMENDATION: that Mrs. Sigrid Hanson be appointed as the Public School Division representative to the Race Relations Committee commencing August 20, 1998, to replace Mrs. Freda Trew.

Moved by Councillor Maddin, Seconded by Councillor Waygood,

THAT Mrs. Sigrid Hanson be appointed as the Public School Division representative to the Race Relations Committee commencing August 20, 1998, to replace Mrs. Freda Trew.

CARRIED.

**9) Marlene Hall, Secretary
Development Appeals Board, dated June 29**

Submitting Notice of Development Appeals Board Hearing regarding property at 251 Egnatoff Crescent. (File No. CK. 4352-1)

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**10) Marlene Hall, Secretary
Development Appeals Board, dated June 30**

Submitting Notice of Development Appeals Board Hearing regarding property at 1809 Pitt Avenue.
(File No. CK. 4352-1)

RECOMMENDATION: that the information be received.

Moved by Councillor McCann, Seconded by Councillor Atchison,

THAT the information be received.

CARRIED.

B. ITEMS WHICH HAVE BEEN REFERRED FOR APPROPRIATE ACTION

**1) Hugh MacKenzie, Planning Assistant
Meewasin Valley Authority, dated June 25**

Submitting a request for approval of the redevelopment of the Saskatoon Golf and Country Club.
Referred to the Administration for a report. (File No. CK. 6050-1 and 4000-1)

**2) Chuck Accleton
1618 Lorne Avenue, dated July 3**

Submitting comments regarding the Taste Buds Restaurant. **Referred to the Administration.**
(File No. CK. 4355-1)

**3) Don Kerr, Chair
Municipal Heritage Advisory Committee, dated July 8**

Submitting comments regarding the Gathercole Centre (Technical Collegiate). **Referred to the Administration.** (File No. CK. 710-1)

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RECOMMENDATION: that the information be received.

Moved by Councillor Atchison, Seconded by Councillor Roe,

THAT the information be received.

CARRIED.

C. PROCLAMATIONS

**1) Mary Pat Dressler, Public Relations Coordinator
Big Sisters Association of Saskatoon, dated July 7**

Requesting Council to proclaim September 14 to 18, 1998 as Volunteer Recruitment Week in Saskatoon. (File No. CK. 205-5)

**2) Lynda Andrew, President
Saskatoon Genealogy Society, dated July 2**

Requesting Council to proclaim October, 1998 as Genealogy Month in Saskatoon. (File No. CK. 205-5)

RECOMMENDATION:

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

Moved by Councillor Atchison, Seconded by Councillor Maddin,

1) that City Council approve all proclamations as set out in Section C; and

2) that the City Clerk be authorized to sign the proclamations on behalf of City Council.

CARRIED.

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REPORTS

Mr. D. Kerr, Chair, presented Report No. 6-1998 of the Municipal Heritage Advisory Committee;

Mr. G. Grismer, Chair, submitted Report No. 11-1998 of the Municipal Planning Commission;

A/City Manager Richards presented Report No. 14-1998 of the City Manager;

Councillor Harding, Chair, presented Report No. 14-1998 of the Planning and Operations Committee;

Councillor Birkmaier, Chair, presented Report No. 5-1998 the Land Bank Committee;

His Worship Mayor Dayday, Chair, presented Report No. 10-1998 of the Executive Committee.

Moved by Councillor Atchison, Seconded by Councillor Harding,

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

- a) Report No. 6-1998 of the Municipal Heritage Advisory Committee;*
- b) Report No. 11-1998 of the Municipal Planning Commission;*
- c) Report No. 14-1998 of the City Manager;*
- d) Report No. 14-1998 of the Planning and Operations Committee;*
- e) Report No. 5-1998 of the Land Bank Committee; and*
- f) Report No. 10-1998 of the Executive Committee.*

CARRIED.

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

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

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Councillor Atchison, 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. 6-1998 OF THE MUNICIPAL HERITAGE ADVISORY COMMITTEE”

Composition of Committee

Mr. D. Kerr, Chair
Ms. M. Boechler, Vice-Chair
Councillor K. Waygood
Ms. P. Melis
Mrs. M. Schappert
Mr. R. Jaremko
Mr. S. Hanson
Mr. W.J. Campbell
Ms. B. Anderson
Mr. B. Schaffel
Ms. C. Yates
Ms. G. Vanderlinde
Mr. J. McLeod
Mr. B. Kowaluk

**1. Heritage Fund - Application for Funding
Saskatoon Heritage Society - Endowment Funds for Publication
(File No. CK. 710-1)**

- RECOMMENDATION:**
- 1) that a one-time contribution of \$5,000 be made from the Heritage Fund to the Saskatoon Heritage Society Endowment Fund for the publication of the *Saskatoon History Review* with the following conditions:
 - a) that no further applications be made by the Saskatoon Heritage Society to the Cultural Participation Grant or to the Saskatchewan Lotteries Grant for the publication of *Saskatoon History Review*;
 - b) that the number of copies sold for each publication be increased to 450 by December 31, 2003, and that \$1,000 be paid back to the City of Saskatoon Heritage

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Fund if that number is not reached;

- c) that the full amount of the grant be paid back to the City of Saskatoon Heritage Fund if the Endowment Fund does not contain at least \$15,000 (the targeted amount) on December 31, 2003;
- d) that the Saskatoon Heritage Society provide a report to the Administration no later than April 30, 2004 with regard to the status of items (b) and (c); and
- e) that, should the Saskatoon Heritage Society Endowment Fund for the publication of the *Saskatoon History Review* be dissolved, the full amount of the grant be paid back to the City of Saskatoon Heritage Fund.

ADOPTED.

Your Committee has considered the attached report of the General Manager, Planning and Building Department dated May 25, 1998, regarding the above application from the Saskatoon Heritage Society for funding from the Heritage Fund to establish an Endowment Fund for the publication of the *Saskatoon History Review*. Your Committee has also considered the attached letter dated June 22, 1998, from Ms. Ruth Robinson, Saskatoon Heritage Society, submitting further information regarding the application.

Upon review of the matter, your Committee is recommending that a one-time contribution of \$5,000 be made from the Heritage Fund to assist the Society in establishing long-term financing for the production of the *Saskatoon History Review*. It was noted that the goal is to establish the Endowment Fund by December 31, 2003 and this amount would represent the average yearly grant from the City over the past five years.

Your Committee, in reviewing the condition outlined in recommendation 1c) of the report of the General Manager, Planning and Building Department with respect to further self-financing, determined that the level of commitment of the volunteers at the Saskatoon Heritage Society, as demonstrated over the past number of years, should be taken into consideration. Your Committee, therefore, does not support this further condition. Your Committee recognizes the importance of establishing long-term financing for the production of this publication and is therefore recommending approval of the full amount requested by the Society.

- 2. Application to alter Designated Heritage Site - Bylaw No. 7122
Forestry Farm Superintendent's Residence
1903 Forest Drive**

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**A Portion of Parcel "A", Plan No. 65-S-24721
(Files CK. 710-1, 4205-8-4 and PL 712-48)**

RECOMMENDATION:

- 1) that the application submitted by Friends of the Forestry Farm House Incorporated (the lessee of the municipally-designated heritage property, the Superintendent's Residence at the Forestry Farm) with the concurrence of the owner (represented by the Manager, Capital Resources & Special Use Facilities Branch, Leisure Services), respecting the removal of sixteen trees and various vines from the designated heritage property surrounding the Superintendent's Residence, be approved; and
- 2) that the concept plan for the landscaping of the site, which was submitted with the application, be received as information.

ADOPTED.

Your Committee has reviewed the attached report of the General Manager, Planning and Building Department dated June 30, 1998, as well as the attached copy of letter dated July 7, 1998, from the Capital Resources and Special Use Facilities Branch Manager with respect to the removal of three additional cedars from the site. Members of your Committee took part in the site visit with respect to the alterations proposed for the site, relating to the removal of the trees.

Your Committee has discussed the report with the Administration and has reviewed the justification for removal of the trees with Ms. Bernie Cruikshank, President, Friends of the Forestry Farm House Inc., and is recommending approval of the application.

REPORT NO. 11-1998 OF THE MUNICIPAL PLANNING COMMISSION

Composition of Commission

Mr. Glen Grismer, Chair
Ms. Ann March, Vice-Chair
Councillor P. Roe (shared position)
Councillor K. Waygood (shared position)
Mr. Ron Mantyka
Mr. Ken Rauch
Ms. Leslie Belloc-Pinder
Mr. Gregory Kitz
Ms. Georgia Bell Woodard
Ms. Lina Eidem
Mr. Paul Kawcuniak
Ms. Sheila Denysiuk
Mr. Nelson Wagner
Mr. Ken McDonough

- 1. Application to Vary Existing Planned Unit Development Agreement
3240 - 33rd Street West
Lot "A", Block 960, Plan 79-S-16566
Dundonald Neighbourhood
Applicant: Saskatoon Housing Authority
(File No. CK. 4131-2)**

RECOMMENDATION:

- 1) that City Council approve the advertising respecting the proposal to amend the Planned Unit Development Agreement for Lot "A", Block 960, Plan 79-S-16566 (3240 33rd Street East) to provide for the alteration of two of the semi-detached townhouses (Units 151 and 152) to accommodate a day care centre;
- 2) that the General Manager, Planning and Building Department be requested to prepare the required notice for advertising the proposed amendment;
- 3) that the City Solicitor be requested to prepare the required Bylaw; and
- 4) that at the time of the public hearing Council consider the Commission's recommendation that the proposed amendment to the Planned Unit Development Agreement be approved.

ADOPTED.

Your Commission has considered and concurs with the following report of the Planning and

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Building Department dated June 10, 1998:

“B. PROPOSAL”

On April 15, 1998, the Planning and Building Department received a request from the Saskatoon Housing Authority requesting an amendment to the Planned Unit Development (P.U.D.) Agreement governing the 94-unit housing complex at 3240 33rd Street West. In particular the applicant wishes to amend Clause 2 of the P.U.D. Agreement to provide for the development of a day care centre. Currently, Clause 2 of the P.U.D Agreement states that the property ‘...shall be used only for the purpose of constructing thereon a total of Ninety-four (94), dwelling units...’

C. REASON FOR PROPOSAL

Saskatoon Housing Authority manages Dundonald Village (3240 33rd Street West), and would like to renovate two of the units (units 151 and 152) for the purpose of a day care centre of 34 spaces (10 of which would be subsidized). They are asking City Council to amend the Planned Unit Development Agreement to allow a day care centre to operate at Dundonald Village.

Saskatoon Housing Authority is hoping to form a partnership with Dundonald Extended School Day Co-operative. This day care is currently operating within a block of Dundonald Village and is interested in relocating. Given the success of the day care at West Ridge Village, 3144 Laurier Drive, (90 % of the children live within the complex), they feel a subsidized day care would enhance the complex, improving the opportunities for low income families to become more financially independent. A survey of the tenants has indicated that they are in favour of the plan with none being opposed.

D. BACKGROUND INFORMATION

City Council at its meeting of October 28, 1981, granted final approval to a Planned Unit development (P.U.D.) Agreement for Lot “A”, Block 960, Plan 79-S-16566 (3240 33rd Street West) in the Dundonald Neighbourhood. The P.U.D. Agreement called for development on the site of 94 dwelling units consisting of:

- 1) two 12 unit apartment buildings containing a total of 24 units; and
- 2) thirty-five 2 storey semi-detached townhouses containing a total of 70 dwelling units.

The P.U.D. Agreement also set out the landscaping, services and amenities which were to be provided on the site.

E. JUSTIFICATION

1. Planning and Building Department Comments

- a) Planned Unit Developments were briefly used by the City of Saskatoon in the late 1970's and early 1980's as a means to stimulate creative development. P.U.D. zoning was used on several parcels of land throughout the city which allowed developers to propose creative land uses without conforming to pre-conceived zoning restrictions. Developers were permitted to apply to City Council for approval of specific development proposals which would be advertised and a Public Hearing held. If the proposed development conformed to the Development Plan and Council agreed to the proposal, a P.U.D. Agreement would be drafted and signed by both parties. The P.U.D. Agreement bound the developer to the specific proposal as described in the agreement.

After a brief existence, P.U.D.'s became unpopular with the development community and were removed from the *Planning and Development Act, 1983* by the Province of Saskatchewan on April 19, 1984. However, all existing P.U.D.'s and all agreements remained in effect.

In accordance with Section 235.1 of the *Planning and Development Act, 1983*

- (1) 'Where a planned unit development was concluded pursuant to The Planning and Development Act, being chapter P-13 of The Revised Statutes of Saskatchewan, 1978, and a municipal development plan, development plan or zoning bylaw is in force controlling the use of land in the planned unit development, the council may, subject to subsection (2), by bylaw:

- (a) alter the permitted or discretionary use of any or all land;
- (b) adopt zoning regulations providing for the alteration of any site plans of any land;

in the planned unit development where the alteration would not contravene any existing municipal development plan, development plan or zoning bylaw.

- (2) Parts V and IX of this Act apply with respect to a bylaw pursuant to subsection (1).'

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Being that the requested amendment is to alter the permitted use of a part of the land identified in the P.U.D. Agreement, the provisions of Section 235.1(1)(a) and Section 235.1(2) of the *Planning and Development Act, 1983*, would then apply.

- b) The proposed day care is generally consistent with the Guidelines for the Location and Development of Day Care Centres, Family Day Care Homes and Pre-Schools approved by Council in 1985. As per the locational and site development guidelines for day care centres in residential areas:
 - i) the proposal will accommodate the relocation of an existing day care, therefore, will not adversely effect the enrollment of similar facilities in the immediate area;
 - ii) the proposed day care centre is located within 300 metres of a bus stop;
 - iii) the day care centre proposal includes a large fenced on-site outdoor play yard located adjacent to the building. This outdoor play yard exceeds the minimum requirement of 3.25 square metres for each child.
 - iv) there are two parking spaces proposed immediately in front of the day care centre and two additional parking spaces will be provided within the residential complex.
- c) Other than the relocation of the fence and an addition of stairs to provide an additional exit from the second floor, the alterations to the existing dwelling units to accommodate the day care will not change the exterior of the building.
- d) Signs to the proposed day care should conform to Sign Group No. 1 of the Sign Regulations.

2. Development Plan Policy

The designation of this property in the City of Saskatoon Development Plan is 'Residential'. Complementary institutional uses and community facilities of an ancillary and compatible character are permitted.

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3. Compatibility with Adjacent Land Uses

The zoning of the property in the vicinity of the subject site is residential, neighbourhood commercial, and District Commercial. The land uses in the vicinity of the site include one and two unit dwellings, multiple unit dwellings, a church, a service station and retail operations. Day care centres and pre-schools which are not accessory to a church or to a school, hospital, community centre, or library operated by a public authority are generally considered a discretionary use in areas zoned for residential use.

4. Policy Implications

The proposed amendment of the P.U.D. Agreement is consistent with the existing Development Plan Policy.

5. Conclusion

It is the opinion of the Planning and Building Department that this proposal is consistent the policies contained in the City of Saskatoon Development Plan. The proposed amendment to the P.U.D. Agreement to provide for the development of a day care centre at 3240 33rd Street West would provide for the development of an essential service to the residents of the existing dwelling group as well as the surrounding neighbourhood. On this basis, the Planning and Building Department has no objection to this application advancing to the public hearing stage.

F. COMMUNICATION PLAN

The president of the Dundonald Community Association was advised of the receipt of this application by letter dated June 11, 1998. If this application is approved for advertising by City Council, a notice will be placed in the Star Phoenix once a week for two consecutive weeks. Notice boards will also be placed on the site. The property owners affected by this amendment will also be notified in writing by mail.

G. ATTACHMENTS

1. Fact Summary Sheet
2. Detailed Site Plan
3. Overall Site Plan of Dundonald Village”

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REPORT NO. 14-1998 OF THE CITY MANAGER

Section A - Administration and Finance

A1) Routine Reports Submitted to City Council

RECOMMENDATION: that the following information be received.

ADOPTED.

<u>SUBJECT</u>	<u>FROM</u>	<u>TO</u>
Schedule of Accounts Paid \$1,516,366.21	June 19, 1998	June 25, 1998
Schedule of Accounts Paid \$3,583,083.78	June 26, 1998	July 6, 1998
Schedule of Accounts Paid \$805,724.22	July 2, 1998	July 8, 1998
Schedule of Accounts Paid \$13,332,599.28 (File No. 1530-2)	June 10, 1998	July 3, 1998

**A2) Investments
(File No. 1790-3)**

RECOMMENDATION: that City Council approve the attached purchases and sales.

ADOPTED.

Report of the A/General Manager, Finance Department, June 26, 1998:

“With the approval of the Investment Committee, the attached lists indicate purchases and sales for the City’s various funds.”

ATTACHMENTS

1. Schedule of Securities Transactions (June 1 - 19, 1998).
2. Schedule of Securities Transactions (June 20 - 30, 1998).

A3) Enquiry - Councillor Steernberg (June 15, 1998)

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**Restrictions - Grants for Capital Projects
(File Nos. 1870-1 and 1702-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

At its meeting of June 15, 1998, Councillor Steernberg made the following enquiry:

“Would the Administration please report on the ramification of placing restrictions on grants given for capital projects. Specifically our tendering policies, but not restricted to any other aspects in which the Administration deem appropriate/practical.”

Report of the A/General Manager, Finance, July 6, 1998:

“This enquiry related to the results of a recent tender approved by the Saskatoon Soccer Association and the City’s capital grant towards the construction of a new soccer centre.

The Urban Municipality Act, Section 178(3) states:

‘A Council may make grants subject to any terms and conditions that it considers necessary.’

While *The Act* gives Council the authority, we would caution that such conditions should be enforceable. Normally, that would eliminate any conditions which could not be met before the City was obligated to transfer the funds. Council would also have to ensure that any conditions it might place on a grant not require unreasonable Administrative involvement in an organization’s affairs to ensure, for example, that City policies were being met.”

**A4) City of Saskatoon Municipal Manual - 1998
(File No. CK. 369-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

Report of the City Clerk, June 26, 1998:

“I am pleased to present the attached copy of the 1998 City of Saskatoon Municipal Manual for the information of Council. The statistical information contained in the manual is the latest made

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available for the year ended 1997. The manual is used as a successful research tool by various libraries, school boards and others throughout Canada.

Copies of the Municipal Manual are available in the City Clerk's Office for a cost of \$5.35, including G.S.T."

ATTACHMENT

1. 1998 Municipal Manual.

Section B - Planning and Operations

- B1) The Property Maintenance and Occupancy Bylaw
Appeals to Saskatchewan Municipal Board
Bylaw No. 7778 - Property Maintenance and Occupancy
Amendment Bylaw
(File No. 185-7)**
-

RECOMMENDATION: that City Council consider Bylaw No. 7778.

ADOPTED.

Report of the City Solicitor, July 3, 1998:

"The Property Maintenance and Occupancy Bylaw provides that a person who is aggrieved by an order made by a property maintenance inspector may appeal the order to the Property Maintenance Appeal Board. A further appeal lies from the Property Maintenance Appeal Board to the Saskatchewan Municipal Board. Under the current bylaw, an appeal to the Municipal Board must be brought within **20** days of the service of the Property Maintenance Appeal Board's decision.

The Urban Municipality Act, 1984 has now been amended to provide that an order made by the Property Maintenance Appeal Board may be appealed to the Saskatchewan Municipal Board within **30** days after the date of the order.

In order to bring the Bylaw into conformity with the *Act*, we have brought forward the appropriate amending Bylaw for Council's consideration."

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ATTACHMENT

1. Proposed Bylaw No. 7778.

**B2) School Pedestrian Safety Concerns
(School Zone Speed Limits)
Bylaw No. 7759 - The Traffic Amendment Bylaw
(File No. 5200-1 and 5300-1)**

RECOMMENDATION: that City Council consider Bylaw No. 7759.

ADOPTED.

Report of the City Solicitor, June 29, 1998:

“City Council, at its meeting of June 15, 1998, resolved that the fines for parking and stopping violations be increased. Bylaw No. 7759, The Traffic Amendment Bylaw, 1998 (No. 3) amends The Traffic Bylaw to effect this instruction.”

ATTACHMENT

1. Bylaw No. 7759.

**B3) Proposed Amendment to Subdivision Bylaw No. 6537
Delegation of Approving Authority for Subdivisions and
Servicing Agreements in Saskatoon
(Bylaw No. 7771 - The Subdivision Amendment Bylaw, 1998)
(File No. 4300-1)**

RECOMMENDATION: that City Council consider Bylaw No. 7771.

ADOPTED.

Report of the City Solicitor, July 6, 1998:

“City Council at its meeting held on May 19, 1998, resolved that The Subdivision Regulations be amended to delegate approving authority for all proposed subdivisions, severances and consolidations to the Development Officer except in cases where the Development Officer recommends denial of an application.

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Proposed Bylaw No. 7771 amends Schedule 'A' to Bylaw No. 6537, The Subdivision Regulations, by delegating authority to approve applications to the Development Officer. The Development Officer is defined under the Bylaw as being the General Manager of the Planning and Building Department. As part of carrying out the requested amendment, it was necessary to remove all references to the 'City Planning Officer' and substitute the 'Development Officer'. The sections of The Subdivision Regulations which contain the standards which must be considered in approving applications are amended to reflect the fact that applications will be considered by the Development Officer or by Council in cases where the Development Officer recommends denial of the application."

ATTACHMENT

1. Proposed Bylaw No. 7771.

**B4) Subdivision Application #26/98
30 Kenderdine Road
(File No. PL 4300 - 26/98)**

RECOMMENDATION: that Subdivision Application No. 26/98 be approved, subject to the payment of \$50.00 being the required approval fee.

ADOPTED.

Report of the General Manager, Planning and Building Department, July 2, 1998:

"The following subdivision application has been submitted for approval:

Subdivision Application: #26/98
Applicant: Webster Surveys for Westfair Properties Ltd.
Legal Description: Parcel F, Plan 96-S-55464
Location: 30 Kenderdine Road."

ATTACHMENT

1. June 22, 1998 Subdivision Report.

**B5) Land-Use Applications Received by the Planning and Building Department
For the Period Between June 19 to July 2, 1998
(For Information Only)**

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(File No. PL 4300)

RECOMMENDATION: that the following report be received as information.

ADOPTED.

Report of the General Manager, Planning and Building Department, July 5, 1998.

“The following applications have been received, are being processed, and will subsequently be submitted to City Council for its consideration:

Subdivision

- Application #32/98
Applicant: Konihowski Road
Legal Description: Don V. Franko for City of Saskatoon
Current Zoning: Lots 1 - 23, Block 418, Plan 97-S-44390
Neighbourhood: R.1A
Date Received: Silverspring
June 22, 1998
- Application #33/98
Applicant: 105 - 115th Street East
Legal Description: Wes and Donna Long
Current Zoning: Lot 9, Parcel B, Block 35, Plan 68-S-15819
Neighbourhood: R.2
Date Received: Sutherland
June 22, 1998
- Application #34/98
Applicant: 242/244 Lochrie Crescent
Legal Description: Robert Fulford for Realistic Homes
Current Zoning: Lot F, Block 147, Plan 80-S-18197
Neighbourhood: R.2
Date Received: Fairhaven
June 24, 1998
- Application #35/98
Applicant: 227/229 Lochrie Crescent
Legal Description: Robert Fulford for Realistic Homes
Current Zoning: Lot 12, Block 148, Plan 80-S-18197
Neighbourhood: R.2
Date Received: Fairhaven
June 24, 1998
- Application #36/98
Brookhurst Crescent (No Civic Address)

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Applicant:	Webster Surveys for Boychuk Investments Ltd.
Legal Description:	Parcel Q, Plan 96-S-13323
Current Zoning:	R.1A
Neighbourhood:	Briarwood
Date Received:	June 26, 1998.”

ATTACHMENTS

1. Plan of Proposed Subdivision No. 32/98.
2. Plan of Proposed Subdivision No. 36/98.

**B6) Subdivision Application #21/98
Beechdale Crescent/Place/Way
(File No. PL 4300 - 21/98)**

RECOMMENDATION: that Subdivision Application No. 21/98 be approved, subject to the payment of \$850.00 being the required approval fee.

ADOPTED.

Report of the General Manager, Planning and Building Department, June 23, 1998:

“The following subdivision application has been submitted for approval:

Subdivision Application:	#21/98
Applicant:	Webster Surveys Ltd.
Legal Description:	Parcel L, Plan 96-S-13323, Parcel M, Plan 96-S-13326
Location:	Beechdale Crescent/Place/Way.”

ATTACHMENT

1. May 4, 1998 Subdivision Report.

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- B7) Subdivision Application #28/98
1201 Herman Avenue
(File No. 4300-1)**
-

DEALT WITH EARLIER. SEE PAGE 15.

- B8) Proposed North East Water Supply Main Phase I, Stage I
1050mm Water Supply Main Construction
Project No. 616
Award of Contract No. 8-0024
(File No. 7820-57)**
-

DEALT WITH EARLIER. SEE PAGE NO. 13.

- B9) Post Budget Approval
1998 Transit Summer Riding Count
(File Nos. 1704-1 and 7300-1)**
-

- RECOMMENDATION:**
- 1) that the 1998 Transit Summer Riding Count project be approved at a cost of \$60,000; and,
 - 2) the source of funding be a productivity improvement loan with repayment from the Transit Services Branch's 1999, 2000, and 2001 operating budgets.

ADOPTED.

Report of the General Manager, Transportation Department, July 8, 1998:

“The Transit Services Branch is in the final stages of the completion of the 1998 Transit Planning and Operations Study. The Study’s Steering Committee has reviewed the report for the last time and the final document will be submitted to Council in September, 1998.

One of the recommendations of the study proposes the completion of a riding count during the summer months to assess the appropriateness of the service (routes, frequency of service and hours of service) which Transit provides during the months of July and August. The count involves placing persons on each bus to record the number of riders boarding and unboarding at each and every bus stop for that route for the entire period of time that route is in operation. The data is used to determine if changes should be made to the route in terms of its frequency of service, hours of service, and whether or not the route is required along its present alignment. The summer riding

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count is similar to the count completed under the Study which assessed the routes that were in place during the fall of 1997. The Study will be recommending several changes to that route structure.

The cost of the summer riding count is estimated at \$60,000. This includes the cost of the preparation for the count, persons to count the riders, supervision, data entry and analysis. At the present time there is not an approved budget in place for this program. Normally Transit would include the cost of this program in its 1999 Capital Budget submission and complete the program during the summer of 1999. This would result in service changes being made during the summer of 2000. Transit believes that the findings of the summer riding program will result in cost savings and wishes to recognize those savings as early as possible. It, therefore, recommends that the count be completed this summer, with changes being made to the service for the summer of 1999.

As there is no funding source currently in place, Transit proposes to fund the cost through a productivity improvement loan. The loan would be repaid over three years from Transit's operating budget. It is believed that the savings recognized would be adequate to fund the repayment cost over that period with future savings being used to assist in reducing Transit's subsidy. The impact of the loan would be repayments of \$22,200 in 1999, 2000, and 2001."

**B10) Development and Servicing Agreement
Lawrence Minshull and Raymond Minshull
Silverspring Neighbourhood
Subdivision No. 2/98
(File No. 4111-30)**

- RECOMMENDATION:**
- 1) that the proposed Development and Servicing Agreement as between The City of Saskatoon and Lawrence and Raymond Minshull be approved; and,
 - 2) that His Worship the Mayor and the City Clerk be authorized to execute such Agreement on behalf of The City of Saskatoon and affix the Corporate Seal thereto.

ADOPTED.

Report of the City Solicitor, July 8, 1998:

"In keeping with the instruction of the Planning and Operations Committee at its meeting held on May 26, 1998, and the further specific direction of the General Manager of the Public Works Department, we have prepared and forward herewith for consideration proposed form of Development and Servicing Agreement as between The City of Saskatoon and Lawrence and

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Raymond Minshull. The proposed Agreement pertains to the southerly portion of Fairbrother Place in the Silverspring neighbourhood.

It is proposed that the City construct all direct services within the development area on behalf of the Developer, and, accordingly, the Agreement has been drawn in our standard 'City Developed' format. The Agreement imposes all standard development conditions and requirements except that the Developer is to remit the direct servicing costs to the City on a cost plus basis, as opposed to remitting the standard rates established with respect to each class of works."

ATTACHMENT

1. Proposed Development and Servicing Agreement as between The City of Saskatoon and Lawrence and Raymond Minshull.

**B11) Loading Zone
400 Block 5th Avenue North
(File No. 6145-1)**

- RECOMMENDATION:**
- 1) that a general loading zone be installed in front of Falcon Ridge Manor on the west side of the 400 Block of 5th Avenue North.
 - 2) that the applicant be required to pay a one time \$300.00, plus G.S.T., installation fee.

ADOPTED.

Report of the General Manager, Transportation Department, July 8, 1998:

"The Transportation Department has received a request from a representative of Falcon Ridge Manor of 405 - 5th Avenue North, to install a general loading zone in front of their building on the west side of the 400 Block of 5th Avenue North.

Delivery vehicles and occupants of Falcon Ridge Manor are experiencing difficulty loading and unloading goods due to the congestion on the street. A building representative has indicated that having a dedicated loading zone would better suit their needs, as well as those of the delivery vehicles.

The loading zone conforms to City guidelines with respect to loading zones and the applicant has agreed to pay the one time \$300.00, plus G.S.T., installation fee."

REPORT NO. 14-1998 OF THE PLANNING AND OPERATIONS COMMITTEE

Composition of Committee

Councillor H. Harding, Chair
Councillor D. Atchison
Councillor P. McCann
Councillor P. Roe
Councillor R. Steernberg

1. **Civic Arts Policy**
(File No. CK. 100-0-2)

DEALT WITH EARLIER. SEE PAGE 4

2. **1998 Road Preservation Program**
(File No. CK. 6000-1)

RECOMMENDATION: that the information be received.

ADOPTED.

Your Committee has reviewed the following report of the General Manager, Public Works Department dated June 15, 1998, and is forwarding the report to City Council for information:

“DISCUSSION

The purpose of this report is to provide City Council with information on the location of major road maintenance and rehabilitation work being undertaken in 1998. In keeping with the ongoing implementation of infrastructure asset management, the 1998 road preservation program is based on the 1997 City-wide road condition survey. During the condition survey, all roads were divided into management segments based on road classification, uniformity of road condition, and construction and maintenance history. All maintenance work is scheduled based on these road condition segments. Road inventory and replacement cost information is shown in Table 1:

Table 1					
Road	Description	Area	Proporti	Number	Replaceme

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Network		(m²)	on by Area	of Road Segments	nt Cost (Dollars)
Expressways	High speed freeways and associated ramps	727,922	6.7%	102	\$37,193,175
Arterials	Multi-lane or divided roads that link suburban areas and neighborhoods	2,175,344	20.0%	345	92,269,391
Collectors	Major roads within a neighborhood	1,718,173	15.8%	299	52,539,840
Locals	Residential and industrial roads used primarily for direct access to properties	6,232,277	57.5%	2069	124,084,635
TOTAL		10,853,716	100%	2,815	\$306,087,041

Annual rehabilitation and maintenance work (preservation) on these roads is funded three ways:

1. Annual Capital budgets for planned rehabilitation and maintenance programs dedicated to a specific road network: Locals, Collectors and Arterial roads each have a separate core budget.
2. Site or program-specific Capital budget funding approved on a project-by-project basis; the Expressways network maintenance is currently funded this way.
3. Reactive and minor planned spot maintenance funded in the Operating Budget; funding is expended on all road networks based on annual needs. To provide an integrated plan, this money is pooled with the capital funding for development of programs for each of the separate road networks.

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1998 funding allocations for these road networks are summarized in Table 2:

Table 2			
Budget #	Title	1998 Funding	Proportion of Total
Various Capital	Expressways	\$307,000	6.0%
Capital 0836	Arterial Road Rehabilitation	943,000	18.3%
Capital 0835	Collector Road Rehabilitation	1,335,000	25.9%
Capital 1531	Local Roads Rehabilitation	1,390,000	26.8%
Operating (1)	Paved Street Maintenance	1,185,000	23.0%
	<i>Total Preservation Funding</i>	\$5,160,000	100%

Note: (1) \$100,000 was taken off the budget for cost recovery and committed costs for patching shallow buried utility cuts.

The maintenance repair strategy for each segment of roadway is called a treatment. Using specialized software, the optimum treatment mix can be established for each of the road networks. Optimization aims to provide the best possible combination of treatments to meet a defined network condition standard (either improve, stay the same, or worsen) for the available funding.

The planned funding allocation for the main treatment categories for each road network are shown in Table 3. These are defined as spot treatments and full segment treatments. Spot treatments consist of localized repairs on a road segment. A full segment treatment consists generally of a curb to curb repair.

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Table 3					
Funding Distribution	Expressways	Arterials	Collectors	Locals	Operating
<i>Spot Treatments</i>					
Crack Repair	0	14,000	15,000	0	60,000
Spot Seals	0	30,000	40,000	36,000	60,000
Patching (dips)	0	100,000	0	75,000	90,000
Patching (road failures)		200,000	71,000	125,000	150,000
Routine Maintenance	NA	NA	NA	NA	507,800
<i>Full Segment Treatments</i>					
Blade Leveling (Dips)	0	0	70,000	50,000	NA
Full Seals	60,000	110,000	428,400	948,256	NA
Rut Rehabilitation	116,000	130,000	NA	NA	NA
Resurfacing	251,055	435,887	600,000	150,000	NA
Total Reconstruction	0	0	0	80,000	NA
Other Allocations	0	88,000	257,000	183,000	318,000
TOTALS	\$427,055	\$1,107,887	\$1,481,400	\$1,647,256	\$1,185,800

Notes for Table 3:

1. Routine Maintenance consists primarily of pot hole patching and other reactive type maintenance identified through complaints, or scheduled by field staff aware of high maintenance areas. Roads that are not programmed for any other treatment receive routine maintenance.
2. Specific work locations for 1998 for each of the main treatments have been chosen. The shaded areas indicate treatments that have a preliminary location list and are being field checked for verification.
3. The cost per household based on properties adjacent to seals and resurfacing/reconstruction of local roads in 1997 were: \$348 per household for the seal program, and \$3439 per household for the overlay and major rehabilitation program.
4. Total funding shown in Table 3 includes some carryover from 1997 capital programs.

Locations that have been finalized as of June 15th, 1998 to receive major work this year are shown on the attached plan and listed by street name. An update will be circulated when the other locations have been finalized.

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Resurfacing and reconstruction of local roads has a candidate list which far exceeds the available funding. A list of local road locations requiring reconstruction based on the 1997 condition evaluation is attached. These locations have also been included on the attached program plan. This is intended to provide City Council with an opportunity, over the course of the summer, to get a feel for the condition of these roads and the level of service they provide.

The 1997 condition survey verified the extensive problem with the local road network that was initially identified and reported to Council in 1995. The deferred maintenance liability in 1995 was estimated at approximately \$10,000,000. Deferred maintenance locations consist of roads that have reached the end of their serviceable life and require extensive investment. The Roadways Branch will be preparing a follow-up report proposing that City Council separate the extensive deferred maintenance liability and deal with the deferred maintenance funding needs separately.

A report on road network condition will be presented to City Council in August.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPACT

There is no financial impact.

COMMUNICATION PLAN

A list of roads that will receive planned maintenance work in 1998 will be distributed through various media.

ENVIRONMENTAL IMPACT

None.

ATTACHMENTS

1. Plan showing planned locations for major road treatments in 1998.
2. List of roads receiving major treatments sorted by street name.
3. Local Roads Reconstruction Candidates
4. Description of Major Road Treatments”

The plan showing planned locations for major road treatments in 1998 has been previously circulated to City Council members. A copy is available for viewing in the City Clerk’s Office.

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**3. Enquiry - Councillor Atchison (November 17, 1997)
Election Signs
(Files CK. 265-1 and 6280-1)**

RECOMMENDATION: that the reports of the General Manager, Transportation Department dated June 8 and February 16, 1998, be received as information.

ADOPTED.

Your Committee has considered the attached report of the General Manager, Transportation Department dated February 16, 1998, and has requested the Administration to review and report on the possibility of only placing a restriction on areas where safety is a factor. Further to this, your Committee has considered the attached report of the General Manager, Transportation Department dated June 8, 1998, responding to the above referral, and is submitting the February 16 and June 8, 1998 reports to City Council as information.

**4. Neighbourhoods Deficient in Park Space
Exploring Sources of Funding
(File No. CK. 4205-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

Your Committee has considered the following report of the General Manager, Leisure Services Department dated June 4, 1998, and is submitting the report to City Council for its information:

“BACKGROUND

During its April 22, 1997, meeting, the Planning and Operations Committee considered a report dated April 10, 1997 from the General Manager of the Leisure Services Department addressing a strategy for financing the development of parks in neighbourhoods determined to be deficient in park space. It was resolved that a public consultation process be initiated to comment on the proposals outlined in the report.

REPORT

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In light of the above resolution, staff from the Leisure Services Department undertook a public consultation with the following groups: community associations, the Leisure Services Advisory Board, and the Social Housing Advisory Committee.

Community Associations

The area recreation consultants provided a copy of the report to all community association executives and requested feedback on the proposals outlined in the report.

Most of the community associations agreed that the process seemed reasonable; however, all of the executives felt that they would need to poll all of their residents before they would pursue such an avenue. This is a huge undertaking for them, and currently, none are interested in doing so.

Nutana would like to have more information and would be open to having further presentations in conjunction with discussions related to planning issues in their community. It was suggested that this could be brought up again with them during the local area plan consultation process. These residents want parks but do not want to give up residential housing stock to get them.

Caswell Hill was interested in discussing this further in their community but have not yet done so.

Riversdale might entertain the idea but realize the realities and challenges of dealing with the landlords who would be paying a large portion of any special levy in their area.

The Holliston neighborhood wanted to use this special levy for a \$20,000 park enhancement. Due to the relatively small dollar amount of the project, staff suggested that they fundraise for the project.

The issue of parks and recreation open space was an item of discussion within the Sutherland Local Area Plan public consultation process. In a draft report dated April 22, 1998, one of the strategies listed in the parks and recreation open space section reads as follows:

‘That the City of Saskatoon and the Sutherland neighbourhood, through the Sutherland/Forest Grove Community Association, explore the Local Area Improvement Program for the redevelopment of existing park space.’

Leisure Services Advisory Board

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The General Manager, Leisure Services Department presented the report to the Board members at their regular meeting of September 25, 1997.

Attached is a report from the Board which states various comments and concerns related to the financing proposal. The Leisure Services Advisory Board resolved:

‘that the Leisure Services Department and the Planning and Operations Committee be advised that the Leisure Services Advisory Board affirms its belief that park land is a significant component of the infrastructure of any neighbourhood, as much as roads and sewers, and that it should be publicly funded.’

Social Housing Advisory Committee

The General Manager, Leisure Services Department made a presentation to the Committee at their regular meeting of September 10, 1997. The Committee members received the information.

CONCLUSION

At this point in time, there are no specific and concrete requests for use of a special levy under *The Local Improvement Act* to finance a project which addresses a deficiency in neighbourhood park space, although a few community associations are keeping this option open.

Until a firm request is received and supported by the residents of a neighbourhood, the Administration will not allocate any resources towards developing or revising procedures and bylaws to implement the new provisions and regulations of the new *Local Improvement Act*.

ATTACHMENTS

1. April 10, 1997 report from the General Manager, Leisure Services Department
2. Response from the Leisure Services Advisory Board arising from discussions at their regular meeting of October 23, 1997.”

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**5. The Recreation Facilities and Parks Usage Bylaw
(Files CK 185-1, 4205-1 and 610-1)**

RECOMMENDATION: that The Recreation Facilities and Parks Usage Bylaw be considered.

ADOPTED.

Your Committee has reviewed the following report of the General Manager, Leisure Services Department dated June 5, 1998, regarding the proposed Recreation Facilities and Parks Usage Bylaw, copy attached, and is forwarding the report to City Council for consideration:

“BACKGROUND

The purpose of this Bylaw is to regulate the use of parks and recreation facilities owned by the City of Saskatoon. In 1990, the Leisure Services Department began a review of City of Saskatoon Policy C10-004 (Use of Parks for Concessions, Private & Special Events). Based on a wide variety of requests received for use of parks by special interest groups, and the diversity of issues that resulted from these requests (e.g. commercial use of parks, charging for events, damage to parks), the Leisure Services Department recognized more review was required than only a revision to Policy C10-004. The existing Parks Bylaw 3187 was outdated in light of the current types of use for park space being requested.

In 1992, the Leisure Services Department deleted Policy C10-004 (Use of Parks for Concessions, Private and Special Events) and amended Policy A10-014 (Recreation Facilities - Allocation and Use). The result of the review of policies was the drafting of a Parks Bylaw.

REPORT

The draft has been through a number of revisions with the City Solicitor's Office since 1993. It has also received review by the Leisure Services Department, Planning and Building Department, and Public Works Department, Parks Branch.

The main features of the Bylaw are as follows:

1. The Management of Parks: how parks are designated, the use of a public park, the priority of use allocation of a public park.
2. The Management of Recreation Facilities: the use of recreation facilities and the priority of use allocation of a recreation facility.

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3. General Provisions: addresses contracts, fees and deposits, temporary structures in parks, advertising in parks or recreation facilities, litter, gaming and indecent acts, disorderly conduct, living in a park, destruction of animals, fireworks and firearms in parks, golfing, radio-controlled aircraft, destruction of plants and property, use of chemicals, commercial activity in parks, vehicles in parks, snowmobiles, hot air balloons, and offenses and penalties for contraventions of the Bylaw.

Upon approval of The Recreation Facilities and Parks Usage Bylaw (see attached), by City Council, the appropriate Administrative policies (i.e. A10-004, Recreation Facilities - Allocation & Use) will then be revised accordingly.

ATTACHMENTS

1. The Recreation Facilities and Parks Usage Bylaw”

REPORT NO. 5-1998 OF THE LAND BANK COMMITTEE

Composition of Committee

Councillor D. L. Birkmaier, Chair
Councillor H. Harding
Councillor M. Heidt
Councillor A. Langford
Councillor K. Waygood

1. **Request to Sell City-Owned Property**
Lots 1 to 32, Block 419
Lots 1 to 23, Block 418
Lots 87 to 134, Block 369
All in Plan No. 97S44390
Berling Crescent and Konihowski Road
Silverspring Neighbourhood
(File No. CK. 4131-7)

- RECOMMENDATION:**
- 1) that the Land Manager be authorized to sell 103 lots on Berling Crescent and Konihowski Road within the Silverspring Neighbourhood through a lot-draw process, as outlined in the following 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

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- 3) that the Land Manager be authorized to administer development controls for the 103 new lots, as a condition of sale, in accordance with the criteria outlined in the following report.

ADOPTED.

Your Committee has reviewed the following report of the General Manager, Planning and Building Department dated June 5, 1998 on the above matter, and has determined that the University of Saskatchewan has approved the lot prices outlined in the report: (Your Committee therefore supports the sale of these lots.)

"BACKGROUND

At its meeting held on April 20, 1998, City Council approved the pricing and sale of 77 lots, constituting the second phase of the Pezer subdivision within Silverspring. A lot draw for the lots was held in May 1998, with 48 of the 77 lots being sold as a result. Currently 30 are available for sale over-the-counter within the neighbourhood.

Construction to complete the servicing of 103 lots on Beerling Crescent and Konihowski Road will commence in approximately mid-June 1998. (These lots were partially serviced in 1997 with water and sewer, as well as the installation of utility services.) We anticipate that the lots will be fully serviced by mid-August 1998.

REPORT

Your staff intend to offer the 103 lots for sale upon completion of the servicing work and as demand warrants (Attachment #1). The lots will be offered for sale to both individuals and builders through a lot-draw process (60% builders and 40% individuals.). 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.

Pricing

Prices for the lots are comprised of the approved prepaid service rates, a land rate ranging between \$364.00 per front metre and \$984.00 per front metre, and the approved land administration fee. Prices are adjusted based on the location of the lot, the type of street the lot is located on (i.e. collector, crescent, cul-de-sac) and the size and shape of the lot. Using the example of a standard lot with 15 metres of lot frontage, located on Beerling Crescent, the breakdown of its sale price is as follows:

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Total Lot Price, not including GST	\$37,950.00
Services	\$25,577.35
Land	10,224.54
Administration Fee	<u>2,148.11</u>
Total	\$37,950.00

By way of a second example, the breakdown of the sale price for a standard lot with 15 metres of frontage, located on Konihowski Road, backing on the Prairie Grassland Reserve, is as follows:

Total Lot Price, not including GST	\$42,750.00
Services	\$25,577.35
Land	14,752.84
Administration Fee	<u>2,419.81</u>
Total	\$42,750.00

(This same sized lot located on Konihowski Road, but not backing the Prairie Grassland Reserve, would have a sale price of \$32,900 with a corresponding land component of \$5,460.39 and Administration Fee of \$1,862.26.)

Development Controls

Consistent with recent areas offered for sale in the neighbourhood, development-controls will be administered as a condition of sale for the 103 new lots. The controls apply to both individuals and builders as follows:

- All dwellings must be constructed with an attached garage.
- The minimum size for a bungalow, bi-level, or split-level dwelling will be 1,000 square feet. The minimum size for a two-storey dwelling will be 1,500 square feet.

These controls reflect what is typically being constructed in new home areas throughout the city.

ATTACHMENT

1. Plan showing 103 lots located on Beerling Crescent and Konihowski Road"

REPORT NO. 10-1998 OF THE EXECUTIVE COMMITTEE

Composition of Committee

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His Worship the Mayor, Chair
Councillor D. Atchison
Councillor D. L. Birkmaier
Councillor H. Harding
Councillor M. Heidt
Councillor A. Langford
Councillor J. Maddin
Councillor P. McCann
Councillor P. Roe
Councillor R. Steernberg
Councillor K. Waygood

**1. Request to Allow Tax Deductible Donations
Commissioning of HMCS Saskatoon in Esquimalt, B.C.
(File No. CK. 1807-1)**

- RECOMMENDATION:**
- 1) that the HMCS Saskatoon Commissioning, involving a program for the launching and commissioning of a new ship named HMCS Saskatoon, be designated as a Municipal Capital Project; and
 - 2) that the Treasurer's Branch be authorized and directed to accept donations on behalf of the HMCS Saskatoon Commissioning Committee, and to issue appropriate receipts to donors who contribute funds to this project.

ADOPTED.

Attached is a copy of a letter dated May 13, 1998 from John Duerkop, HMCS Saskatoon Commissioning Committee Chair requesting the following:

- 1) a donation of \$5,000; and
- 2) approval for donations to be tax deductible.

At its meeting held on June 29, 1998, City Council passed the recommendation of the Executive Committee that a grant of \$5,000 be approved, however, the request for donations to be tax deductible was inadvertently omitted from the recommendation.

**2. 1201 Herman Avenue (Former Labatt's Property)
Subdivision 28/98
(File No. CK. 4110-10)**

DEALT WITH EARLIER. SEE PAGE NO. 15"

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Moved by Councillor Atchison, Seconded by Councillor Steernberg,

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

CARRIED.

INTRODUCTION AND CONSIDERATION OF BYLAWS

Bylaw No. 7759

Moved by Councillor Atchison, Seconded by Councillor Steernberg,

THAT permission be granted to introduce Bylaw No. 7759, being "*The Traffic Amendment Bylaw, 1998 (No. 3)*" and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Atchison, Seconded by Councillor Heidt,

THAT Bylaw No. 7759 be now read a second time.

CARRIED.

The bylaw was then read a second time.

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Moved by Councillor Atchison, Seconded by Councillor Roe,

THAT Council go into Committee of the Whole to consider Bylaw No. 7759.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 7759 was considered clause by clause and approved.

Moved by Councillor Atchison, Seconded by Councillor Maddin,

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

CARRIED.

Moved by Councillor Atchison, Seconded by Councillor Waygood,

THAT permission be granted to have Bylaw No. 7759 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Atchison, Seconded by Councillor McCann,

THAT Bylaw No. 7759 be now read a third time, that the bylaw be passed and the Mayor and the City Clerk be authorized to sign same and attach the corporate seal thereto.

CARRIED.

The bylaw was then read a third time and passed.

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Moved by Councillor Atchison, Seconded by Councillor Steernberg,

THAT permission be granted to introduce Bylaw No. 7767, being "*The Recreation Facilities and Parks Usage Bylaw, 1998*" and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Atchison, Seconded by Councillor Heidt,

THAT Bylaw No. 7767 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Atchison, Seconded by Councillor Roe,

THAT Council go into Committee of the Whole to consider Bylaw No. 7767.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 7767 was considered clause by clause and approved.

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Moved by Councillor Atchison, Seconded by Councillor Maddin,

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

CARRIED.

Moved by Councillor Atchison, Seconded by Councillor Waygood,

THAT permission be granted to have Bylaw No. 7767 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Atchison, Seconded by Councillor McCann,

THAT Bylaw No. 7767 be now read a third time, that the bylaw be passed and the Mayor and the City Clerk be authorized to sign same and attach the corporate seal thereto.

CARRIED.

The bylaw was then read a third time and passed.

Bylaw No. 7771

Moved by Councillor Atchison, Seconded by Councillor Steernberg,

THAT permission be granted to introduce Bylaw No. 7771, being "*The Subdivision Amendment Bylaw, 1998 (No. 2)*" and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

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Moved by Councillor Atchison, Seconded by Councillor Heidt,
THAT Bylaw No. 7771 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Atchison, Seconded by Councillor Roe,
THAT Council go into Committee of the Whole to consider Bylaw No. 7771.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 7771 was considered clause by clause and approved.

Moved by Councillor Atchison, Seconded by Councillor Maddin,
THAT the report of the Committee of the Whole be adopted.

CARRIED.

Moved by Councillor Atchison, Seconded by Councillor Waygood,
THAT permission be granted to have Bylaw No. 7771 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Atchison, Seconded by Councillor McCann,

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THAT Bylaw No. 7771 be now read a third time, that the bylaw be passed and the Mayor and the City Clerk be authorized to sign same and attach the corporate seal thereto.

CARRIED.

The bylaw was then read a third time and passed.

Bylaw No. 7774

Moved by Councillor Atchison, Seconded by Councillor Steernberg,

THAT permission be granted to introduce Bylaw No. 7774, being "*A bylaw of The City of Saskatoon to close the North West Corner of Avenue C and Circle Drive between Circle Drive and Cynthia Street, in the City of Saskatoon*" and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Atchison, Seconded by Councillor Heidt,

THAT Bylaw No. 7774 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Atchison, Seconded by Councillor Roe,

THAT Council go into Committee of the Whole to consider Bylaw No. 7774.

CARRIED.

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

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Committee arose.

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

That while in Committee of the Whole, Bylaw No. 7774 was considered clause by clause and approved.

Moved by Councillor Atchison, Seconded by Councillor Maddin,

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

CARRIED.

Moved by Councillor Atchison, Seconded by Councillor Waygood,

THAT permission be granted to have Bylaw No. 7774 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Atchison, Seconded by Councillor McCann,

THAT Bylaw No. 7774 be now read a third time, that the bylaw be passed and the Mayor and the City Clerk be authorized to sign same and attach the corporate seal thereto.

CARRIED.

The bylaw was then read a third time and passed.

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Bylaw No. 7775

Moved by Councillor Atchison, Seconded by Councillor Steernberg,

THAT permission be granted to introduce Bylaw No. 7775, being "*A bylaw of The City of Saskatoon to close a portion of Briarwood Road, in the City of Saskatoon*" and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Atchison, Seconded by Councillor Heidt,

THAT Bylaw No. 7775 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Atchison, Seconded by Councillor Roe,

THAT Council go into Committee of the Whole to consider Bylaw No. 7775.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 7775 was considered clause by clause and approved.

Moved by Councillor Atchison, Seconded by Councillor Maddin,

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

CARRIED.

Moved by Councillor Atchison, Seconded by Councillor Waygood,

THAT permission be granted to have Bylaw No. 7775 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Atchison, Seconded by Councillor McCann,

THAT Bylaw No. 7775 be now read a third time, that the bylaw be passed and the Mayor and the City Clerk be authorized to sign same and attach the corporate seal thereto.

CARRIED.

The bylaw was then read a third time and passed.

Bylaw No. 7778

Moved by Councillor Atchison, Seconded by Councillor Steernberg,

THAT permission be granted to introduce Bylaw No. 7778, being "*Property Maintenance and Occupancy Amendment Bylaw, 1998*" and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

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Moved by Councillor Atchison, Seconded by Councillor Heidt,
THAT Bylaw No. 7778 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Atchison, Seconded by Councillor Roe,
THAT Council go into Committee of the Whole to consider Bylaw No. 7778.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 7778 was considered clause by clause and approved.

Moved by Councillor Atchison, Seconded by Councillor Maddin,

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

CARRIED.

Moved by Councillor Atchison, Seconded by Councillor Waygood,

THAT permission be granted to have Bylaw No. 7778 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Atchison, Seconded by Councillor McCann,

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THAT Bylaw No. 7778 be now read a third time, that the bylaw be passed and the Mayor and the City Clerk be authorized to sign same and attach the corporate seal thereto.

CARRIED.

The bylaw was then read a third time and passed.

Moved by Councillor Atchison,

THAT the meeting stand adjourned.

CARRIED.

The meeting adjourned at 8:56 p.m.

Mayor

City Clerk