

Council Chambers
City Hall, Saskatoon, Sask.
Monday, October 27, 2008
at 6:00 p.m.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

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

Moved by Councillor Penner, Seconded by Councillor Dubois,

THAT the minutes of meeting of City Council held on October 14, 2008, be approved.

CARRIED.

Moved by Councillor Paulsen, Seconded by Councillor Clark,

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

CARRIED.

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

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

Committee arose.

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

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 2**

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

“ADMINISTRATIVE REPORT NO. 20-2008

Section A – COMMUNITY SERVICES

**A1) Land-Use Applications Received by the Community Services Department
For the Period Between October 2 to October 15, 2008
(For Information Only)
(File Nos. PL. 4132, PL. 4355-D, PL. 4300; CK. 4000-5)**

RECOMMENDATION: that the information be received.

ADOPTED.

The following applications have been received and are being processed:

Condominium

- Application No. 18/08: 1017 Avenue C North (12 Unit Conversion)
Applicant: 136686 Alberta Limited
Legal Description: Lots 6 and 7, Block 23, Plan G4296
Current Zoning: RM3
Neighbourhood: Caswell Hill
Date Received: October 14, 2008

Discretionary Use

- Application No. D11/08: 1202, 1204, 1210, 1214 10th Street East
Applicant: Saint’s Peter and Paul Ukrainian Catholic Church
Legal Description: Various
Current Zoning: R2
Proposed Use: Parking Station
Neighbourhood: Varsity View
Date Received: October 10, 2008

Subdivision

- Application No. 101/08: 1230/1232 13th Street East
Applicant: Peters Surveys Ltd. for EMTO Properties Inc.
Legal Description: Lots 8, 9, and Part 10, Block 8, Plan G91
Current Zoning: R2
Neighbourhood: Varsity View
Date Received: October 1, 2008

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 3**

- Application No.102/08: 720 – 8th Avenue North
Applicant: Webb Surveys for Mitchell and Catherine Comb
Legal Description: Lot 34, Block 8, Plan 99SA06423
Current Zoning: R2
Neighbourhood: City Park
Date Received: October 3, 2008

Subdivision

- Application No. 103/08: 634/636 Lenore Drive
Applicant: Saskatoon Land Surveyors for 101067033 Sask. Ltd.
Legal Description: Lot 65, Block 928, Plan 78S15186
Current Zoning: R2
Neighbourhood: Silverwood Heights
Date Received: October 6, 2008

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of the City of Saskatoon Policy C01-021 (Public Notice Policy), is not required.

ATTACHMENTS

1. Plan of Proposed Discretionary Use No. D11/08
2. Plan of Proposed Condominium No. 18/08
3. Plan of Proposed Subdivision No. 101/08
4. Plan of Proposed Subdivision No. 102/08
5. Plan of Proposed Subdivision No. 103/08

**A2) The Uniform Building and Accessibility Standards Act
Appointment of Building Officials
File No.: CK 4510-1, BS 4510-2**

- RECOMMENDATION:**
- 1) that the following person be appointed as Building Officials pursuant to Section 5 of *The Uniform Building and Accessibility Standards Act*: Paul Fortier;
 - 2) that the City Clerk be authorized to issue a Certificate of Appointment pursuant to Section 5 of *The Uniform Building and Accessibility Standards Act* for the persons named in the preceding recommendation; and

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 4**

- 3) that the list (see Attachment 1) of all Building Official appointments that are still active as at the date of this report be adopted.

ADOPTED.

REPORT

Building Officials are appointed by City Council for the purpose of enforcing *The Uniform Building and Accessibility Standards Act*. Since the last appointments were made, staffing changes have been made and it is necessary to adjust the list of Building Officials to align with the list maintained by the Provincial Government.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of Policy C01-021 (Public Notice Policy) is not required.

ATTACHMENT

1. City of Saskatoon Building Official Appointments

**A3) Application for Condominium Conversion
1024 Avenue C North – Mike McNinch for Joe Friedel
(File No.: PL. 4132 – 06/08 CK. 4132-1)**

- RECOMMENDATION:**
- 1) that the direction of City Council issue, with respect to the application submitted by Mike McNinch, for Joe Friedel, to convert the existing apartment at 1024 Avenue C North to a condominium;
 - 2) that in the event that City Council approves the application for conversion, it be approved subject to the following conditions:
 - a) completion of the necessary building repairs/modifications as required by City of Saskatoon Policy C09-004 (Condominium Approvals), and as noted in the Professional Review Reports submitted, including any other pertinent repairs/modifications that may be identified during the building permit plan review and building inspection process;

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 5

- b) submission of a Condominium Plan prepared by a Saskatchewan Land Surveyor;
- c) confirmation that enforceable Lease Agreements have been offered to all tenants who as of May 29, 2008, are residents and have not given notice and that the Lease Agreements contain the following terms:
 - i) tenant to have right to a lease for two years from the effective date of the application, with the tenant to have the right to terminate the lease after 30 days notice;
 - ii) the rent charged under the lease to not exceed the rent charged for comparable residential premises in the same general area in which the converted property is located;
 - iii) any dispute between the landlord and the tenant as to the rent charged under the lease to be resolved through arbitration under *The Arbitration Act*;
- d) payment of \$960, being the required approval fee; and
- e) that final approval be granted to the applicant once conditions a), b), c), and d) are fulfilled to the satisfaction of the General Manager, Community Services Department.

IT WAS RESOLVED: that the matter be considered with the speaker. See Page No. 55.

A4) Pleasant Hill Revitalization – Requests for Proposals
File No.: PL 951-22; CK. 4131-31

- RECOMMENDATION:**
- 1) that the City of Saskatoon enter into a Sales Agreement with the Cenith Energy Corporation for the development of housing units on Parcels B and D in the Pleasant Hill Revitalization area, subject to the conditions of the Sales Agreement contained in this report;

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 6**

- 2) in the event that Cenith Energy Corporation decides not to proceed with development, the City of Saskatoon will enter into a Sales Agreement with the Affordable New Home Development Foundation (ANHDF) to develop both Parcels B and D; subject to modifications in design to fit the intent for Parcel B;
- 3) that the General Manager of Community Services be authorized to enter into negotiations with the Affordable New Home Development Foundation (ANHDF) towards securing the development of housing units on future parcels within the Pleasant Hill Revitalization area; and
- 4) that the City Solicitor be instructed to prepare the necessary Sales Agreements.

IT WAS RESOLVED: that the matter be considered with the speaker. See Page No. 60.

Section B – CORPORATE SERVICES

B1) Inventory Benchmarking
(File No. CS 1290-1; CK. 1290-1)

RECOMMENDATION: that the information be received.

ADOPTED.

REPORT

City Council, at its meeting held on June 23, 2008, adopted a report on the status of the corporate inventory. The Inventory and Disposal Services Section of the Corporate Services Department indicated in that report that during 2008, your Administration would benchmark and compare the inventory performance of Saskatoon Light and Power to other electrical utilities in Western Canada. The information requested by your Administration included turnover, inventory use and inventory practices, which included identifying inactive, critical spare and safety stock inventory and breaking down the use of operating and capital inventory. The electrical utilities surveyed were: Enmax Corporation (Calgary), Epcor (Edmonton), Manitoba Hydro Corporation, Saskatchewan Power Corporation, and the cities of Swift Current, Red Deer, Lethbridge, and Medicine Hat. We obtained five responses. Note that some of the companies requested that their information not be identified publicly; therefore, we have presented the information without naming the respondent. Attachment No. 1 is a summary of the responses received.

The survey findings show Saskatoon Light and Power, even though having an inventory turnover significantly lower than the other electrical utilities surveyed, have sufficient inventory

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 7**

performance information available. The information available includes: detailed monitoring of the inventory and its use; categorizing the inventory into critical spares and safety stock; and, breaking down capital and operating inventory (unique to this organization). The survey also shows Saskatoon Light and Power keep a high level of insurance (critical spare and safety stock) inventory which is required due to our multiple distribution systems. The level of inactive inventory is very high compared to the other electrical utilities. This high value of inactive and insurance inventory is reflected in the low turnover value.

Saskatoon Light and Power indicate that the high inventory levels are a result of city growth and land development, long lead times for some material, and increased commodity prices. Some of the project material is being held for lighting projects which depend on the related roadway and park construction projects to be complete before the utility can proceed with its projects. Inventory is being held for projects at River Landing, College Park, Willowgrove, Stonebridge and Hampton Village. Transformers, cable and other material that have long lead times, and require production runs, are inventoried on speculation in order to provide timely service for commercial customers.

Saskatoon Light and Power is planning to take further action to reduce the amount of inventory. Minimum and maximum quantities for operating inventory will be confirmed. Inactive inventory will be reviewed and any material deemed surplus will be written off by December 31, 2008. Inventory usage and carrying times for capital projects will be reviewed by July 2009; any excess capital project inventory will be reassigned to other projects or used for operating supplies. Saskatoon Light and Power has stated that they are committed to keeping the appropriate amount of inventory to provide excellent customer service.

PUBLIC NOTICE

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

ATTACHMENT

1. Comparison of Inventory Performance of Saskatoon Light & Power vs. Other Electrical Utilities in Western Canada.

**B2) 2008 Year-end Projections
(File No. CS. 1704-1; CK. 1704-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 8**

REPORT

The City's monitoring and control process includes a review of the City's financial position each fall and the preparation of a report projecting actual revenues and expenditures to December 31, 2008. While every effort is made to ensure a high degree of accuracy in the preparation of this report, City Council is reminded that these estimates are based on actual revenues and expenditures for eight months (to August 31) and projections for the last four months of the year.

The attachments reveal a projected year-end deficit for the General Fund of \$3,604,200 as summarized in the table below (a variance of 1.41% of budget) details of which are provided in Schedules I and II. Projections for each of the City's five utilities are provided in Schedules III through VII.

City of Saskatoon General Fund

2008 Summary

	2008 Budget	2008 Projection	Variance	Percent
Revenues	\$254,765,800	\$253,898,900	(\$866,900)	(0.34 %)
Expenditures	<u>254,765,800</u>	<u>257,503,100</u>	<u>(2,737,300)</u>	(1.07 %)
Surplus (Deficit)	\$ 0	(\$ 3,604,200)	(\$3,604,200)	(1.41 %)

The Administration has reviewed the projection and has taken steps to minimize or reduce the deficit where possible. The City Manager has requested Departments to hold all discretionary spending, as well as place a hiring freeze on all non-essential external placements to the end of the fiscal year.

In general, the deficit is created by increased fuel prices and additional snow and ice removal. For the most part, the other departments and programs were on, or better than budget.

Fuel Pricing

During the first eight months of 2008, the price of fuel increased significantly which negatively affected the financial results of the Transit and Vehicle & Equipment (V&E) operations. In total, close to \$1.8 million is attributable to a negative price variance for fuels. For Transit, this means an impact of about \$1 million in additional expenditures. For Access Transit, this translated into a \$70,000 negative variance and on the V&E operations, a negative variance of \$662,000.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 9**

Transit

In total, the Transit operations are expected to be \$1.8 million unfavourable to budget. In addition to a \$1 million negative variance for fuel mentioned above, there is an additional \$646,000 unfavourable variance for staff overtime due to a shortage of operators and an unfavourable variance in revenues of \$127,000 due to less charter service resulting from staff shortages (\$50,000), as well as ridership increases falling just below its forecasted targeted revenues (\$111,000).

Snow and Ice Management

The snow removal budget is expected to be exceeded by \$649,100, while the Street Sanding Program is expected to be over budget by \$569,600. This total negative variance of \$1.2 million will be reduced by \$298,600 from the Snow and Ice Management Contingency Reserve leaving a projected net unfavourable variance of \$920,100.

Interest Earnings

Interest Earnings are forecast to be unfavourable by \$869,100 due to reduced cash balances for investment resulting from increased capital expenditures during the year. Your Administration has assumed that this variance will be absorbed by the Interest Revenue Stabilization Reserve which has a balance of \$2.4 million and, therefore, mitigates any impact to the mill-rate deficit.

Building Permit Revenues

Revenues are projected to be \$840,000 better than budget. A significant part of the variance is the result of greater building permit revenues from the construction activity in the city. While building permit revenues are producing an expected favourable variance, most of this is being transferred to the stabilization reserve.

Police Service

The Saskatoon Police Service is projecting a surplus of \$455,000 due mainly to increased revenue or provincial funding. The funding for additional police officers of \$180,000 is incremental to the 2008 budget, as well as \$42,000 for the Provincial 911 Program. A favourable revenue variance for the Seized Vehicle Compound Program of \$94,000 is expected, as well as \$41,000 additional revenues from criminal record checks. Also expected are savings in staff compensation of about \$122,000.

Boards

The Boards of TCU Place and Credit Union Centre (CUC) are projecting significant surpluses for 2008, while the Mendel Art Gallery is expecting to break-even for the fiscal year. TCU Place has projected a surplus of \$779,000 while CUC is forecasting a positive balance of \$1.7 million at year end.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 10**

These surpluses would flow through to their respective stabilization reserves to fund any future deficits in these operations. CUC has also targeted the surplus for loan repayment on the seat expansion projects for the 2010 World Junior Hockey Tournament.

SUMMARY

The projected deficit, should it be realized at year-end, would be partially offset by any balance in the City's Revenue Stabilization Reserve. While the reserve currently has a balance of \$399,047, which is not sufficient to cover the projected deficit, once the year-end results are confirmed, your Administration will provide all funding options with the objective to avoid a mill-rate impact on the 2009 operating budget.

PUBLIC NOTICE

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

ATTACHMENTS

1. Explanation of Variances Greater than \$100,000.
2. City of Saskatoon Projected Actuals/Variances for the Year Ended December 31, 2008.

**B3) External Borrowing
(File No. CS1750-1; CK. 1750-1)**

- RECOMMENDATION:**
- 1) that City Council grant authorization to the General Manager, Corporate Services Department, to accept the terms of a \$16,100,000 bankers' acceptance/interest rate swap transaction with the City's primary financial institution, or a \$16,100,000 debenture sale from the City's fiscal agency, with an all-in cost of borrowing of less than 5%, subject to the approval of the appropriate Borrowing Bylaw.
 - 2) that the Water/Wastewater Utility issue disbursements to the general fund in an amount equivalent to Circle Drive Bridge Widening project costs that are ineligible under the New Deal for Cities and Communities Program (federal gas tax funding).

ADOPTED.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 11**

REPORT

On July 14, 2008, City Council approved the revised funding strategy for the Circle Drive/College Drive interchange, Circle Drive Bridge Widening, and the South River Crossing projects as a combination of pay-as-you-go financing and debenture issuance. Your Administration is now in a position to recommend borrowing \$16,100,000 for the Circle Drive Bridge Widening project. Some of the costs are not eligible under the federal gas tax funding. Your Administration previously submitted Water/Wastewater Utility projects for approval under the gas tax funding with the intent to use them to offset ineligible transportation project costs. Accordingly, your Administration is recommending that the Water/Wastewater Utility issue disbursements to the general fund in an amount equivalent to the ineligible costs. Current market conditions indicate that an all-in-cost of borrowing below 5.00% could be secured by the City by completing some form of external borrowing.

Upon receiving authorization to borrow, your Administration, with the assistance of the City's fiscal agency and the City's primary financial institution, will continue to monitor the capital markets in order to determine an advantageous time to effect an external borrowing. The all-in cost of borrowing at time of issue will dictate the method of external borrowing to be utilized.

Following the acceptance of a bankers' acceptance loan/interest rate swap, your Administration will forward a report to City Council outlining the specific terms of the financing transaction. The report will also include a recommendation that City Council instruct the City Solicitor to prepare the required Debenture/Borrowing Bylaw and related documentation for City Council approval.

OPTIONS

There are no alternative borrowing options.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPACT

The City will incur an annual debt service charge, estimated at approximately \$2.0 million on the total principle borrowed. This will be funded from annual receipts received under the federal gas tax funding.

PUBLIC NOTICE

A Public Notice Hearing was held in April 2006.

Section D – INFRASTRUCTURE SERVICES

**D1) Proposed General Loading Zone
(File No. I/S 6145-1; CK. 6145-1)**

RECOMMENDATION: that a Five Minute General Loading Zone be installed on the west side of the 300 Block of 3rd Avenue.

ADOPTED.

REPORT

Infrastructure Services has received a request from a business located at 333 - 3rd Avenue North, for the installation of a Five Minute General Loading Zone in front of their building on the west side of the street as shown on Plan No. 216-0040-001r001 (Attachment 1). The loading zone conforms to the city guidelines that state a Retail Business District is permitted two general loading zones per 150 metre (500 feet) block face and one general loading zone per block face to serve the whole block and placed in such a way for easy access. There are no other loading zones located on this block face. The location of the loading zone is in a Business Improvement District; therefore a fee for installation is not required.

PUBLIC NOTICE

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

ATTACHMENT

1. Plan No. 216-0040-001r001.

**D2) Proposed Yield Sign Installation
Cruise Street and Spark Avenue
(File No. CK. 6280-1)**

RECOMMENDATION: that a yield sign be installed for eastbound and westbound vehicles at the intersection of Cruise Street and Spark Avenue as illustrated in attached Plan No. 217-0019-001r001.

ADOPTED.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 13**

BACKGROUND

A traffic safety concern at the intersection of Cruise Street and Spark Avenue was brought to the attention of Infrastructure Services, requesting traffic controls.

REPORT

Infrastructure Services has completed a review of the intersection of Cruise Street and Spark Avenue. Both streets are classified as local roadways and carry a daily traffic volume of approximately 1,000 vehicles per day. The intersection of these roadways is a four-legged intersection and is currently controlled by the “right-of-way rule”. The five-year collision history reports that there have been eleven right angle collisions at this intersection.

According to Policy No C07-007, Traffic Control – Use of Stop and Yield Signs, a yield sign is warranted at an intersection where there has been an occurrence of at least three collisions in the preceding twelve months resulting from conflict between intersecting traffic streams not susceptible to correction by other less restrictive means. The twelve month collision history indicates three reported collisions classified as right angle collisions. Infrastructure Services is proposing a yield sign be installed at the intersection of Cruise Street and Spark Avenue, illustrated in the attached Plan No. 217-0019-001r001. Cruise Street will be required to yield to traffic on Spark Avenue.

PUBLIC NOTICE

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

ATTACHMENT

1. Plan No. 217-0019-001r001.

**D3) Proposed Church Loading Zone
(File No. I/S 6120-04; CK. 6145-1)**

RECOMMENDATION: that a Church Loading Zone be installed in front of Man-Sask Conference Of The Seventh-Day Adventist at 504 Avenue E North according to Plan No. 216-0038-002r001.

ADOPTED.

REPORT

Infrastructure Services has received a request from Man-Sask Conference of The Seventh-Day Adventist at 504 Avenue E North for the installation of a Church Loading Zone in front of the church, as shown on Plan No. 216-0038-002r001 (Attachment 1). A Church Loading Zone will

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 14**

improve access for deliveries to the church. Furthermore, there are congregation members who have a physical impairment such that direct access for drop offs to the front of the church is required. The request conforms to City guidelines with respect to loading zones, and no fee is assessed for its installation.

PUBLIC NOTICE

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

ATTACHMENT

1. Plan No. 216-0038-002r001

**D4) Proposed Disabled Person's Parking Zone
(File No. I/S 6120-4; CK. 6145-1)**

RECOMMENDATION: that a Disabled Person's Parking Zone be installed in front of 211 Avenue O South.

ADOPTED.

REPORT

Infrastructure Services has received a request from St. Mary's Church at 211 Avenue O South for the installation of a Disabled Person's Parking Zone in front of their church, as shown on Plan No. 216-0041-002r001 (Attachment 1). Some of the congregation have a physical impairment such that direct access to the front of the church is required.

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

PUBLIC NOTICE

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

ATTACHMENT

1. Plan No. 216-0041-002r001

**D5) Enquiry – Councillor M. Neault (May 20, 2008)
Feasibility of Mandatory Concrete Pumping for Basements
(File No. I/S 4110-01; CK. 4110-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

BACKGROUND

The following enquiry was made by Councillor Neault at the meeting of City Council held on May 20, 2008:

“Would the Administration look at the possibility of having all concrete pumped for basements vs. having cement trucks back onto new sidewalks and causing damage, which creates expensive repair work.”

REPORT

Damage to sidewalks, curb box water connection valves, and public infrastructure in the City’s Land Branch developments is an ongoing problem. City developments are open to public purchase by individuals and builders alike. Unless the individual inflicting damage to this infrastructure is witnessed by City staff and documented, it is virtually impossible to prove or enforce the damage repair later.

The pouring of a basement is only one step in the construction of a home and it has been the experience of Infrastructure Services that this step causes the least of the damage. Typically the basement’s excavation, and water/sewer house connections cause the most damage, followed by all the other deliveries and landscaping over the typical 9-12 months of construction duration. Concrete pumps are also prone to damaging sidewalks as much or more than a truck driving over the sidewalk. The pumper trucks have outriggers (legs) that hold the truck in position while the boom of the concrete pump is in use. These outriggers transmit the loads to the ground and concentrate the weight of the pump truck onto a small area, and this often cracks the sidewalk or damages the roadway as well.

The Land Branch currently budgets a warranty account of \$25,000 per year in each development, and the Municipal Engineering Branch is responsible for fixing all damages before it becomes part of the City’s inventory. Private developers in Saskatoon control damage by limiting lot purchases in a subdivision to a select group of builders.

The Administration is recommending that we continue with the present practice of providing a warranty account on an annual basis to deal with damage caused during construction.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 16**

PUBLIC NOTICE

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

**D6) Enquiry – Councillor M. Neault
Traffic Calming – Diefenbaker Drive
(File No. I/S 6350-1; CK. 6320-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

BACKGROUND

The following enquiry was made by Councillor Neault at the meeting of City Council held on June 11, 2007:

“Could the Administration look at traffic calming measures on Diefenbaker Drive from the school zone to Monck Drive going west and from the same school zone to Laurier Drive going east, and also 33rd Street from Hughes Avenue going west out of the city. Excessive speeds have been reported in these two area and Police have been notified. Critical times are 4:00pm to 7:00pm daily.”

At its meeting on March 3, 2008, Council received a report regarding traffic calming measures on Diefenbaker Drive. At the meeting, Council received the information respecting Diefenbaker Drive and referred the matter back to the Administration to report the results of the 33rd Street traffic study, once completed.

REPORT

Infrastructure Services has reviewed the traffic conditions on 33rd Street west of Hughes Drive. 33rd Street west of Hughes Drive is classified as a minor arterial street with a posted speed limit of 50 kph and increases to 80 kph past Steeves Avenue. There is an open field on the north side of 33rd Street and residential housing on the south side of 33rd Street. The only traffic controls are stop signs at Hughes Drive/Byng Avenue and Steeves Avenue, giving right-of-way to 33rd Street.

A traffic study was completed in May, 2008 between Hughes Drive and Steeves Avenue to determine traffic volume and speed. Typically, traffic volumes for arterial streets range between 5,000 and 25,000 vehicles per day, depending on the adjacent land use. The traffic study indicated that the average daily traffic on this portion of 33rd Street was 1,700 vehicles per day. A speed study measures the 85th percentile speed (the speed at which 85 percent of the vehicles are travelling at or less than). The results of the study indicated that the 85th percentile speed in the eastbound direction is 60 kph and the westbound 85th percentile speed was 67 kph. A higher travelling speed in the

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 17**

westbound direction can be expected since the posted speed limit changes from 50 kph to 80 kph west of the study location.

Traffic calming is used on collector and local streets as a measure to reduce the adverse impact of motor vehicles on residential neighbourhoods by using physical measures. It encourages motorists to slow down to reduce collisions; enhances safety for pedestrians; and reduces short-cutting. For higher volume streets such as arterials, traffic calming devices are not implemented in order to maintain traffic flow.

Infrastructures Services is therefore not recommending traffic calming measures, but is requesting that Police Services conduct enforcement of the speed limits in this area. Furthermore, plans are currently underway for modifying the alignment of this roadway in conjunction with the Blairmore neighbourhood development. Consideration for reducing vehicle speeds on this roadway will be addressed during the design process.

OPTIONS

There are no options at this time.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPACT

There is no financial impact.

PUBLIC NOTICE

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

**D7) City Hall Systems Furniture Blanket Purchase Order
(File No. I/S 1000-1; CK. 600-1)**

- RECOMMENDATION:**
- 1) that the Haworth panel based system furniture line, "Premise", be accepted as the standard for open office furnishings, for use in City Hall and other civic facilities; and
 - 2) that a blanket purchase order be issued to Brennan Business Interiors Inc. for use to purchase system furniture and services, to a value of \$300,000, with the noted guaranteed price discount period ending December 31, 2009.

ADOPTED.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 18**

REPORT

The system furniture used in civic facilities, and in particular, City Hall, has been a panel based Allsteel 8000 furniture line. This panel system is no longer being manufactured and a replacement product line by Allsteel to supply and supplement the City's needs and inventory is not available. Recent expansion of civic accommodations and additional re-configurations of open office areas have used all available inventory of the Allsteel materials. The ongoing demands for additional open office system furnishings required that a new and sustainable furniture line be identified. In consultation with the Purchasing Services, a Request for Proposal (RFP) was developed.

The RFP sought the supply of all material, labour, equipment and supervision necessary to supply and install systems furniture, including maintenance material and possibly office reconfigurations, from the date of approval to December 31, 2009. Evaluation criteria included a "typical system furniture configuration mock-up" in addition to years of experience; local dealer experience and capabilities; warranty; cost; serviceability and durability; ease of assembly; floor level air circulation; accommodation of electrical and data cabling; guaranteed availability of the product line for 10 years; compatibility with new or proposed product lines; quality and aesthetics; environmental impact; and monolithic panel based component system (reduced inventory and associated storage space to maintain the product line).

Eight submissions were received from six local dealers. Following a comprehensive review, based on the criteria noted, two were requested to provide a panel based office mock-up. The Haworth Premise product line, supplied and installed through Brennan Office Interiors Inc., complied with all of the evaluation criteria, weighing highest following the mock-up of a typical system furniture configuration.

OPTIONS

There are no options, to be noted.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPACT

A corporate blanket order, set-up on behalf of all departments requiring system furnishings and the services associated with setting-up or reconfiguring the proposed product line is valued at \$300,000, expiring December 31, 2009. The source of funding will be from operating or capital budget accounts within the Department requesting the needed furniture. It should be noted that the \$300,000 amount of the purchase order is an upset limit and the actual costs incurred could be substantially less than this over the next 14 months.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 19**

PUBLIC NOTICE

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

**D8) Capital Project 2106 – Upgrading Indoor Arenas
Award of Professional Consultant Services
Upgrading of Lions and Kinsmen Arenas
(File IS 642-08-3 and 643-08-2; CK. 611-1)**

- RECOMMENDATION:**
- 1) that the commissioning of Maurice Soulodre Architect Ltd., to provide full consultant services for the upgrading of Lions and Kinsmen Arenas, for a fixed fee of \$246,523.20 (excluding G.S.T.), be approved; and
 - 2) that the City Solicitor be instructed to prepare the necessary agreement for execution by the Mayor and City Clerk under the corporate seal.

ADOPTED.

REPORT

Capital Project 2106 – Upgrading Lions and Kinsmen Indoor Arenas involves the upgrading and expansion of dressing rooms, referee's room, shower facilities, accessible and family washrooms and storage rooms. Design is to be completed in 2008, with construction planned to commence in 2009.

A Request for Proposal was prepared to commission a prime consultant, which was sent to all Saskatoon-based architectural firms. The selection criteria included demonstrated experience (expertise in the arena building type); references from other clients regarding similar project experience; schedule for the upgrade development; and their professional consulting fee.

Four submissions were received from the following firms:

Maurice Soulodre Architect Ltd.
P3 Architecture Ltd.
Stantec Architecture Ltd.
Saunders Evans Architects Inc.

After a systematic evaluation of the proposals, the Administration rated the proposal from Maurice Soulodre Architect Ltd. as being superior.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 20**

The net cost to the City for consultant services by Maurice Soulodre Architect Ltd. is as follows:

Fixed Fee (Includes P.S.T.)	\$246,523.20
G.S.T.	<u>\$ 12,144.00</u>
Total Fee	\$258,667.20
Less G.S.T. Rebate	<u>\$ 12,144.00</u>
Net Cost to the City	\$246,523.20

Construction costs for Lions and Kinsmen Arenas are estimated to be \$1,040,000 and \$1,310,000 respectively for a total of \$2,350,000. Approved funding for 2008 in Capital Project 2106 – Upgrading Indoor Arenas is for the design only of Lions Arena in the amount of \$385,000 and Kinsmen Arena in the amount of \$485,000, for a total of \$870,000.

PUBLIC NOTICE

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

Section E – UTILITY SERVICES

**E1) Access Transit Winter Storage Lease
(File No. CK. 600-1)**

- RECOMMENDATION:**
- 1) that City Council approve entering into a lease agreement between the City of Saskatoon and First Line Properties Ltd pursuant to the terms as outlined in this report;
 - 2) that the office of the City Solicitor prepare the appropriate agreement; and,
 - 3) that the Mayor and City Clerk be authorized to execute the agreement on behalf of the City of Saskatoon.

ADOPTED.

BACKGROUND

At its meeting held on December 3, 2007, City Council adopted similar recommendations for the 2007/2008 lease of winter storage for Access Transit vehicles as being proposed in this report for the 2008/2009 season.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 21**

REPORT

Access Transit does not have enough indoor storage space to accommodate the Access Transit fleet. An indoor storage facility is in the process of being constructed and is not expected to be complete until October of 2009. The location that was used last year was sold and is no longer available. Access Transit Administration has been looking for suitable and reasonably priced storage space since May of 2008 when it became evident that the new facility would not be ready until fall of 2009. However, due to robust market conditions this was a difficult task. Just recently Access Transit Administration was successful in locating a suitable property located at 805B Circle Drive.

The building is 15,600 square feet. The term of the lease will be 5 months starting November 1, 2008 until March 31, 2009. The cost per month will be \$8,000.00 plus utilities. As the building is unfinished, the floor and entrances/exits will be covered with enough gravel to accommodate Access Transit buses parking overnight as well as entering and exiting the building. The Landlord/Property Owner will provide 4-400 watt lights inside the building at the Landlord/Property Owners cost. The Landlord/Property Owner will install a wall mounted fan to dispel diesel fumes from the building. The building will be used as a winter/overnight storage facility for the duration of the lease.

OPTIONS

The location and lease rates proposed were the best solution found by Utility Services and Infrastructure Services staff.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPACT

Sufficient funding to cover the cost of the lease of winter storage space for Access Transit vehicles has been approved in the 2008 Operating Budget.

PUBLIC NOTICE

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

Section F – CITY MANAGER

**F1) Amendment to Sale Agreement for Parcel Y, River Landing Phase I
Lake Placid River Landing Inc.
(File No. CC 4130-2 and SPR 4129-13; CK. 4129-3)**

- RECOMMENDATION:**
- 1) that the sale agreement with Lake Placid River Landing Inc. for the purchase of Parcel “Y”, River Landing be amended to extend the deadline for the completion of a footing and foundations building permit to December 15, 2008; and
 - 2) that His Worship the Mayor and City Clerk be authorized to execute the amendment.

ADOPTED.

REPORT

City Council approved a sale agreement (Attachment 1), with Lake Placid River Landing Inc. for the purchase of Parcel “Y”, River Landing, at its meeting on January 14, 2008. The agreement contains conditions precedent to the transfer of land that includes the issuance of a building permit for the footings and foundations of the development by October 31, 2008.

The deadline date was chosen to allow the developer reasonable time to first obtain the requisite development permit through the Direct Control District One (DCD1) approval process. Due to a number of factors, primarily the developer’s request and the subsequent process to amend DCD1 guidelines, the development permit was not approved by the Meewasin Valley Authority until September 5, 2008, and by City Council on September 15, 2008.

The developer has requested an extension to this deadline to allow architects the appropriate time to draft detailed drawings for submission to the City. Administration believes December 15, 2008 to be a reasonable deadline to allow for sufficient review. The developer has indicated that their application may be forwarded before November 14, 2008 and, as such, approval may occur before the suggested deadline.

PUBLIC NOTICE

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

ATTACHMENT

1. Clause F3, Administrative Report No. 1-2008 adopted by City Council on January 14, 2008

LEGISLATIVE REPORT NO. 10-2008

Section B – OFFICE OF THE CITY SOLICITOR

- B1) Enquiry - Councillor D. Hill (November 5, 2007)**
Definition of Election Signs
(File No. CK. 6280-1, 185-6 and 265-1)
-

RECOMMENDATION: that the information be received.

ADOPTED.

Councillor D. Hill made the following enquiry at the meeting of Council on November 5, 2007:

“Would the City Solicitor please report on a possible amendment to the definition of “election sign” in the Temporary Sign Bylaw to clearly prohibit third party signs not authorized by a candidate or political party, or an authorized agent of either a candidate or political party.”

Third-party advertising in an election is protected by s. 2(b) of the *Charter of Rights and Freedoms*, which guarantees freedom of expression. The Supreme Court of Canada in a recent case (*Harper v. Canada (Attorney General)*) found that third-party advertising in an election could be regulated, but this was limited to setting spending limits, requiring third parties to identify themselves on advertising, etc. The case makes it quite clear that a total ban on third-party election advertising (as requested in the enquiry) would not be an option.

In addition, *The Local Government Election Act*, at this time, does not give City Council the power to regulate third-party election advertising.

PUBLIC NOTICE

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

REPORT NO. 11-2008 OF THE ADMINISTRATION AND FINANCE COMMITTEE

Composition of Committee

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

1. Downtown Housing Incentives
“The King George” – 157 – 2nd Avenue North
(File No. CK. 1965-1)

- RECOMMENDATION:**
- 1) that the request by George Development Corp. for rebate of existing property taxes paid during construction be approved, not exceeding 24 months or \$31,265;
 - 2) that a five-year tax abatement on the incremental taxes for the residential portion of The King George be applied commencing the next taxation year following completion of the project;
 - 3) that 75 percent of applicable off-site levies and direct servicing charges be rebated upon completion of The King George development (rebate estimated to be \$46,675); and
 - 4) that the City Solicitor be instructed to prepare the necessary Agreement.

ADOPTED.

Attached is the report of the General Manager, Community Services Department dated October 2, 2008 regarding a five-year tax abatement on the incremental taxes for the residential portion of The King George development at 157 – 2nd Avenue North.

Your Committee has reviewed this request for tax abatement, and supports the recommendations provided.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 25**

2. Communications to Council

**From: Melanie Baerg & Michelle Beveridge
Oxfam Canada**

Date: May 8, 2008

and

From: Andrea Harden, Polaris Institute

Date: April 9, 2008

Subject: Public Tap Water

and

**From: Justin Sherwood, President
Refreshments Canada**

Date: September 19, 2008

Subject: Bottled Water

(File No. CK. 7900-1)

RECOMMENDATION: that the information be received.

IT WAS RESOLVED: that the matter be considered with the speakers. See Page No. 72.

**3. Motorized Vehicles in Off-Leash Recreation Areas
(File No. CK. 151-2)**

- RECOMMENDATION:**
- 1) that the City Solicitor be instructed to amend *The Animal Control Bylaw No. 7860* to prohibit the use of motorized vehicles in all of Saskatoon's off-leash recreational areas; and
 - 2) that City maintenance vehicles be exempted from the above-noted bylaw provision.

ADOPTED.

Attached is the report of the General Manager, Corporate Services Department dated September 16, 2008 regarding motorized vehicles being operated in off-leash areas, which has been reviewed and the recommendations supported by the Advisory Committee on Animal Control.

Your Committee has reviewed this matter with Administration, and supports the proposal to prohibit the use of motorized vehicles in all off-leash recreational areas, in order to protect the safety of pets and pet walkers, but also to protect the natural landscape in these areas from being torn up by off-road motorized sport vehicles.

- 4. Proposed Measures to Improve Accessibility for Access Transit Service**
- a) Budget Increase for Access Transit Service – Trainer Position**
 - b) Meeting with Saskatoon Health Region re Use of Facility Buses**
- (File No. CK. 7305-1)**
-

RECOMMENDATION: 1) that the following Recommendation No. 1) from the attached report of the Access Transit Advisory Committee be referred to the Budget Committee for consideration of the following:

that the Access Transit Service be authorized to add a budgetary item in the 2009 Operating Budget for one staff member to educate and train people with disabilities, who are eligible candidates, on how to use the Transit System (low-floor buses) as another means of public transportation; and

2) that the following Recommendation No. 2) from the attached report of the Access Transit Advisory Committee be referred to the City Manager for consideration and report:

that approval be granted for a meeting to be held with representatives of the Saskatoon Health Region, City Administration, Members of City Council and Members of the Access Transit Advisory Committee and/or Saskatoon Accessibility Advisory Committee to discuss whether facility buses from Parkridge Centre and Sherbrooke Community Centre might be used to ease the demand on the Access Transit Service, with its ever-increasing ridership and trip denials, and also to discuss ridership directly related to health care.

ADOPTED.

Attached is the report of the Access Transit Advisory Committee dated September 23, 2008 regarding proposed measures to improve accessibility for Access Transit Service. Your Committee has reviewed this matter with the Administration and with the Chair, Access Transit Advisory Committee, and understands the issues regarding accessibility and the ever-increasing demand on the Access Transit Service. Your Committee believes that the recommendations require further consideration and is recommending that they be referred to the appropriate parties in this regard.

REPORT NO. 4-2008 OF THE AUDIT COMMITTEE

Composition of Committee

Councillor B. Dubois, Chair
Councillor B. Pringle
Councillor D. Hill
Councillor G. Wyant
Councillor C. Clark

**1. Internal Audit Contract – Beyond September 15, 2009
(File No. CK. 1600-37)**

- RECOMMENDATION:**
- 1) that an Expression of Interest for the Internal Auditor Services, with the focus on system audits be awarded with a commencement date of September 16, 2009; and
 - 2) that advisory, emerging issues, time-sensitive issues or investigative audit requests be outsourced on an ad-hoc basis, and be managed by the successful Internal auditor as above.

ADOPTED.

The current contract for Internal Auditor expires on September 15, 2009 and the current Internal Auditor will not be bidding for this contract beyond that date. The Administration was requested to fully review and report on the matter of the future process for establishing an internal audit function beyond the expiry of the current contract.

Attached is the report of the General Manager, Corporate Services Department dated September 10, 2008 in response to the Committee's referral. This report has been reviewed with Administration and the Committee supports Option No. 4.

REPORT NO. 16-2008 OF THE EXECUTIVE COMMITTEE

Composition of Committee

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

**1. Capital Project 0993 – Circle Drive South Project
Project Delivery Process
(File No. CK. 6050-9)**

- RECOMMENDATION:**
- 1) that a Design Build process be the procurement method for the construction of the Circle Drive South Project;
 - 2) that the Administration utilize an Owner's Engineer for the Circle Drive South Project;
 - 3) that the Administration report further prior to the request for qualifications for project proponent teams being advertised, with the details of the request for proposal process; and
 - 4) that the Administration report quarterly on the progress of the Circle Drive South Project.

ADOPTED.

Attached is a report of the General Manager, Infrastructure Services Department dated September 12, 2008.

Your Committee has considered this report and supports the above-noted recommendation.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 29**

**2. Shaw Centre (formerly Blairmore Multi-District Park/School Site)
(File No. CK. 4110-32)**

RECOMMENDATION: that the information be received.

ADOPTED.

The following report of the General Manager, Community Services Department dated October 10, 2008 is submitted to City Council for its information:

“BACKGROUND

The Shaw Centre, a civic leisure centre integrated with Bethlehem Catholic High School and Tommy Douglas Collegiate, is being completed in two phases. Phase I, opened in January 2008, includes a shared weight room, two shared auxiliary gymnasiums (one in each school), a child program room, and support spaces.

Phase II, currently under construction, includes a connecting corridor between the two schools, a shared central cafeteria, 50-metre high performance competitive pool, leisure pool, six-lane warm-up pool, water slide, walking-jogging track, spectator seating, and support spaces. Phase II is on schedule for completion in April 2009. The facility will then be turned over to the Leisure Services Branch, Community Services Department who will require up to 8 weeks to get the facility in a state of readiness for the public. It is proposed that the facility will be open to the public in summer 2009.

REPORT

Status Report on Shaw Centre Phase I & II Project Costs and Funding

Phase I construction is complete with exception of the 260 stall parking lot and building landscape which is scheduled as part of the 2009 Morris T. Cherneskey Multi-District Park project. Your Administration has estimated and is carrying a budget of \$743,000 for this work. Increased costs for phase I were the result of the requirement to provide a temporary bus road/drop-off area during phase II construction and catch basins were required for the service road to prevent pooling of water on the road during spring run-off.

Phase II site work is progressing well with the contractor completing the building exterior (roofing, metal cladding) in anticipation of the approaching fall weather. The steel basin pool will arrive on site mid-October and it is anticipated the basin will be installed by mid-November. The contractor is near completion of concrete work throughout the site, drywall of the second floor level and south end of the 50m pool is progressing, and electrical and mechanical portions of the building are keeping up to the sub-trades at the site. Painters have arrived on site and are completing painting of the duct work in the 50m pool area. Ceramics will get started mid-October to be completed in phases starting in the change rooms and moving to the pool areas.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 30**

In preparing the construction budget for phase II, a contingency of 3% (\$1,000,000) was included. As the project has progressed, changes have been approved that have increased construction costs that provided more durable and appropriate construction material for an aquatic facility. Given the scale of this development and the increased cost for construction and material, since the time of tender, the contingency allowance has been significantly reduced with a remaining balance of \$200,000 to the completion of the project.

The budget estimate to the end of the project, identified below, assumes that the contingency allowance will be expended.

Costs	2007 Pre-tender Phase II	2008 Approved Budget	Estimate to End of Project	Difference
Project Management	900	900	900	
Design	1,720	3,533	3,532	(1)
Construction*	35,273	42,055	42,710	655
Total	37,893	46,488	47,142	654
Financing				
Borrowing	(24,200)	(29,266)	(29,266)	-
Operating Budget Contributions	-	(600)	(600)	-
RCE	(2,613)	(4,619)	(4,619)	-
Community Shares Grant		(945)	(945)	-
Building Community Grant	(7,300)	(7,300)	(7,300)	-
Sponsorships **	(1,577)	(1,788)	(1,800)	(12)
School Board Contribution***	(720)	(720)	(1,362)	(642)
MRIF Grant	(1,250)	(1,250)	(1,250)	-
Total	(37,660)	(46,488)	(47,142)	(654)
Funding shortfall (surplus)	233	-		

* The construction costs increase of \$655 is due to provision of a temporary bus road/drop-off area during phase II construction; addition of catch basins for the service road to prevent pooling of water on the road during spring run-off; and increased cost to asphalt the parking lot.

** Sponsorship estimate is net of consultant fees, sponsorship signage. Increase of \$12 is due to reduced cost to provide sponsorship signage.

*** School Board contribution for shared program space, built as part of Phase II construction, increased (\$642) as a result of the increased construction cost.

Your Administration, in consultation with the cost consultant, continues to provide due diligence regarding a review of all costs associated with this project. Should costs increase beyond the approved budget, your Administration is proposing that a portion of the parking (50 stalls in the lower part of the T) not be constructed in 2009. The reduction in parking (Attachment 1) would reduce the capital cost by approximately \$200,000.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 31**

The site concept plan includes a public library attached to the Shaw Centre (construction timing has not been determined). The additional parking accommodates patron parking for the library. At the time the public library is constructed, funding for parking can be included as part of the library's budget. The deferred parking area can be seeded with grass to provide additional warm-up space for soccer players. For the information of the Committee, during special events, the City is able to use the school's parking areas. Special event parking coordination will be managed by the on-site committee representing the three partner facilities.

In summary, your Administration is confident that the \$200,000 contingency, plus the option to reduce parking construction costs (only if required), will provide sufficient funding to the completion of the project.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of the City of Saskatoon Policy C01-021 (Public Notice Policy) is not required.

ATTACHMENT

1. Morris T Cherneskey Multi-District Park"

**3. Circle Drive South – Property Acquisition
Lot 11, Block 532, Plan 66S18566
Spur Line
(File No. CK. 6000-1)**

- RECOMMENDATION:**
- 1) that the City purchase the abandoned spur line owned by Canadian National Railway Company, situated south of Circle Drive between Melville Street and Jasper Avenue at a purchase price of \$100,000.00;
 - 2) that approximately the northern 150 feet of the spur line be used for the Circle Drive South River Crossing project, with the balance of the site to be resold to adjacent property owners;
 - 3) that the cost of acquisition and related expenses be charged to the Property Realized Reserve, as an interim source of financing; and

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 32**

- 4) that the City Solicitor be requested to prepare the necessary sale agreement based on the terms and conditions outlined in this report, and that His Worship the Mayor and the City Clerk be authorized to execute the agreement on behalf of City Council.

ADOPTED.

Your Committee has considered and supports the following report of the General Manager, Infrastructure Services Department dated September 26, 2008:

“BACKGROUND

At its meeting held May 28, 2007, City Council considered Clause 6, Report No. 9-2007 of the Executive Committee and adopted the following recommendation with respect to the Circle Drive, South River Crossing project:

- “3) that the Administration be authorized to negotiate with all land owners identified for the acquisition of the necessary rights-of-way for the construction of this project.”

REPORT

The 25,518 square foot abandoned spur line owned by Canadian National Railway is situated south of Circle Drive, between Melville Street and Jasper Avenue. Current configuration for the east side traffic corridor of the Circle Drive South River Crossing project will require approximately the northern 150 feet of the parcel (3,000 square feet) for roadway expansion. Initial discussions with Canadian National Railway regarding acquisition of the parcel indicated they were not interested in selling a small piece of the abandoned spur line but rather the entire spur line would have to be purchased.

The City’s property agent has had discussions with several adjacent property owners who have indicated they are interested in purchasing the balance of the site at the proportionate cost of the entire parcel.

Plan 240-0070-006r001 (Attachment 1) illustrates the approximate land required for the widening of Circle Drive.

The City’s property agent has negotiated and signed an Offer to Purchase Agreement with the property owner, subject to City Council approval. Significant terms and conditions of the Offer to Purchase Agreement are as follows:

1. Purchase Price
Purchase price for the property is \$100,000 with an initial deposit of \$5,000 to accompany the signed Offer to Purchase and Agreement of Purchase and Sale.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 33**

2. Conditions Precedent
 - a) Approval of Saskatoon City Council by October 28, 2008.

3. Other Terms
 - a) The Buyer has 30 days following the Vendors date of acceptance of the offer (signed September 29, 2008 to October 29th, 2008) to examine the title and complete its due diligence investigations including inquiries, surveys, environmental testing, and inspection of the site.

4. Legal Costs and Disbursements

Each party shall be responsible for its own legal costs.

5. Closing Date

November 15, 2008, or sooner as agreed to by both parties.

OPTIONS

There are no options.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPACT

The City's property agent has had discussions with an agent acting on behalf of an adjacent property owner who has indicated that they are interested in purchasing the balance of the site at the proportionate cost of the entire parcel.

An area of approximately 3,000 square feet of the 25,517 square foot parcel, or 11.76% of the entire site is estimated to be required for the Circle Drive expansion. This would indicate a proportionate share of the \$100,000 purchase price of \$11,760 to be attributable to the Circle Drive South River Crossing project, while the balance of \$88,240 would be recoverable through the sale of the balance of the site to the interested adjacent property owners. Subdivision costs of approximately \$5,000 are estimated to be incurred.

It is recommended that the cost of acquisition and related expenses be charged to the Property Realized Reserve as an interim source of funding.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of the City of Saskatoon Policy C01-021 (Public Notice Policy) is not required.

ATTACHMENT

1. Plan 240-0070-006r001.”

**4. Circle Drive South – Property Acquisition
Lots 16, 17, 18; Block 191, Plan 80S31338
374/386/394 Malouf Road
(File No. CK. 4020-1)**

- RECOMMENDATION:**
- 1) that the City purchase the property owned by G. Edwards Enterprises Ltd. and G.Z.J. Leasing Inc., required for the Circle Drive South Crossing project, situated at 374/386/394 Malouf Road at a purchase price of \$1,600,000.00, plus an additional \$400,000.00 in consideration of moving and associated costs, business disruption, lawyer and accounting fees, and alternate site preparation, plus \$50,000.00 in consideration of removing the building and foundations from the site;
 - 2) that the cost of acquisition and related expenses be charged to the Property Realized Reserve, as an interim source of financing; and
 - 3) that the City Solicitor be requested to prepare the necessary sale agreement based on the terms and conditions outlined in this report, and that His Worship, the Mayor and City Clerk be authorized to execute the agreement on behalf of City Council.

ADOPTED.

Your Committee has considered and supports the following report of the General Manager, Infrastructure Services Department dated September 29, 2008:

“BACKGROUND

At its meeting held May 28, 2007, City Council considered Clause 6, Report No. 9-2007 of the Executive Committee and adopted the following recommendation with respect to the Circle Drive, South River Crossing project:

- “3) that the Administration be authorized to negotiate with all land owners identified for the acquisition of the necessary rights-of-way for the construction of this project.”

REPORT

The property located at 374/386/394 Malouf Road is currently owned and occupied by G. Edwards Enterprises Ltd. and G.Z.J. Leasing Inc. The 3.77 acre site is developed with a 10,000 square foot office/warehouse building that is utilized for the operations of Edwards Transport.

Current configuration for the west side traffic corridor of the Circle Drive South River Crossing project will require approximately the entire site for roadway expansion. Consequently, the property needs to be purchased and the building demolished to accommodate the expanded roadway.

Plan 240-0017-001r002 (Attachment 1) illustrates the subject site and the current routing configuration for the west side portion of Circle Drive.

The City's property agent has negotiated and signed an Offer to Purchase Agreement with the property owner, subject to City Council approval. Significant terms and conditions of the Offer to Purchase agreement are as follows:

1. Purchase Price
Purchase price for the property is \$1,600,000 with an initial deposit of \$50,000 within 10 days of acceptance of the Offer, and the balance on Closing.
2. Compensation Items
 - a) In consideration of moving, business disruption costs, and other related costs, an additional sum of \$400,000 is to be paid on Closing Date.
 - b) In consideration of removing the building and foundations located on the Lands before October 31, 2009, an additional sum of \$50,000.00 is to be paid on November 30, 2009.
3. Conditions Precedent
 - a) Approval of Saskatoon City Council by October 28, 2008.
 - b) The Buyer has until October 28, 2008 to conduct, review, and accept the findings of a Phase I Environmental Audit to be completed at the Buyer's discretion and expense.
4. Other Terms
 - a) The Property owner may remain in the property after the Closing Date as tenant at a lease rate of \$1 per month until October 31, 2009. Throughout this period property taxes will not be payable, however the tenant will be responsible for all utility charges.
 - b) The tenant agrees to carry sufficient liability insurance absolving the City from claims whatsoever.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 36**

5. Legal Costs and Disbursements
Each party shall be responsible for its own legal costs.
6. Closing Date
November 15, 2008, or sooner as agreed to by both parties.

OPTIONS

There are no options.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPACT

It is recommended that the cost of acquisition and related expenses be charged to the Property Realized Reserve as an interim source of funding.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of the City of Saskatoon Policy C01-021 (Public Notice Policy) is not required.

ATTACHMENT

1. Plan 240-0017-001r002.”

**5. Direct Sale to Five Young Enterprises Inc. and Nexgen Holdings Corp.
3210 Clarence Avenue South
(File No. CK. 4215-1)**

- RECOMMENDATION:**
- 1) that City Council approve the granting of an Option to Purchase to Five Young Enterprises Inc. and Nexgen Holdings Corp. for the direct sale of 3210 Clarence Avenue South, Parcel C, Plan 101899907 as outlined in this report; and
 - 2) that the City Solicitor be requested to prepare the necessary sale agreement and that His Worship the Mayor and City Clerk be authorized to execute the agreement.

ADOPTED.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 37**

Your Committee has considered and supports the following report of the General Manager, Community Services Department dated September 26, 2008:

“BACKGROUND

City Council at its meeting held May 28, 2007, considered Clause 6, Report No. 9-2007 of the Executive Committee and adopted the following recommendation with respect to the Circle Drive, South River Crossing project:

- ‘3) that the Administration be authorized to negotiate with all land owners identified for the acquisition of the necessary rights-of-way for the construction of this project.’

In preparation for this recommendation being presented to City Council, and in consideration of the subsequent outcome of Council approving the recommendation, the General Manager of Infrastructure Services requested that City-owned lands along the realigned Melville Street, including the subject property, be set aside as potential replacement sites for property owners affected by right-of-way requirements for the Circle Drive South River Project.

The property at 2929 Melville Street is currently owned and occupied by Ronald Enterprises Ltd. The 1.82 acre site is developed with a 10,086 square foot office/warehouse building that is utilized primarily as administration offices for El-Rancho Food & Hospitality. The property is to be purchased in its entirety and the building demolished to accommodate the east side traffic corridor of the Circle Drive South River Crossing project. A report to Executive Committee recommending this acquisition was approved at the September 22, 2008, meeting and subsequently approved by City Council on September 29, 2008.

As part of negotiations to reach an agreement for the acquisition, the City’s property agent agreed to recommend to Council a direct sale of the subject property (through an Option to Purchase Agreement) for the specific purpose of relocating the operations conducted at Ronald Enterprises Ltd. existing site located at 2929 Melville Street.

Ronald Enterprises Ltd. subsequently submitted a letter to the Land Branch requesting the offer to purchase the subject lands be transferred to Five Young Enterprises Inc. and Nexgen Holdings Corp., two holding companies held by Ronald Enterprises Ltd. The shareholders of all three companies are members of the same family, Joe Young and sons Ron Young and Gord Young. Corporate planning including succession and estate planning were the reasons cited for the request.

REPORT

The purpose of this report is to obtain approval to offer an Option to Purchase to the joint purchasers of Five Young Enterprises Inc. and Nexgen Holdings Corp. for 3210 Clarence Avenue South, located at the southwest corner of Melville Street and Clarence Avenue. Attachment 1 identifies the location of the site within the CN Industrial area. This site is fully serviced and ready for sale.

The direct sale of this property in the CN Industrial area would comply with the City of Saskatoon's Sale of Serviced City-Owned Lands Policy (Policy No. C09-033). Section 3.2 e) of this policy states as follows:

'3.2 The Administration may pursue or entertain direct sale, or long-term leases under the City's Industrial Land Incentives Program, of civic lands when one or more of the following conditions are present:

e) A situation where it is in the City's interest to undertake an initiative to purchase a property and provide in exchange a suitable comparable property in another location.'

The conditional proposal for an Option to Purchase containing the following conditions has been accepted by both Gord Young of Five Young Enterprises Inc. and Ron Young of Nexgen Holdings Corp.

The terms and conditions of the offer for direct sale include the following:

1. Sale is subject to City Council approval.
2. Purchase Price: \$1,388,400 plus applicable taxes.
3. Option Fee and Term: \$27,768 plus GST for a six months option. Option fees are non-refundable but will be applied to the purchased price if option is exercised within six months.
4. Should the Option to Purchase be exercised, the provision of a "Letter of Credit" payable to the City of Saskatoon in the amount of \$277,700 would be required to provide assurance for the completion of construction of the foundation required within 12 months of the Closing Date for the sale. Should the foundation not be completed within 12 months of the Closing Date, the City shall redeem the Letter of Credit and retain the funds.
5. The site is to be utilized, in whole or in part, to accommodate the operations currently conducted by Ronald Enterprises Ltd. at its current location.
6. Condition of the property is "As Is".
7. Possession date will occur after payment in full has been received.

The purchase price is based upon the value determined through an independent market appraisal of the property.

OPTIONS

The only other option would be to reject the proposal and proceed to offer the property for sale by public tender.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPACT

The proceeds from the sale of this land will be deposited into the Property Realized Reserve.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of the City of Saskatoon Policy C01-021 (Public Notice Policy) is not required.

ATTACHMENT

1. Plan showing the location of the subject parcel.”

6. Direct Sale and Long Term Lease to G. Edwards Enterprises Ltd. and G.Z.J. Leasing Inc., 3602 3610 and 3618 Mitchelmore Avenue (File No. CK. 4215-1)

RECOMMENDATION:

- 1) that City Council approve the proposed Direct Sale to G. Edwards Enterprises Ltd. and G.Z.J. Leasing Inc. of 3602 and 3610 Mitchelmore, Lots 7 and 8, Block 923, Plan 101947372 as outlined in this report;
- 2) that the Land Branch Manager be authorized to enter into a Long Term Lease with G. Edwards Enterprises Ltd. and G.Z.J. Leasing Inc. for 3618 Mitchelmore Avenue, Lot 6, Block 923, Plan 101947372 subject to the terms and conditions outlined in this report; and
- 3) that the City Solicitor be requested to prepare the necessary sales and lease agreements and that His Worship, the Mayor and City Clerk be authorized to execute the agreements.

ADOPTED.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 40**

Your Committee has considered and supports the following report of the General Manager, Community Services Department dated September 29, 2008:

“BACKGROUND

City Council at its meeting held May 28, 2007, considered Clause 6, Report No. 9-2007 of the Executive Committee and adopted the following recommendation with respect to the Circle Drive South River Crossing project:

- ‘3) that the Administration be authorized to negotiate with all land owners identified for the acquisition of the necessary rights-of-way for the construction of this project.’

In preparation for this recommendation being presented to City Council, and in consideration of the subsequent outcome of Council approving the recommendation, the General Manager of Infrastructure Services requested that City owned lands be made available for potential replacement sites for property owners affected by right-of-way requirements for the Circle Drive South River Project.

Your Administration has within a separate report recommended the purchase of properties at 374, 386 and 394 Malouf Road, situated within the South West Industrial area. This property (3.77 acres and 10,000 sq. ft. building) is currently owned by G. Edwards Enterprises Ltd. and G.Z.J. Leasing Inc. and is necessary to accommodate the west side traffic corridor of the Circle Drive South River Crossing project.

As part of the negotiations to reach an agreement for the acquisition, the City’s property agent agreed to recommend to Council a direct sale of the subject property (through an Option to Purchase Agreement) for the specific purpose of relocating the operations of G. Edwards Enterprises Ltd. and G.Z.J Leasing Inc. from Malouf Road to the Marquis Industrial area.

REPORT

The purpose of this report is to obtain approval to offer a direct sale and long term lease to the joint purchasers G. Edwards Enterprises Ltd. and G.Z.J. Leasing Inc. for 3602, 3610 and 3618 Mitchelmore Avenue, located at the Marquis Industrial Phase 3 area. Attachment 1 identifies the location of the site within the Marquis Industrial area. This site is fully serviced and ready for sale.

The direct sale and long term lease of these properties in the Marquis Industrial area would comply with the City of Saskatoon’s Sale of Serviced City-Owned Lands Policy (Policy No. C09-033). Section 3.2 e) of this policy that states as follows:

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 41**

- ‘3.2 The Administration may pursue or entertain direct sale, or long-term leases under the City’s Industrial Land Incentives Program, of civic lands when one or more of the following conditions are present:
- e) A situation where it is in the City’s interest to undertake an initiative to purchase a property and provide in exchange a suitable comparable property in another location.’

The conditional proposal for the purchase and long term lease containing the following conditions has been accepted by both Garry Edwards of G. Edwards Enterprises Ltd. and Jeff Edwards of G.Z.J. Leasing Inc.

The terms and conditions of the offer for direct sale include the following:

1. Sale is subject to City Council approval;
2. Purchase price for 3602 and 3610 Mitchelmore Avenue is \$984,050 plus applicable taxes;
3. Lease rate for 3618 Mitchelmore Avenue is \$21,900 per year plus applicable taxes;
4. Option to Purchase price for 3618 Mitchelmore Avenue is \$451,400 plus applicable taxes;
5. Subject to reaching an agreement with the City of Saskatoon to purchase their existing properties at 374, 386 and 394 Malouf Road and subject to City Council approval of such purchase;
6. The proposed sites are to be used to accommodate the operations currently conducted at their existing properties of 374, 386 and 394 Malouf Road;
7. A “Letter of Credit” payable to the City of Saskatoon in the amount of \$287,090 would be required to provide assurance for the completion of construction of the foundation required within 12 months of the Closing Date for the sale. Should the foundation not be completed within 12 months of the Closing Date, the City shall redeem the Letter of Credit and retain the funds;
8. The tenant is responsible for obtaining and maintaining \$2,000,000 General Liability Insurance with the City as the named insured. The tenant is to provide proof of such insurance yearly;
9. Condition of the property is “As Is”; and
10. Possession date will occur after payment in full has been received for 3602 and 3610 Mitchelmore and on the date of execution of the Long Term Lease Agreement for 3618 Mitchelmore Avenue.

The purchase price for the subject property is the same as the price of land sold recently by the Land Branch on Mitchellmore Avenue.

OPTIONS

The only other option would be to reject the proposal and proceed to offer the property for sale by public tender.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPACT

The proceeds from the sale of land will be deposited into the Property Realized Reserve. The proceeds from the Long Term Lease of land will be deposited to the City's General Revenue Account.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of the City of Saskatoon Policy C01-021 (Public Notice Policy) is not required.

ATTACHMENT

1. Plan showing the location of the subject parcel.””

His Worship the Mayor assumed the Chair.

Moved by Councillor Paulsen, Seconded by Councillor Clark,

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

CARRIED.

COMMUNICATIONS TO COUNCIL

The following communications were submitted and dealt with as stated:

B. ITEMS WHICH REQUIRE THE DIRECTION OF CITY COUNCIL

1) Gina McClelland, dated October 14

Submitting a petition with approximately 442 signatures for bus service in the north industrial area. (File No. CK. 7300-10)

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 43**

RECOMMENDATION: that the direction of Council issue.

Moved by Councillor Penner, Seconded by Councillor Heidt,

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

CARRIED.

C. INFORMATION ITEMS

1) W.A. Hughs, Chairman, Navy Memorial Window Project, dated September 30

Advising of the progress of the Navy Memorial Window Project. (File No. CK. 1870-1)

2) George Hunt, dated October 10

Commenting on a parking ticket received. (File No. CK. 5301-1)

3) Sabrina Voth, dated October 13

Commenting on speed limits in school zones. (File No. CK. 5200-5)

4) Kim Gallucci, TCU Place, dated October 15

Submitting reports required by Audit Committee. (File No. CK. 1600-5)

5) Lea Lamb Auckland, dated October 13

Commenting on garbage collection and recycling. (File No. CK. 7830-5)

6) Sharon Fyke, dated October 16

Commenting on proposed front garbage pickup. (File No. CK. 7830-3)

7) Bob Hood, dated October 16

Commenting on proposed front garbage pickup. (File No. CK. 7830-3)

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 44**

8) Riki Yandt, dated October 19

Commenting on the need for student discounts for leisure centres. (File No. CK. 5500-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Hill, Seconded by Councillor Dubois,

THAT the information be received.

CARRIED.

D. ITEMS WHICH HAVE BEEN REFERRED FOR APPROPRIATE ACTION

1) Phil Winter, dated October 8

Commenting on the proposed wind turbine in Diefenbaker Park. (File No. CK. 2000-5)
(Referred to Administration for consideration.)

2) Anne-Marie DeWeert, dated October 9

Advising about some municipalities offering reduced-price leisure tickets for give away at Halloween and asking whether this offer is available in Saskatoon. (File No. CK. 1720-3)
(Referred to Administration to respond to the writer.)

3) Cindy Eckart, dated October 11

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

4) Shirley Spence and 13 others, various dates

Commenting on keeping Mayfair Pool open. (Sample of form letter attached.) (File No. CK. 613-7) **(Referred to Administration for consideration.)**

5) Byron Jenkins, dated October 14

Commenting on the proposed ban of fireworks. (File No. CK. 2500-1) **(Referred to Administration and Finance Committee for further handling.)**

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 45**

6) Alexandre Akoulov, dated October 16

Commenting on the proposed ban of fireworks. (File No. CK. 2500-1) **(Referred to Administration and Finance Committee for further handling.)**

7) Bill Hutchinson, Minister of Municipal Affairs, dated October 8

Responding to a letter sent by the City Clerk with respect to allowing means other than census data to determine populations for the purpose of establishing ward boundaries. (File No. CK. 265-2) **(Referred to Executive Committee for further handling.)**

RECOMMENDATION: that the information be received.

Moved by Councillor Heidt, Seconded by Councillor Paulsen,

THAT the information be received.

CARRIED.

E. PROCLAMATIONS

1) Marla Adams, Chair, United Way of Saskatoon and Area Board of Directors dated October 8

Requesting that City Council proclaim November 2008 as United Way Month and that the City of Saskatoon fly the United Way flag.

- RECOMMENDATION:**
- 1) that the request for the flag raising be approved subject to administrative conditions;
 - 2) that City Council approve the proclamation as set out in Section E; and
 - 3) that the City Clerk be authorized to sign the proclamation, in the standard form, on behalf of City Council.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 46**

Moved by Councillor Dubois, Seconded by Councillor Wyant,

- 1) *that the request for the flag raising be approved subject to administrative conditions;*
- 2) *that City Council approve the proclamation as set out in Section E; and*
- 3) *that the City Clerk be authorized to sign the proclamation, in the standard form, on behalf of City Council.*

CARRIED.

ENQUIRIES

**Councillor D. Hill
Traffic Calming Measures – Churchill Drive
(File No. CK. 6320-1)**

Would the Administration please report on potential traffic calming measures on Churchill Drive from Warman Road to Ravine Drive.

**Councillor M. Neault
Curbs and Sidewalks – New Neighbourhoods
(File No. CK. 6000-1)**

Would the Administration look at the possibility of having curbs and sidewalks as the last part of completion for new neighbourhoods, which should save dollars in damages.

**Councillor M. Neault
Pedestrian Actuated Crosswalk – Confederation Drive and Massey Drive
(File No. CK. 6150-3)**

Would the Administration look at the possibility of installing a pedestrian actuated crosswalk light at Confederation Drive and Massey Drive bus stops on both sides of Confederation Drive, servicing the new high schools in the west end.

The meeting recessed at 6:35 p.m. and reconvened at 7:00 p.m. with His Worship the Mayor in the Chair.

PRESENTATIONS

His Worship the Mayor presented the 2008 IBEW Local No. 319 and City of Saskatoon Joint Scholarship Award to Ms. Sarah McCrea.

HEARINGS

- 4a) Proposed Development Plan Text Amendment
West Industrial Local Area Plan Proposed Land Use Policy Changes
Applicant: City of Saskatoon
Proposed Bylaw No. 8711
(File No. CK. 4351-08-16)**
-

REPORT OF THE CITY CLERK:

“Attached is an excerpt from the minutes of meeting of City Council held on October 14, 2008. Council opened the hearing and passed a motion that the hearing be adjourned until October 27, 2008.

The purpose of this hearing is to consider proposed Bylaw No. 8711.

Attached are copies of the following:

- Proposed Bylaw No. 8711;
- Report of the General Manager, Community Services Department dated August 7, 2008 recommending that the following amendments to the Development Plan Land Use Map be approved:
 - a) Amend the City of Saskatoon Development Plan Map Bylaw No. 7799 to re-designate West Industrial to ‘Local Area Plan’ Designation; and
 - b) Amend the City of Saskatoon Development Plan Bylaw No. 7799 to add ‘Transitional Land Use’ to the Local Area Plan Land Use Policy Districts (Section 19.1.1).
- Letter from the Municipal Planning Commission dated September 15, 2008, advising the Commission supports the above recommendation; and
- Notice that appeared in the local press under dates of September 27 and October 4, 2008.”

His Worship the Mayor re-opened the hearing.

Mr. Alan Wallace, Neighbourhood Planning Manager, Community Services Department, indicated that the Administration has met with Mr. Miller and other individuals regarding their property. He suggested that Council pass Bylaw No. 8711 and that a separate Bylaw amendment dealing with the other properties be brought forward at a later date.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 48**

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

Moved by Councillor Paulsen, Seconded by Councillor Hill.

THAT the submitted correspondence and reports be received.

CARRIED.

Moved by Councillor Lorje, Seconded by Councillor Heidt,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Hill, Seconded by Councillor Lorje,

THAT Council consider Bylaw No. 8711.

CARRIED.

(Councillor Wyant was not present during the entire hearing and therefore did not vote.)

- 4b) Proposed Development Plan Map Amendment
West Industrial Local Area Plan Proposed Land Use Policy Changes
Applicant: City of Saskatoon
Proposed Bylaw No. 8712
(File No. CK. 4351-08-16)**
-

REPORT OF THE CITY CLERK:

“City Council, at its meeting held on October 14, 2008, deferred consideration of this hearing to this meeting.

The purpose of this hearing is to consider proposed Bylaw No. 8712.

Attached are copies of the following:

- Proposed Bylaw No. 8712;

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 49**

- Report of the General Manager, Community Services Department dated August 7, 2008 recommending that the following amendment to the Development Plan Land Use Map be approved (see Attachment 4a):
 - Amend the City of Saskatoon Development Plan Bylaw No. 7799 to create a West Industrial Land Use Policy Map (Section 19.1.10).
- Letter from the Municipal Planning Commission dated September 15, 2008, advising the Commission supports the above recommendation (see Attachment 4a); and
- Notice that appeared in the local press under dates of September 27 and October 4, 2008.”

His Worship the Mayor opened the hearing.

Mr. Alan Wallace, Neighbourhood Planning Manager, Community Services Department, reviewed the proposed Development Plan Amendment and expressed the Department’s support.

Mr. Brad Sylvester, Chair, Municipal Planning Commission, advised the Commission is in support of the proposed Development Plan Amendment.

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

Moved by Councillor Dubois, Seconded by Councillor Penner,

THAT the submitted correspondence and reports be received.

CARRIED.

Moved by Councillor Paulsen, Seconded by Councillor Heidt,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Lorje, Seconded by Councillor Hill,

THAT Council consider Bylaw No. 8712.

CARRIED.

- 4c) Proposed Zoning Bylaw Amendment
Proposed Rezoning from IL1 Zoning District
to MX1, MX1(H) – West Industrial Neighbourhood
Applicant: City of Saskatoon
Proposed Bylaw No. 8713
(File No. CK. 4351-08-16)**
-

REPORT OF THE CITY CLERK:

“City Council, at its meeting held on October 14, 2008, deferred consideration of this hearing to this meeting.

The purpose of this hearing is to consider proposed Bylaw No. 8713.

Attached are copies of the following:

- Proposed Bylaw No. 8713;
- Report of the General Manager, Community Services Department dated August 7, 2008 recommending that amendments to the City of Saskatoon Zoning Bylaw No. 7800 to rezone lands in the West Industrial neighbourhood, as outlined in the report of the General Manager, Community Services Department dated August 7, 2008, under Attachment 2 be approved (see Attachment 4a);
- Letter from the Municipal Planning Commission dated September 15, 2008, advising the Commission supports the above recommendation (see Attachment 4a); and
- Notice that appeared in the local press under dates of September 27 and October 4, 2008.”

His Worship the Mayor opened the hearing.

Mr. Alan Wallace, Neighbourhood Planning Manager, Community Services Department, reviewed the proposed Zoning Bylaw Amendment and expressed the Department’s support.

Mr. Brad Sylvester, Chair, Municipal Planning Commission, advised the Commission is in support of the proposed Zoning Bylaw Amendment.

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

Moved by Councillor Paulsen, Seconded by Councillor Hill,

THAT the submitted correspondence and reports be received.

CARRIED.

Moved by Councillor Dubois, Seconded by Councillor Wyant,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Lorje, Seconded by Councillor Dubois,

THAT Council consider Bylaw No. 8713.

CARRIED.

- 4d) Proposed Zoning Bylaw Amendment
Proposed Rezoning from IH Zoning District
to IL1, MX1 and MX1(H) Zoning Districts – West Industrial Neighbourhood
Applicant: City of Saskatoon
Proposed Bylaw No. 8714
(File No. CK. 4351-08-16)**
-

REPORT OF THE CITY CLERK:

“City Council, at its meeting held on October 14, 2008, deferred consideration of this hearing to this meeting.

The purpose of this hearing is to consider proposed Bylaw No. 8714.

Attached are copies of the following:

- Proposed Bylaw No. 8714;
- Report of the General Manager, Community Services Department dated August 7, 2008 recommending that amendments to the City of Saskatoon Zoning Bylaw No. 7800 to rezone lands in the West Industrial neighbourhood, as outlined in the report of the General Manager, Community Services Department dated August 7, 2008, under Attachment 2 be approved (see Attachment 4a);
- Letter from the Municipal Planning Commission dated September 15, 2008, advising the Commission supports the above recommendation (see Attachment 4a); and
- Notice that appeared in the local press under dates of September 27 and October 4, 2008.”

His Worship the Mayor opened the hearing.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 52**

Mr. Alan Wallace, Neighbourhood Planning Manager, Community Services Department, reviewed the proposed Zoning Bylaw Amendment and expressed the Department's support.

Mr. Brad Sylvester, Chair, Municipal Planning Commission, advised the Commission is in support of the proposed Zoning Bylaw Amendment.

Mr. John Dubets, Civics Director, King George Community Association, spoke in favour of the proposed zoning amendment.

Moved by Councillor Penner, Seconded by Councillor Dubois,

THAT the submitted correspondence and reports be received.

CARRIED.

Moved by Councillor Hill, Seconded by Councillor Paulsen,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Lorje, Seconded by Councillor Heidt,

THAT Council consider Bylaw No. 8714.

CARRIED.

MATTERS REQUIRING PUBLIC NOTICE

- 5a) Proposed Closure of a Portion of Melville Street
Approximately 500 Metres East of Clarence Avenue
and 475 Metres West of Preston Avenue
(File No. I/S 6295-1; CK. 6295-08-18)**
-

REPORT OF THE CITY CLERK:

“The following is a report of the General Manager, Infrastructure Services Department dated October 20, 2008:

RECOMMENDATION: 1) that City Council consider Bylaw No 8694;

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 53**

- 2) that the City Solicitor be instructed to take all necessary steps to bring the intended closing forward and to complete the closing;
- 3) that upon closing the portion of right-of-way along Melville Street, as shown on the Plan No. 240-0074-002r001, it be transferred to Dundee Realty Corporation in exchange for dedication of future roads in the area; and
- 4) that all costs associated with this closing be paid by the applicant.

REPORT

A request has been received from Dundee Realty Corporation to close a portion of Melville Street which lies approximately 500 metres east of Clarence Avenue and 475 metres west of Preston Avenue, as shown on Plan No. 240-0074-002r001 (Attachment1). It is proposed that the right-of-way be consolidated with the properties in the Stonebridge area, as indicated on the Plan of Proposed Surface Subdivision prepared by Webster Surveys Ltd. (Attachment 2). The closure is part of the Stonebridge Concept Plan and the intent is to allow for future development in the area.

Shaw Cable, SaskEnergy, SaskPower and the Infrastructure Services Department have granted permission for closure subject to easements being granted within the proposed subdivision.

Approval has been received from the Minister of Highways (Attachment 3).

PUBLIC NOTICE

Public Notice is required for consideration of this matter, pursuant to Section 3b) of Policy No. C01-021, The Public Notice Policy. The following notice was given:

- Advertised in *The StarPhoenix* and *Sun* on October 18 and 19 and October 25 and 26, 2008;
- Posted on the City Hall Notice Board on Friday October 17, 2008; and
- Posted on the City of Saskatoon website on Friday, October 17, 2008.

ATTACHMENTS

1. Plan No. 240-0074-002r001;
2. Plan Showing Proposed Surface Subdivision and Consolidation;
3. Copy of letter from Department of Highways dated February 11, 2008;

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 54**

4. Proposed Bylaw No. 8694; and
5. Copy of Public Notice.”

Mr. Murray Totland, General Manager, Infrastructure Services Department, presented his report.

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

Moved by Councillor Dubois, Seconded by Councillor Heidt,

- 1) *that City Council consider Bylaw No 8694;*
- 2) *that the City Solicitor be instructed to take all necessary steps to bring the intended closing forward and to complete the closing;*
- 3) *that upon closing the portion of right-of-way along Melville Street, as shown on the Plan No. 240-0074-002r001, it be transferred to Dundee Realty Corporation in exchange for dedication of future roads in the area; and*
- 4) *that all costs associated with this closing be paid by the applicant.*

CARRIED.

**5b) Proposed Closure of Right-of-Way
Lane Between 117 and 201 – 103rd Street East
(File No. CK. 6295-08-25)**

REPORT OF THE CITY CLERK:

“The following is a report of the General Manager, Infrastructure Services Department dated October 20, 2008:

- ‘RECOMMENDATION:**
- 1) that City Council consider Bylaw No. 8716 (Attachment 4);
 - 2) that the City Solicitor be instructed to take all necessary steps to bring the intended closing forward and to complete the closing;
 - 3) that upon closing the portion of right-of-way lane as described in Plan No. 242-0071-003r001 (Attachment 1) and Plan of Proposed Subdivision (Attachment 2) prepared by Peters Surveys Ltd.,

dated October 2, 2008, it be sold to City Asphalt Paving Ltd. for \$17,044.66 plus GST; and

- 4) that all costs associated with this closing be paid by the applicant including solicitors' fees and disbursements.

His Worship the Mayor indicated that this matter has been withdrawn and will be re-advertised.

ADMINISTRATIVE REPORT NO. 20-2008 - continued

A3) Application for Condominium Conversion
1024 Avenue C North – Mike McNinch for Joe Friedel
(File No.: PL. 4132 – 06/08 CK. 4132-1)

- RECOMMENDATION:**
- 1) that the direction of City Council issue, with respect to the application submitted by Mike McNinch, for Joe Friedel, to convert the existing apartment at 1024 Avenue C North to a condominium;
 - 2) that in the event that City Council approves the application for conversion, it be approved subject to the following conditions:
 - a) completion of the necessary building repairs/modifications as required by City of Saskatoon Policy C09-004 (Condominium Approvals), and as noted in the Professional Review Reports submitted, including any other pertinent repairs/modifications that may be identified during the building permit plan review and building inspection process;
 - b) submission of a Condominium Plan prepared by a Saskatchewan Land Surveyor;
 - c) confirmation that enforceable Lease Agreements have been offered to all tenants who as of May 29, 2008, are residents and have not given notice and that the Lease Agreements contain the following terms:
 - i) tenant to have right to a lease for two years from the effective date of the application,

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 56**

- with the tenant to have the right to terminate the lease after 30 days notice;
- ii) the rent charged under the lease to not exceed the rent charged for comparable residential premises in the same general area in which the converted property is located;
- iii) any dispute between the landlord and the tenant as to the rent charged under the lease to be resolved through arbitration under *The Arbitration Act*;
- d) payment of \$960, being the required approval fee; and
- e) that final approval be granted to the applicant once conditions a), b), c), and d) are fulfilled to the satisfaction of the General Manager, Community Services Department.

BACKGROUND

An application has been submitted by Mike McNinch, for Joe Friedel, requesting approval for a condominium conversion involving an apartment building containing 12 residential units. This building is located at 1024 Avenue C North in the Caswell Hill neighbourhood.

The Legislative framework for condominium conversions is contained in *The Condominium Property Act, 1993*, which provides that the local authority may approve an application for a condominium conversion if it is satisfied that:

- “1) the proposal complies with the requirements of the Zoning Bylaw;
- 2) the conversion will not significantly reduce the availability of rental accommodation in the area;
- 3) the conversion will not create significant hardship for any or all of the tenants of the existing premises; and
- 4) the building and the parcel have the physical characteristics considered necessary by the local authority to make the premises suitable for conversion.”

The following information, which is attached, is also relevant to City Council in the consideration of this matter:

- 1) Background Information Common to Condominium Conversion Applications;
- 2) City of Saskatoon Policy C09-004 (Condominium Approvals) September 5, 2000;

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 57**

- 3) City of Saskatoon Policy C09-004 (Condominium Approvals) November 19, 2007;
- 4) CMHC (Canada Mortgage and Housing Corporation) - Saskatoon CMA (Census Metropolitan Area) Rental Market Report – 2007;
- 5) Clause A4 – Administrative Report No. 1-2008 – Rental Units;
- 6) City of Saskatoon – Housing Business Plan – 2008;
- 7) CMHC– Saskatoon CMA Spring Rental Market Report – 2008;
- 8) City of Saskatoon Policy C09-004 (Condominium Approvals) June 9, 2008; and
- 9) Owner’s offer of a tenant compensation package for 1024 Avenue C North.

REPORT

Compliance with the Zoning Bylaw

The site is zoned RM3 District in the City of Saskatoon Zoning Bylaw. Based on a surveyed site plan submitted by the applicant, it appears that the zoning requirements are satisfied with the exception of the current requirements pertaining to site width, side yard setbacks, parking, amenity space, and landscaping.

The building met all Zoning Bylaw requirements at the time it was constructed. Therefore, the site width, side yard setbacks, parking, amenity space, and landscaping arrangements are considered to be legal non-conforming.

Availability of Rental Accommodation

The 2007 CMHC Rental Market Report for Saskatoon identifies a city-wide vacancy rate of 0.6 percent and a vacancy rate of 0.1 percent in the area where this apartment building is located. In addition, this report identifies a city-wide availability rate of 1.8 percent and an availability rate of 1.4 percent in the area where this apartment building is located. (A rental unit is considered vacant if, at the time of the survey, it is physically unoccupied and available for immediate rental. A rental unit is considered available if the existing tenant has given or received notice to move, and a new tenant has not signed a lease, or the unit is vacant.)

The Spring 2008 CMHC Rental Market Report for Saskatoon identifies a city-wide vacancy rate of 0.9 percent and a city-wide availability rate of 2.6 percent. The Spring 2008 CMHC Report provides data on a city-wide basis only as opposed to the 2007 CMHC Report, which provides a more detailed breakdown of data for various zones within the City of Saskatoon.

The 2006 Census reported that there were 30,405 rental units, of all types, in Saskatoon including 3,420 units in the area where this apartment building is located. The above noted 2007 CMHC Report identifies a primary rental market of 13,474 units including 1,219 units in the area where this apartment building is located. (The primary rental market is defined as privately initiated structures with at least three rental units, which have been on the market for at least three months.)

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 58**

This application involves the conversion of 12 units. Since January 1, 2007, 1,540 units have been approved for conversion city wide, and 84 units have been approved in the area where this apartment building is located.

Tenant Hardship

This application has been made in accordance with City of Saskatoon Policy C09-004 (Condominium Approvals), and is subject to the amendments to the Policy made on June 9, 2008. The tenants were provided with six months written notice from the applicant on November 29, 2007. Of the twelve suites, ten were occupied at the time.

The application for conversion was submitted to the City of Saskatoon on March 10, 2008, and an Option to Purchase was provided by the applicant to the tenants on March 11, 2008. At this time, five suites were occupied.

A request for a tenant consent vote was received on July 14, 2008. At this time, two of the suites were occupied.

The applicant advises that the current owner of the apartment building took possession on November 1, 2007, with two vacant suites. Since that time, they had five tenants leave without notice, two tenants who gave notice to vacate, and one tenant who was evicted due to late rents. The current owner's comment to City Council on the vacancy status of the building is as follows:

“When we made our initial application and letter to tenants, etc., we did not increase rents and the tenants all left on their own free will with absolutely no pressure from us. In fact, many of the tenants trashed their suites upon leaving. They left a mess and a suite that was un-rentable in the current state. We did not put new tenants in because we could not do work to fix the building until we were approved. The building has been substantially vacant for a long time and we have been playing by the rules. We have two tenants left and one is leaving at the end of the month. The other tenant wants to purchase and we are assisting her.”

Tenant Consent

City Council's established Policy requires that when vacancy rates are less than 1.5 percent, condominium conversions may only be considered when at least 75 percent of the eligible tenants in the building consent to the conversion. City Council has defined eligible tenants as those tenants who have resided in the building for at least three months prior to the condominium conversion being submitted to the City of Saskatoon. In this instance, only those tenants who resided in the building prior to December 10, 2007, are eligible to vote.

An information meeting was held for the two remaining tenants on August 29, 2008. The City of Saskatoon representative provided information to the tenants on the conversion process and the voting process, including the process of establishing the eligible voters list. The applicant and

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 59**

current owner provided information on the plan for conversion and discussed possible offers of compensation with the tenants.

The compensation package ultimately offered to the voting tenants contains an arrangement of two different compensation choices from which the tenants may select. Briefly, the first compensation choice is an enhanced purchase option and the second compensation choice is an enhanced rental option. A copy of the owner's compensation offer is attached to this report.

The tenant consent vote was carried out from September 9 to September 16, 2008. Tenants were provided with a voting package which included the owner's written Offer of Compensation, the voting procedures, and a voting ballot. Tenants had the option of mailing or dropping off their ballot to City Hall, providing the ballot to the Building Manager, or contacting a designated City of Saskatoon Representative to arrange pick up. The tabulated results of the Tenant Consent Vote are as follows:

Ballots Issued	2
Ballots Returned	2
Yes to Conversion	2
No to Conversion	0

This results in 100 percent of the eligible tenants supporting the conversion. Both the tenants and the applicant were advised of the voting results by phone on September 16, 2008.

Subsequently, the applicant advised that one of the voting tenants has now given notice to vacate the building at the end of September.

National Building Code and Professional Review of Building

The applicant has submitted a Professional Review Report addressing the critical life safety conditions for the building. The Building Standards Branch has reviewed the report and has no objections to the application subject to the critical life safety deficiencies noted in the report being addressed, including any other pertinent repairs/modifications that may be identified during the building permit plan review and building inspection process.

OPTIONS

City Council has the options of approving this application subject to the conditions noted in this report, approving the application subject to additional conditions, or denying the application.

POLICY IMPLICATIONS

None.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 60**

FINANCIAL IMPACT

None.

PUBLIC COMMUNICATION PLAN

Notice that City Council will be considering this application on October 14, 2008, has been posted in the subject building.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of City of Saskatoon Policy C01-021 (Public Notice Policy), is not required.

ATTACHMENTS

1. Background Information Common to Condominium Conversion Applications
2. City of Saskatoon Policy C09-004 (Condominium Approvals) September 5, 2000
3. City of Saskatoon Policy C09-004 (Condominium Approvals) November 19, 2007
4. CMHC – Saskatoon CMA Rental Market Report – 2007
5. Clause A4 – Administrative Report No. 1-2008 – Rental Units
6. City of Saskatoon – Housing Business Plan – 2008
7. CMHC – Saskatoon CMA Spring Rental Market Report – 2008
8. City of Saskatoon Policy C09-004 (Condominium Approvals) June 9, 2008
9. Owner’s offer of a tenant compensation package for 1024 Avenue C North

Moved by Councillor Hill, Seconded by Councillor Paulsen,

THAT Item A2 of Communications to Council be brought forward and that Darren Hagen be heard.

CARRIED.

“A2) Darren Hagen, dated October 20

Requesting permission to address City Council with respect to proposed condominium conversion for 1024 Avenue C North. (File No. CK. 4132-1)”

Mr. Darren Hagen, a partner of the owner of the property, reviewed the chronology of the building and tenants status.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 61**

Moved by Councillor Wyant, Seconded by Councillor Hill,

THAT City Council approve the application submitted by Mike McNinch, for Joe Friedel, to convert the existing apartment at 1024 Avenue C North to a condominium subject to the following conditions:

- a) completion of the necessary building repairs/modifications as required by City of Saskatoon Policy C09-004 (Condominium Approvals), and as noted in the Professional Review Reports submitted, including any other pertinent repairs/modifications that may be identified during the building permit plan review and building inspection process;*
- b) submission of a Condominium Plan prepared by a Saskatchewan Land Surveyor;*
- c) confirmation that enforceable Lease Agreements have been offered to all tenants who as of May 29, 2008, are residents and have not given notice and that the Lease Agreements contain the following terms:*
 - i) tenant to have right to a lease for two years from the effective date of the application, with the tenant to have the right to terminate the lease after 30 days notice;*
 - ii) the rent charged under the lease to not exceed the rent charged for comparable residential premises in the same general area in which the converted property is located;*
 - iii) any dispute between the landlord and the tenant as to the rent charged under the lease to be resolved through arbitration under The Arbitration Act;*
- d) payment of \$960, being the required approval fee; and*
- e) that final approval be granted to the applicant once conditions a), b), c), and d) are fulfilled to the satisfaction of the General Manager, Community Services Department.*

CARRIED.

**A4) Pleasant Hill Revitalization – Requests for Proposals
File No.: PL 951-22; CK. 4131-31**

- RECOMMENDATION:**
- 1) that the City of Saskatoon enter into a Sales Agreement with the Cenith Energy Corporation for the development of housing units on Parcels B and D in the Pleasant Hill

Revitalization area, subject to the conditions of the Sales Agreement contained in this report at a price satisfactory to the City;

- 2) in the event that Cenith Energy Corporation decides not to proceed with development, the City of Saskatoon will enter into a Sales Agreement with the Affordable New Home Development Foundation (ANHDF) to develop both Parcels B and D; subject to modifications in design to fit the intent for Parcel B at a price satisfactory to the City;
- 3) that the General Manager of Community Services be authorized to enter into negotiations with the Affordable New Home Development Foundation (ANHDF) towards securing the development of housing units on future parcels within the Pleasant Hill Revitalization area; and
- 4) that the City Solicitor be instructed to prepare the necessary Sales Agreements.

EXECUTIVE SUMMARY

The Community Services Department has now received four proposals for the Pleasant Hill Revitalization Project (Parcels B and D, see Attachment 1).

Of the four proposals, two have been ranked very high by the Pleasant Hill Review Committee. One is from the Cenith Energy Corporation and the other is from the Affordable New Home Development Foundation. Both have indicated that they prefer to develop both parcels.

The proposal from Cenith Energy Corporation (Ontario) will introduce a new kind of housing product to Saskatoon manufactured entirely from factory built, pre-fabricated components. This type of housing is extremely energy efficient, with estimates as high as 70 percent more energy efficient than conventional housing. The housing product exceeds EnergyStar and R2000 standards. Cenith is prepared to bring in-staff architects and engineers to custom design the housing form on parcels B and D. Their proposal contains sixteen units for parcel B and forty-one units for Parcel D (56 units in total). The average cost to construct the dwellings only is estimated to be \$140 per square foot.

The Affordable New Home Development Foundation submitted a proposal to build three innovative “big house” designs – one on parcel B and two on parcel D. The foundation has contracted with three small local builders who will offer training opportunities to young skilled tradespeople throughout the construction process. The three companies are not accustomed to building multiple unit dwellings and will be mentored by two larger, more experienced housing firms (North Prairie and Northridge Developments). The ‘Big House’ design is essentially a new form of stacked townhouses which will contain twelve dwellings each (36 units total). It is a very neighbourhood

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 63**

friendly design with patios, porches, and balconies and each unit has views in two directions. The units will be built to EnergyStar specifications. The average cost to construct the dwellings only is estimated to be \$120 to \$160 per square foot.

The Review Committee has ranked both proposals highly. However, the proposal from ANHDF was felt to be too large for Parcel B and was ranked lower on this parcel. They felt ANHDF's proposal to build two 'big houses' on Parcel D fit well with the approved Concept Plan. Furthermore, ANHDF could not provide a more definitive price for the completed units.

Your Administration is recommending the Cenith Proposal for Parcel B and D. Cenith's proposal was ranked slightly higher by the Pleasant Hill Review Committee for Parcels B and D. The proposal will bring new building technologies to Saskatoon and significantly reduce the operating costs of the housing for the owners by exceeding EnergyStar and R2000 specifications. It is a custom built design which will have input from the review committee members and Cress Housing, Habitat for Humanity, and Quint Development Corporation.

In recognition of the strong proposal submitted by Affordable New Home Development Foundation (ANHDF), the Administration is recommending entering into negotiations with the ANHDF to try and secure the development of housing units on future development parcels within the Pleasant Hill Revitalization area.

BACKGROUND

On April 7, 2008, City Council resolved:

- “1) that a report be forwarded to City Council recommending that the Expressions of Interest (EOI) received from Quint Development Corporation, Habitat for Humanity/Cress Housing Corporation, the Central Urban Métis Federation Inc., and Sask Native Rentals Inc. be received;
- 2) that the General Manager be authorized to issue a Request for Proposal to the Saskatoon Home Builders Association (SHBA) to construct housing units on Parcels B and D, containing the following provisions:
 - a) the housing units must conform to the adopted Concept Plan;
 - b) that upon construction of the housing units, up to 50 percent of the completed units will be offered to those organizations who submitted an Expression of Interest for Parcels B and D on a right-of-first refusal basis;
 - c) in the event no interest is shown by the proponents of Parcels B and D, the units will be offered to the marketplace;

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 64**

- d) any remaining units will be offered to the Saskatchewan Housing Corporation;
 - e) remaining units will be purchased by the City of Saskatoon and made available as entry-level leases; and
- 3) that the Request for Proposals (RFP) for Parcels A and C be deferred pending the receipt of more definite timing concerning the construction of the new St. Mary School.”

The City of Saskatoon has two parcels available for immediate development in the Pleasant Hill Revitalization Project. (See Parcels B and D in Attachment 1.)

A RFP was forwarded to the SHBA in April 2008. A joint submission was received from the ANHDF and SHBA in May 2008. The joint submission was not a formal development proposal. Rather, it contained an offer to form a consortium of home builders to provide design and construction services for the entire Pleasant Hill project. The proposal was an offer to enter into an Agreement, subject to more meetings between the City and representatives from the consortium.

A subsequent meeting was held on May 22, 2008, and again on August 25, 2008, to discuss the proposal in more detail.

Since May 2008, the City of Saskatoon has received unsolicited enquiries from builders and other housing providers concerning the Pleasant Hill project. These builders and housing providers expressed interest in developing housing in Pleasant Hill and requested more information. The RFPs sent to the SHBA was provided to all home builders who enquired about the project.

Several of the home builders who expressed interest in Pleasant Hill are makers of modular homes. This included three companies in Saskatoon who are, or will soon be, making modular homes.

It was indicated to all who received the RFPs that the City was anxious to move forward on Parcels B and D in 2008, and that any submissions had to be received within a reasonable time frame. A cut-off date of Thursday, September 25, 2008, was issued.

As of September 25, 2008, four proposals had been received:

- Cenith Energy Corporation;
- Affordable New Home Development Foundation;
- North 52 Developments; and
- MidCanada Modular Homes.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 65**

REPORT

The Pleasant Hill Review Committee has reviewed and scored the four proposals and evaluated the submissions using the following scoring system:

Development Proposal Summary 60 Points

Evaluation criteria:

- a high standard of building design;
- a high standard of site design and landscaping;
- innovations which promote environmental sustainability and lowers long-term operating costs, such as:
 - ✓ high energy efficiency;
 - ✓ solar access;
 - ✓ durable, low maintenance materials;
 - ✓ environmentally friendly building materials;
- social sustainability – adds value to community and promotes neighbourliness and physical connectivity with the surrounding uses;
- health - promotes walkability, mobility, and incorporates universal accessibility standards where appropriate;
- incorporates Safety Standards and Crime Prevention Through Environmental Design (CPTED) principles, both in building and site design;
- developments may be for rental or ownership purposes. However, any rental project should be designed so as not to preclude the possibility of future titled ownership of the units (i.e. units can obtain separate title);
- developments should focus on providing units and amenities which focus on families;
- all proposals should describe the intended market of each development and the affordability; and
- demonstration of ability to complete developments within desired timeframe.

Development Experience 15 Points

A description of projects the company has developed, currently own, and/or managed over the past ten years. Experience in the type of development envisaged on the subject parcels (family-oriented residential) is particularly important to note.

References and Property Management Experience 25 Points

Five references must be submitted and must include current and former clients or residents of property managed by the organization and must include lender(s) or other financial institutions.

Proposal Evaluations

The projects were scored on a 100 point system. The results are presented below:

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
 MONDAY, OCTOBER 27, 2008
 PAGE 66**

Parcel B – Low Density (.47 acres)

Proponent	Review Committee Average Score (9 scores)
Cenith Energy Corporation	81 (<i>recommended</i>)
ANHDF/SHBA	70
North 52 Developments	64
Mid Canada Modular	62

Parcel D – Medium Density (.79 acres)

Proponent	Review Committee Average Score (9 scores)
Cenith Energy Corporation	81 (<i>recommended</i>)
ANHDF/SHBA	79
Mid Canada Modular	62

Cenith Energy Corporation (Attachment 2)

Cenith Energy Corporation is a Canadian-based company who has proposed to construct up to 16 two-storey townhouse units on Parcel B and 41 units on Parcel D.

Key features of the proposal include:

- Clean building technology;
- Exceeds Energy Star and R2000 energy ratings;
- Up to 70 percent more energy efficient than traditional home construction;
- Three time stronger than traditional home construction;
- Passive solar water heating systems;
- Geothermal heat pump system;
- Storm water collection and treatment;
- Natural ventilation;
- Water saving devices;
- Energy star fixtures and building materials;
- Five piece Energy Star appliances;
- Fire alarms;
- Steel frame construction;
- Pre-fabricated panels;
- 100 percent recycled building envelope material;
- New Home Warranty by the Saskatchewan New Home Warranty Program;
- Completed development in 11 months; and
- \$140 per square foot housing cost; plus \$30 per square foot for site development.

The Review Committee liked the innovation, high energy efficiency, and cost-effective method of construction. The reduced timeframe for delivery of finished units is also an appealing feature.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 67**

Cenith Energy Corporation designs and constructs all forms of housing from single family units, to high-rise residential, and commercial construction. They are a very experienced company with a project portfolio of major developments across Canada. They have world-class architects and engineers on-staff who will meet with the Pleasant Hill Project Review Committee and custom design the housing project.

Cenith Energy Corporation has contracted a local project manager, Mr. Abe Yuen, to oversee the project locally in Saskatoon.

Affordable New Home Development Foundation (ANHDF) (Attachment 3)

ANHDF submitted a high-quality proposal involving a consortium of three small homebuilders who will be mentored by two large, established Saskatoon home builders in the construction of a new, innovative, affordable housing design referred to as a “Big House” design.

Key Features of the proposal include:

- New, attractive, “Big House” design;
- Access Aboriginal Skills Employment Partnership – to employ people living in the inner city;
- Expand and enhance capacity of building community;
- Each “Big House” contains 12 dwellings;
- Three and four bedroom designs possible;
- Energy Star standard – 30 percent more energy efficient;
- High recycled content building materials;
- No/low maintenance exteriors;
- 10-12 month construction phase;
- Patios, porches, and balconies will be featured;
- Acoustic sound separation between units;
- Amenity areas for children; and
- Addresses CPTED principles in design.

The proposal from ANHDF included many attractive features. The proposal intends to build two, new, “Big House” designs which are intended to ‘stack’ townhouse features into a larger attractive shell. It will include many friendly features such as porches, patios, and balconies. Most units are ground oriented. The features of this design will demonstrate an attractive, affordable, upscale design, which will include Energy Star components and other innovations.

The proposal includes training and apprenticeship opportunities for local employees who wish to build a career in the building construction field. Mentorship of two smaller local housing companies will be provided by two larger, more experienced housing companies.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 68**

Summary

Collectively, the proposals contained a wide variety of appealing features:

- Pre-fabricated energy efficient components;
- Local training opportunities;
- Environmentally sustainable materials;
- Affordability;
- Modular construction; and
- Attractive designs.

Proposals by North 52 Developments and MidCanada Modular Homes did not include all necessary information requested by RFP and/or contained a proposal which was substandard to the Cenith Energy Corporation and ANHDF proposals. More details can be provided upon request.

Cenith Energy Corporation and ANHDF both submitted strong proposals. Overall, the review committee favoured the proposal by Cenith Energy Corporation for their high-energy efficiency components, custom design options, and compatibility with the approved Concept Plan.

The proposal from ANHDF was viewed by the review committee as too large for Parcel B. Essentially, ANHDF proposed to build the same building on both parcels B and D. The Pleasant Hill Revitalization Concept Plan required a medium density development on Parcel D and a low density street-oriented development on Parcel B. ANHDF did not distinguish between the two. Furthermore, ANHDF was not prepared to offer a price for the completed units.

Cenith Energy Corporation is prepared to design and build to the specifications identified in the Pleasant Hill Concept Plan, and include the energy efficiency and green technology features identified above.

Both Cenith Energy Corporation and ANHDF indicated they would prefer both parcels. Neither is prepared to mobilize their workforce for a small project on Parcel B alone. Cenith Energy Corporation is not interested in less than two parcels for Pleasant Hill due to the desire to investigate a geo-thermal district heating component for two or more parcels. ANHDF has indicated that they may be willing to develop housing units on only Parcel D, subject to further negotiations for a second site elsewhere.

The Administration is recommending the Cenith Energy Corporation proposal for Parcels B and D.

Due to the attractive proposal offered by ANHDF, the Administration is also recommending further negotiations with ANHDF towards securing a proposal to build more housing units on future parcels of land which are expected to become available within the Pleasant Hill Revitalization area within the next 18 to 24 months.

The Pleasant Hill Revitalization Project is an ideal opportunity to showcase new construction techniques and methods which deliver high energy efficiency, attractive designs and affordability.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 69**

During the proposal stage, the Planning and Development Branch received enquiries from four modular home builders and two pre-fabricated component manufacturers, each offering a product which meets or exceeds national building code standards and Energy Star ratings. They also offer a climate-controlled environment for construction and assembly, reduced construction period, and significant cost savings compared to traditional home-construction methods.

The trend towards modular home building and pre-fabricated component manufacturing is gaining momentum in Canada and the United States. To date, this type of housing product has not been delivered in the Saskatoon marketplace in any large numbers. Some firms have expressed an interest in developing manufacturing plants in Saskatoon if the demand for these types of products takes hold.

Sales Agreement

The Community Services Department is recommending the selection of Cenith Energy Corporation to develop Parcel B and D subject to the following conditions:

- a) the housing developments must conform to the adopted Pleasant Hill Concept Plan;
- b) that the design team for the successful proponent must allow input from the Pleasant Hill Community Review Committee, Quint Development Corporation, Cress Housing, and Habitat for Humanity into the final design of the intended project;
- c) that upon construction of the housing units, up to 50 percent of the completed units will be offered to QUINT Development, Cress Housing, and Habitat for Humanity, on a right-of-first refusal basis;
- d) after a period of 90 days, in the event no interest is shown by the proponents listed in c) above, the units will be offered to the marketplace, at full market value;
- e) in the event that the final sales price of the market units includes a land value which exceeds the purchase price from the City (\$1), that land value must be remitted back to the City of Saskatoon's Affordable Housing Reserve;
- f) in the event that vacant units remain after offering them in the marketplace, the units will be offered to the Saskatchewan Housing Corporation;
- g) any remaining, vacant units will be purchased by the City of Saskatoon and made available as entry-level leases;
- h) completion of dwellings within 18 months of selection; and
- i) offer a warranty program equivalent to, or exceeding, the coverage offered through the Saskatchewan New Home Warranty Program.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 70**

OPTIONS

1. Proceed to enter into a Sales Agreement with Cenith Energy Corporation for development of housing units on Parcels B and D, and negotiate with ANHDF for future development on upcoming parcels of land in the Pleasant Hill Revitalization area (recommended).
2. Proceed to enter into a Sales Agreement with ANHDF for future development of housing units on Parcels B and D, subject to a design modification to fit the design intent for Parcel B.
3. Decline to enter into an Agreement with either company.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPACT

The Pleasant Hill Revitalization Project has its own funding source from the Urban Development Agreement (\$3.3 million). The land acquisition portion of this budget is \$2 million. The unspent balance in this portion of the budget is \$284,988; however, an additional \$1.0 million was allocated by City Council from the Neighbourhood Land Development Fund on March 3, 2008. However, the purchase of unsold units is not currently covered by either of these funds. A new funding source would need to be found to cover the cost to purchase unsold units.

Assuming 40 units are constructed, and 30 percent are not sold at completion, and assuming \$200,000 per unit construction cost (not including land), there would need to be \$2.4 million of funding found to backstop the purchase of unsold units. It is recommended that the Affordable Housing Reserve provide funding in the form of a loan to ensure there are no unoccupied units upon completion of construction. The unsold units will be leased to low and moderate income households, until such time as a non-profit housing provider is able to acquire the units. The lease payments will be used to pay back dollars used from the Reserve to acquire the new units.

The current balance within the Affordable Housing Reserve is \$3.6 million dollars and is sufficient to provide a loan towards purchase of any unsold units.

Provincial Funding

The Saskatchewan Housing Corporation has allocated approximately \$8 million in funding towards development of affordable housing within the Pleasant Hill Revitalization Project. This funding is secure and not subject to re-allocation for other housing projects outside of Pleasant Hill. This funding assistance can be accessed by the non-profit housing providers such as Quint Development Corporation, Cress Housing, and Habitat for Humanity towards the purchase of any of the finished units.

STAKEHOLDER INVOLVEMENT

The Pleasant Hill Revitalization Project has had extensive public involvement. A Review Committee has been created to review all development proposals to date. Staff of the Community Services Department regularly attend the Pleasant Hill Community Association meetings to provide updates on the project.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of the City Saskatoon Policy C01-021, (Public Notice Policy) is not required since the direct sale of land has been proposed through two Expressions of Interest and one Request for Proposal.

ATTACHMENTS

1. Approved Pleasant Hill Revitalization Concept Plan
2. Proposal from Cenith Energy Corporation
3. Proposal from Affordable New Home Development Foundation

The City Clerk distributed copies of the following letters:

- *Kent Mohn, dated October 24, 2008, requesting permission to address City Council;*
- *Stacie Beaver, Saskatoon & Region Home Builders' Association, dated October 24, 2008, requesting permission for Alan Thomarat to address City Council; and*
- *Perry Kenke, dated October 26, 2008, requesting permission to address City Council.*

Moved by Councillor Penner, Seconded by Councillor Wyant,

THAT the matter be referred to the next Public Executive Committee.

CARRIED.

**REPORT NO. 11-2008 OF THE ADMINISTRATION AND FINANCE COMMITTEE -
continued**

2. Communications to Council

From: Melanie Baerg & Michelle Beveridge
Oxfam Canada

Date: May 8, 2008

and

From: Andrea Harden, Polaris Institute

Date: April 9, 2008

Subject: Public Tap Water

and

From: Justin Sherwood, President
Refreshments Canada

Date: September 19, 2008

Subject: Bottled Water

(File No. CK. 7900-1)

RECOMMENDATION: that the information be received.

City Council considered the above-noted communications from Oxfam Canada and Polaris Institute, and a presentation made at its meeting held on May 20, 2008 in support of the City of Saskatoon establishing a policy that will declare that at all City-hosted events, public tap water will be served rather than bottled water. City Council referred the matter to the Administration for a report to the Administration and Finance Committee. A letter from Justin Sherwood, President, Refreshments Canada providing their information brochure regarding bottled water and indicating that bottled water provides consumers with a healthy, safe, convenient, portable and refreshing beverage option, was also referred to the Administration and Finance Committee for consideration when dealing with this matter.

Attached is the report of the General Manager, Utility Services Department dated September 8, 2008 summarizing current practices of the City with regard to drinking water and the financial and environmental impacts of bottled water. Also attached are the communications referenced above.

Your Committee has reviewed this matter with the Administration, and heard a presentation from Mr. Don Kossick in support of using public tap water. The Committee is pleased that the survey of the corporation revealed limited use of single-use bottled water, and that a number of branches have purchased refillable water bottles for their staff and for promotional items to encourage drinking tap water.

Your Committee wishes to maintain the status quo – and believes that a policy is not required at this time.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 73**

The City Clerk distributed copies of the following letters:

- *Sasha Hanson-Pastran, Oxfam Canada, dated October 27, 2008, requesting permission to address City Council;*
- *Justin Sherwood, President, Refreshments Canada, dated October 27, requesting permission to address City Council; and*
- *Tracy Mitchell, dated October 26, 2008, submitting comments.*

Moved by Councillor Hill, Seconded by Councillor Paulsen,

THAT Sasha Hanson-Pastran and Justin Sherwood be heard.

CARRIED.

Ms. Sasha Hanson-Pastran, representative of Oxfam Canada, spoke regarding the sale and use of bottled water in civic facilities expressing concern about environmental issues as well as promotion of safe drinking water in the city. She asked that the City consider banning the sale and use of bottled water at its facilities and events.

Mr. Justin Sherwood, President, Refreshments Canada, spoke against the banning of bottled water and provided statistics regarding some of the myths surrounding the sale and use of bottled water.

Moved by Councillor Penner, Seconded by Councillor Wyant,

THAT the recommendation of the Administration and Finance Committee be adopted.

CARRIED.

COMMUNICATIONS TO COUNCIL - continued

A. REQUESTS TO SPEAK TO COUNCIL

1) Jamie McKenzie, dated October 20

Requesting permission to address City Council with respect to Access Transit funding. (File No. CK. 7300-1)

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 74**

RECOMMENDATION: that Jamie McKenzie be heard.

Moved by Councillor Hill, Seconded by Councillor Paulsen,

THAT Jamie McKenzie be heard.

CARRIED.

Mr. Jamie McKenzie expressed concern regarding the shortage of Access Transit buses in the city. He said that Regina has received more funding in the past than Saskatoon because they have always owned the buses, as opposed to Saskatoon contracting out the service at one time.

Moved by Councillor Hill, Seconded by Councillor Neault,

THAT the information be received.

CARRIED.

2) Darren Hagen, dated October 20

Requesting permission to address City Council with respect to proposed condominium conversion for 1024 Avenue C North. (File No. CK. 4132-1)

DEALT WITH EARLIER. SEE PAGE NO. 55.

3) Annemarie Buchmann-Gerber, Circle Drive Issues Group, dated October 20

Requesting permission to address City Council with respect to noise attenuation walls. (File No. CK. 375-2)

RECOMMENDATION: that Annemarie Buchmann-Gerber be heard.

Moved by Councillor Hill, Seconded by Councillor Paulsen,

THAT Annemarie Buchmann-Gerber be heard.

CARRIED.

Ms. Annemarie Buchmann-Gerber, Circle Drive Issues Group, spoke regarding sound attenuation walls on Circle Drive and asked that a wall also be installed along Circle Drive, leading to the 8th Street overpass.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 75**

Moved by Councillor Penner, Seconded by Councillor Lorje,

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

CARRIED.

4) Heather Schwager, Lighthouse Victory Church, dated October 22

Requesting permission for Pastor David Meir to address City Council to ask permission to construct a skating rink on City property located on Rusholme Road. (File No. CK. 150-1)

RECOMMENDATION: that Pastor David Meir be heard.

Moved by Councillor Hill, Seconded by Councillor Paulsen,

THAT Pastor David Meir be heard.

CARRIED.

Pastor David Meir, Lighthouse Victory Church, requested use of City property located near the church in order to install a skating rink. He indicated that the church would pay for any installation as well as maintenance, but asked to utilize the fire hydrant for flooding purposes.

Moved by Councillor Paulsen, Seconded by Councillor Heidt,

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

CARRIED.

INTRODUCTION AND CONSIDERATION OF BYLAWS

Bylaw 8694

Moved by Councillor Paulsen, Seconded by Councillor Clark,

THAT permission be granted to introduce Bylaw No. 8694, being “The Street Closing Bylaw, 2008 (No. 9)” and to give same its first reading.

CARRIED.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 76**

The bylaw was then read a first time.

Moved by Councillor Paulsen, Seconded by Councillor Lorje,

THAT Bylaw No. 8694 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Paulsen, Seconded by Councillor Heidt,

THAT Council go into Committee of the Whole to consider Bylaw No. 8694.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 8694 was considered clause by clause and approved.

Moved by Councillor Paulsen, Seconded by Councillor Hill,

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

CARRIED.

Moved by Councillor Paulsen, Seconded by Councillor Dubois,

THAT permission be granted to have Bylaw No. 8694 read a third time at this meeting.

CARRIED UNANIMOUSLY.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 77**

Moved by Councillor Paulsen, Seconded by Councillor Penner,

THAT Bylaw No. 8694 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.

Bylaw 8711

Councillor Gordon Wyant was not present when the hearing was opened, so is unable to vote.

Moved by Councillor Paulsen, Seconded by Councillor Clark,

THAT permission be granted to introduce Bylaw No. 8711, being “The Development Plan Amendment Bylaw, 2008 (No. 9)” and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Paulsen, Seconded by Councillor Lorje,

THAT Bylaw No. 8711 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Paulsen, Seconded by Councillor Heidt,

THAT Council go into Committee of the Whole to consider Bylaw No. 8711.

CARRIED.

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

Committee arose.

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

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 78**

That while in Committee of the Whole, Bylaw No. 8711 was considered clause by clause and approved.

Moved by Councillor Paulsen, Seconded by Councillor Hill,

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

CARRIED.

Moved by Councillor Paulsen, Seconded by Councillor Dubois,

THAT permission be granted to have Bylaw No. 8711 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Paulsen, Seconded by Councillor Penner,

THAT Bylaw No. 8711 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.

Bylaw 8712

Moved by Councillor Paulsen, Seconded by Councillor Clark,

THAT permission be granted to introduce Bylaw No. 8712, being "The Development Plan Amendment Bylaw, 2008 (No. 10)" and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Paulsen, Seconded by Councillor Lorje,

THAT Bylaw No. 8712 be now read a second time.

CARRIED.

The bylaw was then read a second time.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 79**

Moved by Councillor Paulsen, Seconded by Councillor Heidt,

THAT Council go into Committee of the Whole to consider Bylaw No. 8712.

CARRIED.

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

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

That while in Committee of the Whole, Bylaw No. 8712 was considered clause by clause and approved.

Moved by Councillor Paulsen, Seconded by Councillor Hill,

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

CARRIED.

Moved by Councillor Paulsen, Seconded by Councillor Dubois,

THAT permission be granted to have Bylaw No. 8712 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Paulsen, Seconded by Councillor Penner,

THAT Bylaw No. 8712 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.

Bylaw 8713

Moved by Councillor Paulsen, Seconded by Councillor Clark,

THAT permission be granted to introduce Bylaw No. 8713, being "The Zoning Amendment Bylaw, 2008 (No. 20)" and to give same its first reading.

CARRIED.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 80**

The bylaw was then read a first time.

Moved by Councillor Paulsen, Seconded by Councillor Lorje,

THAT Bylaw No. 8713 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Paulsen, Seconded by Councillor Heidt,

THAT Council go into Committee of the Whole to consider Bylaw No. 8713.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 8713 was considered clause by clause and approved.

Moved by Councillor Paulsen, Seconded by Councillor Hill,

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

CARRIED.

Moved by Councillor Paulsen, Seconded by Councillor Dubois,

THAT permission be granted to have Bylaw No. 8713 read a third time at this meeting.

CARRIED UNANIMOUSLY.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 81**

Moved by Councillor Paulsen, Seconded by Councillor Penner,

THAT Bylaw No. 8713 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.

Bylaw 8714

Moved by Councillor Paulsen, Seconded by Councillor Clark,

THAT permission be granted to introduce Bylaw No. 8714, being “The Zoning Amendment Bylaw, 2008 (No. 21)” and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Paulsen, Seconded by Councillor Lorje,

THAT Bylaw No. 8714 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Paulsen, Seconded by Councillor Heidt,

THAT Council go into Committee of the Whole to consider Bylaw No. 8714.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 8714 was considered clause by clause and approved.

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL
MONDAY, OCTOBER 27, 2008
PAGE 82**

Moved by Councillor Paulsen, Seconded by Councillor Hill,

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

CARRIED.

Moved by Councillor Paulsen, Seconded by Councillor Dubois,

THAT permission be granted to have Bylaw No. 8714 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Paulsen, Seconded by Councillor Penner,

THAT Bylaw No. 8714 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.

Moved by Councillor Paulsen,

THAT the meeting stand adjourned.

CARRIED.

The meeting adjourned at 8:30 p.m.

Mayor

City Clerk