



CITY COUNCIL

Council Chambers, 2nd Floor, City Hall

Monday, February 12, 2018 at 5:30 p.m.

1. CALL TO ORDER
2. PUBLIC ACKNOWLEDGEMENTS
3. ADOPTION OF MINUTES
4. MOTION TO GO INTO THE COMMITTEE OF THE WHOLE

#6 – Report dated January 19, 2018 from Planning and Development Services, **re: Allocation of Two Retail Cannabis Outlets for the City of Moose Jaw.**

#7 – Report dated January 22, 2018 from the City Clerk/Solicitor, **re: Appointment to the City of Moose Jaw Cultural Diversity Advisory Committee.**

#8 - Report dated January 16, 2018 from the Secretary, Development Appeals Board, **Re: Decision of the Development Appeals Board.**

#9 - Report dated February 1, 2018 from Engineering Services, **re: Approval for Tender Equipment Over Budget**

5. ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE
6. REPORTS OF THE STANDING COMMITTEES OF CITY COUNCIL

a. Executive Committee – January 22, 2018

7. MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES

8. REPORTS OF OTHER COMMITTEES

- a. Municipal Planning Commission – January 23, 2018

9. GIVING NOTICE

10. MOTIONS

11. BYLAWS

Introduction of Bylaw:

Consideration of Bylaw:

12. ENQUIRIES

13. RESPONSE TO WRITTEN "ANSWERS TO ENQUIRIES"

14. PUBLIC FORUM

Executive Committee to follow.

The next regular meeting of City Council is scheduled for Monday, February 26, 2018.



MINUTES

REGULAR MEETING OF CITY COUNCIL

Monday, January 22, 2018, 5:30 p.m.
Council Chambers, City Hall

PRESENT: Mayor F. Tolmie
Councillor D. Mitchell
Councillor B. Swanson
Councillor C. Warren
Councillor C. Froese
Councillor D. Luhning

ABSENT: Councillor S. McMann

CALL TO ORDER

Mayor Tolmie called the meeting to order at 5:31 p.m.

PUBLIC ACKNOWLEDGEMENTS – Nil.

ADOPTION OF MINUTES OF THE LAST REGULAR MEETING

Re: Adoption of Regular City Council Meeting Minutes – January 8, 2018

Moved by Councillor Froese, seconded by Councillor Luhning
THAT the minutes of the regular meeting of City Council held on Monday,
January 8, 2018 be approved and adopted.

Carried.

MOTION TO GO INTO COMMITTEE OF THE WHOLE

015 Moved by Councillor Warren, seconded by Councillor Swanson
THAT we now go into the Committee of the Whole under the Chairmanship
of Acting Deputy Mayor Froese to deal with original communications,
delegations and petitions.

Carried.

Acting Deputy Mayor Froese reported that the Committee of the Whole
considered the following communications, delegations and petitions:

**Communication #5 – Moose Jaw Public Library Board Appointments &
Palliser Regional Library Board Appointments**

Considered was a report (Communication #5 dated January 11, 2018 -
Tabled matter Communication #1) from the City Clerk/Solicitor's Office to
present City Council with the Moose Jaw Public Library Board Appointments
and Palliser Regional Library Board Appointments for 2018.

016 Moved by Mayor Tolmie
THAT we lift the item from the table in order to proceed.

Carried.

017 Moved by Mayor Tolmie
THAT City Council appoint Matthew Zantingh, Rae Trites, Jaimie Atkins, and
Kari Hennenfent, as Citizens-at-Large, to the Palliser Regional Library Board
for a term of office to expire December 31, 2019; and

THAT City Council appoint one member of Moose Jaw City Council, being
Councillor Froese, as the representative to the Moose Jaw Public Library
Board and the Palliser Regional Library Board; and further

THAT City Council appoint Mayor Tolmie to the Moose Jaw Public Library
Board.

Carried.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

018 Moved by Councillor Mitchell, seconded by Councillor Swanson
THAT the report of the Committee of the Whole be taken as read, received
and adopted.

Carried.

REPORTS OF STANDING COMMITTEES OF CITY COUNCIL

Budget Committee – January 8, 2018

019 Moved by Councillor Luhnig, seconded by Councillor Froese
THAT the report of the Budget Committee meeting dated January 8, 2018 be taken as read.
Carried.

Executive Committee #1 – January 8, 2018

020 Moved by Councillor Warren, seconded by Councillor Luhnig
THAT the report of the Executive Committee meeting #1 dated January 8, 2018 be taken as read.
Carried.

Executive Committee #2 – January 8, 2018

021 Moved by Councillor Froese, seconded by Councillor Mitchell
THAT the report of the Executive Committee meeting #2 dated January 8, 2018 be taken as read.
Carried.

The reports of the Budget Committee meeting and the Executive Committee meetings #1 and #2 dated January 8, 2018 follow:

MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES

Report of the Budget Committee – January 8, 2018

022 Moved by Councillor Warren, seconded by Councillor Luhnig
THAT the report of the Budget Committee meeting dated January 8, 2018 be received and adopted.
Carried.

Report of the Executive Committee #1 – January 8, 2018

023 Moved by Councillor Mitchell, seconded by Councillor Froese
THAT the report of the Executive Committee meeting #1 dated January 8, 2018 be received and adopted.
Carried.

Report of the Executive Committee #2 – January 8, 2018

024 Moved by Councillor Warren, seconded by Councillor Froese
THAT the report of the Executive Committee meeting #2 dated January 8, 2018 be received and adopted.
Carried.

REPORTS OF ADVISORY AND OTHER COMMITTEES – Nil.

GIVING NOTICE – Nil.

MOTIONS – Nil.

BYLAWS – Nil.

ENQUIRIES

Councillor Swanson asked a verbal enquiry about previous Enquiry #23 of 2017 regarding municipal airport revenues, which was to be corrected and brought forward again.

RESPONSES TO WRITTEN “ANSWERS TO ENQUIRIES”

Councillor Mitchell acknowledged the Answer to Enquiry #25 of 2017: Traffic Lights Standards Upgrade.

PUBLIC FORUM – Nil.

The meeting adjourned at 5:41 p.m.

MAYOR

CITY CLERK



City of Moose Jaw

COMMUNICATION #6

TITLE: Allocation of Two Retail Cannabis Outlets for the City of Moose Jaw

TO: Members of City Council

FROM: Department of Planning and Development Services

DATE: January 19, 2018

PUBLIC: Public Document

IN-CAMERA: Not applicable to this report

RECOMMENDATION

THAT this report be received and filed.

JUSTIFICATION FOR IN-CAMERA

Not applicable to this report.

TOPIC AND PURPOSE

The purpose of this report is to advise City Council of the Government of Saskatchewan's decision to allocate two retail cannabis permits to the City of Moose Jaw.

BACKGROUND

Since the Federal Government's announcement to legalize cannabis, the Government of Saskatchewan has been planning how this change will be implemented in Saskatchewan. It has been determined that the Saskatchewan Liquor and Gaming Authority (SLGA) will issue permits and serve as regulator. The City of Moose Jaw has been identified as one of 40 communities that, based on population, is eligible for two cannabis retail outlet licenses.

DISCUSSION

The City is eligible for two cannabis retail outlets. While the City is eligible, the City has the option to opt out of the initial allocation. If the City were to opt out of the initial

allocation of retail permits, the City could advise SLGA in the future if that decision changes.

The City has until February 28, 2018 to provide SLGA with a copy of a council resolution or bylaw to prohibit the establishment of a cannabis retail store in the City of Moose Jaw. If SLGA does not receive anything from the City, they will assume the City's consent and proceed with the retail cannabis selection process.

The City's role with regard to cannabis retail stores is to regulate, through the Zoning Bylaw, where they can be located. In order to regulate their location, the City will be required to make a specific Zoning Bylaw amendment to include the term and definition for "Cannabis Retail Outlet". Further, to determine where these retail outlets can be located in terms of Zoning Districts, whether permitted or discretionary, and if setbacks are required from such uses as schools, drug or alcohol treatment facilities, child care centres and other cannabis retail stores. For example, retail stores in Denver, Colorado, have a distance restriction of 1000 feet (305 metres) from these four uses. To date, there have not been any Canadian cities that have advertised their proposed zoning.

It is possible the Province will address these sorts of distance restrictions in their amending legislation. That legislation, however, has not yet been tabled. A further potential for a City role in regulation is regarding implications on smoking in public. Again, if provincial legislation addresses this matter, there may or may not be a need to amend the City's Smoking Bylaw. The City will be actively monitoring developments provincially and will bring forward any bylaw changes as and when required.

OPTIONS TO RECOMMENDATION

- The establishment of cannabis retail stores be prohibited in the City of Moose Jaw. This option is not recommended due to the fact that the legalization of cannabis will be similar to the legalization of tobacco and alcohol. It could also provide for a viable business opportunity and jobs.

PUBLIC AND/OR STAKEHOLDER INVOLVEMENT

The City may consider further public consultation to assist in developing zoning regulations. In addition, given the public interest in this topic, the City has taken the step of running an ad in the Moose Jaw Express advising the public of their ability to provide input. As well, this information has been posted to social media. Attached are emails and letters received to date. The Clerk's office will forward to Council any additional communications received as of the morning of the meeting.

COMMUNICATION PLAN

The City advertised that this issue would be on the City Council agenda in the newspaper and on the radio although this was not a regulatory requirement.

STRATEGIC PLAN

This report supports the strategy of a Progressive Civic Administration. The report also supports the guiding principles to create a Collaborative Future.

OFFICIAL COMMUNITY PLAN

Pursuant to Bylaw #4345, The Official Community Plan, Sections 5.1 and 5.2.1a, the following policies apply to this issue:

5.1 OBJECTIVES

- a) To provide for and encourage the appropriate expansion of retail, service and other commercial land uses and development required to meet the diverse needs of the shopping and business community of the City and its trading area.

5.2.1 Supply, Type and Compatibility of Commercial Land and Uses

- a) Commercial land will be grouped into three basic categories based on the type of existing or expected use, the level of services required, and the potential effect of each category on other surrounding and proposed land uses. The Commercial categories are *Neighbourhood, High Density, and Vehicle-Oriented*. Where any of these categories is likely to conflict with surrounding uses, the other Plan Objectives and Policies and the standards and regulations of the Zoning Bylaw shall be used to either segregate such uses, or minimize the conflict using other tools, such as Contract Zoning, to control the specific uses and negotiate operational conditions.

BYLAW OR POLICY IMPLICATIONS

The City may be required to make amendments to Bylaw #5346, The Zoning Bylaw to permit Cannabis Retail Outlets in the City.

FINANCIAL CONSIDERATIONS

The City would be responsible for the cost of the Zoning Bylaw Amendment.

PRIVACY IMPLICATIONS

Not applicable to this report.

OTHER CONSIDERATIONS/IMPLICATIONS

There is no privacy implications or other considerations.

PUBLIC NOTICE

Public Notice pursuant to the Public Notice Policy as incorporated into the City Administration Bylaw No. 5175 of 2016 is not formally required.

PRESENTATION

VERBAL: X AUDIO/VISUAL: NONE:

ATTACHMENTS

- i. Copy of letter from Saskatchewan Liquor and Gaming Authority
- ii. Copy of Questions and Answers from Saskatchewan Liquor and Gaming Authority
- iii. Copies of public input received to date of report circulation.

Respectfully Submitted By,

Marnie Loney, Acting

Michelle Sanson, MCIP, RPP, Director of
Planning and Development Services

MS/

APPROVAL OF REPORT RECEIVED

COMMENTS RECEIVED

Marnie Loney, Acting

Michelle Sanson, MCIP, RPP, Director of
Planning and Development Services

Myron Gulka-Tiechko

Myron Gulka-Tiechko, Acting City Manager

Fraser Tolmie

Fraser Tolmie, Mayor

To be completed by the Clerk's Department only.

Presented to Regular Council or Executive Committee on _____
No. _____ Resolution No. _____

January 8, 2018

TO COMMUNITIES WITH INITIAL ALLOCATION OF 2 RETAIL OUTLETS

Dear Sir/Madam:

Since the Federal Government's announcement to legalize cannabis, the Government of Saskatchewan has been developing plans relating to how this change will affect Saskatchewan. Today, the Province announced its plans for the retailing and wholesaling of cannabis in Saskatchewan – the Saskatchewan Liquor and Gaming Authority (SLGA) will issue permits and serve as regulator with the private sector responsible for wholesaling and retailing cannabis in our province.

Government will initially issue approximately 60 retail cannabis permits in up to 40 eligible municipalities and First Nation communities with populations of at least 2,500. There will be no restrictions on the number of permits for wholesalers and producers. However, wholesalers and producers will only be allowed to sell to other permittees, not to the general public.

I am writing to advise you that your community has been identified as one of the 40 communities that, based on population, is eligible for two cannabis retail outlets.

While your community is eligible for retail outlets, our Government appreciates that individual communities may have their own views on cannabis legalization. Therefore, we are giving eligible municipalities the choice to opt out of the initial allocation of retail permits, if they so choose.

While we expect many communities will welcome these new types of businesses, some may not. Please note that communities who choose to opt out of the initial allocation of retail permits will be allowed to advise SLGA if that decision changes in the future. Whatever the decision, government will respect the views of the affected communities.

It will be up to communities to determine any applicable zoning regulations for these new businesses, consistent with the existing process for liquor permits.

If your municipality chooses to prohibit the establishment of a cannabis retail store, please provide SLGA with a copy of a council resolution or bylaw before **February 28, 2018**. If SLGA does not hear back from you by this date, we will assume your consent and SLGA will proceed with the cannabis retail selection process that includes your community.

.../2

January 8, 2018

At this time, the number of retailers in the province will be limited to approximately 60 permits in an effort to balance access for consumers with public safety concerns. Government will consider the potential for additional permits 12 to 18 months after legalization.

Attached for your information is today's news release and backgrounder which contains more detailed information. Questions related to this announcement, or to submit a council resolution declining a cannabis retail outlet, can be sent to inquiry@slga.gov.sk.ca. SLGA will also use your contact information to provide further updates as they become available.

Finally, SLGA officials will be able to meet with you in person should you wish to do so. We look forward to your feedback.

Sincerely,



**Cam Swan
President & CEO
Saskatchewan Liquor and Gaming Authority**

c. Honourable Gene Makowsky, SLGA

**Cannabis announcement
Q & As
January 2018**

Speaking Points:

- Access for consumers, balanced with public safety and community concerns, are the guiding principles for government as it makes decisions regarding the impending legalization of cannabis.
- Wholesaling and retailing of cannabis will be regulated by the Saskatchewan Liquor and Gaming Authority (SLGA) and distributed through private retail outlets.
- SLGA will initially issue approximately 60 cannabis retail permits in up to 40 eligible municipalities and First Nation communities.
- Eligible municipalities and First Nations will have the option to opt out of having a retail cannabis store in their community if they choose.
- Further details will be announced as the process moves forward in the coming weeks.

General Q&As:

1. What are you announcing?

Wholesaling and retailing of cannabis will be regulated by the Saskatchewan Liquor and Gaming Authority (SLGA) and distributed through private retail outlets. SLGA will initially issue approximately 60 cannabis retail permits in up to 40 eligible municipalities and First Nation communities. Eligible municipalities and First Nations will have the option to opt out of having a retail cannabis store in their community if they choose.

2. How were eligible municipalities/First Nations determined?

The initial allocation of retail store permits will be in municipalities and First Nations with populations of at least 2,500. Larger communities will be allocated additional permits. This process will ensure the majority of the Saskatchewan's population reside in communities where a retail outlet exists. (The list of proposed communities is attached to the news release).

3. What if a municipality doesn't want to allow cannabis sales in their community?

Before the retail selection process begins, SLGA will consult with eligible municipalities and First Nations to ensure they support the sale of cannabis within their communities. Government will respect the decision of the eligible municipality or First Nation.

4. Why limit the number of permits and communities?

We are limiting the initial number of retail permits in an effort to balance access for consumers with public safety and community concerns. Government will assess the effectiveness of the initial allocation and selection process and the potential for additional permits and may allocate additional opportunities approximately 12-18 months after legalization. Wholesale permits will not be limited but will only be able to sell to other permittees (not to the public).

5. How does Saskatchewan compare with the number of retail permits being issued in other provinces?

It varies by province with not all provinces having yet addressed this matter. For example, Ontario has said it will start with 40 standalone stores while Alberta has said an 'unlimited number' will be allowed. In Saskatchewan, the initial allocation of retail permits will be in First Nations/municipalities of at least 2,500 people, which means there could be as many as 60 permits in up to 40 communities. We are doing what we believe is right for Saskatchewan.

6. So the number of retail permits/communities may increase in the future?

Government will assess the effectiveness of the initial allocation and selection process and the potential for additional permits after approximately 12-18 months. The main consideration remains the need to protect public health and safety while also addressing the illegal market. Other factors that will be considered include the ability of selected operators to establish and operate cannabis retail stores, whether the number and distribution of stores meets customer demands, impact on the illegal market, etc.

7. Why not sell cannabis in publicly owned stores, as the survey results indicated?

Government believes a restricted private model is best for Saskatchewan. This model ensures public health and safety and also reduces the significant capital outputs required for government to create public retail outlets. Those dollars are better spent on priority areas such as healthcare, education and infrastructure. (Note: Support for public vs. various private options were fairly evenly split in the survey results).

8. How can you be sure private retailers will follow the rules and ensure minors don't have access to cannabis?

As part of the rules associated with their permit, retailers must ensure that the sale of cannabis does not involve minors. That includes ensuring that all staff working at a cannabis retail outlet are of legal age and are appropriately trained in the responsible sale of cannabis. Retailers can be sanctioned if they provide product to someone who is a minor.

Selection process:

9. How will cannabis permits be distributed?

A two-phase selection process will be used to determine the retail operators in each community. The process will involve screening for critical qualifications followed by random selection (lottery) of qualified applicants for each opportunity.

10. What are the critical qualifications?

Critical qualifications for screening will include demonstrated financial capacity and the ability to track and report inventory movement through the supply chain. Successful proponents, including all key stakeholders and associates, will also be required to meet good character criteria. Proponents cannot be selected for more than one retail permit in each community.

11. When do you expect the permitting process to begin/permits to be issued?

The selection process for cannabis retail permits is expected to be launched in the coming weeks, with the successful proponents announced later this spring.



City of Moose Jaw

COMMUNICATION #7

TITLE: Appointment to the City of Moose Jaw's Cultural Diversity Advisory Committee

TO: Members of City Council

FROM: City Clerk/Solicitor's Department

DATE: January 22, 2018

PUBLIC: Public Document

IN-CAMERA: Not Applicable to this report

RECOMMENDATION

THAT City Council appoint Amanda McCann as the representative from Prairie South School Division to the Cultural Diversity Advisory Committee for a term of office to commence immediately and to conclude August 31, 2019.

JUSTIFICATION FOR IN-CAMERA

Not applicable to this report.

TOPIC AND PURPOSE

The purpose of this report is to provide City Council with the name of the representative from Prairie South School Division for appointment to the Cultural Diversity Advisory Committee.

BACKGROUND

On December 22, 2017 the City Clerk/Solicitor's Department received an email from Mr. Tony Baldwin, Director of Education, Prairie South School Division, advising that after Christmas, Ms. Amanda McCann would be available to represent Prairie South School Division on the Cultural Diversity Advisory Committee.

DISCUSSION

Bylaw No. 5370, Cultural Diversity Advisory Committee Bylaw, states:

“Member Eligibility and Appointment

4(1) The Committee shall consist of the following members:

- (a) one member of City Council;
- (b) one person nominated by the Prairie South School Division No. 210;
- (c) one person nominated by the Holy Trinity Roman Catholic Separate School Division No. 22;
- (d) one person nominated by SIAST Palliser Campus;
- (e) one person nominated by the Moose Jaw Multicultural Council;
- (f) one person nominated by the Moose Jaw Aboriginal Association;
- (g) one person nominated by the International Women’s Society of Moose Jaw; and
- (h) four persons residing in Moose Jaw.”

As there is currently no representative appointed from the Prairie South School Division No. 210, it would be in order, at this time, to appoint Ms. Amanda McCann, as the representative from Prairie South School Division to the Cultural Diversity Advisory Committee.

OPTIONS TO RECOMMENDATION

Not applicable to this report.

PUBLIC AND/OR STAKEHOLDER INVOLVEMENT

Not applicable to this report.

COMMUNICATION PLAN

Not applicable to this report.

STRATEGIC PLAN

Not applicable to this report.

OFFICIAL COMMUNITY PLAN

Not applicable to this report.

BYLAW OR POLICY IMPLICATIONS

Not applicable to this report.

FINANCIAL IMPLICATIONS

Not applicable to this report.

PRIVACY IMPLICATIONS

Not applicable to this report.

OTHER CONSIDERATIONS/IMPLICATIONS

There is no policy, financial, or privacy implications, official community plan implementation strategies or other considerations.

PUBLIC NOTICE

Not applicable to this report.

PRESENTATION

VERBAL: AUDIO/VISUAL: NONE: X

Ms. Tracy Wittke will respond to any enquires asked by members of City Council.

ATTACHMENTS

Not applicable to this report.

Respectfully submitted by,

Tracy Wittke

Tracy Wittke, Acting City Clerk
/pa

APPROVAL OF REPORT RECEIVED

COMMENTS RECEIVED

Myron Gulka-Tiechko

Myron Gulka-Tiechko, Acting City Manager

Fraser Tolmie

Fraser Tolmie, Mayor

To be completed by the Clerk’s Department only.

Presented to Regular Council or Executive Committee on _____.

No. _____ Resolution No. _____

CITY OF MOOSE JAW

DATE: January 24, 2018

COMMUNICATION #8

File #2000

TO: Members of City Council

FROM: Secretary, Development Appeals Board

SUBJECT: Decision of the Development Appeals Board

PURPOSE:

The purpose of this report is to submit to members of City Council, for their information, the Decision of the Development Appeals Board respecting an application for variance under the City of Moose Jaw's Zoning Bylaw, being Bylaw No. 5346, that was discussed and decided upon at the meeting of the Development Appeals Board held on **January 16, 2018**.

RECOMMENDATION:

THAT the following Decision of the Development Appeals Board be received and filed:

{13 – 2017} Byron and Erinn Babich
40 Iron Bridge Drive, Moose Jaw, SK

Respectfully submitted,

Pearl Anderson

Pearl Anderson, Secretary
Development Appeals Board

Attachment

CITY MANAGER'S COMMENTS:

Myron Gulka-Tiechko
Acting City Manager

MAYOR'S COMMENTS:

Fraser Tolmie
Mayor

**DEVELOPMENT APPEALS BOARD
RECORD OF DECISION
Byron and Erinn Babich
40 Iron Bridge Drive, Moose Jaw, SK
APPEAL NO. 13 of 2017**

IN THE MATTER OF AN APPEAL TO THE DEVELOPMENT APPEALS BOARD, of the City of Moose Jaw, in the Province of Saskatchewan, heard in Committee Room B, City Hall, Moose Jaw, on Tuesday, January 16, 2018 pursuant to the provisions of *The Planning and Development Act, 2007*.

Appeal No. 13 of 2017 was intended to be heard at the November 21, 2017 Development Appeals Board meeting. However, as there was no quorum on November 21, the hearing was deferred to the next regular meeting being held on December 5, 2017. As there was no quorum on December 5, 2017, the hearing was deferred to the next regular meeting being held on January 16, 2018.

APPELLANT:	Byron and Erinn Babich
RESPONDENT:	City of Moose Jaw Planning and Development Services Department
RESPECTING THE PROPERTIES KNOWN AS: ZONING:	Block/Parcel 92, Plan No. 102046216 40 Iron Bridge Drive, Moose Jaw, SK R7 – City Fringe Residential District

NATURE OF APPEAL

THE APPELLANTS, Bryon and Erinn Babich, are appealing an order to comply with the City of Moose Jaw Zoning Bylaw No. 5346.

REQUESTED REMEDY

The appellants are appealing an order to comply with the City of Moose Jaw Zoning Bylaw No. 5346 on the property located on Block/Parcel 92, Plan No. 102046216, civically known as 40 Iron Bridge Drive, Moose Jaw, SK. The current construction on the property contains a detached garage with:

- Total building footprint of 4432 ft² (411.7 m²), contrary to the Zoning Bylaw maximum 150 m² of 15 meters, and height of 30 feet (9.14 meters) contrary to the Zoning Bylaw maximum of 5.5 meters.

Consideration of this application requires a variance with respect to Section 4.2.1a, b & d of the Moose Jaw Zoning Bylaw No. 5346.

HEARD ON

Tuesday, January 16, 2018 in Committee Room B, 2nd Floor, City Hall.

IN ATTENDANCE

- The Board:** Terrence Wallace, Chairperson
Rece Allen, Vice-Chairperson
David Danchilla
Sandra Crowther
- Appeared for the Appellant:** Kenneth M. Cornea, Grayson & Company
Lorna Cottenden, Grayson & Company
Byron Babich, Appellant
- Appeared for the Respondent:** Eric Bjorge, Assistant City Planner
Virginia Shepley, Building Official
Myron Gulka-Tiechko, City Clerk/Solicitor

LEGISLATIVE PROVISIONS

The DAB is guided by the principles expressed in Section 221 of *The Planning and Development Act, 2007*, which reads as follows:

- 221 In determining an appeal, the board hearing the appeal:
- (a) is bound by any official community plan in effect;
 - (b) must ensure that its decisions conform to the uses of land, intensity of use and density of development in the zoning bylaw;
 - (c) must ensure that its decisions are consistent with any provincial land use policies and statements of provincial interest; and
 - (d) may, subject to clauses (a) to (c), confirm, revoke or vary the approval, decision, any development standard or condition, or order imposed by the approving authority, the council or the development officer, as the case may be, or make or substitute any approval, decision or condition that it considers advisable if, in its opinion, the action would not:
 - (i.) grant to the applicant a special privilege inconsistent with the restrictions on the neighbouring properties in the same zoning district;
 - (ii.) amount to a relaxation so as to defeat the intent of the zoning bylaw; or
 - (iii.) injuriously affect the neighbouring properties.

PRELIMINARY MATTERS

The parties agreed that the appeal was properly brought before the Board and that all parties have received the following information:

- Exhibit A** The Application for Appeal before the Development Appeals Board which was submitted to the Office of the City Clerk on **October 17, 2017**.
- Exhibit B** Names & Addresses of Assessed Property Owners within 75 Metre Radius of Applicant's Property
- Exhibit C** Notice of Hearing, Development Appeals Board, circulated to neighbouring property owners within a 75 metre radius of the subject property, sent by regular mail on **November 8, 2017** as sworn by the attached Affidavit of Service.
- Exhibit D** Report dated **November 7, 2017** from the City of Moose Jaw's Department of Planning & Development Services which includes facts and information pertinent to the appeal and their response to the applicable sections of *The Planning and Development Act, 2007*.
- Exhibit E** Submission from the Appellant dated **November 16, 2017** from Kenneth M. Cornea, Grayson & Company
- NOTE:** The Board noted that a report titled Supplemental Submission from the Appellant, received by the City on January 16, 2018, was received too late to be taken into consideration at the January 16, 2018 hearing.

APPELLANT

The Appellant provided the following information:

The Appellant noted that he was involved in a personal court matter in Regina from September 5 to September 27, 2017 and as a result he did not receive the order in a timely manner. The Appellant also noted that the contracted designer changed several times during the process of submitting plans to the City.

Two sets of plans were submitted to the City, the first set of plans showed an unattached garage and the second set showed an attached garage. The second set of plans were not referenced in the conditional approval letter and the second set had a received stamp on them but not an approved stamp; whereas the first set of plans had two stamps and a note referring to the conditional approval letter. The current construction complies with the first set of approved plans. Also, the plan review refers to a detached garage.

Complying with the order would create a safety issue because there would be no emergency vehicle access to the back of the property if the garage were to be attached to the house.

RESPONDENT

The Respondent provided the following information as provided in Exhibit D:

Background

The existing garage was approved as and intended to be attached to the dwelling. The permit to build a house with an attached garage was approved on May 29, 2012. This approval explicitly did not include permission to construct the detached garage.

Two separate applications were made to the Development Appeals Board to construct a detached accessory building, with decisions issued on April 18, 2012, and August 22, 2012. Both applications were denied.

A permit to construct an attached garage was approved on April 15, 2013 (building permit #31035). Plans showing the attachment to the dwelling by a roofline were included with this permit and the word "attached" was on the front page of the permit.

While a final inspection was conducted by City Building Officials for the house, no final inspection was conducted on the garage because construction on the garage was deemed incomplete by the City.

An enforcement order was issued by registered mail on August 29, 2017. The order instructed the owner to construct the attachment from the house to the garage as approved. The City intends to register the order on the property title if compliance is not achieved by the deadline stated on the order.

The National Building Code does not require access to the back of a property be provided for emergency vehicles.

The lots are zoned R7 – City Fringe Residential District.

MATERIAL BEFORE THE BOARD

The material filed with the Board in accordance with Section 223 of *The Planning and Development Act, 2007* with respect to this matter (i.e., filed at least five (5) days prior to the hearing) included the following:

Exhibit A The Application for Appeal before the Development Appeals Board which was submitted to the Office of the City Clerk on **October 17, 2017**.

Exhibit B Names & Addresses of Assessed Property Owners within 75 Metre Radius of Applicant's Property

Exhibit C Notice of Hearing, Development Appeals Board, circulated to neighbouring property owners within a 75 metre radius of the subject property, sent by regular mail on **November 8, 2017** as sworn by the attached Affidavit of Service.

Exhibit D Report dated **November 7, 2017** from the City of Moose Jaw's Department of Planning & Development Services which includes facts and information pertinent to the appeal and their response to the applicable sections of *The Planning and Development Act, 2007*.

Exhibit E Submission from the Appellant dated **November 21, 2017** from Kenneth M. Cornea, Grayson & Company.

DECISION OF THE BOARD:

The Planning and Development Act, 2007, Section 221(d) states there are three (3) bars to entitlement, which must be cleared for the appeal to be granted by the Board. To fail on any one means that the appeal cannot be granted.

Based on the evidence presented, the Board concluded that the Appellant's request for the Board to revoke the City of Moose Jaw's Order to Comply will:

a) Be a special privilege for the following reasons:

When the test with respect to a special privilege is applied, the Development Appeals Board upholds the City's Order to Comply with the City of Moose Jaw's Zoning Bylaw No. 5346 because:

- The evidence shows that the owner was aware of the building specification being an attached garage; therefore, revoking the order would be a special privilege.

b) Not applicable

c) Injurious affect the neighbouring properties for the following reasons:

The Development Appeals Board noted that overturning the Order to Comply will affect neighbouring properties for the following reasons:

- It would set a precedent that orders from the City are irrelevant.

It is the decision of the Development Appeals Board that the appeal be **DENIED.**

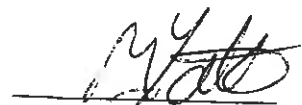
RIGHT OF APPEAL:

Any person wishing to appeal the decision of the Board may do so within twenty (20) days after the date on which a copy of this decision is received and upon written notice to the Saskatchewan Municipal Board, Planning Appeals Committee, Room 480, 2151 Scarth Street, Regina, Saskatchewan, S4P 2H8. A fee of \$50 per appeal will be assessed. A copy of any appeal should also be forwarded to the Secretary, Development Appeals Board, c/o City Clerk's Office, 228 Main Street North, Moose Jaw, Saskatchewan, S6H 3J8.

DATED at the City of Moose Jaw, this 16th day of January 2018.



Terrence Wallace
Chairperson



Maureen Latta
Acting Secretary



City of Moose Jaw

COMMUNICATION #9

TITLE: Approval for Equipment Tender Over Budget

TO: Members of City Council

FROM: Engineering Department

DATE: February 1, 2018

PUBLIC: This is a Public Document.

IN-CAMERA: Not Applicable to this Request.

RECOMMENDATION

THAT City Council approve the award of the rock wheel attachment and the welding/service truck for the bid amount of \$22,000 and \$79,672, respectively.

JUSTIFICATION FOR IN-CAMERA

Not applicable to this request.

TOPIC AND PURPOSE

The purpose of this report is to provide an update on equipment purchases and notify Council that to date two (2) pieces of equipment have come in over budget. These individual tenders are more than 10% over budget.

BACKGROUND

Some of the equipment for the 2017/18 Equipment budget has been tendered and or purchased. The major outstanding items that have not been tendered are the garbage trucks three (3), which require a decision on the level of service for collection.

Equipment	Budget	Tender	Difference
68 LD Truck Flat Deck	\$55,000	\$56,165	\$1,165
98 LD Truck Flat Deck	\$55,000	\$56,165	\$1,165
99 Welding Truck	\$65,000	\$79,672	\$14,672
111/197 Sand Truck	\$220,000	\$234,212	\$14,212
186 Sand Truck	\$240,000	\$194,404	-\$45,596
315 Skid steer	\$46,277	\$39,948	-\$6,329
149 Skid steer	\$46,277	\$47,633	\$1,356
317 Rock wheel	\$16,769	\$22,000	\$5,231

The following are pieces of equipment that have yet to be tendered:

Automated Sanitation truck (X3) - \$990,000

Welding Trailer - \$6,750

Snow Blade - \$5,500

Camera Van - \$75,000

Equipment Trailer - \$5,000

It is anticipated that this equipment will be tendered by summer time, pending a Council decision on solid waste collection.

DISCUSSION

The total value of the tenders year to date is \$730,199 and the total budget is \$744,323. Based on equipment tendered to date, the total purchases are \$14,124 under budget.

As further illustrated in the chart above, two (2) pieces of equipment came in over the 10% of the line budget amount; this requires Council approval. The equipment was the welding truck and the rock wheel attachment.

This equipment is needed:

The current flat deck truck, used as a welding truck, is over 40 years old and the floor boards are rusted through, rendering this truck unsafe to drive. The cost to replace the flat deck truck far outweighs repairing the cab floorboards.

The current rock wheel attachment is being utilized by two divisions, Streets and Roads, and Sewer and Water. It is used to cut pavement/concrete. For example, trench repair.

So the recommendation is to proceed with the award of the welding truck and rock wheel attachment.

OPTIONS TO RECOMMENDATION

No options for this request.

PUBLIC AND/OR STAKEHOLDER INVOLVEMENT

Not applicable to this request.

COMMUNICATION PLAN

Not applicable to this request.

STRATEGIC PLAN

Not applicable to this request.

OFFICIAL COMMUNITY PLAN

Not applicable to this request.

BYLAW OR POLICY IMPLICATIONS

(3) The city manager shall report to, and obtain approval of, the Executive Committee Prior to awarding any contract by the purchasing policy where the chosen proposal exceeds the approved budget by more than 10%.

Bylaw No. 5512, April 4, 2016

FINANCIAL IMPLICATIONS

Extra funding for this purchase would come from the 2017/18 Equipment budget or the Engineering Equipment Reserve Controlled account.

PRIVACY IMPLICATIONS

Not applicable to this request.

OTHER CONSIDERATIONS/IMPLICATIONS

Not applicable to this request.

PUBLIC NOTICE

Not applicable to this request.

PRESENTATION

VERBAL: X AUDIO/VISUAL: NONE:

ATTACHMENTS

Not applicable to this request.

Respectfully Submitted By,

Bill Anderson

Bill Anderson, Acting Transit and Fleet Manager
BA/JM/bh

APPROVAL OF REPORT RECEIVED

COMMENTS RECEIVED

Josh Mickleborough

Josh Mickleborough, Director of Engineering

Myron Gulka-Tiechko

Myron Gulka-Tiechko, Acting City Manager

Fraser Tolmie

Fraser Tolmie, Mayor

To be completed by the Clerk's Department only.

Presented to Regular Council or Executive Committee on _____ -
_____.

No. _____ Resolution No. _____



PUBLIC MINUTES OF EXECUTIVE COMMITTEE

**Monday, January 22, 2018, 5:44 p.m.
Scoop Lewry Room, 2nd Floor, City Hall**

PRESENT: Councillor D. Mitchell, Chairperson
Mayor F. Tolmie
Councillor B. Swanson
Councillor C. Warren
Councillor C. Froese
Councillor D. Luhning

ABSENT: Councillor S. McMann

ADMIN: M. Gulka-Tiechko, Acting City Manager, City Clerk/Solicitor
B. Acker, Director of Financial Services
M. Sanson, Director of Planning and Development Services
M. Loney, Land Administrator
T. Schaeffer, Director of Parks and Recreation
J. Mickleborough, Director of Engineering Services
C. Hemingway, Communications Manager
J. Dixon, Economic Development Officer

MEDIA: CHAB
Moose Jaw Express

The meeting of the Executive Committee was called in order to deal with the following:

1. Reports of Advisory Committees
 - a) Environment Advisory Committee, January 9, 2018
 - b) Youth Advisory Committee, January 11, 2018
 - c) Special Needs Advisory Committee, January 11, 2018
2. Confidential Matter.
3. Confidential Matter.
4. Confidential Procedural Matter.

Call to Order

Councillor Mitchell, Chairperson, called the meeting to order at 5:44 p.m.

Re: Environment Advisory Committee Minutes

Considered were the Environment Advisory Committee minutes of the meeting held January 9, 2018.

Moved by Councillor Warren
THAT the minutes of the Environment Advisory Committee meeting held January 9, 2018 be received and filed.

Carried.

Re: Youth Advisory Committee Minutes

Considered were the Youth Advisory Committee minutes of the meeting held January 11, 2018.

Moved by Mayor Tolmie
THAT the minutes of the Youth Advisory Committee meeting held January 11, 2018 be received and filed.

Carried.

Re: Special Needs Advisory Committee Minutes

Considered were the Special Needs Advisory Committee minutes of the meeting held January 11, 2018.

Moved by Mayor Tolmie

THAT the minutes of the Special Needs Advisory Committee meeting held January 11, 2018 be received and filed.

Carried.

Moved by Mayor Tolmie

THAT the Executive Committee close the meeting to the public and proceed in-camera pursuant to *The Local Authority Freedom of Information and Protection of Privacy Act*, to discuss confidential matters.

Carried.

The Executive Committee closed the meeting at 5:52 p.m. to the public with the following persons in attendance: Councillor Mitchell; Mayor Tolmie; Councillor Swanson; Councillor Warren; Councillor Froese; Councillor Luhning; Myron Gulka-Tiechko, Acting City Manager and City Clerk/Solicitor; Brian Acker, Director of Financial Services; Michelle Sanson, Director of Planning and Development Services; Marnie Loney, Land Planner; Ted Schaeffer, Director of Parks and Recreation; Josh Mickleborough, Director of Engineering Services; Craig Hemingway, Communications Manager; Jim Dixon, Economic Development Officer; Mr. Wade Goodwin; Mr. Chad Bachynski; and Mr. Darren Selinger.

The confidential matters may be considered in closed session pursuant to section 94(2) of *The Cities Act* as it contains information that is within one or more of the exemptions in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*, in particular section 16(1)(c) section, 17(1)(d), section 18(c)(iii) and section 15.

Moved by Councillor Luhning

THAT the Executive Committee go out of in-camera.

Carried.

The Executive Committee opened the meeting to the public at 6:31 p.m.

Re: Proposed Town Border Station (TBS) & Request for Agreement for Right-of-Way and Easement for a TransGas Pipeline

Moved by Councillor Warren

THAT City Administration be granted authority to sell a portion (5.70 acres) of Surface Parcel # 164609253 (SE 27-16-26 W2M Ext 4) for \$21,090.00 (\$3,700.00/acre) + GST directly to SaskEnergy Incorporated for the purpose of a new Town Border Station, subject to the property being free and clear of all encumbrances and that any costs incurred by the City such as but not limited to legal survey, subdivision costs, transfer registration costs be the responsibility of SaskEnergy

Incorporated and will be added to the purchase price for the subject property;
and

THAT the Mayor and City Clerk be authorized to execute an Agreement for Sale and Purchase between the City of Moose Jaw and SaskEnergy Incorporated for the purpose of a new Town Border Station; and further

THAT the Mayor and City Clerk be authorized to execute an Agreement for Right-of-Way and Easement between the City of Moose Jaw and TransGas Limited on portions of the following land locations listed below:

Surface Parcel # 164609253 – SE 27-16-26-W2M Ext 4
Surface Parcel # 164609275 – SE 27-16-26-W2M Ext 3
Surface Parcel # 104236253 – SE 27-16-26-W2M Ext 2
Surface Parcel # 102540619 – NE 22-16-26-W2M Ext 0
Surface Parcel # 102540631 – NW 23-16-26-W2M Ext 0
Surface Parcel # 164129687 – Blk/Par A, Plan 101340414 Ext 200

Carried.

Re: Lease Agreement with Moose Jaw Exhibition Company

Moved by Mayor Tolmie

THAT the Mayor and City Clerk be authorized to enter into a new lease agreement with the Moose Jaw Exhibition Company substantially in the form attached as Schedule 2.

Carried.

Moved by Councillor Froese

THAT the Executive Committee meeting be adjourned.

Carried.

The Executive Committee meeting adjourned at 6:37 p.m.

Respectfully submitted,

(Sgd.) *Councillor D. Mitchell*

Chairperson

/ml

Minutes of the Municipal Planning Commission meeting held on Tuesday, January 23, 2018 at 4:00 p.m. in the Scoop Lewry Room, 2nd Floor, City Hall.

PRESENT: Councillor Don Mitchell
Brian Sykora
Roy Dickinson
John Parsons
Terry Gabel

ABSENT: Councillor Scott McMann
Michelle Wendt

ALSO: Eric Bjorge, Assistant City Planner
Pearl Anderson, Recording Secretary

Call to Order

Councillor Don Mitchell called the meeting to order at 3:58 p.m.

PART 1 – NO APPROVAL OF COUNCIL REQUIRED

Re: Approval of the Agenda

Moved by Terry Gabel

THAT the agenda be approved with the following addition:

- Part 2 – Appointment of Chairperson & Vice-Chairperson for the Year 2018

Carried.

PART 2 – NO APPROVAL OF COUNCIL REQUIRED

Re: Appointment of Chairperson & Vice-Chairperson for the Year 2018

Terry Gabel nominated Councillor McMann as Chairperson for the year 2018.

Moved by Terry Gabel

THAT nominations cease.

Carried.

Councillor McMann was appointed as Chairperson for the year 2018.

Terry Gabel nominated Councillor Mitchell as Vice-Chairperson for the year 2018.

Moved by Terry Gabel

THAT nominations cease

Carried.

Councillor Mitchell was appointed as Vice-Chairperson for the year 2018.

PART 3 – NO APPROVAL OF COUNCIL REQUIRED

Re: Declaration of Members of the Municipal Planning Commission

Committee members present completed and signed the “Declaration of Members of the Municipal Planning Commission” and returned them to the Secretary.

PART 4 – NO APPROVAL OF COUNCIL REQUIRED

Re: Adoption of Minutes November 28, 2017

Moved by John Parsons

THAT the minutes of the November 28, 2017 regular meeting of the Municipal Planning Commission be approved as presented.

Carried.

PART 5 – APPROVAL OF COUNCIL REQUIRED

**Re: Proposed Redivision of Bare Land Unit 10
Condominium Plan No. 102214471
815 – 817 – 819 Chester Road
Moose Jaw, SK**

Considered was a report dated January 16, 2018 from the Planning and Development Services Department to present an application for revision of a bare land condominium unit, within an existing multiunit dwelling complex.

Moved by Roy Dickinson

THAT the Municipal Planning Commission recommend to City Council that the proposed redivision of Bare Land Unit 10, Plan No. 102214471, be approved subject to the following condition:

- 1. That the subdivision review process be completed and that no negative comments are received; and**

THAT upon satisfaction of the above condition, the Mayor and City Clerk be authorized to endorse the Redivision and Form B, and issue a Certificate of Approval, all in accordance with *The Planning and Development Act, 2007*; and further

THAT all costs incurred by this application be borne by the applicant.

Carried.

Moved by Terry Gabel

THAT the meeting now adjourn.

Carried.

February 12, 2018

The meeting adjourned at 4:03 p.m.

Councillor Don Mitchell
Vice-Chairperson

CITY MANAGER'S COMMENTS:

Myron Gulka-Tiechko
Acting City Manager

MAYOR'S COMMENTS:

Fraser Tolmie
Mayor

/pa

**THE FOLLOWING IS A COPY OF THE REPORT
CONSIDERED BY THE
MUNICIPAL PLANNING COMMISSION**

PART 5

**Proposed Redivision of Bare Land Unit 10
Condominium Plan No. 102214471
815 – 817 – 819 Chester Road
Moose Jaw, SK**

CITY OF MOOSE JAW

January 16, 2018

File No. MJ-08-17

To: Municipal Planning Commission

From: Planning and Development Services

**Subject: Proposed Re-Division of Bare Land Unit 10
Condominium Plan No. 102214471
815-817-819 Chester Road
Moose Jaw, Saskatchewan.**

PURPOSE:

The purpose of this report is to consider an application for revision of a bare land condominium unit, within an existing multi-unit dwelling complex.

BACKGROUND:

The applicant, Suresh Rajakumar (MidWest Surveys Inc.), on behalf of the owner (Chester Court Developments GP Inc.), has applied to re-divide bare land unit 10 into building units 25-32 and service unit 33. This property is a complex of three separate apartment-style buildings all within the same condominium corporation. Bare Land Unit 10 represents the last of the three buildings which is now fully constructed. There are 8 units within each building for a total of 24 dwelling units on the property at full build-out. The subject building (817 Chester Road) was previously designated as "Bare Lane Unit 10" so the whole building and surrounding was under single ownership of the developer. This re-division allows the developer to sell each unit individually now that the building is fully constructed.

ZONING:

The property is currently zoned R3 – Medium Density Residential District. The purpose of the R3 District is to provide for a variety of developments including those of a high-density form, as well as complementary community uses.

All aspects of this development were reviewed and approved as part of previous applications. All the proposed units will be part of the overall Condominium Corporation.

SUBDIVISION REVIEW:

Bare Land Condominium Plans affect the subdivision of land and therefore review of this application for subdivision requirements is required under *The Planning and Development Act, 2007*.

MUNICIPAL PLANNING COMMISSION

The review of this application includes referrals for comments to other agencies (SaskPower, SaskEnergy, SaskTel, etc) as they may be affected by the subdivision.

Official Community Plan:

Objective 4.1 a) To develop new residential areas that offer a quality living environment, meeting the needs of a variety of household types and incomes, in an efficient and environmentally responsible manner.

- b) To encourage infill residential development within already built-up areas that:
- i) helps to meet the housing needs of a diverse population; and
 - ii) makes efficient use of municipal and community infrastructure.

ATTACHMENTS:

1. Copy of Proposed Bare Land Re-Division
2. Current Registered Condominium Plan
3. Area map

ALTERNATIVES:

1. Approve the subdivision.
2. Deny the subdivision application.
3. Further review of the subdivision application.

INTERGOVERNMENTAL IMPLICATIONS:

Subdivision is a decision of City Council. The application is submitted to the Municipal Planning Commission for review of the application and administrative report. A recommendation of the Municipal Planning Commission is then submitted to City Council for further consideration. The City of Moose Jaw is the approving authority for all subdivision applications within the corporate limits of the City.

FINANCIAL IMPLICATIONS:

The applicant/owner is responsible for all costs associated with respect to this application.

SUMMARY:

The applicant has requested approval to re-divide a bare land condominium unit to allow the sale of individual units of the last building of the three-building condominium development (8 units per building).

RECOMMENDATION:

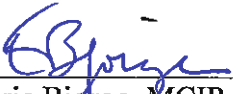
THAT the Municipal Planning Commission recommend to City Council that the Proposed Re-Division of Bare Land Unit 10, Plan No. 102214471 be approved subject to the following conditions:


- a) That the subdivision review process be completed and that no negative comments are received; and

THAT upon satisfaction of the above conditions, the Mayor and City Clerk be authorized to endorse the Re-Division and Form B, and issue a Certificate of Approval, all in accordance with *The Planning and Development Act, 2007*; and further

THAT all costs incurred by this application be borne by the applicant.

Respectfully submitted,


Eric Borge, MCIP, RPP
Assistant City Planner / Development Officer

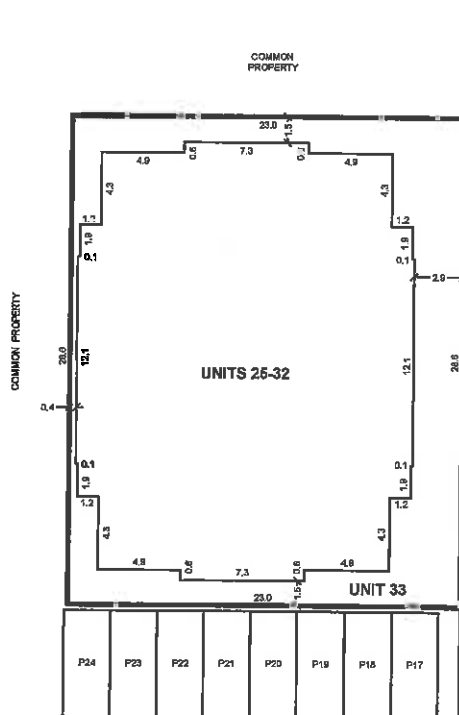

For Michelle Sanson, MCIP, RPP
Director of Planning and Development
Services

MS/eb

**CHESTER COURT
PROPOSED PLAN
SHOWING
RE-DIVISION OF
BARE LAND CONDOMINIUM UNIT 10
PLAN NO. 102214471
IN ACCORDANCE WITH SECTION 25 OF THE
CONDOMINIUM PROPERTY ACT, 1993
INTO
BUILDING CONDOMINIUM UNITS 25 TO 32 INCLUSIVE
AND
SERVICES UNIT 33
BY: S. RAJAKUMAR, S.L.S.
DATE: 2017**

NOTE:

- 1-Measurements are in metres and decimals thereof.
- 2-Measurements to the building foundation are taken at ground level.
- 3-Some measurements may differ from the final plan of survey by as much as ±0.1 metres.
- 4-Unit boundaries are described by reference to floors, walls or ceilings and the extension thereof across doors, windows and other openings. Unless otherwise stipulated in the condominium plan, the only portion of a floor, wall or ceiling that forms part of a unit is the finishing material that is in the interior of the unit, including any lath and plaster, paneling, gypsum board, flooring material, floor covering and any other material that is attached to, laid on, glued to or applied to the floor, wall or ceiling.
- 5-Windows and doors of a unit are part of the unit.
- 6-All structural walls, columns, and other supports are common property.
- 7-All portion of building and lands not designated as a Regular Unit form Services Unit 33.
- 8-Unit numbers are shown UNIT 25, UNIT 26, UNIT 27, etc. on the within plans.
- 9-Parking spaces are identified on the Parking Plan as P17, P18, etc. and are designated for exclusive use, as per Section 11(1)(b) of the Condominium Property Act.
- 10-Balconies, patios and driveways are for the exclusive use of the adjoining unit.



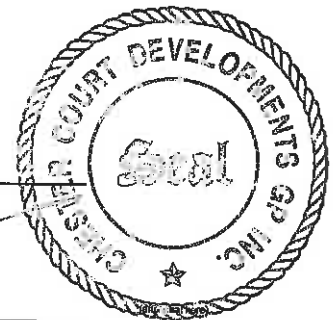
SITE PLAN
SCALE 1:200

PLAN NO. 102214471

APPROVING AUTHORITY STAMP

OWNER

CHESTER COURT DEVELOPMENTS GP INC.



DATE

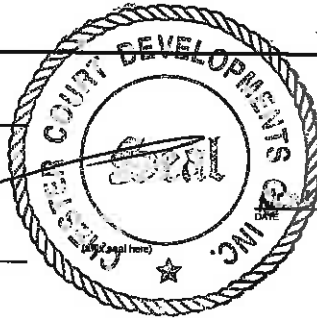
S. RAJAKUMAR
SASKATCHEWAN LAND SURVEYOR



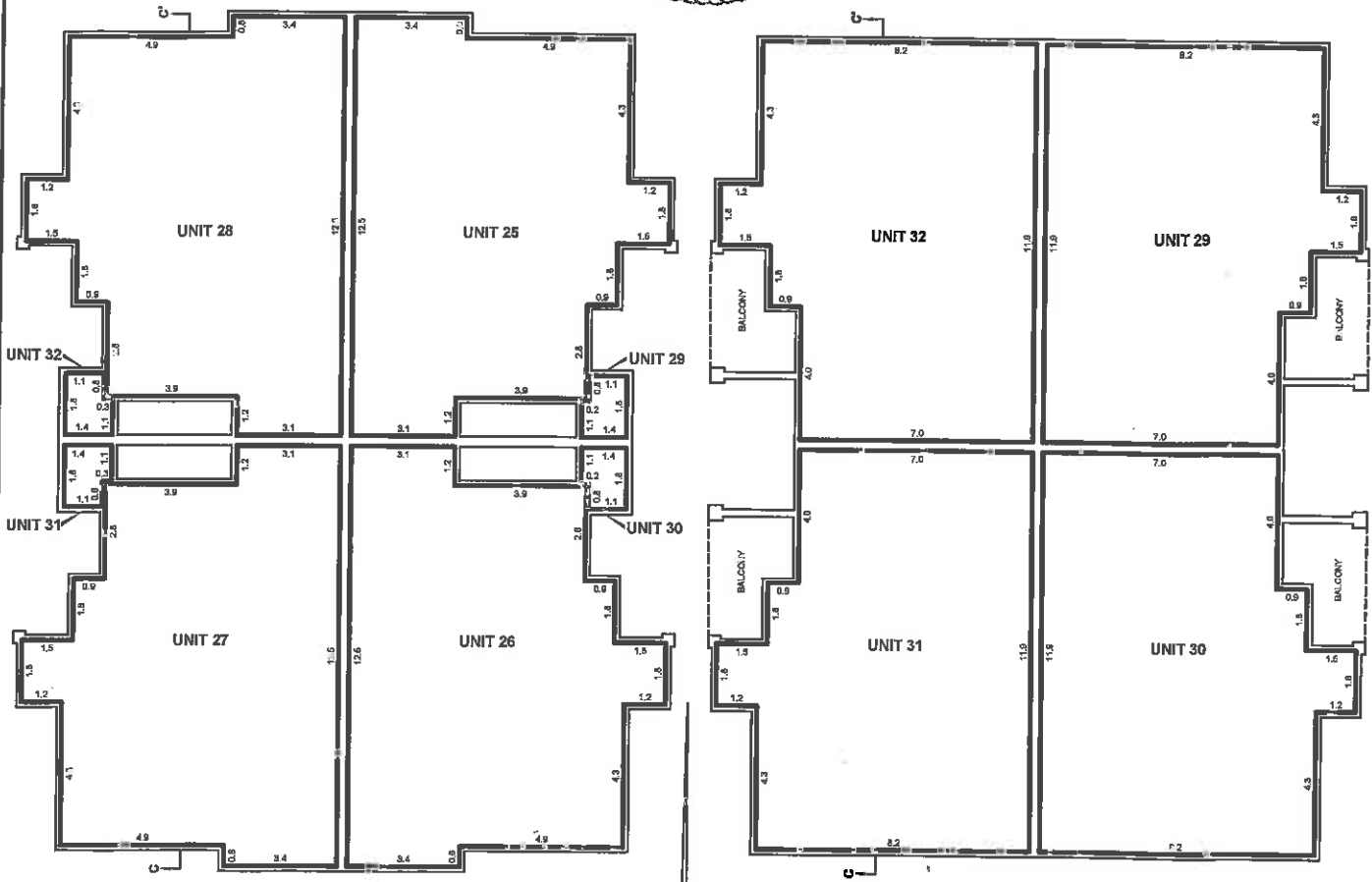
APPROVING AUTHORITY STAMP

OWNER

CHESTER COURT DEVELOPMENTS GP INC.



S. Rajakumar
SURESH KUMAR RAJAKUMAR
BARAKATCHEVORN LAND SURVEYOR



FIRST FLOOR PLAN

SCALE 1:100

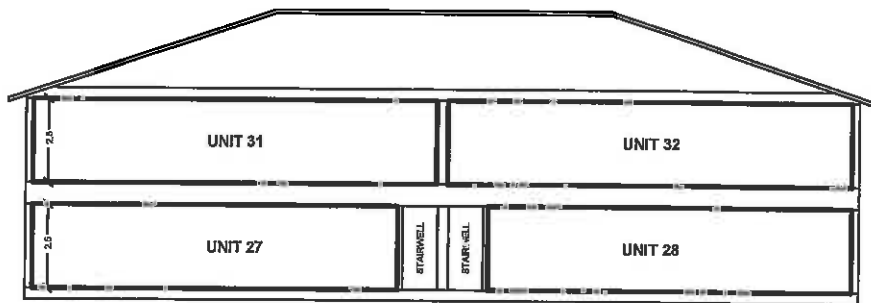
- Measurements are in metres and decimals thereof.
- Measurements are along unit boundary.
- Heavy line denotes unit boundary.
- Units 25, 30, 31 & 32 Consists of two parts.

SECOND FLOOR PLAN

SCALE 1:100

- Measurements are in metres and decimals thereof.
- Measurements are along unit boundary.
- Heavy line denotes unit boundary.
- Units 29, 30, 31 & 32 Consists of two parts.





CROSS SECTION C-C'

SCALE 1:100

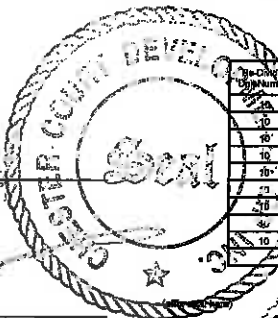
-Measurements are along unit boundary.
-Heavy line denotes unit boundary.

PRE UNIT FACTOR SCHEDULE

Unit Number	Unit Type	Unit Factor	Approximate Area Sq. m.			Other(s)
			Main Floor	Second Floor	Total	
10	Bare Land / Res	3333			858	
	Total	3333				

NEW UNIT FACTOR SCHEDULE

No. of Units by Number	Unit Number	Unit Type	Unit Factor	Approximate Area Sq. m.			Other(s)
				Main Floor	Second Floor	Total	
26	26	Reg / Res	405	92	92		
10	27	Reg / Res	405	92	92		
10	28	Reg / Res	405	92	92		
10	29	Reg / Res	405	92	92		
10	30	Reg / Res	405	92	92		
2	31	Reg / Res	428	2	95	97	
2	32	Reg / Res	428	2	95	97	
10	33	Services	1				
	Total		3333				



APPROVING AUTHORITY STAMP

OWNER

CHESTER COURT DEVELOPMENTS GP INC.

DATE

S. Singh
SURESH K. SINGH (S. SINGH)
SASKATCHEWAN LAND SURVEYOR



**CHESTER COURT
PLAN OF SURVEY
SHOWING
COMBINATION PLAN OF
SURFACE BARE LAND CONDOMINIUM
AND
SURFACE BUILDING CONDOMINIUM
IN**

**PARCEL G, PLAN NO. 102004029
MOOSE JAW, SASKATCHEWAN
NE 1/4 SEC 4, TWP 17, RGE 26, W2 Mer
BY: R.A. KRASZLANY, S.L.S.
DATE: AUGUST, 2015 - JANUARY, 2016**

**BARE LAND AND BUILDING CONDOMINIUM
Pertaining to All Units**

- NOTE:
- 1-Unit measurements are in metres and decimals thereof.
 - 2-Unit numbers are as shown 1, 2, 3, etc.
 - 3-Standard iron posts found are shown thus
 - 4-Standard iron posts planted are marked "SPT" and shown thus
 - 5-All areas not designated with a unit number are common property.
 - 6-All areas to be approached is outlined by a heavy red line.
 - 7-The site is to be approached by way of the driveway.
 - 8-Parking spaces are identified on the Platting Plan as P1, P2, etc. and are designated for exclusive use, as per Section 11(1)(4) of the Condominium Property Act.
 - 9-Visitor parking spaces shown on the plan are non-exclusive use common property and are designated V1, V2, etc.
 - 10-Other parking spaces are designated P3, P4, etc.
 - 11-Other parking spaces are designated P1, P2, etc.
 - 12-Other parking spaces are designated P3, P4, etc.
 - The Datum used: MAPS (CGRS).
 - The Projection used: UTM Zone 13N (Extended).

RP Co-ordinates were derived on January 28, 2016.
Georeferenced points derived from STS Saskatchewan.

**BARE LAND CONDOMINIUM
Pertaining to Units 9 and 10**

- NOTE:
- 1-Bare land units all have interior angles of 90°.
 - 2-Unit corners are marked by 001.5 x 0.450 iron posts.
 - 3-Unit corners are marked by 001.5 x 0.450 iron posts.
 - 4-Banks of Poletop Units marked by 0.010 x 0.450 iron posts situated thus

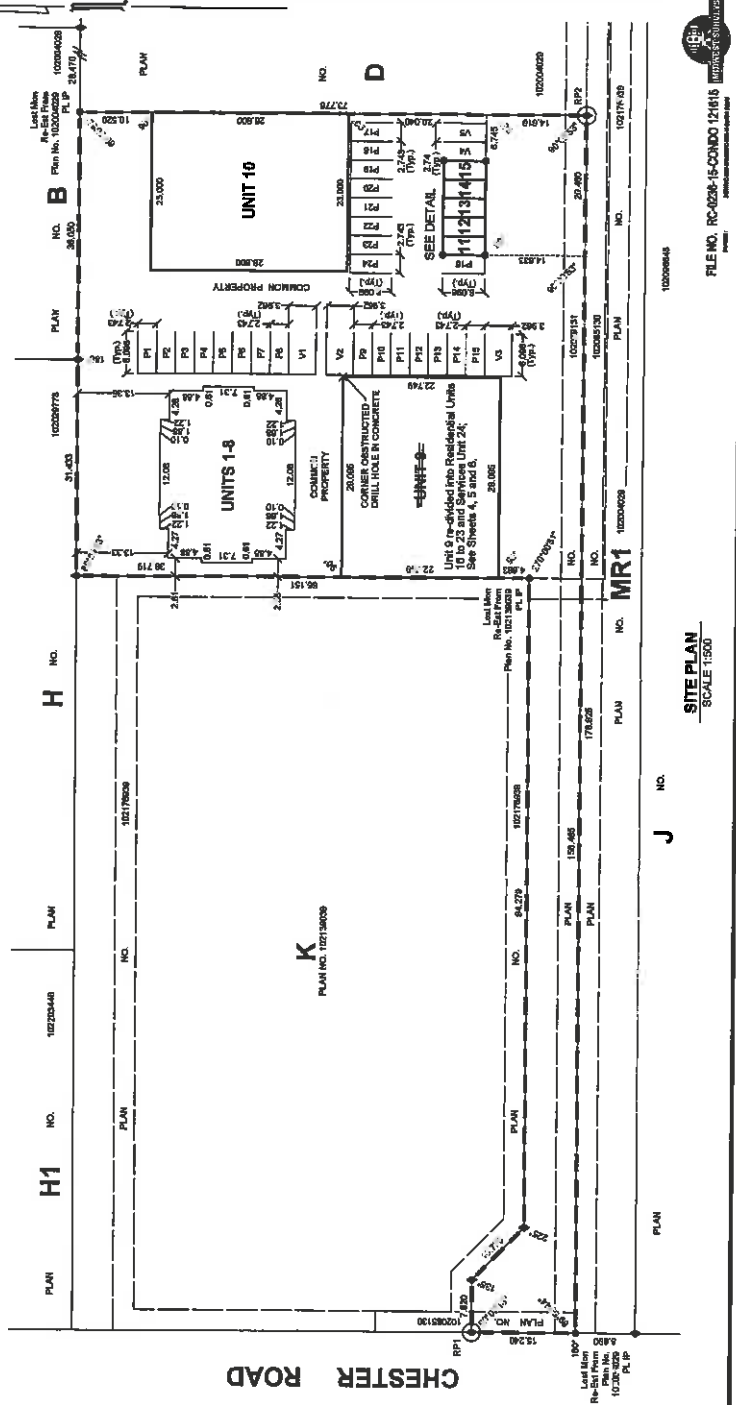
**BUILDING CONDOMINIUM
Pertaining to Units 1 to 8**

- NOTE:
- 1-Measurements on the site plan are from the property boundary to the building foundation at ground level.
 - 2-Unit boundaries are described by reference to floor, walls or ceilings and the extension of such boundaries. All boundaries are shown as solid lines. The boundaries shown on the condominium plan, the only portion of a floor, wall or ceiling that extends into the unit, are shown as dashed lines. The portion of a floor, wall or ceiling that extends into the unit, including any soffits and panels, panelling, gypsum board, flooring material, floor covering and any other material that is attached to, laid on, glued to or applied to the floor, wall or ceiling.
 - 3-All common areas are shown as common property.
 - 4-All other areas are shown as common property.
 - 5-Bulkheads are for the exclusive use of the adjoining unit.

Change Order No. 100029945
Marked on 03-Oct-2017
Redivision of Unit 9 into new
Units 16-24; See sheets 4-6

DETAIL
NOT TO SCALE

2.743	2.743	2.740	2.740	2.740	2.740	14.025
989	989	989	989	989	989	20 DMS
11	11	11	11	11	11	
13	13	13	13	13	13	
14	14	14	14	14	14	
15	15	15	15	15	15	
16	16	16	16	16	16	
17	17	17	17	17	17	
18	18	18	18	18	18	
19	19	19	19	19	19	
20	20	20	20	20	20	
21	21	21	21	21	21	
22	22	22	22	22	22	
23	23	23	23	23	23	
24	24	24	24	24	24	

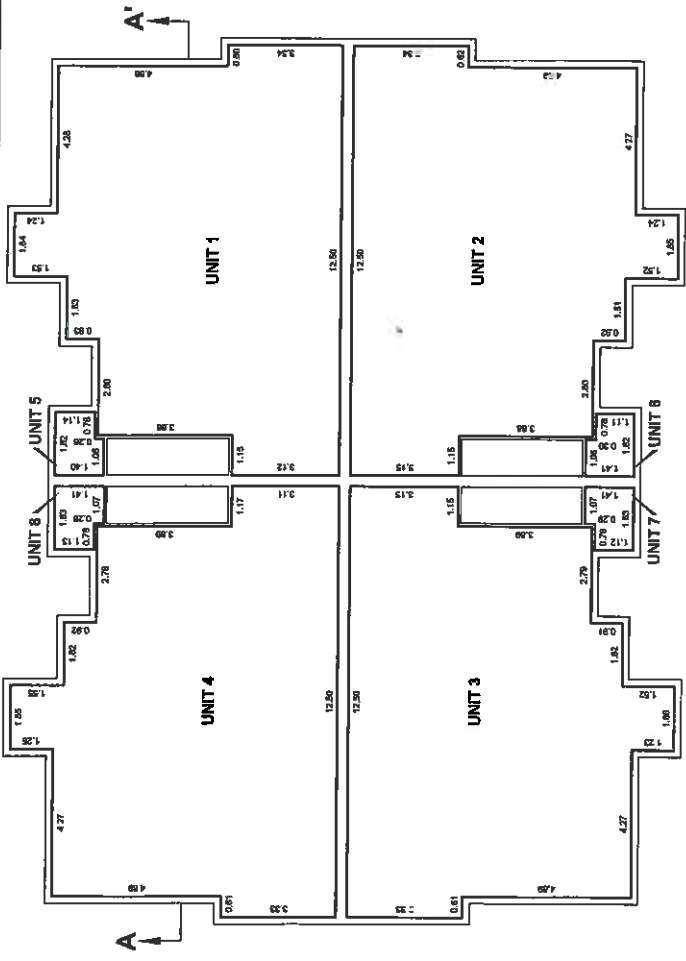


Change Order No. 100029945
Marked on 03-Oct-2017
Revision of Unit 9 into new
Units 16-24; See sheets 4-8

FIRST FLOOR PLAN

SCALE 1:100

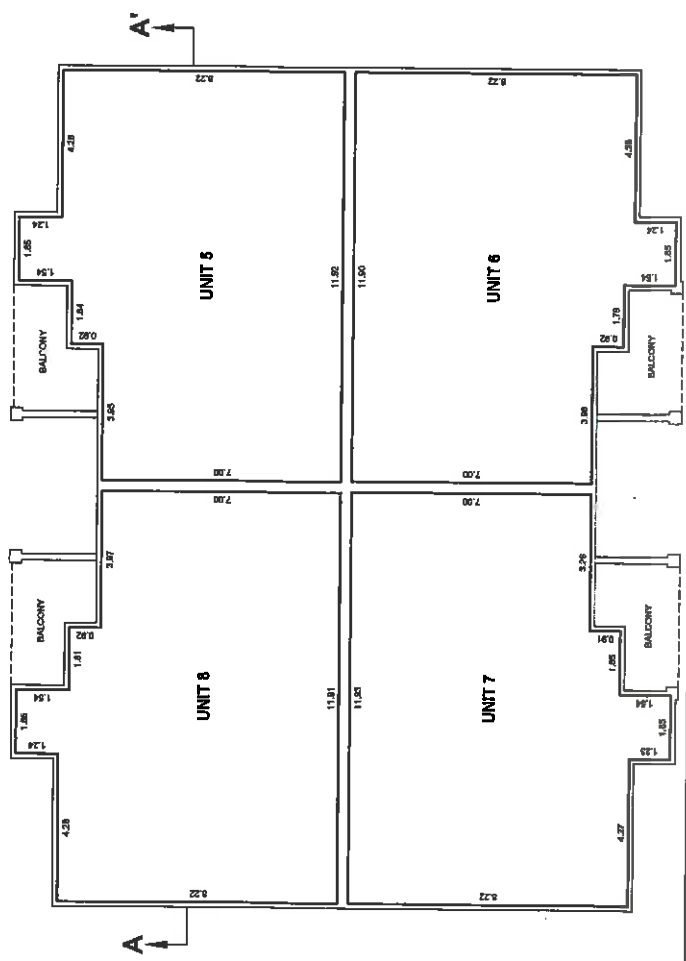
Measurements are in meters and decimals thereof.
-Measurements are along unit boundary.
-Heavy line denotes unit boundary.
-Units 5, 6, 7 & 8 Consists of two parts.



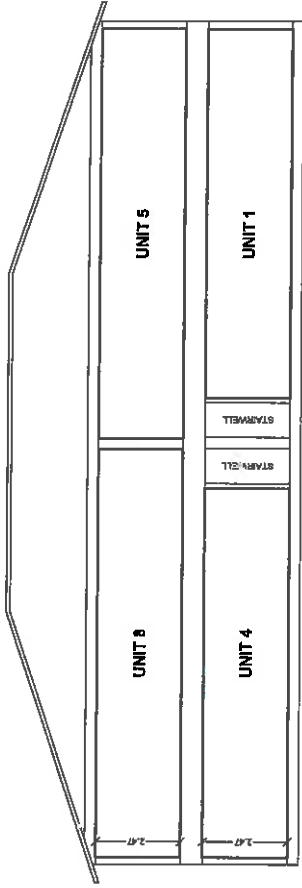
SECOND FLOOR PLAN

SCALE 1:100

Measurements are in meters and decimals thereof.
-Measurements are along unit boundary.
-Heavy line denotes unit boundary.
-Units 5, 6, 7 & 8 Consists of two parts.



Change Order No. 100029945
Marked on 03-Oct-2017
Redivision of Unit 9 into new
Units 16-24; See sheets 4-8



CROSS SECTION A-A'
SCALE 1/100
-Measurements are along unit boundary.
-Heavy line denotes unit boundary.

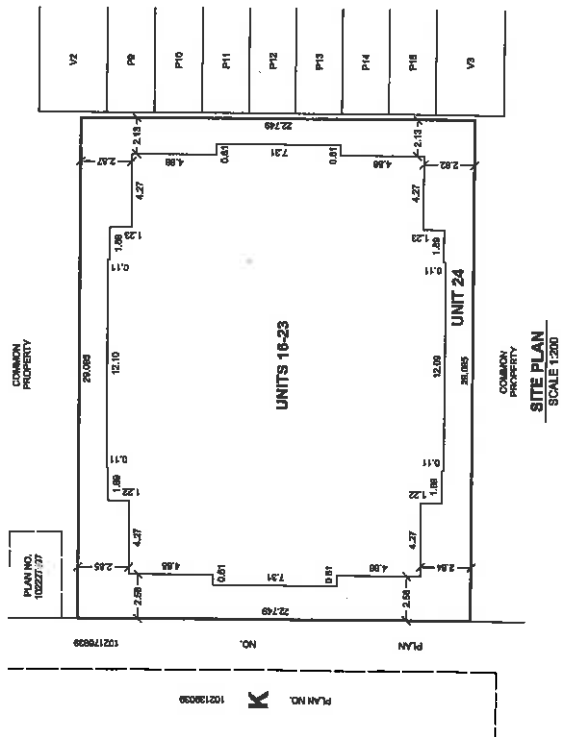
UNIT FACTOR SCHEDULE

Unit Number	Unit Type	Unit Factor	Approximate Area Sq. Ft.		Other(s)
			Main Floor	Second Floor	
1	Reg / Res	448	82	82	
2	Reg / Res	468	82	82	
3	Reg / Res	458	82	82	
4	Reg / Res	451	82	82	
5	Reg / Res	427	82	82	
6	Reg / Res	437	82	82	
7	Reg / Res	427	82	82	
8	Reg / Res	427	82	82	
9	Reg / Res	427	82	82	
10	Blind / Land / Res	5153	658	658	Re-Divided into Units 16-24
11	Storage	2	17	17	
12	Storage	2	17	17	
13	Storage	2	17	17	
14	Storage	2	17	17	
15	Storage	2	17	17	
Total		10000			

Change Order No. 100029845
Marked on 03-Oct-2017
Redivision of Unit 9 into new
Units 16-24; See sheets 4-6

**CHESTER COURT
PLAN OF SURVEY
SHOWING
RE-DIVISION OF
BARE LAND CONDOMINIUM UNIT 9
PLAN NO. 102214471
IN ACCORDANCE WITH SECTION 25 OF THE
CONDOMINIUM PROPERTY ACT, 1993
INTO
BUILDING CONDOMINIUM UNITS 16 TO 23 INCLUSIVE
AND
SERVICES UNIT 24
BY: S. RAJAKUMAR, S.L.S.
DATE: AUGUST, 2015 - SEPTEMBER, 2016**

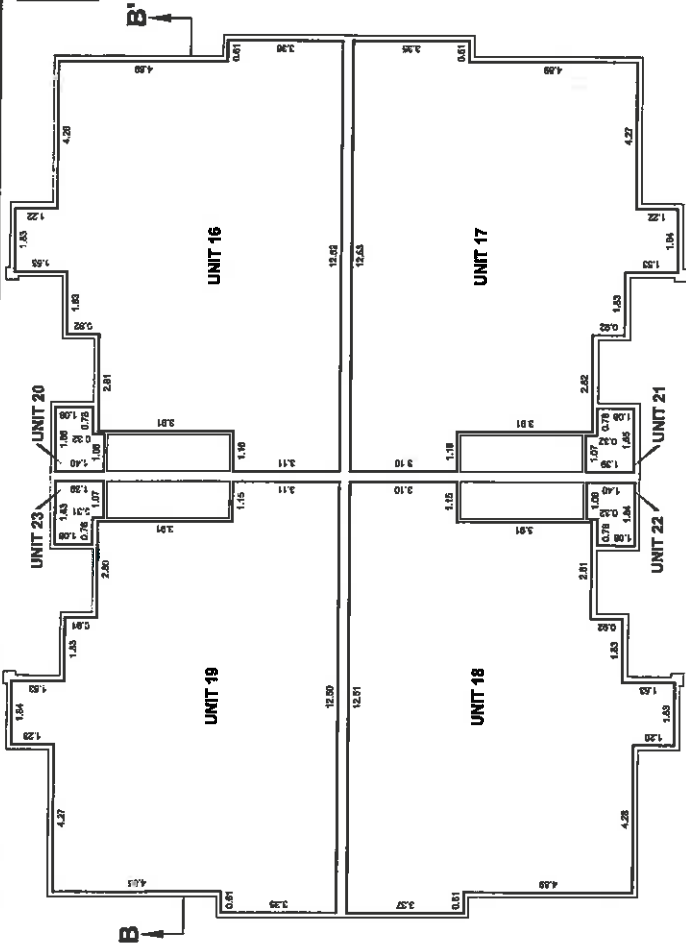
NOTE:
1- Measurements in metres and decimals thereof.
2- Measurements to the building foundation are taken at ground level.
3- Units are shown with their respective boundaries and the extension thereof across doors, windows and other openings as stipulated in the condominium plan, the only portion of a floor, wall or ceiling that forms part of a unit is the finishing material that is in the interior of the unit, including any left and plaster, paneled, gypsum board, flooring material, floor covering and any other material that is attached to, laid on, glued to or applied to the floor, wall or ceiling.
4- Windows, doors, and other openings are shown as they appear on the site plan.
5- All portions of building and lands not designated as a Regular Unit form Services Unit 24.
6- New unit numbers are shown UNIT 16, UNIT 17, UNIT 18, etc. on the above plans.
7- Parking spaces are identified as P1, P2, P3, etc and are designated for exclusive use as per Sec.11(1)(b) of the Condominium Property Act except for Services Unit 24.
8- All parking spaces shown on the plan are non-exclusive use common property and are designated U1, U2, etc.
9- Staircases and paths are for the exclusive use of the adjoining unit.



Change Order No. 100029945
Marked on 03-Oct-2017
Redivision of Unit 9 into new
Units 16-24; See sheets 4-5

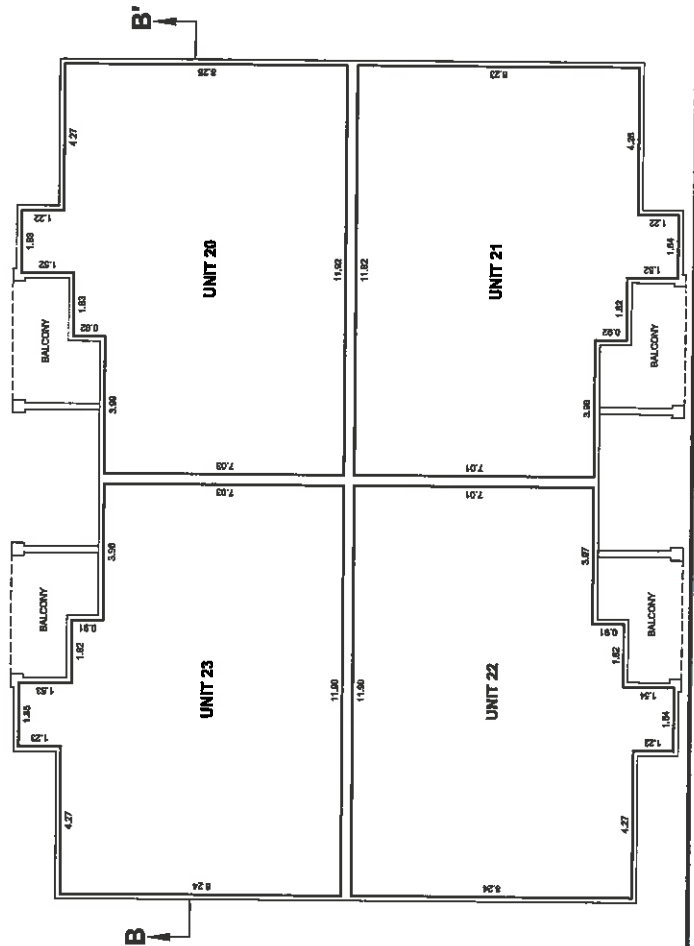
FIRST FLOOR PLAN
SCALE 1:100

- Measurements are in metres and decimals thereof.
- Measurements are along unit boundary.
- Honey has demarcated boundary.
- Units 20, 21, 22 & 23 Consists of two parts.

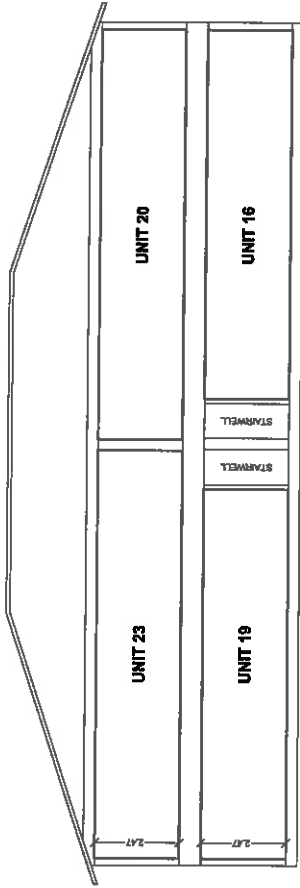


SECOND FLOOR PLAN
SCALE 1:100

- Measurements are in metres and decimals thereof.
- Measurements are along unit boundary.
- Honey has demarcated boundary.
- Units 20, 21, 22 & 23 Consists of two parts.



Change Order No. 100029945
 Marked on 03-Oct-2017
 Redvision of Unit 9 into new
 Units 18-24; See sheets 4-5



CROSS SECTION B-B'

SCALE 1:100

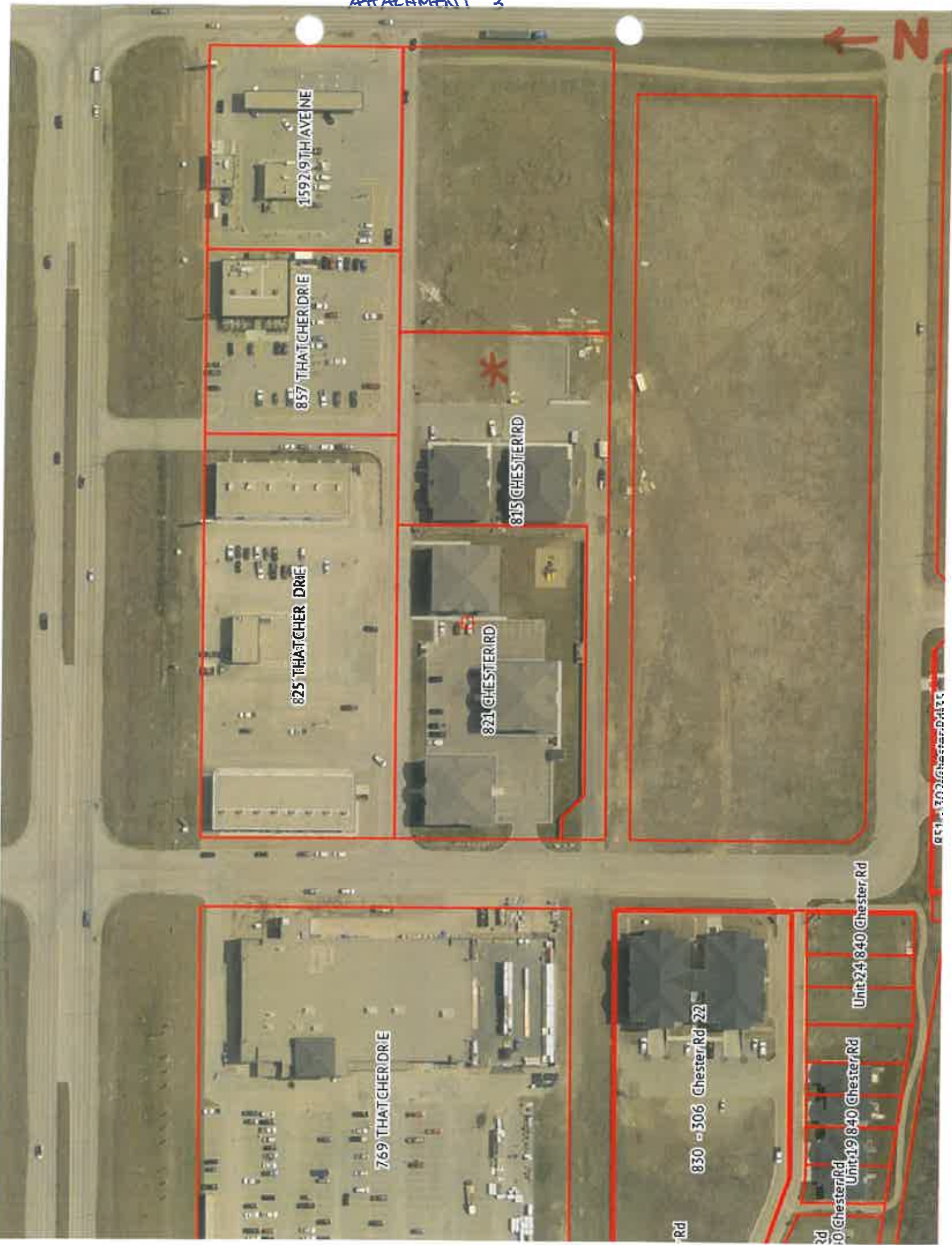
-Measurements are along unit boundary.
 -Heavy line denotes unit boundary.

PRE UNIT FACTOR SCHEDULE

Unit Number	Unit Type	Unit Factor	Approximate Area Sq. ft.		Total	Other(s)
			Main Floor	Second Floor		
9	Reg / Res	3.520			843	
	Total	3.520				

NEW UNIT FACTOR SCHEDULE

Re-Divided Unit Number	Unit Number	Unit Type	Unit Factor	Approximate Area Sq. ft.		Total	Other(s)
				Main Floor	Second Floor		
9	10	Reg / Res	405	03	93		
9	17	Reg / Res	405	03	93		
9	18	Reg / Res	405	03	93		
9	19	Reg / Res	405	03	93		
9	20	Reg / Res	427	2	85		
9	21	Reg / Res	427	2	85		
9	22	Reg / Res	427	2	85		
9	23	Reg / Res	427	2	85		
9	24	Staircase	1		1		
	Total		3079				



1592 9TH AVENUE

857 THATCHER DRIE

825 THATCHER DRIE

821 CHESTER RD

815 CHESTER RD

769 THATCHER DRIE

830 - 306 Chester Rd 22

Unit 19 840 Chester Rd

Unit 24 840 Chester Rd

851 - 1707 Chester Dr 17

N



Rd

Rd

Rd

Rd

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

Unit 24

Unit 19

**OUTSTANDING ITEMS FOR FOLLOW-UP BY CITY ADMINISTRATION
FROM CITY COUNCIL & STANDING COMMITTEES**

February 12, 2018

FROM	DATE & RES. #	SUBJECT MATTER Communication # etc.	DEPT. ASSIGNED	STATUS/ COMMENTS
<u>2013-2017:</u> City Council	June 24/13 Res. #445 (June 17/13 Executive Comm.)	Street Closures	Clerk/Solicitor	To prepare report to Executive Comm. <i>STATUS: Addressed with Revised <u>Traffic Bylaw</u> MGT – January</i>
City Council Exec. Comm.	Feb. 13/17 Jan. 30/17	Service Connections Bylaw/Policy Supplementary Information	Clerk/Solicitor	Amend Bylaw 5152 <i>STATUS: Info coming from Engineering (Darrin)</i>
City Council	May 8/17 Res. #333	TSAC – Traffic and Pedestrian Crossing Control Warrants	Engineering Clerk/Solicitor	Include in updated Traffic Bylaw <i>STATUS: In progress (January)</i>
City Council	May 23/17 Res. #363	Residential and Commercial Property Tax Gap	Finance	Referred to Administration to Report to Council (in conjunction with 2018 Budget) <i>STATUS: 2018 Budget</i>
City Council	Oct. 23/17	Amendments to Smoking Bylaw 5192	Clerk/Solicitor	Tabled to Executive Committee for Review Of Existing Bylaws From other Cities
City Council Exec. Comm.	Dec. 4/17 Nov. 27/17	Amendment to Bylaw No. 5175, <u>City Administration Bylaw</u>	Clerk/Sol.	To Upcoming Council Meeting

**OUTSTANDING ITEMS FOR FOLLOW-UP BY CITY ADMINISTRATION
FROM CITY COUNCIL & STANDING COMMITTEES**

February 12, 2018

Budget Committee	Jan. 29/18	Landfill - Two-tier Commercial Fee Structure	Finance Engineering	Referred to Administration to Report to Council (in conjunction with 2018 Budget) <i>STATUS: 2018 Budget</i>
------------------	------------	--	---------------------	---

TABLED MATTERS:

City Council	June 23/14 Res. #457	TSAC – Traffic Safety Concern at Maintenance Vehicle Entrance to Crescent Park and 3 rd Ave. N.E.	Engineering Parks & Recreation	Tabled Pending Report from Eng. re: Parking on 3 rd Ave. N.E. <i>STATUS: Eng. to respond Josh/Ted to follow up</i>
--------------	-------------------------	--	-----------------------------------	--

Exec. Comm.	Dec. 11/17	Off-Site Development Levy	Planning & Dev. Committee	<i>STATUS: Pending Bylaw Approval by City Council.</i>
-------------	------------	---------------------------	---------------------------	--

Exec. Comm.	Dec. 11/17	MOU –Unmanned Aerial Systems (UAS) Training	Planning & Dev.	Tabled to Executive Committee
-------------	------------	---	-----------------	-------------------------------

REFERRED MATTERS:

City Council	Nov. 20/17	SNAC Licensing of Taxis and/or Couriers for Special Needs Individuals	Planning & Dev/Clerks	Report to Executive on Taxi Licensing in Other Cities
--------------	------------	--	-----------------------	---

2017 ENQUIRIES: -

<u>2018 ENQUIRIES:</u>	Jan. 22/18	Councillor Swanson’s enquiry about corrections to Answer to Enquiry #23 of 2017.	Planning & Dev.	To upcoming Council meeting
-------------------------------	------------	--	-----------------	-----------------------------
