



CITY COUNCIL

Council Chambers, 2nd Floor, City Hall

Monday, March 11, 2019 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**

#15 – Report dated February 25, 2019 from the Secretary, Development Appeals Board, **re: Notice of Decisions of the Development Appeals Board.**

#16 – Report dated February 25, 2019 from the City Manager, **re: Rural Developments Accessing City Water.**

5. **ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

6. **REPORTS OF THE STANDING COMMITTEES OF CITY COUNCIL**

a. Executive Committee – February 25, 2019

7. **MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES**

a. Executive Committee – February 25, 2019

8. **REPORTS OF ADVISORY AND OTHER COMMITTEES**

- a. Investment Committee – February 15, 2019
- b. Special Needs Advisory Committee – February 20, 2019
- c. Heritage Advisory Committee – February 20, 2019

9. **GIVING NOTICE**

10. **MOTIONS**

- a. Councillor Swanson – Municipal Project Tax Status
- b. Councillor Luhning – Business Licenses in Mixed Use Areas

11. **BYLAWS**

Introduction to Bylaws:

Bylaw No. 5574, Sewer and Water Utility Bylaw Amendment, 2019 (1)

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, March 25, 2019.**



MINUTES

REGULAR MEETING OF CITY COUNCIL

**Monday, February 25, 2019, 5:30 p.m.
Council Chambers, City Hall**

PRESENT: Mayor Tolmie
Councillor D. Luhning
Councillor C. Warren
Councillor B. Swanson
Councillor C. Froese
Councillor S. McMann
Councillor H. Eby

CALL TO ORDER

Mayor Tolmie called the meeting to order at 5:30 p.m.

PUBLIC ACKNOWLEDGEMENTS

Mayor Tolmie rose to acknowledge the upcoming visit to Moose Jaw of Ms. Linda Otnes Henriksen, Deputy Mayor of Stor-Elvdal, Norway.

Councillor Swanson rose to acknowledge the passing on February 22, 2019 of Mr. Merv Schenk, former Chief of Police of the Moose Jaw Police Service. Council observed a moment of silence.

ADOPTION OF MINUTES

Re: Adoption of Regular City Council Meeting Minutes – February 11, 2019

Moved by Councillor Warren, seconded by Councillor McMann
THAT the minutes of the regular meeting of City Council held on Monday,
February 11, 2019 be approved and adopted.

Carried.

MOTION TO GO INTO COMMITTEE OF THE WHOLE

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

Carried.

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

Communication #10 – City Department Quarterly Reports

Considered was a report (Communication #10) dated February 12, 2019 from
the City Manager regarding City Department Quarterly Reports for the period
October 1, 2018 to December 31, 2018.

053 Moved by Councillor Eby
THAT the City Department Quarterly Reports for the period October 1, 2018 to
December 31, 2018, be received and filed.

Carried.

**Communication #11 – Contract Change Order – Hamm Construction –
Buffalo Pound Transmission Line Project**

Considered was a report (Communication #11) dated February 13, 2019 from
the Department of Engineering Services regarding a request for approval of a
change order to the contract with Hamm Construction Ltd for the Buffalo
Pound to Moose Jaw Water Supply Transmission Line Phase 1.

054 Moved by Councillor Eby
THAT City Council approve a change order to the contract with Hamm
Construction Ltd. (Hamm) for the Buffalo Pound to Moose Jaw Water Supply
Transmission Line Phase I project in the amount of \$380,000.00 (plus PST & GST)
to complete the 127 meter-long, trenchless auger bore crossing of Spectra
Energy and TransCanada Pipelines (TCPL) right-of-way.

Carried.

Communication #12 – Recommendation for the Purchase of Three Garbage Trucks

Considered was a report (Communication #12) dated February 13, 2019 from the Department of Engineering Services regarding a request to purchase three new garbage trucks.

- 055 Moved by Councillor Froese
THAT Engineering Services be authorized to purchase three (3) garbage trucks and associated accessories for \$1,179,331.62 with the source of funding being the Equipment Reserve.
- Carried.

Communication #13 – City Council Appointment to the Cultural Diversity Advisory Committee and the Murals Project Management Committee

Considered was a report (Communication #13) dated February 14, 2019 from the City Clerk/Solicitor's Department appointing a Council representative to the Cultural Diversity Advisory Committee and the Murals Project Management Committee.

- 056 Moved by Mayor Tolmie
THAT Councillor Eby be appointed to the Cultural Diversity Advisory Committee and the Murals Project Management Committee for a term of office of February 25, 2019 to December 31, 2019, or until a successor is appointed.
- Carried.

Communication #14 – Request to Address City Council Re: New Active Living Program – Mr. Michel Labonte

Considered was a report (Communication #14) dated February 20, 2019 from the Department of Human Resources and Department of Parks and Recreation Services regarding Mr. Michel Labonte's Request to Address City Council.

- 057 Moved by Councillor Warren
THAT Mr. Michel Labonte, citizen, be allowed to address members of City Council.
- Carried.

Mr. Michel Labonte, citizen, addressed members of City Council.

058 Moved by Councillor Eby
THAT Communication #14, being a letter dated February 19, 2019 from Mr. Michel Labonte, citizen, be received and filed.

Carried.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Carried.

REPORTS OF STANDING COMMITTEES OF CITY COUNCIL

a. Executive Committee – February 11, 2019

060 Moved by Councillor Eby, seconded by Councillor Froese
THAT the report of the Executive Committee meeting dated February 11, 2019 be taken as read.

Carried.

b. Budget Committee – December 3, 2018 to February 19, 2019

061 Moved by Councillor Warren, seconded by Councillor Eby
THAT the report of the Budget Committee meeting dated December 3, 2018 to February 19, 2019 be taken as read.

Carried.

MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES

a. Executive Committee – February 11, 2019

062 Moved by Councillor Luhnig, seconded by Councillor Froese
THAT the report of the Executive Committee meeting dated February 11, 2019 be received and adopted.

Carried.

b. Budget Committee – December 3, 2018 to February 19, 2019

Councillor Swanson requested a second vote on the following motion from the December 3, 2018 to February 19, 2019 Budget Committee meeting:

063 *“THAT the Moose Jaw Municipal Airport Authority (MJMAA) Budget be approved with City funding in the amount of \$146,646.”*

Carried.

Moved by Councillor Swanson, seconded by Councillor Luhnig
THAT the following motion from the December 3, 2018 to February 19, 2019
Budget Committee meeting:

"THAT City Administration be directed to provide notice to external water users, such as water co-ops and SaskWater, advising the rate will be increased by 50% to 2.25 the in-City rate to recognize the contribution from the operating fund covered by the citizens of Moose Jaw; and

THAT the revenue from the rate increase will be directed to water infrastructure upgrades effective June 2019."

be amended by replacing "water infrastructure upgrades effective June 2019" with "the Water Utility."

Defeated.

Councillor Swanson requested a second vote on the following motions from the December 3, 2018 to February 19, 2019 Budget Committee meeting:

064 *"THAT remuneration paid to Mayor and Councillors effective January 1, 2019 be adjusted to account for the loss of the one-third tax exemption under The Income Tax Act such that the Mayor salary would be set at \$79,108 and Councillor salaries set at \$24,918."*

Carried.

065 *"THAT City Clerk/Solicitor Department be authorized to source an additional in-house legal Counsel position."*

Carried.

066 *"THAT the Department of Human Resource Services be authorized to proceed with the development of a new job evaluation framework for the City of Moose Jaw at a maximum cost of \$50,000 with funding to come from excess funds from previous year's salary provisions."*

Carried.

067 *"THAT the Department of Human Resource Services be authorized to develop and implement an Employee Active Living Program for the City of Moose Jaw by providing City employees access to City recreation facilities."*

Carried.

068 *"THAT the revised 2019 to 2023 Capital Budget be approved; and*

THAT City Administration be authorized to tender and award Capital project WW-4 Water Reservoirs/Pumphouse as set forth in years 2019 and 2020 of the 2019 – 2023 Capital Budget; and

THAT City Administration be authorized to tender and award all of the other Capital projects set forth in year 2019 of the 2019 – 2023 Capital Budget subject to the limitations set forth in:

- a) the City's Purchasing Policy, and*
- b) the City's Administration Bylaw; and further,*

THAT the Capital Expenditure Fund interest revenues be adjusted to reflect a 3.5% return net of fees."

Carried.

Councillor Froese on a Point of Order regarding the tone of Councillor Swanson's remarks to Administration. The Chair ruled on the Point of Order.

Councillor Luhnig left the meeting at 8:07 p.m.
Councillor Luhnig returned to the meeting at 8:09 p.m.

Councillor Warren requested a second vote on the following motions from the December 3, 2018 to February 19, 2019 Budget Committee meeting:

069 *"THAT the motion to reduce Council travel and convention budget by \$21,905 and pool the remaining funds be rescinded."*

Carried.

"THAT Council receive every two months a summary of Council travel and professional development expenses."

Defeated.

Councillor Swanson requested a second vote on the following motions from the December 3, 2018 to February 19, 2019 Budget Committee meeting:

"THAT 50% [of the Municipal Revenue Sharing Grant] be allocated to the Capital Budget."

Defeated.

Councillor Eby left the meeting at 8:15 p.m.
Councillor Eby returned to the meeting at 8:16 p.m.

070 *"THAT the 2019 Operating Budget be approved, as amended; and*
THAT the 2019 – 2023 Equipment Reserve Budget be approved; and
THAT City Administration be authorized to tender and award the Equipment purchases set forth in year 2019 of the 2019 – 2023 Equipment Reserve Budget subject to the limitations set forth in:

a) the City's Purchasing Policy; and
b) the City's Administration Bylaw; and

THAT a mill rate increase of 3.01% which will generate an additional \$857,500 for the City's Operating and Capital Budgets be approved; and further,

THAT the report dated November 24, 2018 from the Financial Services Department, re: Operating, Capital and Equipment Budget Approval Process be lifted from the table and received and filed."

Carried.

071 Moved by Councillor Eby, seconded by Councillor Warren
THAT the report of the Budget Committee meeting dated December 3, 2018 to February 19, 2019 be received and adopted.

Carried.

REPORTS OF ADVISORY AND OTHER COMMITTEES

a. Youth Advisory Committee – February 7, 2019

Mayor Tolmie reported on the minutes of the Youth Advisory Committee meeting held February 7, 2019.

072 Moved by Mayor Tolmie, seconded by Councillor Luhning
THAT the minutes of the Youth Advisory Committee meeting held February 7, 2019 be received and adopted.

Carried.

c. Parks and Recreation Advisory Committee – February 13, 2019

Councillor Warren reported on the minutes of the Parks and Recreation Advisory Committee meeting held February 13, 2019.

Councillor Froese left the meeting at 8:34 p.m.

073

Moved by Councillor Warren, seconded by Councillor Eby
 THAT the 2019/2020 Saskatchewan Lotteries Community Grant Program –
 Special Events Hosting Grant be allocated as follows:

SPECIAL EVENT HOSTING GRANT:

Sask. Shuffleboard Assoc. – MJ Floor Shuffleboard Tournament	\$ 350.00
Sask. Shuffleboard Assoc. – MJ Team Floor Shuffleboard Tournament	\$ 300.00
Moose Jaw Band & Choral Festival Inc.	\$ 1,875.00
Saskatchewan Festival of Words	\$ 2,163.20
Moose Jaw Minor Baseball Assoc. – Sask Provincials	\$ 975.00
Control Jiu Jitsu – Sask Grappling Championship	\$ 550.00
Kinsmen Club – Swing for Kids	\$ 450.00
Hillcrest Golf Club – Labour Day Golf Tournament	\$ 450.00
New Southern Plains Metis Local #160 – Elders in Training	\$ 950.00
South Hill Community Assoc. – South of the Bridge Day	\$ 850.00
Cosmo Senior Citizens' Centre – Polkafest	\$ 300.00
Motif – Multicultural Festival	\$ 1,000.00
Moose Jaw Music Festival	\$ 1,250.00
Moose Jaw Pride Inc. – Pride Week	\$ 775.00
Community Assoc. Directorate – School Break Special Events	\$ 1,250.00
TOTAL	\$ 13,488.20

Carried.

Councillor Froese returned to the meeting at 8:36 p.m.

074 Moved by Councillor Warren, seconded by Councillor Luhnig
 THAT the 2019/2020 Saskatchewan Lotteries Community Grant Program – Base
 I be allocated as follows:

BASE I

Community Assoc. Directorate – Playground Program	\$ 18,000.00
Community Assoc. Directorate – Youth Activity Centres	\$ 5,400.00
Community Assoc. Directorate – Recreation Guides	\$ 3,800.00
MJ Minor Ice Organizations – Winter Extension Program	\$ 13,726.77
Community Assoc. Directorate – Sports Equipment/Bike Recycle	\$ 2,500.00
Community Assoc. Directorate – Free Family & Public Swims	\$ 9,000.00
Community Assoc. Directorate – Free Teen Swim/Youth Activity Nights	\$ 9,000.00
Community Assoc. Directorate – Free Skates	\$ 2,900.00
Mosaic Place – Family Fun Skates	\$ 1,875.00
Mosaic Place – Summer Free Skate	\$ 2,390.00
South Hill Community Assoc. – Open Shinny Program	\$ 1,160.00
Mosaic Place – Seasonal Special Events	\$ 1,660.00
Saskatchewan Festival of Words Inc. – LitCon	\$ 1,875.00
Wakamow Valley – Horse Drawn Wagon Rides	\$ 1,200.00
TOTAL	\$ 74,486.77

Carried.

075 Moved by Councillor Warren, seconded by Councillor Luhnig
 THAT the 2019/2020 Saskatchewan Lotteries Community Grant Program - Base
 II - IV be allocated as follows:

BASE II - IV

Phoenix Academy – Camping Trip	\$ 800.00
Moose Jaw Baseball Assoc. – Division Expansion	\$ 550.00
Mosaic Place – Sticks & Pucks	\$ 400.00
Hillcrest Golf Club – Women Supporting Women	\$ 1,200.00
Moose Jaw Mini Rugby	\$ 800.00
Sandy Balls Beach Volleyball	\$ 600.00
Community Assoc. Directorate – Guardian 'N Tots	\$ 600.00
Community Assoc. Directorate – School Break Day Camps	\$ 1,000.00
Moose Jaw Baseball Assoc. – Mosquito Expansion	\$ 500.00
Hillcrest Golf Club – Learn to Play Golf Program	\$ 950.00
TOTAL	\$ 7,400.00

Carried.

076 Moved by Councillor Warren, seconded by Councillor Luhnig
 THAT the 2019/2020 Saskatchewan Lotteries Community Grant Program – Base
 V be allocated as follows:

BASE V

Mosaic Place – Holiday Skates	\$ 333.33
Saskatchewan Festival of Words Inc. – Writers in Schools	\$ 333.33
Moose Jaw Baseball Assoc. – Canucks	\$ 333.34
TOTAL	\$ 1,000.00

Carried.

077 Moved by Councillor Warren, seconded by Councillor Froese
 THAT the 2019/2020 Saskatchewan Lotteries Community Grant Program –
 Target be allocated as follows:

CGP TARGET

Moose Jaw District Senior Assoc. & Cosmo Senior Centre	\$ 26,976.40
MJ Museum & Art Gallery – Art program for disadvantaged	\$ 1,750.00
North West Community Assoc. – Newcomer Swimming Lessons	\$ 500.00
MJ Cobra Cheerleading Inc.	\$ 1,500.00
North West Community Assoc. – Women & Children only swim	\$ 500.00
East Side Community Assoc. – Pickleball	\$ 1,500.00
Community Assoc. Directorate – Walking Pole Program	\$ 500.00
Community Assoc. Directorate – 55+ Senior Programs	\$ 500.00
Moose Jaw Special Olympics - Special Olympics Games	\$ 3,750.00
Moose Jaw Families for Change – Imagine Inclusion	\$ 2,988.20
TOTAL	\$ 40,464.60

Carried.

078 Moved by Councillor Warren, seconded by Councillor Eby
 THAT the 2019 Community Projects – Capital Grant Program be allocated as
 follows:

Crescent Park Foundation – Concrete Access and Dance Pad	\$ 4,000.00
Sandy Balls Beach Volleyball – Court Construction	\$ 8,000.00
Gymtastiks of MJ – Asphalt Replacement at front entrance	\$ 1,500.00
Hamilton Flats Slo-Pitch League – Ball Diamond Upgrades	\$ 1,250.00
Wakamow Valley Authority – Paashkwow Park Disc Golf Course	\$ 3,750.00
Gymtastiks of Moose Jaw – LED light replacement	\$ 500.00
Sunningdale/VLA/West Park Community Assoc. – Outdoor Classroom	\$ 5,000.00
Moose Jaw Flying Fins Swim Club – Block Replacement phase 2	\$ 3,000.00

MJ Chamber of Commerce – Washroom construction phase 2	\$ 2,000.00
Moose Jaw Baseball Assoc. - Diamond Improvements	\$ 500.00
Moose Jaw Tennis Club – Equipment Replacement and Security Update	\$ 1,000.00
TOTAL	\$ 30,500.00

Carried.

Disposition of Report:

079

Moved by Councillor Warren, seconded by Councillor Luhnig
 THAT the minutes of the Parks and Recreation Advisory Committee meeting held February 13, 2019 be received and adopted.

Carried.

GIVING NOTICE

Councillor Swanson rose to give notice that at the next regular meeting of City Council to be held on Monday, March 11, 2019, he intends to introduce the following motion:

Re: Municipal Project Tax Status

“THAT organizations which have received municipal project tax status by way of Council resolution have that designation removed if in the most recent complete calendar year the organization received less than \$1,000 in donations via the Municipal Project tax status.”

Councillor Luhnig rose to give notice that at the next regular meeting of City Council to be held on Monday, March 11, 2019, she intends to introduce the following motion:

Re: Business Licences in Mixed Use Areas

THAT Administration prepare a report to Executive Committee to re-evaluate the issuance of a business licence for areas of the City where mixed use in the commercial district and others could be an issue for neighbouring properties.

MOTIONS

Appointment of Deputy Mayor

- 080 Moved by Councillor Luhnig, seconded by Councillor Froese
THAT Councillor Eby be appointed Deputy Mayor for the ensuing two (2) months effective March 1, 2019 to April 30, 2019 and/or until a successor is appointed.
- Carried.

Appointment of Chairperson, Executive Committee

- 081 Moved by Councillor Eby seconded by Councillor Luhnig
THAT Councillor Warren be appointed Chairperson of the Executive Committee for the ensuing two (2) months effective March 1, 2019 to April 30, 2019 and/or until a successor is appointed.
- Carried.

Appointment of Chairperson, Personnel Committee

- 082 Moved by Councillor Warren, seconded by Councillor Froese
THAT Councillor Luhnig be appointed Chairperson of the Personnel Committee for the ensuing two (2) months effective March 1, 2019 to April 30, 2019 and/or until a successor is appointed.
- Carried.

BYLAWS

Introduction of Bylaw:

#5573 – Special Needs Advisory Committee Bylaw Amendment, 2019 (1)

- 083a Moved by Councillor Froese, seconded by Councillor Swanson
THAT Deputy Mayor Councillor Luhnig be allowed to introduce **Bylaw No. 5573, SPECIAL NEEDS ADVISORY COMMITTEE BYLAW AMENDMENT, 2019 (1)**.
- Carried.
- 083b Moved by Councillor Swanson, seconded by Councillor Froese
THAT Bylaw No. 5573 be now read a first time.
- Carried.
- 083c Moved by Councillor Eby, seconded by Councillor Warren
THAT Bylaw No. 5573 be now read a second time.
- Carried.
- 083d Moved by Councillor Warren, seconded by Councillor Eby
THAT we now go into Committee of the Whole under the Chairmanship of Deputy Mayor, Coun. Luhnig to consider Bylaw No. 5573.
- Carried.

083e Moved by Councillor Eby
THAT clause by clause consideration of the Bylaw be and is hereby dispensed with and that the said Bylaw be approved in its entirety.
Carried.

Your Committee of the Whole to consider **Bylaw No. 5573, Special Needs Advisory Committee Bylaw Amendment, 2019 (1)**, begs to report that the Bylaw passed this Committee without amendment.

(Sgd). Coun. Luhning
Chairperson

083f Moved by Councillor Swanson, seconded by Councillor Froese
THAT the report of the Committee of the Whole be received and adopted.
Carried.

083g Moved by Councillor Froese, seconded by Councillor McMann
THAT Bylaw No. 5573 be submitted for Third reading forthwith.
Carried Unanimously.

083h Moved by Councillor McMann, seconded by Councillor Luhning
THAT Bylaw No. 5573 be now read a third time, adopted, signed by the Mayor and City Clerk, dated and sealed.
Carried.

ENQUIRIES

Councillor McMann submitted the following written enquiry:

#3 – 2019: Alternative to Cash Payments

"Is there a timeline or plan to accept alternative to cash types of payments (cards) at the landfill and perhaps other City locations that accept cash only payments?"

Councillor Luhning asked a verbal enquiry about when the ridesharing bylaw will be completed, which was answered by Administration.

Councillor Warren asked a verbal enquiry about three motions that were carried at the July 9, 2018 City Council meeting that are not on the Outstanding Items List, which was answered by Administration.

Councillor Swanson submitted the following two written enquiries:

#4 – 2019: Cast Iron Water Main Replacement

“How many meters of cast iron water main were replaced in each of the years 2016 – 2018? What was the cost of the program in each year? How many meters are planned to be replaced in 2019?”

#5 – 2019: Multiplex Pledges/Donations

“With respect to donations to the Multiplex (DFFH) project that are received by City Hall, what total has now been collected? What provisions, if any, have been made for uncollected donations? How much remains to be collected and by when? What is the status of the Moose Jaw Soccer pledge given its original pledge? How much has been collected from Moose Jaw Soccer?”

RESPONSES TO WRITTEN “ANSWERS TO ENQUIRIES” – Nil.

PUBLIC FORUM – Nil.

The meeting adjourned at 8:52 p.m.

MAYOR

CITY CLERK



City of Moose Jaw

COMMUNICATION #15

TITLE: Notice of Decisions of the Development Appeals Board

TO: City Council

FROM: Secretary, Development Appeals Board

DATE: February 25, 2019

PUBLIC: This is a public document.

IN-CAMERA: Not applicable to this report.

RECOMMENDATION

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

{1 – 2019} Prairie Spring Water
550 Fairford Street West, Moose Jaw, SK

{2 – 2019} [REDACTED]
[REDACTED] Crescent, Moose Jaw, SK

JUSTIFICATION FOR IN-CAMERA

Not applicable to this report.

TOPIC AND PURPOSE

The purpose of this report is to submit to members of City Council, for their information, the Decisions of the Development Appeals Board respecting applications for variances under the City of Moose Jaw's Zoning Bylaw, being Bylaw No. 5346, that were discussed and decided upon at the meeting of the Development Appeals Board held on **February 19, 2019**.

BACKGROUND

As per legislation requirements (*The Planning and Development Act, 2007*), decision(s) of the Development Appeals Board are required to be provided to Council not later than 10 days after the date the decisions are signed. In compliance with legislation, the Development Appeals Board decisions for Appeals No. 1 and 2 of 2019 were emailed to members of City Council on February 21, 2019. The formal report regarding Notice of Decisions of the Development Appeals Board is now being formally placed on the City Council agenda dated March 11, 2019.

OTHER CONSIDERATIONS/IMPLICATIONS

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

PUBLIC NOTICE

Public Notice is not required.

PRESENTATION

There is no presentation.

ATTACHMENT

- i. Decision of the Development Appeals Board for DAB 1 of 2019 – Prairie Spring Water.
- ii. Decision of the Development Appeals Board for DAB 2 of 2019 – Blaine Miller.

Respectfully Submitted By,

Pearl Anderson

Pearl Anderson
Secretary, Development Appeals Board

APPROVAL OF REPORT RECEIVED

COMMENTS RECEIVED

Jim Puffalt
Jim Puffalt, 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. _____

**DEVELOPMENT APPEALS BOARD
RECORD OF DECISION
Prairie Spring Water
550 Fairford Street West, Moose Jaw, SK
APPEAL NO. 1 of 2019**

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, February 19, 2019 pursuant to the provisions of *The Planning and Development Act, 2007*.

APPELLANT: Prairie Spring Water

RESPONDENT: City of Moose Jaw
Planning and Development Services Department

**RESPECTING THE
PROPERTY KNOWN AS:** Lots 35 - 38, Block 73, Plan Old 96
550 Fairford Street West, Moose Jaw, SK

ZONING: M2f2 – Heavy Industrial District

NATURE OF APPEAL

THE APPELLANT, **Prairie Spring Water**, is requesting a variance from the City of Moose Jaw's Zoning Bylaw No. 5346, as amended.

REQUESTED VARIANCE

The appellant is requesting a variance from the City of Moose Jaw's Zoning Bylaw No. 5346 to construct an industrial addition on the property described as Lots 35 - 38, Block 73, Plan Old 96, civically known as 550 Fairford Street West, Moose Jaw, SK, with a proposed:

- Rear yard setback of 0.3 metres (1 foot) contrary to the 7.5 metres (24.6 feet) prescribed by the City of Moose Jaw's Zoning Bylaw.

HEARD ON

Tuesday, February 19, 2019 in Committee Room B, 2nd Floor, City Hall.

IN ATTENDANCE

The Board: Terry Wallace, Chairperson
Rece Allen, Member
Fred Anderson, Member
David Danchilla, Member
Warren Brisbin, Member

Appeared for the Appellant: Rob Walchuk

Appeared for the Respondent: Eric Bjorge, Assistant City Planner

LEGISLATIVE PROVISIONS

The Development Appeals Board 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 January 21, 2019.

Exhibit B Names & Addresses of Assessed Property Owners within 75 Meter 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 **January 31, 2019** as sworn by the attached Affidavit of Service.

Exhibit D Report dated January 25, 2019 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*. Included with the report is Section 8.2 of the City of Moose Jaw's Zoning Bylaw.

APPELLANT

The Appellant, Rob Walchuk, advised of the following:

- he is the co-owner of the property
- has owned the building for 12 to 14 years
- looking to expand by building onto the North side of the existing building
- more space is needed for bottling and ice bagging

NEIGHBOURING PROPERTY OWNER(S)

The Chairperson confirmed that no correspondence had been received by the Office of the City Clerk with respect to the matter.

RESPONDENT

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

- the subject property is an industrial lot measuring approximately 100' x 125' and is zoned M2f2 – Heavy Industrial District
- the property is also located in the Flood Fringe Overlay District
- there are other properties on the block with principle buildings built right at the rear property line
- in the case of 520 – 530 Fairford Street West, the most recent of these buildings was built in the 1970's under the previous Zoning Bylaw where no rear yard setback was required
- Up until 2011, the zoning of this area allowed for a minimum 3 metre rear yard setback, which explains why other buildings on this block are within the 7.5 metre setback

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 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 January 21, 2019.
- Exhibit B** Names & Addresses of Assessed Property Owners within 75 Meter Radius of Applicant's Property
- Exhibit C** Notice of Hearing, Development Appeals Board, circulated to neighbouring property owners within a 75 meter radius of the subject property, sent by regular mail on **January 31, 2019** as sworn by the attached Affidavit of Service.

Exhibit D Report dated January 25, 2019 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*. Included with the report is Section 8.2 of the City of Moose Jaw's Zoning Bylaw.

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 concludes that the requested relaxation will not:

a) Be a special privilege:

When the test with respect to a special privilege is applied, the Development Appeals Board noted that there are other buildings on the block with principle buildings built right to the rear property line. The Board felt that the proposed addition will not look out of place as it will line up with other buildings on the block. The Board also stated that they would be willing to grant a similar variance to anyone in the same circumstances.

b) Be contrary to the purpose and intent of the Bylaw:

When the test for the variance to be contrary to the purpose and intent of the Bylaw is applied, the Development Appeals Board noted that the relaxation, in their opinion, is not an impediment to the purpose and intent of the Bylaw. The Board felt the addition is consistent with other properties on the block that are built right to the rear property line.

c) Injurious affect the neighbouring properties:

The Development Appeals Board noted that granting this variance will not injuriously affect neighbouring properties as the development complements the neighbourhood. The Board recognized that no objections were received from property owners within the 75 metre radius area.

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

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 21st day of February 2019.



Terry Wallace, Chairperson

Pearl Anderson

Pearl Anderson, Secretary

**DEVELOPMENT APPEALS BOARD
RECORD OF DECISION**

[REDACTED]
[REDACTED] Crescent, Moose Jaw, SK
APPEAL NO. 2 of 2019

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, February 19, 2019 pursuant to the provisions of *The Planning and Development Act, 2007*.

APPELLANT:

[REDACTED]

RESPONDENT:

City of Moose Jaw
Planning and Development Services Department

**RESPECTING THE
PROPERTY KNOWN AS:**

Lot 34, Block 42, Plan No. 98MJ01893
[REDACTED] Crescent, Moose Jaw, SK

ZONING:

R1 – Large Lot Low Density Residential District

NATURE OF APPEAL

THE APPELLANT, [REDACTED], is requesting a variance from the City of Moose Jaw's Zoning Bylaw No. 5346, as amended.

REQUESTED VARIANCE

The appellant is requesting a variance from the City of Moose Jaw's Zoning Bylaw No. 5346 to construct a detached garage on the property described as Lot 34, Block 42, Plan 98MJ01893, civically known as [REDACTED] Crescent, Moose Jaw, SK, with a proposed:

- overall height of 19 feet is contrary to the maximum height of 5 metres (16.4 feet) prescribed by the City of Moose Jaw's Zoning Bylaw; and
- combined accessory structure floor area of 1104 square feet is contrary to the 900 square feet prescribed by the City of Moose Jaw Zoning Bylaw; and
- side yard vehicle entrance setback of 1.17 feet is contrary to the minimum setback of 1.5 metres (5.0 feet) prescribed by the City of Moose Jaw Zoning Bylaw.

Consideration of this application requires a variance with respect to Section 4 of the Moose Jaw Zoning Bylaw No. 5346, as amended.

HEARD ON

Tuesday, February 19, 2019 in Committee Room B, 2nd Floor, City Hall.

IN ATTENDANCE

The Board: Terry Wallace, Chairperson
Rece Allen, Member
Fred Anderson, Member
David Danchilla, Member
Warren Brisbin, Member

Appeared for the Appellant:

Appeared in Opposition: ██████████, Neighbouring Property Owner

Appeared for the Respondent: Eric Bjorge, Assistant City Planner

LEGISLATIVE PROVISIONS

The Development Appeals Board 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 January 22, 2019.

Exhibit B Names & Addresses of Assessed Property Owners within 75 Meter 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 **January 31, 2019** as sworn by the attached Affidavit of Service.

Exhibit D Report dated January 28, 2019 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*. Included with the report is Section 4 of the City of Moose Jaw's Zoning Bylaw.

APPELLANT

The Appellant was not present.

NEIGHBOURING PROPERTY OWNER(S)

The Chairperson confirmed that the following correspondence had been received by the Office of the City Clerk with respect to the matter:

1. Letter dated February 5, 2019 from [REDACTED], owners of the property located at [REDACTED]. [REDACTED] are opposed to construction of the garage.
2. Letter dated February 9, 2019 from [REDACTED], owners of the property located at [REDACTED]. [REDACTED] are opposed to construction of the garage.
3. Letter received February 11, 2019 from [REDACTED], owners of the property located at [REDACTED]. [REDACTED] are opposed to construction of the garage.
4. Letter received February 12, 2019 from [REDACTED], owner of the property located at [REDACTED]. [REDACTED] is opposed to construction of the garage.
5. Letter received February 19, 2019 from [REDACTED], owner of the property located at [REDACTED]. [REDACTED] is opposed to construction of the garage.
6. Letter and copies of photos received from [REDACTED], owner of the property located at [REDACTED]. [REDACTED] is opposed to construction of the garage.

██████████, owner of the property located at ██████████, presented the following concerns regarding the proposed detached garage:

- Safety issues with risks for pedestrian and bicycle traffic
- Snow accumulation
- Property value reduction
- ██████████ has spoken to neighbours who have expressed concerns
- Precedent setting for the neighbourhood
- Shadow on his property that would be caused by proposed development
- Proposed garage will be seen for blocks
- Proposed variance far exceeds the City's Zoning Bylaw requirements

RESPONDENT

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

1. the subject property is a residential corner lot measuring approximately 70.5' x 141' and is zoned R1 – Large Lot Low Residential District
2. the applicant has requested to construct a detached garage for the purpose of vehicle storage and hobby work
3. the owner has previously fenced off a portion of the City boulevard along Wood Lily Drive with the permission of the Parks Department
4. the application for appeal mentions three other properties to be used as examples:
 - 1314 3rd Avenue N.E. – the detached garage in question was approved at the height of 16'15", in compliance with the Zoning Bylaw (would require further inspection to confirm the actual height).
 - 1068 Athabasca Street West – the garages were approved under the previous Zoning Bylaw.
 - 72 Hodges Crescent – house and garage are in compliance with the Bylaw in term of accessory building size and overall site coverage (Hodges Crescent has R1A zoning which allows for 50% total lot coverage, compared to 40% in R1 districts.)

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 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 January 22, 2019.

Exhibit B Names & Addresses of Assessed Property Owners within 75 Meter 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 **January 31, 2019** as sworn by the attached Affidavit of Service.

Exhibit D Report dated January 28, 2019 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*. Included with the report is Section 4 of the City of Moose Jaw's Zoning Bylaw.

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 concludes that the requested relaxation will:

a) Be a special privilege:

When the test with respect to a special privilege is applied, the Development Appeals Board noted they would not be willing to grant this variance to anyone in similar circumstances. The Board also noted that the proposed variance greatly exceeds the restrictions placed on properties in this district with respect to height, size and setback.

b) Be contrary to the purpose and intent of the Bylaw:

When the test for the variance to be contrary to the purpose and intent of the Bylaw is applied, the Development Appeals Board noted that the relaxation, in their opinion, is an impediment to the purpose and intent of the Bylaw. The Board felt the proposed detached garage would take away from neighbourhood aesthetics and consistency in the neighbourhood. The Board also noted that the proposed garage would result in reduced visibility and cause vehicle, pedestrian and bicycle traffic safety risks. As well, sunlight in neighbouring properties would be affected by the proposed garage.

c) Injuriouly affect the neighbouring properties:

The Development Appeals Board noted that granting this variance will injuriouly affect neighbouring property owners as objection letters were received from six neighbouring property owners. The Board noted that the variance could affect health, safety and general welfare of the inhabitants in the City due to the size, height and setback being requested.

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 21st day of February 2019.



Terry Wallace, Chairperson

Pearl Anderson

Pearl Anderson, Secretary



City of Moose Jaw

COMMUNICATION #16

TITLE: Rural Developments Accessing City Water

TO: City Council

FROM: City Manager

DATE: February 25, 2019

PUBLIC: This is a Public Document.

IN-CAMERA: This is a Public Document.

RECOMMENDATION

THAT the water co-ops be reminded that no service connections can be made to rural developments without City approval.

TOPIC AND PURPOSE

The purpose of this report is to provide clarification to City Council regarding the City of Moose Jaw providing water and sewer services to rural developments.

DISCUSSION

At the February 11, 2019 City Council meeting, City Council considered the January 22, 2019 Municipal Planning Commission minutes and it was noted that the City of Moose Jaw would not provide direct water or sewer service to rural developments.

Water co-op agreements state that the City of Moose Jaw has control over where service lines are placed. An excerpt from the agreement states:

"The Customer agrees to submit all construction plans to the Engineering Department for approval prior to the construction or any connection being made."

The wording was questioned as it could imply that the City allows indirect water service through one of the water co-ops.

In the past, Administration has used both versions of wording (including or not including the word "direct") of the Province's RM of Moose Jaw referral comments depending on the specific proposal.

Administration has had discussions about whether or not to include the word "direct" both internally and at Municipal Planning Commission meetings. It is important to note that not everyone has the same interpretation about what the word "direct" implies.

In this specific case, the two referrals that comments were provided on are existing houses which have existing connections through the water co-ops. It was decided to include the word "direct" in this case to avoid the implication that the existing connections were not permitted (presumably the purpose of the water co-op lines was to provide water to rural users in exactly this situation i.e. farmstead sites).

In the future, Administration will work on new wording to address situations where water co-op lines are involved. You may recall in previous referrals involving more controversial subdivisions (industrial west of City limits) Administration provided strongly worded comments addressing directly the fact that there is impending legal issues surrounding the water co-ops.

Also suggested is that the Province's request for comments on RM of Moose Jaw subdivisions is not the best venue to address the water co-op issue. Administration will only be notified through this process if there is a new subdivision proposed so it will not catch new connections which don't involve a subdivision. In the case of the two referrals in question, the houses are existing and connections to the water co-ops are already made, so Administration is providing comments after the fact.

Administration recommends that communications go out to all the water co-ops to remind them of the terms of their agreements and pursue any other enforcement as necessary. In the future, if there is additional review the City needs to do or additional comments to provide to the Province in order to promote compliance with the water co-op agreements, the Planning and Development Services Department can facilitate that.

PRESENTATION

VERBAL: X AUDIO/VISUAL: NONE:

Respectfully Submitted By,

Michelle Sanson

Michelle Sanson, Director of Planning and Development Services

APPROVAL OF REPORT RECEIVED

COMMENTS RECEIVED

Jim Puffalt

Jim Puffalt, 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, February 25, 2019, 8:56 p.m.

**Council Chambers, (Public)
Scoop Lewry Room (In-Camera)
2nd Floor, City Hall**

PRESENT: Councillor H. Eby, Chairperson
Mayor F. Tolmie
Councillor B. Swanson
Councillor C. Warren
Councillor C. Froese
Councillor D. Luhning
Councillor S. McMann

ADMIN: J. Puffalt, City Manager
M. Gulka-Tiechko, City Clerk/Solicitor
B. Acker, Director of Financial Services
J. Mickleborough, Director of Engineering Services
D. Blais, Director of Parks and Recreation Services
M. Sanson, Director of Planning and Development Services
T. Wittke, Assistant City Clerk
C. Hemingway, Communications Manager
R. Nelson, Acting Director of Information Technology

MEDIA: CHAB
Daily Jaw
Moose Jaw Express/Today

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

1. **Tabled Matter:**
Report dated January 30, 2019 from the Department of Planning and Development Services, **re: Appeal of Order to Comply under Bylaw No. 5484, Property Maintenance and Nuisance Bylaw.**

2. Report dated January 30, 2019 from the Department of Financial Services,
re: Purchasing Policy Proposed Amendments.
3. Confidential Matter.
The confidential matter 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 18(1).
4. Confidential Matter.
The confidential matter 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.
5. Confidential Procedural Matter.
The confidential procedural matter 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 15.

Call to Order

Councillor Eby, Chairperson, called the meeting to order at 8:56 p.m.

Re: Tabled Matter: Appeal of Order to Comply under Bylaw No. 5484, Property Maintenance and Nuisance Bylaw

Considered was a report dated January 30, 2019 from the Department of Planning and Development Services providing details surrounding an Order to Comply with property maintenance standards at B-19 1295 9th Ave. NE, Lakeview Trailer Court.

Moved by Councillor Warren

THAT the matter be tabled until the next Executive Committee meeting to be held March 11, 2019.

Carried.

Re: Purchasing Policy Proposed Amendments

Considered was a report dated January 30, 2019 from the Department of Financial Services seeking approval to amend the City of Moose Jaw Purchasing Policy.

Moved by Councillor Warren

THAT anyone in the gallery be allowed to address Executive Committee.

Carried.

Moved by Mayor Tolmie

THAT City Administration be directed to amend the City of Moose Jaw Purchasing Policy substantially in the form attached to this report; and

THAT the amendments be made to the City Administration Bylaw and brought back for City Council approval.

Carried.

Moved by Councillor McMann

THAT the Executive Committee close the meeting to the public and proceed in-camera pursuant to Section 94(2) of *The Cities Act* as confidential information is contained 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 15, 16 and 18(1).

Carried.

The Executive Committee closed the meeting at 9:15 p.m. to the public with the following persons in attendance: Councillor Eby; Mayor Tolmie; Councillor Froese; Councillor Warren; Councillor McMann; Councillor Luhning; Councillor Swanson; Jim Puffalt; Myron Gulka-Tiechko; Brian Acker; Josh Mickleborough; Derek Blais; Michelle Sanson; Tracy Wittke; Craig Hemingway; and Ryan Nelson.

Moved by Councillor Froese

THAT the Executive Committee go out of in-camera.

Carried.

The Executive Committee opened the meeting to the public at 9:30 p.m.

Moved by Mayor Tolmie

THAT City Council approve the use of \$16,162 from the Information Technology equipment reserve control account to fund the managed print recommendations outlined in the WBM assessment dated October 31, 2018.

Carried.

Moved by Mayor Tolmie

THAT the Executive Committee meeting be adjourned.

Carried.

The Executive Committee meeting adjourned at 9:32 p.m.

Respectfully submitted,

(Sgd.) *Councillor Eby*

Chairperson

/ml



Public Minutes
INVESTMENT COMMITTEE MINUTES

Friday, February 15, 2019
Scoop Lewry Room, 2nd Floor, City Hall.

PRESENT: Brian Acker, Chairperson, City Representative
Fraser Tolmie, Council Representative
Dawn Luhning, Council Representative
Scott McMann, Council Representative
Jim Puffalt, City Representative
Brenda Hendrickson, City Representative

ALSO PRESENT: Sharlene Pascoe, Recording Secretary

PART 1 - NO APPROVAL OF CITY COUNCIL REQUIRED

Re: Call to Order

Brian Acker, Chairperson, called the meeting to order at 1:00 p.m.

PART 2 - NO APPROVAL OF CITY COUNCIL REQUIRED

Re: Adoption of Agenda

Moved by Counc. McMann
THAT the agenda be adopted as presented.

Carried.

PART 3 - NO APPROVAL OF CITY COUNCIL REQUIRED

Re: Adoption of Minutes

Moved by Mayor Tolmie
THAT the minutes be adopted as presented.

Carried.

PART 4 - NO APPROVAL OF CITY COUNCIL REQUIRED

Re: Business Arising from the Minutes

4.1 Confidential Matter.

Moved by Counc. Luhning
THAT the Investment Committee close the meeting to the public and proceed incamera 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 of Privacy Act*, in particular, sections 17 and 18.

Carried.

The Investment Committee closed the meeting at 1:01 p.m. to the public with the following persons in attendance: Brian Acker; Mayor Tolmie; Councillor McMann; Councillor Luhning; Jim Puffalt; and Brenda Hendrickson.

In rotation, representatives of three Investment Management Service providers were invited to join the meeting to discuss their respective proposals.

Moved by Mayor Tolmie
THAT the Investment Committee go out of in-camera.

Carried.

The Investment Committee opened the meeting to the public at 5:04 p.m.

PART 5 – NO APPROVAL OF CITY COUNCIL REQUIRED

Re: New Business

5.1 Appointment of Vice-Chair

Mayor Tolmie nominated Counc. Luhning as Vice-Chairperson.

Counc. Luhning accepted the nomination as Vice-Chairperson.

Moved by Mayor Tolmie
THAT nomination cease.

Carried.

Counc. Luhning was appointed as Vice-Chairperson of the Investment Committee.

PART 6 – NO APPROVAL OF CITY COUNCIL REQUIRED

Re: Next Meeting and Adjournment

The next meeting of the Investment Committee will be scheduled for Friday, March 8, 2019 at 1:00 p.m. in the Scoop Lewry Room.

Moved by Mayor Tolmie
THAT the meeting now adjourn.

Carried.

The meeting adjourned at 5:07 p.m.

Brian Acker
Chairperson

CITY MANAGER'S COMMENTS:

Jim Puffalt

City Manager

MAYOR'S COMMENTS:

Fraser Tolmie

Mayor



**PUBLIC MINUTES
SPECIAL NEEDS ADVISORY COMMITTEE**

**Wednesday, February 20, 2019, 7:00 p.m.
Scoop Lewry Room, 2nd Floor, City Hall**

PRESENT: Michael Bachiu, Chairperson, Citizen-at-Large
Councillor Scott McMann, Council Representative
Daryl New, Citizen-at-Large
James Allonby, Citizen-at-Large
Angela Sereda, Citizen-at-Large

ABSENT: Erin Hidlebaugh, Citizen-at-Large
Dorreen Gane-Mowrey, Citizen-at-Large
Steve Seida, Citizen-at-Large

ALSO PRESENT: Pearl Anderson, Recording Secretary

PART 1 - NO APPROVAL OF COUNCIL REQUIRED

Re: Call to Order

Michael Bachiu, Chairperson, called the meeting to order at 7:00 p.m.

PART 2 - NO APPROVAL OF COUNCIL REQUIRED

Re: Adoption of Agenda

Moved by James Allonby
THAT the agenda be adopted as presented.

Carried.

PART 3 - NO APPROVAL OF COUNCIL REQUIRED

Re: Adoption of the Minutes – January 16, 2019

Moved by Daryl New
THAT the minutes of the Special Needs Advisory Committee January 16, 2019 be received as presented.

Carried.

PART 4 - NO APPROVAL OF COUNCIL REQUIRED

Re: Paceline Advisors Ltd.

Michael Donauer and Dylan Ramsay, representatives of Paceline Advisors Limited, were introduced and welcomed to the meeting. Mr. Donauer and Mr. Ramsay presented information regarding Paceline's accessibility services including:

- Accessibility Certification - measures a facility's level of meaningful access and awards an accessibility certification.
- Design Drawing Review – a review of architectural drawings that identifies barriers within the design and offers recommendations for improving accessibility.
- Pre-Assessment Consultation – an on-site assessment of a facility that identifies barriers and offers recommendations for improving accessibility.

Moved by James Allonby

THAT the information presented by Michael Donauer and Dylan Ramsay, representatives of Paceline Advisors Limited, be received and filed.

Carried.

Angela Sereda left the meeting at 7:55 p.m.

The meeting was called at 7:55 p.m. due to lack of quorum.

The next regular meeting of the Special Needs Advisory Committee is scheduled for **Thursday, March 14, 2019 at 7:00 p.m. or at the call of the Chair.**

Michael Bachiu

Chairperson

CITY MANAGER'S COMMENTS:

Jim Puffalt

City Manager

MAYOR'S COMMENTS:

Fraser Tolmie

Mayor



PUBLIC MINUTES
HERITAGE ADVISORY COMMITTEE MEETING
Wednesday, February 20, 5:15 p.m.
Scoop Lewry Room
2nd Floor, City Hall

PRESENT: Scott Hellings, Chairperson, Citizen-at-Large
Councillor Crystal Froese, Council Representative
Yvette Moore, Chamber of Commerce Representative
Larry Hellings, Citizen-at-Large

ABSENT: Karla Rasmussen, Citizen-at-Large
Dana Bushko, Citizen-at-Large

ALSO PRESENT: Eric Bjorge, Assistant City Planner
Pearl Anderson, Committee Secretary

PART 1 - NO APPROVAL OF COUNCIL REQUIRED
Re: Call to Order

Scott Hellings, Committee Chairperson, called the meeting to order at 5:15 p.m.

PART 2 - NO APPROVAL OF COUNCIL REQUIRED
Re: Adoption of Agenda

Moved by Councillor Froese

THAT the agenda be approved with the following additions:

- Part 5.1 – Advisory Committees
- Part 5.2 – Website
- Part 5.3 – Rosedale Cemetery

Carried.

PART 3 – NO APPROVAL OF COUNCIL REQUIRED
Re: Adoption of the Minutes – January 16, 2019

Moved by Yvette Moore

THAT the minutes of the Heritage Advisory Committee meeting dated January 16, 2019 be received as presented.

Carried.

PART 4 – NO APPROVAL OF COUNCIL REQUIRED
Re: Business Arising from Minutes

4.1 Historic Bell/City Hall Tower Clock

Repairs to the City Hall bell has been referred to the Parks and Recreation Department.

4.2 Cultural Centre Marquee

The project has been expanded as the structural frame that holds the marquee is in need of replacement. Eric Bjorge will obtain an update from the Parks and Recreation Department for the next meeting.

4.3 Downtown Façade Improvement Grant

No applications have been received to date. Letters will be going out to property owners in the downtown core to advise of the grant. The matter will be removed from the agenda going forward.

4.4 Heritage Plaques

Committee Chair, Scott Hellings, presented an update regarding heritage plaques advising that he has spoken to WOW Factor Media and they are able to do more plaques at the same price as the previous plaques that they prepared. They are looking into getting stands and what the cost will be. Mr. Hellings advised he will follow up with other sign companies to obtain further quotes.

4.5 Signage for Caribou Street

Committee member, Yvette Moore, checked her late 1800's Moose Jaw maps and found Caribou Street on the map.

4.6 Naming of 7th Avenue SW Bridge

The Committee's recommendation to name the 7th Avenue SW bridge, the "Lakota Bridge", was not approved by City Council.

PART 5 – NO APPROVAL OF COUNCIL REQUIRED

Re: New Business

5.1 Advisory Committees

The City is reviewing a variety of methods to gain public input on issues. The benefits of Advisory Committee input were discussed.

5.2 Website

Committee members discussed heritage property information on the City's website. The Committee will look into researching heritage properties to potentially add to the

City's website. The Communications Manager will be invited to the next meeting to discuss heritage information on the City's website. The matter regarding heritage information and the City's website will be placed on the next meeting agenda.

5.3 Rosedale Cemetery

The Parks and Recreation Department is looking at refurbishing the gates at Rosedale Cemetery and are looking for information on the history of the gates and Rosedale Cemetery. Committee member, Larry Hellings, volunteered to research the matter at the Moose Jaw Library archives.

PART 6 – NO APPROVAL OF COUNCIL REQUIRED

Re: Next Meeting and Adjournment

The next regular meeting is scheduled for **March 20, 2019 at 5:15 p.m. in the Scoop Lewry Room, 2nd Floor, City Hall.**

Moved by Larry Hellings
THAT the meeting now adjourn.

Carried.

The meeting adjourned at 6:25 p.m.

Scott Hellings

Chairperson

CITY MANAGER'S COMMENTS:

Jim Puffalt

City Manager

MAYOR'S COMMENTS:

Fraser Tolmie

Mayor

March 11, 2019

INTRODUCTION OF MOTION

Under Part No. 10, "**MOTIONS**", the following motion should be moved:

a. Councillor Swanson – Municipal Project Tax Status

"THAT organizations which have received municipal project tax status by way of Council resolution have that designation removed if in the most recent complete calendar year the organization received less than \$1,000 in donations via the Municipal Project tax status."

b. Councillor Luhning – Business Licences in Mixed Use Areas

"THAT Administration prepare a report to Executive Committee to re-evaluate the issuance of a business licence for areas of the City where mixed use in the commercial district and others could be an issue for neighbouring properties."

NOTE: The above captioned are formal motions. As a consequence, a seconder will be required.



City of Moose Jaw

LETTER OF COMMUNICATION

TITLE: Bylaw No. 5574, Sewer and Water Utility Bylaw Amendment, 2019 (1)

TO: City Council

FROM: Department of Financial Services

DATE: February 28, 2019

PUBLIC: Public Document

IN-CAMERA: Not applicable to this report

RECOMMENDATION

THAT City Council give 1st, 2nd and 3rd reading to Bylaw No. 5574, Sewer and Water Utility Bylaw Amendment, 2019(1).

Note: If City Council is inclined to support the Bylaw and clause-by-clause debate is not required, the following motion would be in order, while in Committee of the Whole (Bylaws):

"THAT clause-by-clause consideration of the Bylaw be and is hereby dispensed with and that the said Bylaw be approved in its entirety."

TOPIC AND PURPOSE

The purpose of the proposed Bylaw is to make amendments to Schedule "A" of the City of Moose Jaw's Bylaw No. 5152, Sewer and Water Utility Bylaw.

The Bylaw is recommended for 1st, 2nd and 3rd readings.

BACKGROUND

At the Budget Committee meeting of Council on January 21, 2019, Council passed the following motion respecting the above captioned matter:

"THAT the Waterworks and Sanitary Sewer Utility Rate Schedule be amended to reflect a 6% rate increase effective April 1, 2019."

The purpose of the proposed Bylaw is to amend Schedule "A" of Bylaw No. 5152, Sewer and Water Utility Bylaw to reflect changes in the Waterworks Utility Rate Schedule and the Sanitary Sewer Utility Rate Schedule made during the Budget Committee meeting of Council on January 21, 2019 and subsequently adopted at the City Council meeting of February 25, 2019.

The recommendation is to proceed with the Bylaw reading.

Respectfully Submitted By,

Brenda Hendrickson

Brenda Hendrickson, B.Comm.
City Treasurer/City Assessor (A)

Brian Acker

Brian Acker, B.Comm., CPA, CMA
Director of Financial Services

BA/sp

APPROVAL OF REPORT RECEIVED

COMMENTS RECEIVED

Jim Puffalt

Jim Puffalt, City Manager

The increase to the rural rates is scheduled to come in April 2019.

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. _____

BYLAW NO. 5574

SEWER AND WATER UTILITY BYLAW AMENDMENT, 2019 (1)

**THE MUNICIPAL CORPORATION OF THE CITY OF MOOSE JAW ENACTS AS
FOLLOWS:**

Amendments

1. Bylaw No. 5152, Sewer and Water Utility Bylaw is amended in the manner set forth in the attached Schedule "A" of this Bylaw.

Coming into Force

2. This Bylaw comes into force on the day of passage.

MAYOR

CITY CLERK

READ A FIRST TIME the 11th day of March, 2019.

READ A SECOND TIME the 11th day of March, 2019.

READ A THIRD TIME the day of , 2019.

Schedule "A"
Bylaw No. 5152, Sewer and Water Utility Bylaw

1. Application fees and deposits, re: sewer and/or water service:

- 1.1 Connection Fee – Sewer and/or Water Service: \$ 45.00
- 1.2 Deposit – Sewer and/or Water Service \$140.00

2. Fees, rates and charges for water service:

2.1 Consumers with a service connection to the City’s Water Works shall pay a monthly water service connection fee calculated as follows:

(a) Commencing April 1, 2019:

<u>Meter Size</u>	<u>Monthly Service Fee:</u>
15 - 20 mm	\$ 31.36
21 - 30 mm	\$ 47.04
31 - 40 mm	\$ 94.08
41 - 50 mm	\$ 156.82
51 - 75 mm	\$ 313.63
76 - 100 mm	\$ 627.29
101 - 150 mm	\$ 1,881.81
151 - 200 mm	\$ 2,509.07
Greater than 200mm	\$ 3,763.61

2.2 Consumers supplied with water through a metered service connection from the City’s Water Works, other than Out-of-City Consumers, shall pay the fee calculated as follows for all water supplied through that service connection:

(a) Commencing April 1, 2019 Per cubic meter
of water consumed
\$1.3164

2.3 Out-of-City consumers with a service connection to the City’s Water Works shall pay the fee calculated as follows for all water supplied through that service connection:

(a) Commencing April 1, 2019 Per cubic meter
of water consumed
\$ 1.9770

2.4 Consumers receiving water from the City’s water dispensing devices shall pay the fee calculated as follows for all water supplied through such devices:

(a) Commencing April 1, 2019 Per cubic meter
of water consumed
\$3.8265

3. Temporary water service

- 3.1 Connection Fee – Temporary Water Service: \$100.00
- 3.2 Deposit – Temporary Water Service: \$300.00

4. Fees, rates and charges for sewer service

4.1 Consumers with a service connection to the City’s Sanitary Sewer System shall pay a monthly service connection fee calculated as follows

(a) Commencing April 1, 2019:

Meter Size Monthly Service Fee:

15 - 20 mm	\$ 17.31
21 - 30 mm	\$ 25.99
31 - 40 mm	\$ 51.97
41 - 50 mm	\$ 86.63
51 - 75 mm	\$ 173.21
76 - 100 mm	\$ 346.44
101 - 150 mm	\$ 1,039.29
151 - 200 mm	\$ 1,385.72
Greater than 200mm	\$ 2,078.57

4.2 Consumers supplied with water through a metered water service connection from the City’s Water Works other than Out-of-City Consumers, shall pay sewage fees calculated as follows for all water supplied through that service connection:

(a) Commencing April 1, 2019

Per cubic meter
of water consumed
\$1.3878

5. Concentrated and Saturated Sewage Waste

- 5.1 Surcharge for discharging concentrated sewage waste: NIL
- 5.2 Surcharge for discharging saturated sewage waste: NIL

6. Testing of water meters

- 6.1 Deposit – Water Meter Testing: \$50.00

7. Additional Charges, Sewer and Water Connection

- 7.1 Reinstatement/Disconnect Fee \$40.00
- 7.2 Call-out Fee for attendance after regular working hours \$85.00