

Regular Meeting of City Council held on Monday, January 13, 2014 in Council Chambers, City Hall.

PRESENT: Mayor Higgins  
Coun. Luhning  
Coun. Boyle  
Coun. Kirkpatrick  
Coun. Mitchell  
Coun. Eby  
Coun. Swanson

**CALL TO ORDER**

Mayor Higgins called the meeting to order at 6:30 p.m.

Mayor Higgins' New Year's Address – Copy attached

**PUBLIC ACKNOWLEDGEMENTS**

Councillor Mitchell rose to acknowledge the passing of Mr. Gene Chura who was a Councillor for the City of Moose Jaw from 1973 until 1982. A moment of silence was observed for Mr. Chura.

Mayor Higgins rose to acknowledge Alliance Wellness and Rehabilitation for the beginning of the Moose Jaw Healthy Weights Initiative. Moose Jaw has been ranked among the highest obesity rates in the Province.

**ADOPTION OF MINUTES OF THE LAST REGULAR MEETING**

**Re: Adoption of Minutes of December 16, 2013  
Regular Meeting of City Council**

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Moved by Coun. Luhning, seconded by Coun. Swanson

1 THAT the minutes of the regular meeting of City Council held on Monday, December 16, 2013, be approved and adopted.

Carried.

**MOTION TO GO INTO COMMITTEE OF THE WHOLE**

Moved by Coun. Boyle, seconded by Coun. Eby

2 THAT we now go into the Committee of the Whole to deal with original communications, delegations and petitions.

Carried.

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

**Communication #1 – Request to Address City Council, re: Sponsorship for the A-Moose-ing Race – July 5, 2014**

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Considered was a letter (Communication #1) dated January 6, 2014 from Brad and Sandra Stewart, Event Coordinators for the A-Moose-ing Race, requesting permission to address City Council to raise awareness for the event as well as requesting sponsorship from the City of Moose Jaw.

Moved by Coun. Mitchell

- 3 THAT representatives of the A-Moose-ing Race fundraising event, be allowed to address members of City Council regarding the event and sponsorship requests for the City of Moose Jaw.

Carried.

Mr. Brad Stewart, event coordinator of the A-Moose-ing Race, addressed members of City Council.

Moved by Coun. Mitchell

- 4 THAT the request for issuance of 180 free day bus passes for July 5, 2014 be approved; and

THAT the request of extended transit services for July 5, 2014 for the Westmount and Sunningdale routes at a City cost of \$430 be denied; and

THAT the A-Moose-ing Race fundraising event be authorized to utilize city owned facilities and parks pending approval and subject to any additional fees where applicable from the Parks and Recreation Department of the facilities and parks requested, prior to July 5, 2014; and further

THAT representatives of the A-Moose-ing Race be responsible for approving third party facilities, including Mosaic Place and the Art Museum, for appropriate approvals as required.

Carried.

**Communication #2 – Appointments to the Moose Jaw Public Library Board and Palliser Regional Library Board**

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Considered was a report (Communication #2) dated January 13, 2014 from the City Clerk/Solicitor's Department to make the annual appointments to the Moose Jaw Public Library Board and the Palliser Regional Library Board pursuant to *The Public Libraries Act, 1996* and *The Public Libraries Regulations, 1996*.

Moved by Coun. Boyle

- 5 THAT, with respect to the Moose Jaw Public Library Board, City Council appoint Councillor Dawn Lunning, as Council representative; and Walt Yakiwchuk, Terry Gabel, Doris Dunphy, Janice Lamb, Gordon (Eddy) Moore, Gayle Jones, Rae Trites, Stirling Millar and Sherri Lepitzki, as Citizens-at-Large, to the Moose Jaw Public Library Board for a term of office to expire December 31, 2014; and

THAT, with respect to the Palliser Regional Library Board, City Council appoint Councillor Dawn Luhning, Doris Dunphy and Sherri Lepitzki, to the Palliser Regional Library Board for a term of office to expire December 31, 2015.

Carried.

**Communication #3 – Notice of Development Appeals Board Meeting**

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Considered was a report (Communication #3) dated January 3, 2014 from the Secretary, Development Appeals Board, giving notice that the Development Appeals Board for the City of Moose Jaw will hear the following appeals at a public meeting to be held in Committee Room B, 2<sup>nd</sup> Floor, City Hall at 5:00 p.m. on Tuesday, January 21, 2014 in accordance with the requirements of Sections 213 to 227 of *The Planning and Development Act, 2007* and the City of Moose Jaw's Zoning Bylaw No. 5346.

Moved by Coun. Kirkpatrick

6 THAT Communication #3 dated January 3, 2014 from the Secretary, Development Appeals Board, being a Notice of Development Appeals Board meeting, be received and filed.

Carried.

**Communication #4 – Establishment of an Ad Hoc Bylaw and Policy Review Committee**

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Considered was a report (Communication #4) dated January 6, 2014 from the City Clerk/Solicitor's Department to provide City Council with background information regarding the establishment of a new Council-Administration Ad Hoc Committee to be known as the "Bylaw and Policy Review Committee".

Moved by Coun. Mitchell

7 THAT City Council approve the establishment of a Bylaw and Policy Review Committee; and

THAT City Council approve the Terms of Reference for the new Ad Hoc Committee in the form of Appendix "A" attached to this communication; and

THAT City Council appoint the Mayor to sit on this Committee; and

THAT City Council nominate two (2) members of Council to sit on this Committee; and further

THAT the Outstanding Items list pre-2012 be referred to this Committee for prioritization purposes.

Carried.

Councillor Eby nominated Councillor Mitchell and Councillor Kirkpatrick to the Ad Hoc Bylaw and Policy Review Committee for a term of office to commence immediately and to expire December 31, 2014.

8 Moved by Coun. Boyle  
THAT nominations cease.

Carried.

Councillor Mitchell and Councillor Kirkpatrick were appointed to the Ad Hoc Bylaw and Policy Review Committee for a term of office to commence immediately and to expire December 31, 2014.

**Communication #5 – Request to Address City Council regarding Employee Salaries & Benefits**

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Considered was a letter (Communication #5) dated January 7, 2014 from Mr. Michel Labonte, Citizen, requesting permission to address members of City Council regarding City of Moose Jaw employee salaries and benefits.

9 Moved by Coun. Eby  
THAT Communication #5, being a letter dated January 7, 2014 and letter dated January 13, 2014 from Michel Labonte, be received and filed.

Carried.

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

10 Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick  
THAT the report of the Committee of the Whole be taken as read, received and adopted.

Carried.

**REPORTS OF STANDING COMMITTEES OF CITY COUNCIL**

**Personnel Committee – December 16, 2013**

11 Moved by Coun. Eby, seconded by Coun. Boyle  
THAT the report of the Personnel Committee dated December 16, 2013 be taken as read.

Carried.

**Executive Committee – December 16, 2013**

12 Moved by Coun. Kirkpatrick, seconded by Coun. Boyle  
THAT the report of the Executive Committee dated December 16, 2013 be taken as read.

Carried.

**Executive Committee – December 23, 2013**

13 Moved by Coun. Eby, seconded by Coun. Mitchell  
THAT the report of the Executive Committee dated December 23, 2013 be taken as read.

Carried.

The reports of the Personnel Committee and Executive Committee dated December 16, 2013 and the report of the Executive Committee dated December 23, 2013 follow:

**MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES**

**Report of the Personnel Committee**

27 Moved by Coun. Boyle, seconded by Coun. Kirkpatrick  
THAT the report of the Personnel Committee dated December 16, 2013 be received and adopted. Carried.

**Report of the Executive Committee**

28 Moved by Coun. Eby, seconded by Coun. Boyle  
THAT the report of the Executive Committee dated December 16, 2013 be received and adopted. Carried.

**Report of the Executive Committee**

29 Moved by Coun. Mitchell, seconded by Coun. Boyle  
THAT the report of the Executive Committee dated December 23, 2013 be received and adopted. Carried.

**REPORTS OF ADVISORY AND OTHER COMMITTEES**

**Youth Advisory Committee**

Mayor Higgins reported on the minutes of the Youth Advisory Committee meeting held on December 12, 2013.

30 Moved by Mayor Higgins, seconded by Coun. Luhnig  
THAT the report of the Youth Advisory Committee meeting held on December 12, 2013 be received as presented. Carried.

**Municipal Planning Commission**

Coun. Mitchell reported on the minutes of the Municipal Planning Commission meeting held on December 17, 2013.

**Re: Part 2 – Proposed Subdivision and Discretionary Use Application  
for a Proposed “Communication Antenna Support Structure”  
N.W. ¼ Sec 9-17-26-2**

31 1. Moved by Coun. Mitchell, seconded by Coun. Eby  
THAT the Proposed Plan of Subdivision respecting the N.W. ¼ Sec 9-17-26-2 as outlined on the Plan of Proposed Subdivision attached to the Municipal Planning Commission report dated December 17, 2013, be approved subject to the following conditions:  
a. That the subdivision review process be completed by City Administration and that no negative comments are received; and

- b. All construction respecting the driveway, new approach and culvert must be constructed to the satisfaction of the Director of Engineering Services and all associated costs being the responsibility of the applicant; and

THAT the Mayor and City Clerk be authorized to endorse the Proposed Plan of Subdivision and issue a Certificate of Approval, all in accordance with *The Planning and Development Act, 2007* upon completion of the proposed rezoning; and further

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

- 2. THAT the Discretionary Use application for a “Communication Antenna Support Structure” or 45.7m high stealth pole on the N.W. ¼ Sec. 9-17-26-2, Moose Jaw, SK, as submitted by Ms. Barb Addie, Scott Land and Lease Ltd., be approved subject to entering into a Development Agreement addressing landscaping such as fencing and trees and/or shrubs surrounding the pole and cabinets; and further

THAT all expenses incurred with respect to this application be borne by the applicant.

Vote Delayed by Tabling Motion.

Moved by Coun. Mitchell, seconded by Coun. Swanson

31a

THAT the following motion:

*“1. THAT the Proposed Plan of Subdivision respecting the N.W. ¼ Sec 9-17-26-2 as outlined on the Plan of Proposed Subdivision attached to the Municipal Planning Commission report dated December 17, 2013, be approved subject to the following conditions:*

- a. That the subdivision review process be completed by City Administration and that no negative comments are received; and*
- b. All construction respecting the driveway, new approach and culvert must be constructed to the satisfaction of the Director of Engineering Services and all associated costs being the responsibility of the applicant; and*

*THAT the Mayor and City Clerk be authorized to endorse the Proposed Plan of Subdivision and issue a Certificate of Approval, all in accordance with The Planning and Development Act, 2007 upon completion of the proposed rezoning; and further*

*THAT all expenses incurred by this application be borne by the applicant.*

- 2. THAT the Discretionary Use application for a “Communication Antenna Support Structure” or 45.7m high stealth pole on the N.W. ¼ Sec. 9-17-26-2, Moose Jaw, SK, as submitted by Ms. Barb Addie, Scott Land and Lease Ltd., be approved subject to entering into a Development Agreement addressing landscaping such as fencing and trees and/or shrubs surrounding the pole and cabinets; and further*

*THAT all expenses incurred with respect to this application be borne by the applicant.”*

be tabled pending a presentation from Sasktel on the planning of locations of cell towers in the City of Moose Jaw.

The Tabling Motion was Carried.

**Re: Part 3 – Condominium Conversion Bylaw Amendment**

Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick

32

1. THAT the City of Moose Jaw’s Condominium Conversion Bylaw (Bylaw No. 5420) be amended to:

- a. Increase the CMA vacancy rate threshold that applies to the approval of conversion of existing rental accommodations to condominium units, to three percent or more.
- b. Allow the Approving Officer the authority to deny any application which does not meet the required minimum approval criteria.
- c. Change the wording in the Bylaw to clarify requirements while maintaining key areas of flexibility.
- d. Prohibit approval of applications where an agreement is in place which restricts condominium conversion or requires that units remain as rentals.
- e. Prohibit secondary suites from being converted to condominium units in single-family zoning districts.
- f. Exempt applications for conversion of Designated Heritage Properties from the minimum CMHC vacancy rate criteria.
- g. Allow the spring as well as fall CMHC spring market reports to be used to determine the CMHC vacancy rate.

2. THAT the City Solicitor be directed to prepare the necessary bylaw to authorize the amendment, as described above.

Carried.

**Disposition of Report**

Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick

33

THAT the report of the Municipal Planning Commission meeting held on December 17, 2013 be received as presented and amended.

Carried.

**Heritage Advisory Committee**

Coun. Swanson reported on the minutes of the Heritage Advisory Committee meeting held on January 8, 2014.

Moved by Coun. Swanson, seconded by Coun. Eby

34

THAT the report of the Heritage Advisory Committee meeting held on January 8, 2014 be received as presented.

Carried.

**GIVING NOTICE**

Nil.

**MOTIONS**

Nil.

**BYLAWS**

Nil.

**ENQUIRIES**

Nil.

**RESPONSES TO WRITTEN “ANSWERS TO ENQUIRIES”**

Councillor Swanson acknowledged receipt of Answer to Enquiry #34 of 2013.

The meeting adjourned at 7:38 p.m.

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MAYOR

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CITY CLERK