

Regular Meeting of City Council held on Monday, September 30, 2013 in Council Chambers, City Hall.

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

ABSENT: Coun. Mitchell

**CALL TO ORDER**

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

**PUBLIC ACKNOWLEDGEMENTS**

Nil.

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

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

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630 Moved by Coun. Eby, seconded by Coun. Kirkpatrick  
THAT the minutes of the regular meeting of City Council held on Monday, September 16, 2013, be approved and adopted. Carried.

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

631 Moved by Coun. Swanson, seconded by Coun. Boyle  
THAT we now go into the Committee of the Whole to deal with original communications, delegations and petitions. Carried.

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

**Communication #83 – Citizen Survey – Detailed Report on Survey Results**

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Considered was a report (Communication #83) dated September 23, 2013 from City Administration to present the detailed report on the Citizen Survey results to City Council and residents of Moose Jaw.

632 Moved by Coun. Boyle  
THAT report (Communication #83) dated September 23, 2013 from City Administration, be received and filed. Carried.

**Communication #84 – Establishment of a Council Meeting Schedule for the Year 2014**

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Considered was a report (Communication #84) dated September 30, 2013 from the City Clerk/Solicitor's Department to establish a Council meeting schedule for the year 2014 (January 1 to December 31, 2014) and to obtain authorization from City Council to cancel one (1) regular meeting of City Council due to the Christmas season, being December 22, 2014.

Moved by Coun. Eby

633 THAT the June 2, 2014 Regular Meeting of City Council be rescheduled to June 9, 2014; and

THAT the December 22, 2014 Regular Meeting of City Council be cancelled; and

THAT the first Regular Meeting of City Council in 2015 be scheduled for Monday, January 12, 2015; and further

THAT the attached Schedule A for City Council meetings for the year 2014, as attached to Communication #84, be approved.

Vote Delayed by Amendment.

Amendment Moved by Coun. Swanson

THAT the motion be amended by deleting the date of "*January 12, 2015*" in the third paragraph of the motion and replacing it with "*January 5, 2015*".

The Amendment was Defeated.  
The Main Motion was Carried.

**Communication #85 – Notice of Motion – Model of Wakamow Valley**

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Considered was a report (Communication #85) dated September 20, 2013 from the Acting City Manager to provide City Council with background information on the Notice of Motion in respect to a Model of Wakamow Valley.

Moved by Coun. Boyle

634 THAT report (Communication #85) dated September 20, 2013 from the Acting City Manager, be received and filed.

Carried.

**Communication #86 – Notice of Motion – 2014 Operating Budget Strategic Priority**

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Considered was a report (Communication #86) dated September 20, 2013 from the Acting City Manager to provide City Council with background information on the Notice of Motion in respect to a 2014 Operating Budget Strategic Priority.

635 Moved by Coun. Luhning  
THAT report (Communication #86) dated September 20, 2013 from the Acting City Manager, be received and filed.  
Carried.

**Communication #87 – Decisions of the Development Appeals Board**

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Considered was a report (Communication #87) dated September 19, 2013 from the Secretary, Development Appeals Board 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 September 17, 2013.

636 Moved by Coun. Boyle  
THAT the following Decision of the Development Appeals Board be received and filed:  
  
{15 – 2013} Roderick H. Casey  
955 Coteau Street West  
Carried.

**Communication #88 – Mosaic Place and Yara Centre – Monthly Update**

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Considered was a report (Communication #88) dated September 25, 2013 to submit to City Council the monthly update on Mosaic Place and Yara Centre.

637 Moved by Coun. Boyle  
THAT report (Communication #88) dated September 25, 2013 from the Director of Parks and Recreation, be received and filed.  
Carried.

**Communication #89 – Request to Address City Council regarding a Discretionary Use Application for a “Place of Worship”**

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Considered was an email (Communication #89) dated September 25, 2013 from Nazmia Bengelil, Islamic Association, requesting permission for representatives of the Islamic Association to address members of City Council regarding a Discretionary Use Application for a “Place of Worship” on Lot 18, Block 3, Grayson Park, Plan 81MJ08260, known as 73 Lancaster Road.

638 Moved by Mayor Higgins  
THAT representatives of the Islamic Association be allowed to address members of City Council regarding the proposed “Place of Worship”.  
Carried.  
Dr. Fauzi Ramadan addressed members of City Council.

639 Moved by Coun. Eby  
THAT email dated September 25, 2013 from Ms. Nazmia Bengelil, be received and filed.  
Carried.

**Communication #90 – Request for the City of Moose Jaw to be the Endorsing Partner for the Healthy Active Living Committee’s Community Initiatives Fund Grant**

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Considered was a report (Communication #90) dated September 25, 2013 from the Parks and Recreation Department to obtain City Council’s approval for the City to be the endorsing partner for the Healthy Active Living Committee’s “Communities Get Active Regional Project” application for a Community Initiatives Fund (CIF) Grant in the amount of \$7,000.00.

640 Moved by Coun. Eby  
THAT the City of Moose Jaw be the endorsing partner for the Healthy Active Living Committee’s “Communities Get Active” Regional Project application for a Community Initiatives Fund (CIF) Grant in the amount of \$7,000.00; and  
THAT the Mayor and City Clerk be authorized to sign the attached *Declaration of Endorsement* form of the Healthy Active Living Committee’s “Communities Get Active” Regional Project – Community Initiatives Fund (CIF) application Grant in the amount of \$7,000.00.  
Carried.

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

641 Moved by Coun. Luhning, seconded by Coun. Boyle  
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 – September 23, 2013**

642 Moved by Coun. Eby, seconded by Coun. Kirkpatrick  
THAT the report of the Personnel Committee dated September 23, 2013 be taken as  
read.  
Carried.

**Executive Committee – September 23, 2013**

643 Moved by Coun. Boyle, seconded by Coun. Luhning  
THAT the report of the Executive Committee dated September 23, 2013 be taken as  
read.  
Carried.

The reports of the Personnel Committee and Executive Committee dated September 23,  
2013 follow:

**MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES**

**Report of the Personnel Committee**

647 Moved by Coun. Eby, seconded by Coun. Boyle  
THAT the report of the Personnel Committee dated September 23, 2013 be received  
and adopted. Carried.

**Report of the Executive Committee**

648 Moved by Coun. Luhnig, seconded by Coun. Kirkpatrick  
THAT the report of the Executive Committee dated September 23, 2013 be received  
and adopted. Carried.

**REPORTS OF ADVISORY AND OTHER COMMITTEES**

**Parks and Recreation Advisory Committee**

Coun. Eby reported on the minutes of the Parks and Recreation Advisory Committee meeting held on September 11, 2013.

649 Moved by Coun. Eby, seconded by Coun. Luhnig  
THAT the report of the Parks and Recreation Advisory Committee meeting held on  
September 11, 2013 be received as presented. Carried.

**Cultural Diversity Advisory Committee**

Coun. Eby reported on the minutes of the Cultural Diversity Advisory Committee meeting held on September 18, 2013.

**Re: Part 5.3 – Appointment of Prairie South School Division Representative**

650 Moved by Coun. Eby, seconded by Coun. Swanson  
THAT Ms. Deana Kempel be appointed as the representative of Prairie South School  
Division to the Cultural Diversity Advisory Committee for a term of office to  
commence immediately and to conclude August 31, 2014. Carried.

**Disposition of Report**

651 Moved by Coun. Eby, seconded by Coun. Luhnig  
THAT the report of the Cultural Diversity Advisory Committee meeting held on  
September 18, 2013 be received as presented. Carried.

**Municipal Planning Commission**

Coun. Kirkpatrick reported on the minutes of the Municipal Planning Commission meeting held on September 24, 2013.

**Re: Part 2 – Proposed Subdivision  
NW ¼ 2-17-27-W2M  
R.M. of Moose Jaw No. 161  
(Proposed Industrial Subdivision)**

Moved by Coun. Kirkpatrick, seconded by Coun. Eby

652

THAT the Mayor and City Clerk be authorized to forward to the Approving Authority for Rural Subdivisions (The Director of Community Planning, Ministry of Government Relations) that the City of Moose Jaw has comments pertaining to the approval of the subdivision of the N.W. ¼ Section 2-Twp. 17-Rge. 27-W2M within the Rural Municipality of Moose Jaw No. 161:

1. No City of Moose Jaw water and sewer service connections will be provided for the proposed subdivision.
2. The City will accept the dumping of sewage from the proposed subdivision as per the rates and conditions established by the City of Moose Jaw.

Carried.

**Re: Part 3 – Discretionary Use Application  
Proposed “Place of Worship”  
Lot 18, Block 3, Grayson Park, Plan 81MJ08260  
73 Lancaster Road  
C3 Commercial District (Vehicle-Oriented Commercial)  
(Dr. Fauzi Ramadan, Islamic Association of Saskatchewan, Moose Jaw)**

Moved by Coun. Kirkpatrick, seconded by Coun. Swanson

653

THAT the Discretionary Use Application for a “Place of Worship” on Lot 18, Block 3, Grayson Park, Plan 81MJ08260 as submitted by Dr. Fauzi Ramadan, Islamic Association of Saskatchewan, Moose Jaw, be approved; and

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

Carried.

**Re: Part 4 – (1) Proposed Subdivision of Part of Parcel A, Plan 102019115;  
(2) Proposed Zoning Bylaw Map Amendment for Part of Parcel A, Plan 102019115**

Moved by Coun. Kirkpatrick, seconded by Coun. Eby

654

1. THAT City Administration be authorized to commence rezoning procedures respecting:

- (a) The proposed parcel MF as shown on the Plan of Proposed Subdivision be rezoned from R1 Large Lot Low Density Residential to R4 Core Mixed Residential District as shown on the sketch attached to the minutes of the Municipal Planning Commission dated September 24, 2013; and

THAT the City Solicitor be authorized to prepare the necessary amendments to Bylaw No. 5346, the Zoning Bylaw; and further

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

2. THAT the Proposed Plan of Subdivision respecting Part of Parcel A, Plan 102019115 as outlined on the Plan of Proposed Subdivision attached to the minutes of the Municipal Planning Commission dated September 24, 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 water, sanitary, storm and traffic be designed and 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.

Carried.

**Re: Part 5 – Proposed Rezoning for  
Lots 1 – 28, Block 14 and Lots 15 – 37, Block 15, Westheath, Plan 78MJ08458, Moose Jaw, SK**

Moved by Coun. Kirkpatrick, seconded by Coun. Eby

655

THAT City Administration commence procedures to amend Zoning Bylaw No. 5346 as follows:

THAT Section 6.7 be amended by adding a Note to Development Standard for the Front Yard for One Unit Dwellings and Semi-Detached Dwellings in Section 6.7.2 as follows:



For Lots 1 – 28, Block 14 and Lots 15 – 37, Block 15, Westheath, Plan 78MJ08458:

- (a) The front yard setback is 3.0m
- (b) No front access garages or driveways will be permitted however a double wide rear access garage pad is required at the time of house construction.
  - (i) The garage pad must be poured concrete;
  - (ii) The minimum size for the double wide garage pad is 20' x 20' (width may be adjusted based on utility location);
  - (iii) Rear detached garages should be consistent with the house in style, finish and colour;
  - (iv) Garages and garage pads may not be constructed over any underground utilities.

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

Carried.

**Re: Part 6 – Proposed Rezoning from R1 to R3  
Lots 4 – 9, Block 159, Plan Old 96  
Moose Jaw, SK  
(Mr. Justin Fall, 101221769 Saskatchewan Ltd.)**

656 Moved by Coun. Kirkpatrick, seconded by Coun. Boyle  
THAT City Administration commence rezoning procedures for Lots 4 – 9, Block 159, Plan Old 96, Moose Jaw, Saskatchewan from R1 Large Lot Low Density Residential District to R3 High Density Residential District; and

THAT all water, sanitary, storm and traffic being designed to the satisfaction of the Director or Engineering Services and all associated costs being the responsibility of the applicant; and

THAT the matter be forwarded as information to the next regular meeting of the Transportation Services Advisory Committee; and further

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

Vote Delayed by Amendment.

657 Amendment Moved by Coun. Luhning, seconded by Coun. Swanson  
THAT the motion be amended by adding the words “*and constructed*” after the words “*being designed*” in the second paragraph.

The Amendment was Carried.  
The Motion, as Amended, was Carried.

The Motion, as Amended, reads as follows:

*“THAT City Administration commence rezoning procedures for Lots 4 – 9, Block 159, Plan Old 96, Moose Jaw, Saskatchewan from R1 Large Lot Low Density Residential District to R3 High Density Residential District; and*

*THAT all water, sanitary, storm and traffic being designed and constructed to the satisfaction of the Director or Engineering Services and all associated costs being the responsibility of the applicant; and*

*THAT the matter be forwarded as information to the next regular meeting of the Transportation Services Advisory Committee; and further*

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

**Disposition of Report**

Moved by Coun. Kirkpatrick, seconded by Coun. Boyle

658

THAT the report of the Municipal Planning Commission meeting held on September 24, 2013 be received as presented.

Carried.

**GIVING NOTICE**

Councillor Luhnig rose to give notice that at the next regular meeting of City Council to be held on October 15, 2013, she intends to introduce the following motion:

**Re: Core Services Review**

*“THAT City Council, with the help of the City Manager and the department heads, engage in a full core service review in order to facilitate further discussions during our 2014 budget process for operating and capital.”*

**MOTIONS**

**Re: Model of Wakamow Valley**

Moved by Coun. Swanson, seconded by Coun. Luhnig

THAT the City of MJ commission the construction of a scale model of the Wakamow Valley from Plaxton’s Lake to the southern edge of the Wild Animal Park and to include VVC lands; and

THAT City of MJ funding of up to \$60,000 come from the City Land Replacement Reserve; and

THAT the Municipal Heritage Committee be tasked with supervision of the project, subject to the normal “Approval of Council Required” procedure.

Defeated.

**Re: 2014 Operating Budget Strategic Priority**

Moved by Coun. Swanson, seconded by Coun. Luhning

THAT, for preparation of the 2014 City of Moose Jaw Operating Budget, the single Strategic Priority be enhanced core infrastructure upgrades i.e. roads, water lines and sewer lines and that additional revenues from taxes and utility rates for this Strategic Priority be matched by funds from re-prioritizing 2013 Operating Budget expenditures.

Defeated.

Councillor Boyle left the meeting at 8:27 p.m.

Councillor Boyle returned to the meeting at 8:28 p.m.

**BYLAWS**

**Introduction of Bylaw:**

**#5456 – 2013 Traffic Bylaw Amendment (No. 4)**

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659 Moved by Coun. Eby, seconded by Coun. Luhning  
THAT the Deputy Mayor, Councillor Kirkpatrick, be allowed to introduce **Bylaw No. 5456, 2013 TRAFFIC BYLAW AMENDMENT (NO. 4)**.

Carried.

659a Moved by Coun. Luhning, seconded by Coun. Eby  
THAT Bylaw No. 5456 be now read a first time.

Carried.

659b Moved by Coun. Eby, seconded by Coun. Luhning  
THAT Bylaw No. 5456 be now read a second time.

Carried.

659c Moved by Coun. Luhning, seconded by Coun. Eby  
THAT we now go into Committee of the Whole under the Chairmanship of Deputy Mayor, Coun. Kirkpatrick to consider Bylaw No. 5456.

Carried.

659d Moved by Coun. Luhning  
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. 5456, 2013 TRAFFIC BYLAW AMENDMENT (NO. 4)**, begs to report that the Bylaw passed this Committee without amendment.

(Sgd). Coun. Kirkpatrick  
Chairperson

659e Moved by Coun. Eby, seconded by Coun. Luhning  
THAT the report of the Committee of the Whole be received and adopted.

Carried.

659f Moved by Coun. Luhning, seconded by Coun. Eby  
THAT Bylaw No. 5456 be submitted for Third reading forthwith.  
Carried Unanimously.

659g Moved by Coun. Eby, seconded by Coun. Luhning  
THAT Bylaw No. 5456 be now read a third time, adopted, signed by the Mayor and  
City Clerk, dated and sealed.  
Carried.

**ENQUIRIES**

Nil.

**RESPONSES TO WRITTEN "ANSWERS TO ENQUIRIES"**

Nil.

The meeting adjourned at 9:25 p.m.

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MAYOR

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CITY CLERK