



# **CITY COUNCIL**

**Monday, February 25, 2013  
5:30 PM**

**Henry Baker Hall, Main Floor, City Hall**



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Office of the City Clerk

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**Agenda  
City Council  
Monday, February 25, 2013**

Open With Prayer

**Presentations**

Municipal Heritage Awards

**Confirmation of Agenda**

**Adoption of Minutes**

**Advertised Bylaws and Related Reports**

CR13-20 Regina Planning Commission: Applications for Concept Plan Amendment (12-CP-8) and Zoning Bylaw Amendment (12-Z-21) Harbour Landing Phase 7-3A

**Recommendation**

1. That the proposed amendment to the Harbour Landing Concept Plan dated August, 2012 (Attachments A-2.1, A-2.2, A-2.3), be APPROVED.
2. That the application to amend *Regina Zoning Bylaw No. 9250* by rezoning the proposed Lots 1 to 56, as shown on the plan of proposed subdivision prepared by Midwest Surveys and dated July 13, 2012 (Attachment A-3.1), from R6 – Residential Multiple Housing to R5 - Medium Density Residential, be APPROVED.
3. That pursuant to Section 18D.1.1 of the Zoning Bylaw, City Council waive the requirement to post a public notification sign on the subject lands, due to the current unavailability of direct public access to the subject lands.
4. That the City Solicitor be directed to prepare the necessary bylaw to enact the subject Zoning Bylaw amendment.

CR13-21 Regina Planning Commission: Applications for Zoning Bylaw Amendment, Concept Plan Amendment, and Discretionary Use (File Nos. 12-Z-22/ 12-CP-10/ 12-DU-26)- 1625 Neville Drive

**Recommendation**

1. That the attached Kanosis Concept Plan, marked as “Proposed” be APPROVED;
2. That the application to amend *Regina Zoning Bylaw No. 9250*, with respect to Parcel L in the Kanosis subdivision, from MAC- Major Arterial Commercial to R6- Residential Multiple Housing to accommodate high density housing be APPROVED;
3. That the City Solicitor be directed to prepare the associated bylaw; and



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4. That the discretionary use application for a proposed planned group of dwellings located at 1625 Neville Drive, being Parcel L, be APPROVED, subject to the following conditions:
  - a. The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*;
  - b. The development shall be consistent with the plans attached to this report labelled A-3.1-A-3.4.

CR13-22

Regina Planning Commission: Application for Zoning Bylaw Amendment (12-Z-26) PS to R1, Part of Municipal Reserve R10, Plan No. 80R30750 – 281 Rink Avenue

**Recommendation**

1. The portion of Municipal Reserve R10, Plan No. 80R30750 as shown on the attached subject property map, be authorized by City Council to be sold and that the bylaw be forwarded to the Minister for approval pursuant to *The Planning and Development Act, 2007*;
2. That subject to Recommendation 1, the application to rezone a portion of Firehall Park (281 Rink Avenue, Municipal Reserve R10, Plan No. 80R30750) as shown on the attached subject property map from PS – Public Service to R1 – Residential Detached, be APPROVED;
3. That the City Solicitor be directed to prepare the necessary bylaws for rezoning and selling of Municipal Reserve land.

CR13-23

Regina Planning Commission: Proposed Zoning Bylaw Amendments (12-Z-24) - Text Amendments to Accommodate Art Galleries and Museums in Certain Commercial, Industrial and Special Zones

**Recommendation**

1. That the application to amend *Regina Zoning Bylaw No. 9250* as follows be APPROVED:
  - (a) That in Table 5.2 (Table of Land Uses - Commercial Zones), the land use type identified as “art gallery” be changed to “art gallery or museum” and placed under the sub-heading of “CULTURE AND RECREATION”, while retaining the same SIC (Standard Industrial Classification) Code of 841, and that this land use type be accommodated as a permitted use in the following zones:
    - i) LC1 - Local Commercial Zone, with a maximum gross floor area (GFA) of 300 m<sup>2</sup>;
    - ii) LC2 - Local Commercial Zone, with a maximum GFA of 300 m<sup>2</sup>;
    - iii) LC3 - Local Commercial Zone with a maximum GFA of 150 m<sup>2</sup>;
    - iv) MS - Mainstreet Zone;
    - v) MX - Mixed Residential Commercial Zone;
    - vi) MAC3 - Major Arterial Commercial Zone;
    - vii) MAC - Major Arterial Commercial Zone;
    - viii) DSC - Designated Shopping Centre Zone; and
    - ix) D - Downtown Zone.
  - (b) That in Table 5.3 (Table of Land Uses - Industrial Zones), “art gallery or museum” be added as a land use type under the sub-heading of “CULTURE AND RECREATION” with the SIC Code of 841, and that



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this land use type be accommodated as a permitted use in the WH - Dewdney Avenue Warehouse Zone.

- (c) That in Table 5.4 (Table of Land Uses - Special Zones):
- i) “art gallery or museum” be added as a land use type under the sub-heading of “CULTURE AND RECREATION” with the SIC Code of 841, and that this land use type be accommodated as a permitted use in the I - Institutional Zone and as a discretionary use in the PS - Public Service Zone, which in the latter case shall include the notation “5”, i.e., that they be accommodated only in conjunction with a municipally owned or operated recreational facility;
  - ii) both “art gallery” and “museum” be deleted as separate land use types under the sub-heading of “SERVICES”.
2. That the City Solicitor be directed to prepare the necessary bylaw to enact the above-referenced Zoning Bylaw amendments.

CR13-24 Regina Planning Commission: Application for Zoning Bylaw Amendment (12-Z-31) Portion of Parcel Y2 (490 Angus Street North)

**Recommendation**

1. That the application to rezone all that portion of Parcel Y2 (490 Angus Street North) Plan No. 66R00182 that is shaded on the attached Plan of Proposed Subdivision prepared by Scott Colvin dated December 19, 2012 from PS – Public Service to R1 – Residential Detached, be APPROVED; and
2. That the City Solicitor be directed to prepare the necessary bylaw.

2013-8 The Regina Zoning Amendment Bylaw, 2013 (No. 4)

2013-9 The Regina Zoning Amendment Bylaw, 2013 (No. 5)

2013-10 The Regina Zoning Amendment Bylaw, 2013 (No. 6)

2013-12 The Regina Zoning Amendment Bylaw, 2013 (No. 7)

2013-13 The Regina Zoning Amendment Bylaw, 2013 (No. 8)

2013-14 Sale of Municipal Reserve at 281 Rink Avenue Bylaw

2013-18 The Regina Zoning Amendment Bylaw, 2013 (No. 3) Amendment Bylaw

**Delegations and Related Reports**

DE13-33 Kevin Reese - Sale of City Property Portion of S.E.1/4 Section 12, Township 18, Range 20, W2M



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CR13-25 Sale of City Property Portion of S.E.1/4 Section 12, Township 18, Range 20, W2M

**Recommendation**

1. That the sale of the City Property Portion of S.E.1/4 Section 12, Township 18, Range 20, W2M to Hawkstone Developments Ltd. be approved under the terms and conditions shown in the body of this report;
2. That the Administration be authorized to finalize the terms and conditions of the legal sale documents;
3. That the City Clerk be authorized to execute the legal sale documents, as prepared by the City Solicitor.

DE13-34 Tim Anderson and Cheryl Stadnichuk - Wastewater Treatment Plant Upgrade – Procurement Recommendation

DE13-35 Jim Elliott - Wastewater Treatment Plant Upgrade – Procurement Recommendation

DE13-36 John Hopkins - Wastewater Treatment Plant Upgrade – Procurement Recommendation

CR13-26 Wastewater Treatment Plant Upgrade – Procurement Recommendation

**Recommendation**

1. That City Council approve proceeding with the Design/Build/Finance/Operate/Maintain (DBFOM) procurement approach for the upgrade of the wastewater treatment plant (WWTP).
2. That City Council authorize the Deputy City Manager of City Operations to proceed with the preparation of procurement documents (Request for Qualifications (“RFQ”) and Request for Proposals (“RFP”) in support of the DBFOM model for the upgrade of the WWTP (the “Project”) based upon the following scope:
  - a. the design and construction of a WWTP that meets the City’s WWTP permit effluent quality requirements that come into effect on December 31, 2016;
  - b. the boundary for the Project that begins upstream of the WWTP valve chamber, includes the WWTP site and the effluent discharge to Wascana Creek. For further certainty McCarthy Boulevard Pumping Station and the forcemain are not included within the scope of the Project;
  - c. a capacity of the upgraded WWTP that will be able to meet the needs of a population of 258,000.
  - d. a construction period that results in substantial completion of the Project in early 2017; and
  - e. a maximum 30 year term in the Project Agreement, which will include construction, operation and maintenance by the successful proponent. This includes the period for private operation of the current WWTP during construction and monthly payments, which will provide a performance based payment for operation,



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- maintenance and financing of the Project. The City will continue to retain ownership of the WWTP.
3. That City Council authorize the Deputy City Manager of City Operations to prepare and issue a RFQ to identify short-listed proponents who could deliver the Project.
  4. That City Council authorize the Deputy City Manager of City Operations to award an opportunity to participate in the RFP process to the three highest scoring proponents identified by the RFQ process.
  5. The City Council authorize the Deputy City Manager of City Operations to prepare and issue a RFP to identify the successful proponent who will deliver the Project.
  6. Subject to the preferred proponent meeting all RFP requirements, that City Council authorize the Deputy City Manager of City Operations to enter into a P3 Project Agreement (“Project Agreement”) to deliver the Project with the preferred proponent identified by the RFP.
  7. That City Council approve that Administration submit a business case for the Project as a DBFOM delivery model to PPP Canada Inc. (“PPP Canada”) for funding consideration.
  8. That City Council authorize the Deputy City Manager of City Operations to pursue discussions with PPP Canada, negotiate and finalize any funding agreements required by PPP Canada.
  9. That City Council authorize the Deputy City Manager of City Operations to proceed with an RFQ while awaiting a PPP Canada funding decision, but the Deputy City Manager of City Operations shall not issue an RFP without first confirming that the City will receive PPP Canada funding for the Project.
  10. That City Council require the City Administration seek further direction from City Council in the event the PPP Canada does not approve the Project for funding from the P3 Canada Fund or in the event that the scope of the Project or capital requirement for the Project change, pursuant to the requirements of *The Regina Administration Bylaw*.
  11. That the following funding model for the WWTP Upgrade be approved:
    - a. Capital commitment of up to \$224.3 million for the design, construction, servicing, planning, procurement and project management costs, for the DBFOM procurement be funded from the following funding sources:
      - i. Up to \$118.3 million in debt through the private partner;
      - ii. Up to \$58.7 million, representing 25 % of eligible costs funded through the P3 Canada Fund, offsetting additional City debt;
      - iii. \$19.8 million from the General Utility Reserve; and
      - iv. \$27.5 million in previously approved capital funding.
    - b. In principle, the ability to pursue up to 30 year debt up to \$118.3 million. All debt issues require City Council approval through a debt borrowing bylaw, and will be brought forward to Council at a future date. In addition, the financial model includes payments to cover debt principal and interest payments that must be paid and recovered from revenue streams over 30 years.
    - c. In principle, a commitment to providing a performance-based payment for operations, maintenance and availability of the



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- facility, compensating for a range of DBFOM service over the 30 year term, with an estimated cost of:
- i. \$378.0 million (assuming 3.5 % inflation) in the operation and maintenance portion of the payment to P3 Contractor (“Project Co.”) for the WWTP. These costs are currently an ongoing part of the utility program;
  - ii. \$117.2 million in the major maintenance portion of the payment to Project Co., to ensure that the WWTP’s assets are maintained and upgraded appropriately through the WWTP’s lifecycle; and
  - iii. \$265.0 million towards the capital payment portion of the payment to Project Co.
- d. That the operation maintenance and the debt servicing costs be considered and funded through future budget proposals over 30 years and funded through revenue sources, including but not limited to the collection of:
- i. \$44.6 million in funding from the Utility Servicing Agreement Fee (SAF) Reserve, to be applied to capital financing costs;
  - ii. Up to \$707.6 million in utility revenues; and
  - iii. \$8.0 million in funding through contractor funding, including deposit interest.
- e. That the debt considered in the above assumptions for \$118.3 million be forwarded to the 2014 budget process for consideration.
12. That the City Clerk be authorized to execute the Project Agreement and any funding agreements required by PPP Canada.

CR13-27

Executive Committee: Wastewater Treatment Plant Upgrade – Procurement Team Contracts

### **Recommendation**

1. That the Deputy City Manager of City Operations be authorized to negotiate and approve the terms of an addendum (Addendum) to the Pre-Design, Design and Construction Services Agreement between the City and AECOM Canada Ltd. (AECOM) dated as of January 31, 2011 and amended on September 25, 2012 to have AECOM provide engineering, technical, design and construction advice to the City for the remainder of the Project;
2. That the Deputy City Manager of City Operations issue a request for proposals (Fairness Advisor request for proposal (RFP)) to obtain an independent fairness advisor to advise the City on delivery planning and procurement of the Project;
3. That City Council authorize the Deputy City Manager of City Operations to award and finalize the terms of an agreement with the successful proponent chosen from the Fairness Advisor RFP;
4. That the Deputy City Manager of City Operations issue a request for proposals (Business Advisor RFP) to obtain a business advisor to advise the City with financial and business matters in relation to procurement phase of the Project;
5. That City Council authorize the Deputy City Manager of City Operations to award and finalize the terms of an agreement with the successful proponent chosen from the Business Advisor RFP; and





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6. That the City Clerk be authorized to execute the following agreements after review and approval by the City Solicitor:
  - a. the Addendum;
  - b. the contract awarded to the successful proponent as a result of the Fairness Advisor RFP; and
  - c. the contract awarded to the successful proponent as a result of the Business Advisor RFP.

### **Committee Reports**

CR13-28 Mayor's Housing Summit

#### **Recommendation**

1. That City Council approve the Mayor's Housing Summit set to occur the week of May 13<sup>th</sup>, 2013.
2. That Administration be directed to create a Housing Summit Planning Group to plan all aspects of the Mayor's Housing Summit, including timing, keynote speakers, advertising and communications strategy, venue, registration fees, etc.
3. That Administration be directed to return to Council for approval of the required resources associated with the Mayor's Housing Summit by March 31, 2013.

CR13-29 Regional Planning Update

#### **Recommendation**

1. That Council approve entering into full membership with the White Butte Regional Planning Committee, and:
  - a. That the Mayor and City Clerk are authorized to execute the appropriate Memorandum of Agreement as established by the Committee.
  - b. That the annual contribution of \$5000 be covered through the Office of the City Clerk's 2013 Operating budget.
  - c. That the Mayor and one member of Council be appointed to the White Butte Regional Planning Committee.
2. That two members of Council (one as an alternate) be appointed to the Moose Jaw- Regina Industrial Corridor Stakeholder Committee.
3. That the Administration gives notice to the RM of Sherwood (RM) of the City of Regina's (City) intent to review and negotiate amendments to the Fire Services Agreement between the RM and City.

CR13-30 RRI Stadium Project – Engineering Services for Design and Construction of Site Preparation Works

#### **Recommendation**

1. The Deputy City Manager & CFO be authorized to award and finalize the terms of an agreement with the successful proponent chosen from the request for proposals (Site Preparation RFP). This RFP will be issued to obtain engineering services relating to the design and construction of the site preparation for the RRI Stadium Project.





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2. The City Clerk be authorized to execute the agreement awarded to the successful proponent as a result of the Site Preparation RFP after review and approval by the City Solicitor.

Finance and Administration Committee

CR13-31 Sale of Property 3415 Aberdeen Street Lot 12, Block 84, Plan AX4852 & 5215 Assiniboine Avenue Lots 9/10, Block 86, Plan AX4852

**Recommendation**

1. That the sale of 3415 Aberdeen Street, land description Lot 12, Block 84, Plan AX4852 and 5215 Assiniboine Avenue, land description Lot 9/10, Block 86, Plan AX4852 to Beaucorp Ventures Ltd. be approved under the terms and conditions shown in the body of this report;
2. That the Administration be authorized to finalize the terms and conditions of the legal sale documents;
3. That the City Clerk be authorized to execute the legal sale documents as prepared by the City Solicitor.

CR13-33 Traffic Bylaw Amendment

**Recommendation**

1. The amendments to *The Regina Traffic Bylaw, #9900* contained within this report be approved.
2. The City Solicitor be requested to prepare the amending bylaws effective January 22, 2013.

2013-7 The Traffic Amendment Bylaw 2013

CR13-25 Regina Planning Commission: Applications for Zoning Bylaw Amendment and Lane Closure (12-Z-25/12-CL-9.) Portion of the East-West Lane, Block 332, Located between 1916 and 1922 Elphinstone Street

**Recommendation**

1. That the application for the proposed amendments to the *Regina Zoning Bylaw No. 9250*, as contained in this report, be DENIED.
2. The application for the closure and sale of a portion of the lane, as contained in this report, be DENIED.

CR13-34 Application for Discretionary Use (12-DU-25) Proposed Vocational School in IA - Light Industrial Zone - 335 Maxwell Crescent

**Recommendation**

1. That the discretionary use application for proposed vocational school located at 335 Maxwell Crescent, being Lots 4 and 5, Block 21, Plan No. 77R56670, Ross Industrial subdivision be APPROVED and that a Development Permit be issued subject to the following conditions:
  - a) The development shall be consistent with the plans attached to this report as Appendix A-3.1, prepared by 24-7 Intouch and dated October 18, 2012; and



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- b) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*

CR13-35            Application for Discretionary Use (12-DU-35) Proposed Planned Group of Townhouses, Parcels C & D, NW corner James Hill Road and Gordon Road

**Recommendation**

1. That the discretionary use application for a proposed planned group of townhouses located at the NW corner of James Hill Road and Gordon Road, being Parcels C and D, located in Harbour Landing Phase 8 be APPROVED, and that a Development Permit be issued subject to the following conditions:
  - a) The development shall be consistent with the plans attached to this report as Appendix A-3.1 to A-3.2 inclusive, titled Oak Park Living Life Town homes dated November 13, 2012;
  - b) The entrance at Gordon Road shall be rights-in and rights-out only; and
  - c) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*

CR13-36            Application for Discretionary Use (12-DU-27) Proposed Warehousing of Hazardous Materials - 1121 E Pettigrew Avenue

**Recommendation**

That the discretionary use application for a proposed warehouse and distribution facility involving hazardous materials on the property located at 1121 E Pettigrew Avenue, being, Block 15, Plan No. 101922049, Ross Industrial Subdivision be APPROVED, and that a Development Permit be issued subject to the following conditions:

- a) The development shall be consistent with the plans attached to this report as Appendix A-3.1, prepared by McGinn Architecture Limited and dated September 26, 2012;
- b) Prior to the issuance of a building permit, the applicant shall submit for review a comprehensive fire safety plan, and a spill mitigation plan to the Fire & Protective Services Department;
- c) The development shall comply with the applicable performance regulations contained in Table 10.3 of the Zoning Bylaw, for properties located within the Low Sensitivity Aquifer Protection Overlay Zone; and
- d) The development shall comply with all other applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.

IR13-1            Executive Committee: Candidate Campaign Contributions and Expenses

**Recommendation**

That this report be received and filed.



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IR13-2            Municipal Heritage Advisory Committee: 2013 Municipal Heritage Awards – Awards Selection Working Group Report

**Recommendation**

That this report be received and filed.

**Bylaws and Related Reports**

2013-11            The Housing Incentive Program Tax Exemption Bylaw 2013

**Enquiries**

EN12-4            Response to Enquiry - City Limits and Responsibilities for Service Provision on Winnipeg Street North

**Recommendation**

That this response be received and filed.

**Adjournment**