

AT REGINA, SASKATCHEWAN, MONDAY, MAY 5, 2014

AT A MEETING OF CITY COUNCIL

AT 5:30 PM

Present: Mayor Michael Fougere, in the Chair
Councillor Sharron Bryce
Councillor Bryon Burnett
Councillor Jerry Flegel
Councillor Shawn Fraser
Councillor Bob Hawkins
Councillor Terry Hincks
Councillor Wade Murray
Councillor Mike O'Donnell
Councillor Barbara Young

Regrets: Councillor John Findura

Also in Attendance: Chief Legislative Officer & City Clerk, Jim Nicol
A/Deputy City Clerk, Erna Hall
City Manager & CAO, Glen Davies
Executive Director, Legal & Risk, Byron Werry
Executive Director, Planning, Jason Carlston
A/Executive Director, City Operations, Neil Vandendort
A/CFO, Pat Gartner
Director, Planning, Diana Hawryluk
Manager, Infrastructure Planning, Geoff Brown

The meeting opened with a prayer.

CONFIRMATION OF AGENDA

Councillor Sharron Bryce moved, seconded by Councillor Bob Hawkins, AND IT WAS RESOLVED, that the agenda for this meeting be approved, as submitted, and that the delegations listed on the agenda be heard when called forward by the Mayor.

ADOPTION OF MINUTES

Councillor Wade Murray, seconded by Councillor Terry Hincks, AND IT WAS RESOLVED, that the minutes for the meeting held on April 14, 2014 be adopted, as circulated.

PUBLIC NOTICES, BYLAWS AND RELATED REPORTS

CR14-51 Regina Planning Commission: Application for Lane Closure (13-CL-07) -
235 7th Avenue, Eastview

Recommendation

1. That the application for the closure and sale of the lane as shown on the attached plan of proposed subdivision prepared by P. Shrivastava S.L.S., dated December 13, 2012 and legally described as follows, be APPROVED:

North/south lane Plan F1625 located between Parcel 28A Plan F1625 and Parcel C Plan 102112614 between 7th Avenue and the Canadian Pacific Railway;

2. That the City Solicitor be directed to prepare the necessary bylaw.

Councillor Mike O'Donnell moved, seconded by Councillor Terry Hincks, AND IT WAS RESOLVED, that the recommendations of the Regina Planning Commission contained in the report be concurred in.

CR14-52 Regina Planning Commission: Application for Zoning Bylaw Amendment (14-Z-04) Hawkstone Phase 3, Stage 2A

Recommendation

1. That the application to rezone:
 - a) Parcel MR3 (Municipal Reserve) from UH-Urban Holding to PS-Public Service
 - b) Proposed Parcels U1 and U2 from UH-Urban Holding to PS-Public Service
 - c) Proposed Parcel MU1 from DCD12-Suburban Narrow Lot Residential to PS-Public Service.

be APPROVED.

2. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.
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 their remote location and the current unavailability of direct public access.

Councillor Mike O'Donnell moved, seconded by Councillor Terry Hincks, AND IT WAS RESOLVED, that the recommendations of the Regina Planning Commission contained in the report be concurred in.

2014-7 A Bylaw to Provide for the Closure and sale of a Portion of the lane at 235
7th Avenue

2014-33 The Regina Zoning Amendment Bylaw, 2014 (No. 8)

Councillor Barbara Young moved, seconded by Councillor Wade Murray, AND IT WAS RESOLVED, that Bylaws No. 2014-7 and 2014-33 be introduced and read a first time. Bylaws were read a first time.

The Clerk called for anyone present who wished to address City Council respecting Bylaws No. 2014-7 and 2014-33 to indicate their desire.

No one indicated a desire to address Council.

Councillor Barbara Young moved, seconded by Councillor Jerry Flegel, AND IT WAS RESOLVED, that Bylaws No. 2014-7 and 2014-33 be read a second time.

Councillor Barbara Young moved, seconded by Councillor Mike O'Donnell that City Council hereby consent to Bylaws No. 2014-7 and 2014-33 going to third reading at this meeting.

The motion was put and declared CARRIED UNANIMOUSLY.

Councillor Barbara Young moved, seconded by Councillor Shawn Fraser, AND IT WAS RESOLVED, that Bylaws No. 2014-7 and 2014-33 be read a third time. Bylaws were read a third time.

DELEGATIONS, COMMUNICATIONS AND RELATED REPORTS

DE14-45 Greg Gianoli and Clayton Crawford: Regina Planning Commission:
Application for Discretionary Use (13-DU-21) Proposed Hazardous
Materials (Oil) Storage Facility, 439 9th Avenue North

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. Greg Gianoli and Clayton Crawford answered a number of questions.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw 9004, this brief was tabled until after consideration of CR14-53, a report from the Regina Planning Commission respecting the same subject.

DE14-46 Jim Elliott: Regina Planning Commission: Application for Discretionary Use (13-DU-21) Proposed Hazardous Materials (Oil) Storage Facility, 439 9th Avenue North

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. Jim Elliott answered a number of questions.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw 9004, this brief was tabled until after consideration of CR14-53, a report from the Regina Planning Commission respecting the same subject.

CP14-7 Enbridge Communications - Regina Planning Commission: Application for Discretionary Use (13-DU-21) Proposed Hazardous Materials (Oil) Storage Facility, 439 9th Avenue North

Councillor Mike O'Donnell moved, seconded by Councillor Wade Murray, AND IT WAS RESOLVED, that this Communication be received and filed.

CR14-53 Regina Planning Commission: Application for Discretionary Use (13-DU-21) Proposed Hazardous Materials (Oil) Storage Facility, 439 9th Avenue North

Recommendation

That the discretionary use application for a proposed Hazardous Materials Storage Facility located at 439 9th Avenue North, being Parcels D and E Plan No FA4603; Parcel M Plan No. 66R35050, UH 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-3.2, prepared by Enbridge Pipelines and dated January 28, 2014;
- b) In lieu of a building permit not being required for non-building related elements of the development, the applicant shall submit a detailed site plan for approval by the Director of Construction and Compliance or designate;
- c) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*, including but not limited to the Performance Regulations for Low Sensitivity Aquifer Protection Overlay Zone in Table 10.3;
- d) Prior to issuance of the site plan approval (as per condition 1b), the applicant shall:
 - i. Submit a pre-use baseline soil chemical characterization survey for petroleum products, trace metals, sulphates, salinity and provide a copy to the City;
 - ii. Submit for review the Enbridge Safety Manual and Policies component covering storage and handling requirements for the typical construction chemicals;

- iii. The applicant shall submit, to the satisfaction of the Director of Construction and Compliance, a plan to prevent trenches acting as conduits for spread of contamination through the underground piping network;
- iv. Provide documentation from the Saskatchewan Ministry of Environment and/or Federal regulatory authority for approval to construct, alter, expand, operate, and decommission a hazardous substance and/ or waste dangerous goods facility.
- e) The applicant shall submit a quantitative assessment of the impact of the facilities from a major incident by qualified professional for the City's information as well as for incorporation into an updated Emergency response plan. This information shall be submitted prior to the commencement of operations of the new facility, and must be to the satisfaction of the Manager of Emergency Management and Business Control.

Councillor Mike O'Donnell moved, seconded by Councillor Barbara Young, that the recommendations of the Regina Planning Commission contained in the report be concurred in.

Councillor Mike O'Donnell moved, in amendment, seconded by Councillor Jerry Flegel, that the Discretionary Use Permit reflect the change in size of the tank from a 250,000 barrel tank to a 190,000 barrel tank.

The amendment was put and declared CARRIED.

The main motion, as amended, was put and declared CARRIED.

COMMITTEE REPORTS

Executive Committee

CR14-54	Regina Planning Commission - Citizen Appointments
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Recommendation

1. That the following citizens be appointed to the Regina Planning Commission for terms of office effective immediately, and expiring as noted for each member:

David Edwards – term expires December 31, 2014

Phil Selenski – term expires December 31, 2015

Laureen Snook – term expires December 31, 2015.

2. That the members appointed to the Regina Planning Commission continue to hold office for the term indicated for each vacancy or until their successors are appointed.

Councillor Bob Hawkins moved, seconded by Councillor Mike O'Donnell, AND IT WAS RESOLVED, that the recommendations of the Executive Committee contained in the report be concurred in.

ADJOURNMENT

Councillor Wade Murray moved, seconded by Councillor Sharron Bryce, AND IT WAS RESOLVED, that City Council adjourn.

Council Adjourned at 6:25 p.m.

Mayor

City Clerk