

AT REGINA, SASKATCHEWAN, MONDAY, JUNE 25, 2012

AT A MEETING OF CITY COUNCIL

AT 5:30 PM

Present: Councillor Chris Szarka, in the chair
Councillor Louis Browne
Councillor Sharron Bryce
Councillor Fred Clipsham
Councillor John Findura
Councillor Michael Fougere
Councillor Terry Hincks
Councillor Jocelyn Hutchinson
Councillor Wade Murray
Councillor Mike O'Donnell

Regrets: Mayor Pat Fiacco

Also in Attendance: City Clerk, Joni Swidnicki
City Manager, Glen Davies
City Solicitor, Byron Werry
Deputy City Clerk, Amber Smale
Deputy City Manager, City Operations, Dorian Wandzura
Deputy City Manager, Community Planning & Development, Jason Carlston
Executive Director, Governance & Strategy, Jim Nicol
Director of Environmental Services, Derrick Bellows
Director, Assessment and Property Taxation, Don Barr
Manager of Development Review, Fred Searle

The meeting opened with a prayer.

Confirmation of Agenda

Councillor Michael Fougere moved, seconded by Councillor Sharron Bryce, 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 Deputy Mayor.

Adoption of Minutes

Councillor Michael Fougere moved, seconded by Councillor Sharron Bryce, AND IT WAS RESOLVED, that the minutes for the meeting held on June 11, 2012 be adopted, as circulated.

Advertised Bylaws and Related Reports

DE12-47 Kevin Reese - Maple Ridge Zoning Amendment

Pursuant to due notice the delegation was present.

The Deputy Mayor invited the delegation to come forward and be heard. The delegation 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 CR12-89, a report from the respecting the same subject.

CR12-89 Application for Zoning Bylaw Amendment (12-Z-3) – Maple Ridge Phase 8, Parcel A, Plan No. 78R53005 and Part of SW ¼ Section 10-18-20-2

Recommendation

1. That the application to amend *Regina Zoning Bylaw No. 9250* as follows, be APPROVED:
 - a. Rezoning of residential lots located within Blocks 3, 12, 14 and 16 to 19 inclusive, as shown on the attached plan of proposed subdivision (prepared by Barry Clark S.L.S and dated May 18, 2012), from UH - Urban Holding to R1 - Residential Detached;
 - b. Rezoning of municipal buffer strip labelled as MB8 as shown on the attached plan of proposed subdivision (prepared by Barry Clark S.L.S and dated May 18, 2012), from UH - Urban Holding to R1 - Residential Detached;
 - c. Rezoning of utility parcels labelled as U1 and U2 as shown on the attached plan of proposed subdivision (prepared by Barry Clark S.L.S and dated May 18, 2012), from UH - Urban Holding to PS - Public Service;
2. That the City Solicitor be directed to prepare the necessary bylaw.

Councillor Michael Fougere moved, AND IT WAS RESOLVED, that the recommendations of the Regina Planning Commission contained in the report be concurred in.

DE12-48 Lorne Yagelniski - Greens on Gardiner

Pursuant to due notice the delegation was present.

The Deputy Mayor invited the delegation to come forward and be heard. The delegation 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 CR12-90, a report from the respecting the same subject.

CR12-90 Application for Zoning Bylaw Amendment and Concept Plan Amendment
(12-Z-2/ 12-CP-1) Greens on Gardiner Phase 3- Parcel M, N. ½ 17-19-21
W2M

Recommendation

1. That the proposed amendments to the Greens on Gardiner concept plan as shown in Attachment 4 of this report, be APPROVED;
2. That the application to amend *Regina Zoning Bylaw No. 9250* as follows, be APPROVED:
 - a) To rezone the subject property from UH-Urban Holding to R1-Residential Detached, R2-Residential Semi-Detached, DCD-11-Direct Control District Suburban Neo-Traditional, and MX-Mixed Residential Business (Holding Overlay), as shown on the plan showing proposed zoning, being Attachment 3 of this report.
3. That the City Solicitor be directed to prepare the necessary bylaw to amend *Regina Zoning Bylaw No. 9250*,
4. That City Council waive the public notice requirement to erect signage on the subject property during the application process as would be required by the Zoning Bylaw and Subdivision Bylaw.

Councillor Michael Fougere moved, AND IT WAS RESOLVED, that the recommendations of the Regina Planning Commission contained in the report be concurred in.

DE12-49 NewRock Development - St. Patricks School

Pursuant to due notice the delegation was present. Mr. Murray Prokosh, CRL and Mr. Rob Whitten, VP of Operations, Newrock Developments appeared as delegations.

The Deputy Mayor invited the delegation to come forward and be heard. The delegation 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 CR12-91, a report from the respecting the same subject.

CR12-91 Applications for Rezoning, Discretionary Use, and Lane Closure (12-Z-4/ 12-DU-10/ 12-CL-1) - Redevelopment of Former St. Patrick School Site - 1225 Grey Street

Recommendation

1. That the application to amend *Regina Zoning Bylaw No. 9250* as follows, be APPROVED:
 - a. Rezoning of proposed Block 3A as shown on the attached plan of proposed subdivision (prepared by Barry Clark S.L.S and dated February 13, 2012), from I-Institutional to R6-Residential Multiple Housing.
2. That the application for the closure and sale of portions of the public lane within Blocks 2 and 3 and described as follows be APPROVED:
 - a. The north-south lane in Block 2, Registered Plan No. FO3017 lying south of a line joining the NE corner of Lot 7 and the NW corner of Lot 11, Block 2, Regina, Saskatchewan; and
 - b. The east-west lane lying between Block 2 and Block 3, Registered Plan No. FO3017, Regina, Saskatchewan.
3. The Discretionary Use Application to accommodate a planned group of dwellings at the property currently addressed as 1225 Grey Street be APPROVED and that a development permit be issued subject to the following conditions:
 - a. The development be consistent with the site plan labelled C100, with elevation drawings labelled A201, A202, and A200, and the landscape plan labelled as L100 and attached to this report; and
 - b. The development shall be consistent with all standards and requirements in *Regina Zoning Bylaw No. 9250*.

Councillor Michael Fougere moved, AND IT WAS RESOLVED, that the recommendations of the Regina Planning Commission contained in the report be concurred in.

Recommendation

1. That an amendment to *Regina Zoning Bylaw No. 9250* be APPROVED by replacing, in its entirety, Subpart 8C.7 (“Logistics Park Zone”) of *Regina Zoning Bylaw No. 9250* with the version of Subpart 8C.7 contained in Appendix A of this report.
2. That the City Solicitor be directed to prepare the required amending bylaw.

Councillor Michael Fougere moved, AND IT WAS RESOLVED, that the recommendations of the Regina Planning Commission contained in the report be concurred in.

Recommendation

1. That the discretionary use application for a proposed restaurant located at 1417-1419 11th Avenue, being Lots 49-50 in Block 300, Plan No. 101176129, be APPROVED, subject to the following conditions:
 - a. The development be generally consistent with the attached floor plans;
 - b. The development shall comply with all applicable standards and regulations in Regina Zoning Bylaw No. 9250.
2. That the application to amend *Regina Zoning Bylaw No. 9520* be APPROVED, as follows:
 - a. That Table 14.6 (Off-Street Parking Requirements for Commercial Uses) be amended by revising the following section:

Restaurants

A) D zone	No requirement
B) LC3 Zone	No requirement
C) All other zones	1 space per 5 seats

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

Councillor Michael Fougere moved, AND IT WAS RESOLVED, that the recommendations of the Regina Planning Commission contained in the report be concurred in.

2012-46 The Regina Zoning Amendment Bylaw, 2012 (No. 14)

2012-48 The Regina Zoning Amendment Bylaw, 2012 (No. 16)

2012-49 The Regina Zoning Amendment Bylaw, 2012 (No. 17)

2012-50 The Regina Zoning Amendment Bylaw, 2012 (No. 18)

2012-51 The Regina Zoning Amendment Bylaw, 2012 (No.19)

Councillor Louis Browne moved, seconded by Councillor Jocelyn Hutchinson, AND IT WAS RESOLVED, that Bylaws No. 2012-46, 2012-48, 2012-49, 2012-50 and 2012-51 be introduced and read a first time. Bylaws read a first time.

Councillor Louis Browne moved, seconded by Councillor Fred Clipsham, AND IT WAS RESOLVED, that Bylaws No. 2012-46, 2012-48, 2012-49, 2012-50 and 2012-51 be read a second time.

No letters of objection were received pursuant to the advertising with respect to Bylaws No. 2012-46, 2012-48, 2012-49, 2012-50 and 2012-51.

The Clerk called for anyone present who wished to address City Council respecting Bylaws No. 2012-46, 2012-48, 2012-49, 2012-50 and 2012-51 to indicate their desire. No one indicated a desire to address Council.

Second reading of Bylaws No. 2012-46, 2012-48, 2012-49, 2012-50 and 2012-51 was put and declared CARRIED. Bylaws read a second time.

Councillor Louis Browne moved, seconded by Councillor Michael Fougere, that City Council hereby consents to Bylaws No. 2012-46, 2012-48, 2012-49, 2012-50 and 2012-51 going to third reading at this meeting.

The motion was put and declared CARRIED UNANIMOUSLY.

Councillor Louis Browne moved, seconded by Councillor John Findura, AND IT WAS RESOLVED, that Bylaws No. 2012-46, 2012-48, 2012-49, 2012-50 and 2012-51 be read a third time. Bylaws read a third time.

Public Notice Bylaws and Related Reports

CR12-94 Lane Closure Application (11-CL-6) - Lane adjacent to 506 and 526 Lorne Street, Highland Park Subdivision

Recommendation

1. That the application to permanently close two lanes adjacent to 506 and 526 Lorne Street and described as:

“The Lane in Block 3, Reg’d Plan No. BK5297” and “the Lane in Block 3, Reg’d Plan No. 64R38532” as outlined in bold dashed line on the Plan of Proposed Subdivision, prepared by Barry Clark, S.L.S. and dated June 16, 2011, be APPROVED;

2. That the City Solicitor be directed to prepare the necessary bylaw to enact the above-referenced lanes closure.

Councillor Michael Fougere, AND IT WAS RESOLVED, that the recommendations of the Regina Planning Commission contained in the report be concurred in.

CR12-95 Application for Lane Closure (11-CL-2) Lane in Block 23, Plan No. F1625 Eastern Annex Subdivision

Recommendation

1. That the application to permanently close the east-west lane within Block 23, between Wallace and Atkinson Street and south of 7th Avenue, and described as:

“All that portion of East West Lane in Block 23, Reg’d Plan No. F1625 in Regina, Saskatchewan” as outlined in bold dashed line on the Plan of Proposed Subdivision, prepared by W.W. Stockton, S.L.S. and dated November 23, 2010, be APPROVED; and

2. That the City Solicitor be directed to prepare the necessary bylaw to enact the above-referenced lane closure.

Councillor Michael Fougere, AND IT WAS RESOLVED, that the recommendations of the Regina Planning Commission contained in the report be concurred in.

2012-52 Proposed Lane Closure Bylaw No. 2012-52

2012-53 Proposed Lane Closure Bylaw 2012-53

2012-54 Proposed Lane Closure - Bylaw 2012-54

Councillor Louis Browne moved, seconded by Councillor Wade Murray, AND IT WAS RESOLVED, that Bylaws No. 2012-52, 2012-53 and 2012-54 be introduced and read a first time. Bylaws read a first time.

Councillor Louis Browne moved, seconded by Councillor Sharron Bryce, AND IT WAS RESOLVED, that Bylaws No. 2012-52, 2012-53 and 2012-54 be read a second time.

No letters of objection were received pursuant to the advertising with respect to Bylaws No. 2012-52, 2012-53 and 2012-54.

The Clerk called for anyone present who wished to address City Council respecting Bylaws No. 2012-52, 2012-53 and 2012-54 to indicate their desire.

No one indicated a desire to address Council.

Second reading of Bylaws No. 2012-52, 2012-53 and 2012-54 was put and declared CARRIED. Bylaws read a second time.

Councillor Louis Browne moved, seconded by Councillor Mike O'Donnell that City Council hereby consents to Bylaws No. 2012-52, 2012-53 and 2012-54 going to third reading at this meeting.

The motion was put and declared CARRIED UNANIMOUSLY.

Councillor Louis Browne moved, seconded by Councillor Jocelyn Hutchinson, AND IT WAS RESOLVED, that Bylaws No. 2012-52, 2012-53 and 2012-54 be read a third time. Bylaws read a third time.

Delegations and Related Reports

DE12-50 Michael Dombowsky - Discretionary Use Application (12-DU-9)

Pursuant to due notice the delegation was present.

The Deputy Mayor invited the delegation to come forward and be heard. The delegation 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 CR12-96, a report from the respecting the same subject.

CR12-96 Discretionary Use Application (12-DU-9) - Proposed Office Addition
335 Hoffer Drive, Industrial Ross Subdivision

Recommendation

1. That the discretionary use application for a proposed expansion of an office building located at 335 Hoffer Drive, being Lot 4A in Block 24, Plan No. 82R39512, be APPROVED, subject to the following conditions:

- a. The development be consistent with the attached site plan / landscape plan and building elevations designed by Northwind Innovations Inc. and labelled “Drawing No. A1, A2 and A3”; and
- b. The applicant shall submit a landscaping plan of the parking lot area that provides interior landscaping equal to 10 percent of the total parking area as required for parking areas of 1,850 m2 or greater under the *Regina Zoning Bylaw* to be approved by the Development Officer; and
- c. The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.

Councillor Michael Fougere moved, AND IT WAS RESOLVED, that the recommendations of the Regina Planning Commission contained in the report be concurred in.

Committee Reports

Executive Committee

CR12-97 Proposed Commercial Terms to Supply Treated Waste Water to Western Potash Corp.

Recommendation

- 1. That the key commercial terms for the supply of recycled water from the Waste Water Treatment Plant (WWTP) to Western Potash Corp. (WPC) as outlined in Appendix A to this report be approved in principle.
- 2. That the City of Regina (City) act as the proponent for the water supply arrangements and apply for the necessary environmental/regulatory approvals.
- 3. That the Deputy City Manager of City Operations be authorized to resolve the final terms and conditions of definitive agreements with WPC based on the key commercial terms as outlined in the report, including the following:
 - (a) Water Access Agreement
 - (b) Maintenance and Operating Services Agreement
 - (c) Lease Agreement; and,
 - (d) Easement Agreement

4. That the City Clerk be authorized to execute the agreements after review by the City Solicitor.

Councillor Louis Browne moved, AND IT WAS RESOLVED, that the recommendations of the Executive Committee contained in the report be concurred in.

CR12-98 Community Grants Program

Recommendation

1. That the Community Grants Program, as outlined in the report prepared by Stratos Inc. in Appendix A, be approved in principle.
2. That the Director of Community Services be authorized to prepare for implementation in 2013 by developing processes and grant application forms for the new program.
3. That the Administration continue working with stakeholders and the community to build an understanding of the new program.

Councillor Louis Browne moved, AND IT WAS RESOLVED, that the recommendations of the Executive Committee contained in the report be concurred in.

CR12-99 2013 Reassessment Update

Recommendation

1. That City Council adopt the guidelines and principles for consulting on commercial phase-in as outlined in this report.
2. That the Administration continue the consultation with the business community on the options for a phase-in of tax changes for commercial property due to the reassessment.
3. That a report on tax policy options be brought forward in the fourth quarter of 2012.

Councillor Louis Browne moved, seconded by Councillor Wade Murray, AND IT WAS RESOLVED, that the recommendations of the Executive Committee contained in the report be concurred in after adding recommendation # 4 as follows:

“That EX12-11 be removed from the list of outstanding items for Executive Committee”.

CR12-100 Property Purchase for Future Widening of Saskatchewan Drive

Recommendation

1. That the proposed purchase of 1672 Montreal Street (Plan Old 33, Block 245, Lot 22) (the “Property”) as outlined in the body of this report be approved.
2. That the Deputy City Manager of Community Planning and Development be authorized to resolve the final terms and conditions of the purchase agreements to purchase the Property as are outlined in this report.
3. That the City Clerk be authorized to execute the purchase agreement documents after review by the City Solicitor.
4. That the City of Regina provide \$120,000 for the purchase of the property as outlined in this report and an additional \$30,000 in order to facilitate demolition and clearing of the Property following the completion of the purchase (total funds of \$150,000 with \$127,500 from the SAF Roads Fund and \$22,500 from the General Fund Reserve).

Councillor Louis Browne moved, AND IT WAS RESOLVED, that the recommendations of the Executive Committee contained in the report be concurred in.

Public Works Committee

CR12-101 Changes to the Waste Management Bylaw

Recommendation

1. That the City Solicitor be instructed to prepare and bring forward a new waste management bylaw based on the requirements and elements contained in body of this report and Appendices A to E to this report;
2. That *The Regina Water Bylaw*, No. 8942 (the “Water Bylaw”) be amended to establish the mechanism and rates for the recycling fee, updated to incorporate the necessary changes for charging for recycling and some minor housekeeping matters;
3. That *The Sewer Service Bylaw*, No. 5601 (the “Sewer Bylaw”) be amended to update it to incorporate the necessary changes needed to charge for recycling;
4. That *The Regina Waste Management Bylaw*, No. 9935 (the “Waste Management Bylaw”) be repealed upon the passage of the new waste management bylaw; and

5. That *The Water and Sewer Utility General Reserve Bylaw*, No. 9848 be repealed upon the passage of the new waste management bylaw.

Councillor Sharron Bryce moved that the recommendations of the Public Works Committee contained in the report be concurred in.

Councillor Fred Clipsham moved in amendment, seconded by Councillor Mike O'Donnell, that in recommendation #2 and #3 the word recycling be replaced with garbage and further that Appendix A under Rates and Fees and under Consequential Amendments the word recycling be replaced with garbage.

Councillor Clipsham requested a recorded vote on the amendment.

Recorded vote: Councillors: Hutchinson - No, Hincks - No, Bryce - No, Murray - Yes, Fougere - No, O'Donnell - Yes, Browne - No, Findura - Yes, Clipsham - Yes, and Szarka - Yes.

With five in favour and five against, the amendment was declared LOST.

Main motion was put and declared CARRIED.

Mayor's Reports

MR12-3 Federation of Canadian Municipalities (FCM), Big City Mayors' Caucus (BCMC) Meeting - May 30, 2012

Recommendation

That this report be received and filed.

Councillor Mike O'Donnell moved, seconded by Councillor Terry Hincks, AND IT WAS RESOLVED, that this report be received and filed.

Motions

MN12-4 Councillor Fred Clipsham - Upper Qu-Appelle Conveyance Project

Recommendation

That the Administration prepare a report for the August, 2012, meeting of the Executive Committee to brief Council on the implications of the proposed Upper Qu'Appelle Conveyance Project, including recommendations on actions required of Council.

Councillor Fred Clipsham moved, seconded by Councillor Michael Fougere, AND IT WAS RESOLVED, that the Administration prepare a report for the August, 2012 meeting of Executive Committee to brief Council on the implications of the proposed Upper Qu'Appelle Conveyance Project, including recommendations on actions required of Council.

Adjournment

Councillor Fred Clipsham moved, seconded by Councillor Wade Murray AND IT WAS RESOLVED, that the meeting Adjourn.

Council adjourned at 7:26 pm.

Mayor

City Clerk