

AT REGINA, SASKATCHEWAN, MONDAY, AUGUST 20, 2012

AT A MEETING OF CITY COUNCIL

AT 5:30 PM

These are considered a draft rendering of the official minutes. Official minutes can be obtained through the Office of the City Clerk once approved.

Present: Mayor Pat Fiacco, in the chair
Councillor Louis Browne
Councillor Fred Clipsham
Councillor John Findura
Councillor Michael Fougere
Councillor Jocelyn Hutchinson
Councillor Wade Murray
Councillor Mike O Donnell
Councillor Chris Szarka

Regrets: Councillor Sharron Bryce
Councillor Terry Hincks

Also in Attendance: City Clerk, Joni Swidnicki
Committee Assistant, Mavis Torres
A/Deputy City Manager, Chuck McDonald
City Manager, Glen Davies
City Solicitor, Byron Werry
Deputy City Manager, City Operations, Dorian Wandzura
Deputy City Manager, Community Planning & Development, Jason Carlston
Executive Director, Governance & Strategy, Jim Nicol

The meeting opened with a prayer.

Confirmation of Agenda

Councillor Michael Fougere moved, seconded by Councillor Wade Murray, AND IT WAS RESOLVED, that the agenda be approved and delegations listed be heard when called forward by the Mayor.

Adoption of Minutes

Councillor Michael Fougere moved, seconded by Councillor Chris Szarka, AND IT WAS RESOLVED, that the minutes for the meeting held on July 23, 2012 be adopted, as circulated.

Tabled Reports

CR12-120 Housing Amendment Incentives Policy Implementation and Administration
Bylaw Amendment (2012-65)

Recommendation

1. That a maximum of \$2.2 million drawdown be approved from the Social Development Reserve to provide the grants approved under the interim Housing Incentives Policy (Appendix A) in 2012.

2. That the City Solicitor be instructed to amend the Social Development Reserve provisions of Schedule A of Bylaw No. 2003-69 being *The Regina Administration Bylaw* to allow funding for affordable capital contributions provided pursuant to Council's approved housing incentive policy.

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

Confirmation of Third Reading

2012-41 The Heritage Property Tax Exemption for Property Located at 1504 Victoria Avenue Bylaw, 2012

2012-58 The Regina Downtown Business Improvement District Amendment Bylaw, 2012

2012-59 The Regina Zoning Amendment Bylaw, 2012 (No. 13)

2012-60 The Regional Opportunities commission Amendment Bylaw, 2012

2012-63 The Waste Management Bylaw, 2012

2012-65 The Regina Administration Amendment Bylaw, 2012 (No. 2)

Councillor Jocelyn Hutchinson moved, seconded by Councillor Mike O'Donnell, that bylaws No. 2012-67, 2012-68, 2012-56, 2012-57, 2012-64 AND 2012-69 be read a third time.

Advertised Bylaws and Related Reports

DE12-71 Susan Birley - Regina Downtown Neighbourhood Plan

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. No questions were asked of the delegation.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw 9004, this brief was tabled until after consideration of CR12-121, a report from the Regina Planning Commission respecting the same subject.

DE12-72 Beryl Forgay - Regina Downtown Neighbourhood Plan

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. No questions were asked of the delegation.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw 9004, this brief was tabled until after consideration of CR12-121, a report from the Regina Planning Commission respecting the same subject.

DE12-73 Jeannie Mah - Regina Downtown Neighbourhood Plan

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. No questions were asked of the delegation.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw 9004, this brief was tabled until after consideration of CR12-121, a report from the Regina Planning Commission respecting the same subject.

DE12-74 Judith Veresuk - Regina Downtown Neighbourhood Plan

Pursuant to due notice the delegation was present.

The 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 CR12-121, a report from the Regina Planning Commission respecting the same subject.

DE12-75 Joanne Havelock - Regina Downtown Neighbourhood Plan

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. No questions were asked of the delegation.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw 9004, this brief was tabled until after consideration of CR12-121, a report from the Regina Planning Commission respecting the same subject.

CR12-121 Regina Downtown Neighbourhood Plan - Amendments to Regina Development Plan Bylaw No. 7877 and Regina Zoning Bylaw No. 9250 (Bylaws 2012-67 and 2012-68)

Recommendation

1. That an amendment to Bylaw No. 7877 (Regina Development Plan), as generally provided in Appendix A of this report, be APPROVED.
2. That an amendment to Bylaw No. 9250 (Regina Zoning Bylaw), as generally provided in Appendix B of this report, be APPROVED.
3. That Map A3.1, Climate Controlled Pedestrian Linkages, on page 108 in Appendix 1, be removed from the Regina Development Plan, Part G, Regina Downtown Neighbourhood Plan.
4. That the Administration prepare an annual implementation progress report for submission to the Regina Planning Commission.
5. That the City Solicitor be directed to prepare the necessary bylaws to enact the amendments referenced in recommendation 1 and 2 of this report.

Councillor Michael Fougere moved that the recommendations of the Regina Planning Commission contained in the report be concurred in.

Councillor Michael Fougere moved, in amendment, seconded by Councillor Wade Murray, AND IT WAS RESOLVED, that the word "generally" be removed from both recommendation #1 and #2.

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

CR12-122 Applications for Zoning Bylaw and Concept Plan Amendments (12-Z-12; 12-CP-5) Harbour Landing Phase 7-1B - Portion of NW ¼ Section 2-17-20 W2M (Bylaw 2012-56)

Recommendation

1. That the proposed amendment to the Harbour Landing Concept Plan, as depicted on Figure 2.0, detailed on Figure 3.0 and dated April, 2012 (Attachments A-3.2 and A-3.3 to this report), be APPROVED.
2. That the application to amend *Regina Zoning Bylaw No. 9250* by rezoning the proposed Lot 17, as shown on the plan of proposed subdivision prepared by Midwest Surveys and dated March 26, 2012 (Attachment A-3.4), from Direct Control District DCD-12 (Suburban Narrow-Lot Residential) 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.

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

CR12-123 Application for Zoning Bylaw Amendments (12-Z-09) – Riverbend Subdivision
1902 Heseltine Road (Bylaw 2012-57)

Recommendation

1. That the application to amend *Regina Zoning Bylaw No. 9250* as follows, be APPROVED:
 - a. Rezoning of Lot K, as shown on the attached plan of proposed subdivision (prepared by Scott Colvin S.L.S and dated June 1, 2012), from UH - Urban Holding to R6 - Residential Multiple Housing;
 - b. Rezoning of municipal reserve land labelled as MR4 as shown on the attached plan of proposed subdivision (prepared by Scott Colvin S.L.S and dated June 1, 2012), from UH - Urban Holding to PS - Public Service;
 - c. Rezoning of Environmental Reserve land labelled as ER2 as shown on the attached plan of proposed subdivision (prepared by Scott Colvin S.L.S and dated June 1, 2012), from UH - Urban Holding to FW – Floodway; and
 - d. Rezoning of parcel L2 labelled as L2 as shown on the attached plan of proposed subdivision (prepared by Scott Colvin S.L.S and dated June 1, 2012), from UH - Urban Holding to FW – Floodway.
2. That the City Solicitor be directed to prepare the necessary bylaws to authorize the respective Zoning Bylaw amendment.

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

CR12-124 Application for Discretionary Use Approval and Zoning Bylaw Amendment (12-DU-1/ 12-Z-15) Accommodation of Office Building for Proposed “Office, Industrial” and “Research and Development” Uses in OA zone and Rezoning from IP to OA Zone 4521, 4545 and 4561 Parliament Avenue (Bylaw 2012-69)

Recommendation

1. That the application to amend *Regina Zoning Bylaw No. 9250* as follows be APPROVED:
 - a) That the proposed rezoning of Parcels W2, W3, and W4 in Plan No. 102067949 (being 4521, 4545, and 4561 Parliament Avenue) from IP-Prestige Industrial to OA-Office Area Zone be APPROVED;
2. That the proposed discretionary use for Parcel W2, Plan No. 102067949 to accommodate Industry Office and Research and Development within a 3716 m² (40,000 ft²) office building be APPROVED, subject to the following conditions;
 - a) The development shall conform to plans attached to this report in Attachments A 3.1, 3.2.1 and 3.2.2;
 - b) Prior to issuance of a building permit, the developer shall pay \$7000 per parking stall in excess of the maximum standard pursuant to the OA-Office Area Zone; and
 - c) The development shall conform to standards and regulations contained in *Regina Zoning Bylaw No. 9250*.

3. That the proposed discretionary use for Parcel W2, Plan No. 102067949 to accommodate Industry Office and Research and Development comply with all Transport Canada regulations.

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

CR12-125 Contract Zone Application (12-CZ-4) - Proposed Cultural Arts Centre with Licensed Restaurant, Performance Venue and Live/Work Units, 1621 11th Avenue (Bylaw 2012-64)

Recommendation

1. That the application to amend the *Regina Zoning Bylaw No. 9250* to rezone 1621 11th Avenue, being Lots 1-4 in Block 302, Plan No. Old 33, from LC3 – Local Commercial to C – Contract be APPROVED and that the contract zone agreement between the City of Regina and the applicant contain the following terms:
 - a. The uses shall be restricted to: a cultural arts centre with a combined licensed restaurant and performance venue, eight live/work units, and any permitted or discretionary uses within the LC3 zone. Each live/work unit shall include an artist studio with at least one person residing in that unit;
 - b. The cultural arts centre/licensed restaurant and performance venue shall have a maximum seating capacity of 125;
 - c. The site shall contain a minimum of eight parking stalls in perpetuity;
 - d. The development shall be consistent with the attached plans contained in Appendices 3.1, 3.2, 3.3 and 3.4;
 - e. Any zoning related detail not specifically addressed in the contract zone agreement shall be subject to applicable provisions of *Regina Zoning Bylaw No. 9250*;
 - f. The approval to initiate the proposed development shall be valid for a period of two years from the date of the bylaw authorizing the zoning amendment and contract zone agreement; and
 - g. The agreement shall be registered in the city's interest at the applicant's cost pursuant to section 69 of *The Planning and Development Act, 2007*.
2. That the City Solicitor be directed to prepare the necessary bylaw to enact the above-referenced Zoning Bylaw amendment.

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

2012-67	The Regina Zoning Amendment Bylaw, 2012 (No. 25)
2012-68	The Regina Development Plan Amendment Bylaw, 2012 (No. 4)
2012-56	The Regina Zoning Amendment Bylaw, 2012 (No. 20)
2012-57	The Regina Zoning Amendment Bylaw, 2012 (No. 21)
2012-64	Proposed Zoning Bylaw Amendment, 2012 (No. 23)
2012-69	Proposed Zoning Bylaw Amendment, 2012 (No. 26)

Councillor Jocelyn Hutchinson moved, seconded by Councillor Fred Clipsham, AND IT WAS RESOLVED, that Bylaws No. 2012-67, 2012-68, 2012-56, 2012-57, 2012-64 and 2012-69 be introduced and read a first time.

Bylaws read a first time.

Councillor Jocelyn Hutchinson moved, seconded by Councillor Michael Fougere, AND IT WAS RESOLVED, that Bylaws No. 2012-67, 2012-68, 2012-56, 2012-57, 2012-64 and 2012-69 be read a second time.

Bylaws read a second time.

Councillor Jocelyn Hutchinson moved, seconded by Councillor John Findura, that City Council hereby consents to Bylaws 2012-41, 2012-58, 2012-59, 2012-60, 2012-63 and 2012-65 going to third reading at this meeting.

The motion was put and declared CARRIED UNANIMOUSLY.

Councillor Jocelyn Hutchinson moved, seconded by Councillor Wade Murray that Bylaws No. 2012-41, 2012-58, 2012-59, 2012-60, 2012-63 and 2012-65 be read a third time.

Delegations and Related Reports

DE12-76	Colin Stewart Acquisition of South East Lands from the Saskatchewan Housing Corporation
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Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. No questions were asked of the delegation.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw 9004, this brief was tabled until after consideration of CR12-126, a report from the Executive Committee respecting the same subject.

CR12-126 Acquisition of South East Lands from Saskatchewan Housing Corporation

Recommendation

1. That the purchase of the land described in this Report from the Saskatchewan Housing Corporation be approved.
2. That City Manager or his designate be authorized to negotiate and finalize the details of the land sale agreement.
3. That the City Solicitor be instructed to prepare the land sale agreement and the City Clerk be authorized to enter into the agreement on behalf of the City.
4. That the City Manager or his designate be authorized to request that the Saskatchewan Housing Corporation release the funds held in trust, from the Windsor Park Phase IV development agreement to the Social Development Reserve.
5. That the \$7.825 million purchase price be funded by way of \$7.3 million from the Social Development Reserve and the remainder of \$525,000 be funded from the General Fund Reserve.
6. That revenue realized from the development of this land be used to meet the commitments of the Social Development Reserve.

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

Committee Reports

Regina Planning Commission

CR12-127 Application for Discretionary Use Approval (11-DU-8) - Proposed Retail Office Use over 1,000 m² in MAC zone - 3725 East Quance Street

Recommendation

That the discretionary use application for a retail use with a gross floor area greater than 1,000 m² in a proposed commercial building to be located at 3725 East Quance Street, being Block G, Plan 101946281, be APPROVED, and that a Development Permit be issued 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 Appendix 1 to 3.3 inclusive, prepared by Dura Construction Limited and dated July 13, 2012.

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

Informational Reports

IR12-12 2012 Semi-Annual Review of Closed Executive Committee Items

Recommendation

That this report be received and filed

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

Bylaws and Related Reports

2012-72 The City of Regina Condominium Policy Amendment Bylaw, 2012

2012-73 Application for Zoning Bylaw Amendment (12-Z-3) - Maple Ridge Phase 8 - Part of Parcel A, Plan No. 78R53005 and Part of SW 1/4 Section 10-18-20-2

Councillor Jocelyn Hutchinson moved, seconded by Councillor Chris Szarka, AND IT WAS RESOLVED, that Bylaws No. 2012-72 and 2012-73 be introduced and read a first time.

Bylaws read a first time.

Councillor Jocelyn Hutchinson moved, seconded by Councillor Louis Browne, AND IT WAS RESOLVED, that Bylaws No. 2012-72 and 2012-73 be read a second time.

Bylaws read a second time.

Councillor Jocelyn Hutchinson moved, seconded by Councillor Fred Clipsham, that City Council hereby consents to Bylaws 2012-72 and 2012-73 going to third reading at this meeting.

The motion was put and declared CARRIED UNANIMOUSLY.

Councillor Jocelyn Hutchinson moved, seconded by Councillor Michael Fougere that Bylaws No. 2012-72 and 2012-73 be read a third time.

Enquiries

EN12-1 Councillor Browne - Plans for Grant Drive

That this enquiry be lodged.

Adjournment

Councillor Fred Clipsham moved, seconded by Councillor John Findura, AND IT WAS RESOLVED, that this meeting adjourn.

City Council adjourned at 7:08 PM.

Mayor

City Clerk