

AT REGINA, SASKATCHEWAN, WEDNESDAY, SEPTEMBER 5, 2012

AT A MEETING OF THE REGINA PLANNING COMMISSION
HELD IN PUBLIC SESSION

AT 4:00 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: Councillor Michael Fougere, in the Chair
Councillor Mike O Donnell
Councillor Chris Szarka
David Edwards
Phil Evans
Dallard Legault
Ron Okumura
Phil Selenski
Sherry Wolf

Regrets: Mark McKee and Laureen Snook

Also in Attendance: Committee Assistant, Elaine Gohlke
Solicitor, Cheryl Willoughby
Deputy City Manager, Community Planning & Development, Jason Carlston
Director of Development Engineering, Kelly Wyatt
Director of Planning & Sustainability, Diana Hawryluk
Manager of Development Review, Fred Searle
Senior Planner, Ben Mario

APPROVAL OF PUBLIC AGENDA

Councillor Szarka moved, AND IT WAS RESOLVED, that the agenda for this meeting be approved, as submitted.

ADOPTION OF MINUTES

Phil Selenski moved, AND IT WAS RESOLVED, that the minutes for the meeting held on August 22, 2012 be adopted.

ADMINISTRATION REPORTS

RPC12-65 Application for Discretionary Use Application (12-DU-20) - Proposed Restaurant - 1450 Park Street, Innismore Subdivision

Recommendation

1. That the discretionary use application for a proposed restaurant located at 1450 Park Street, in Block E, Plan No. 59R15534, be APPROVED, subject to the following conditions:
 - a. The development shall conform to the attached site plan, in Appendix 3.1, landscape plan, in Appendix 3.2 and exterior

elevation drawings, in Appendix 3.3 and 3.4, dated May 24, 2012 and designed by Avenue Architecture Inc.;

- b. Street trees shall be planted and spaced as per zoning requirements along both Dewdney Avenue and Park Street; and
- c. Notwithstanding a) above, the development shall conform to all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.

2. That this report be forwarded to the City Council meeting on September 17, 2012.

Jim Elliott addressed the Commission.

Phil Selenski moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in.

RPC12-66 Proposed Contract Zone Agreement and Development Plan Amendment –
 (12-CZ-1) - Proposed Office Building, 2169 and 2179 Rose Street

(Ron Okumura declared a conflict of interest on this item, abstained from discussion and voting, and temporarily left the meeting.)

Recommendation

1. That Part F- Transitional Area Development Plan of *Regina Development Plan Bylaw No. 7877* (Official Community Plan) be amended by adding the following to Section 5.0 Exceptions after d):

e)		2169 and 2179 Rose Street	Lot 34, Block 411, Plan No. 101187761; and Lots 9, 10, Block 411, Plan No. Old 33.	Office building accommodated by a contract zone.
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2. That subject to Ministerial Approval of the related Official Community Plan amendment, the application to amend *Regina Zoning Bylaw No. 9250* by rezoning the properties described as
- (a) Lots 9 and 10, Block 411, Plan No. Old 33, located at 2179 Rose Street ; and
 - (b) Lot 34, Block 411, Plan No. 101187761, located at 2169 Rose Street.

from TAR (H30 – Transitional Area Residential (Height Overlay 30m) to C - Contract, be APPROVED and that the contract zone agreement between the City of Regina and the applicant/owner of the subject properties be executed.

3. That further to recommendation 2, the proposed contract zone agreement shall include the following terms:
 - (a) Development of the proposed office building on the subject property shall be consistent with the attached plans and drawings labelled Appendix A-3.1--A-3.3.2, inclusive and prepared by PSW Architecture and Interior Design;
 - (b) The range of permitted and discretionary uses in the building shall be consistent with the MX zone in Table 5.2 of *Regina Zoning Bylaw No. 9250* with the following exceptions:
 - i) Office uses shall be permitted and be accommodated throughout the entire approved building;
 - ii) Restaurant and Licensed Restaurant, Personal Service, Confectionary Store, and Retail uses shall be permitted on the main level;
 - (c) A detailed landscape plan for the subject property shall be submitted for approval to the Development Officer, prior to the issuance of a building permit. Any new planting or replacement of existing street trees adjacent to the subject properties shall be undertaken in accordance with *The Forestry Bylaw, 2002* (Bylaw No. 2002-48, as amended).
 - (d) The erection or placement of commercial signs on the subject property shall comply with the provisions applicable to the MX - Mixed Residential Business Zone under Chapter 16 of the Zoning Bylaw.
 - (e) Provision for safe, secure, and convenient location for bicycle storage shall be accommodated as per Chapter 14 of the Zoning Bylaw.
 - (f) Any zoning-related detail not specifically addressed in the contract zone agreement shall be subject to the applicable provisions of the Zoning Bylaw.
 - (g) The approval to initiate the proposed development shall be valid for a period of two years from the date of City Council's passage of the Zoning Bylaw amendment that authorizes the contract zone agreement.
 - (h) The contract zone agreement shall be registered in the City's interest, against the titles to all of the subject properties and at the applicant's cost, pursuant to Section 69 of *The Planning and Development Act, 2007*.

4. That the City Solicitor be directed to prepare the necessary bylaw to authorize the rezoning of the subject properties and the execution of the contract zone agreement, as described above.
5. That this report be forwarded to the October 9, 2012 meeting of City Council, which will allow sufficient time to advertise the required public notice for the subject Zoning Bylaw and Development Plan amendments.

The following addressed the Commission:

- Jim Elliott; and
- Rob Fehr.

Dallard Legault moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in after amending recommendation #3(d) to read: “3.(d) The erection or placement of commercial signs on the subject property shall comply with the provisions applicable to the MX – Mixed Residential Business Zone under Chapter 16 of the Zoning Bylaw.”

RPC12-67 Supplemental Report to RPC12-34 - Application for Contract Zone Agreement (11-CZ-7) - Proposed Commercial (Office and Retail) Building - 1550 14th Avenue

Recommendation

1. That the application to amend *Regina Zoning Bylaw No. 9250* by rezoning the property described as Lots 15 and 16, Block 414, Plan OLD 33 and located at 1550 14th Avenue, from R4A - Residential Infill Housing to C - Contract, be APPROVED and that the subject Zoning Bylaw amendment authorize the execution of a contract zone agreement between the City of Regina and the applicant/owner of the subject property.
2. That further to recommendation 1, the proposed contract zone agreement shall include the following terms and conditions:
 - (a) Development of the proposed commercial building on the property located at 1550 14th Avenue shall be consistent with the plans and drawings labelled as Drawings A3 to A11, inclusive, prepared by P3 Architecture Partnership. [Appendices 3-1 to 3-9 to this report]
 - (b) On the second and third floors of the proposed commercial building, permitted uses shall be limited to medical and dental offices and other medical-related uses, including, but not limited to, clinics and laboratories.
 - (c) Medical and dental offices and other medical-related uses shall also be permitted on the main floor of the proposed commercial building. As well, the following other uses shall be permitted on the

main floor, subject to the applicable maximum floor areas per individual occupancy as established for the NC - Neighbourhood Convenience Zone:

- i) a confectionary store, which by definition shall have a maximum gross floor area (GFA) of 150m²;
 - ii) general office uses, subject to a maximum GFA of 300m²;
 - iii) personal service establishments, subject to a maximum GFA of 200m²;
 - iv) retail uses, subject to a maximum GFA of 300m²;
 - v) an unlicensed restaurant, subject to a maximum seating capacity of 50 persons.
- (d) A detailed landscape plan for the subject property shall be submitted for review and approval by the Development Officer, prior to the issuance of a building permit. Any new planting or replacement of existing street trees adjacent to the subject property shall be in accordance with *The Forestry Bylaw, 2002* (Bylaw No. 2002-48, as amended).
- (e) The erection or placement of commercial signs on the property located at 1550 14th Avenue shall comply with the provisions applicable to the MX - Mixed Residential Business Zone under Chapter 16 of the Zoning Bylaw.
- (f) Any zoning-related detail not specifically addressed in the contract zone agreement shall be subject to the applicable provisions of the Zoning Bylaw.
- (g) The approval to initiate the proposed development shall be valid for a period of two years from the date of City Council's passage of the Zoning Bylaw amendment that authorizes the contract zone agreement.
- (h) The contract zone agreement shall be registered in the City's interest against the titles to the subject properties (Lots 15 and 16, Block 414, Plan OLD 33) and at the applicant's cost, pursuant to Section 69 of *The Planning and Development Act, 2007*.
3. That the City Solicitor be directed to prepare the necessary bylaw to authorize the rezoning of the subject property and the execution of the contract zone agreement, as described above.
 4. That this report be forwarded to the October 9, 2012 City Council meeting, which will allow sufficient time to advertise the required public notice for the subject Zoning Bylaw amendment.
 5. That item RPC12-34 be removed for the List of Outstanding Items for Regina Planning Commission.

Leila Francis, representing the Heritage Community Association addressed the Commission.

(Ron Okumura returned to the meeting during Ms. Francis' presentation.)

James Youck and Chris Roszell, representing P3A Architecture, and Mitch Brody and Shawn Farrow, representing Westland Ventures, addressed the Commission.

Phil Selenski moved that the recommendation contained in the report be concurred in.

(Councillor Szarka left the meeting.)

The motion was put and declared CARRIED.

RPC12-64 Application for Contract Zoning (12-CZ-7) - Proposed Vehicle Sales and Storage Lot
Proposed Parcel X1 - Portion of Parcel X, Plan No. 79R42384
- 445 Winnipeg Street

Recommendation

1. That the application to amend *Regina Zoning Bylaw No. 9250* by rezoning the property described as "*Parcel X1, being a portion of Parcel X, Plan No. 79R42384 as shown on the plan of proposed subdivision prepared by Guy Craig, S.L.S. and dated December 05, 2008*" (Appendix 3-1) and currently located at 445 Winnipeg Street, from IB - Medium Industrial to C – Contract, be APPROVED and that the subject Zoning Bylaw amendment authorize the execution of a contract zone agreement between the City of Regina and the applicant.
2. That further to recommendation 1, the proposed contract zone agreement shall include the following terms and conditions:
 - (a) The use of the subject property shall be limited to the display and storage of vehicles strictly in association with the operation of the existing automobile sales and service business located on the adjacent property at 609 Winnipeg Street, and shall be consistent with the site layout plan prepared by Focus Corporation and dated July 24, 2012. [Appendix 3-2 to this report]
 - (b) No buildings or other structural development shall be permitted on the subject property, which will be surfaced only with gravel, except for defined planting areas which shall be surfaced with grass, permeable mulch or other acceptable treatments in accordance with the landscape regulations under Chapter 15 of *Regina Zoning Bylaw No. 9250*.
 - (c) Landscaping for the subject property shall include the planting of street trees along the Winnipeg Street right-of-way, with a minimum planting ratio of one tree per ten linear metres or to the satisfaction of the Development Officer.

- (d) Any zoning-related detail not specifically addressed in the contract zone agreement shall be subject to the applicable provisions of *Regina Zoning Bylaw No. 9250*.
 - (e) The contract zone agreement shall remain in effect until such time as any soil or subsurface contamination associated with the operation of the former Imperial Oil Limited refinery on the subject property has been identified and remediated to the satisfaction of the City of Regina in consultation with the Saskatchewan Ministry of Environment, at which time the zoning of the property shall revert to IB - Medium Industrial.
 - (f) The contract zone agreement shall be registered in the City's interest against the title to the subject property and at the applicant's cost, pursuant to Section 69 of *The Planning and Development Act, 2007*.
- 3. That the City Solicitor be directed to prepare the necessary bylaw to authorize the rezoning of the subject property and the execution of the contract zone agreement, as described above.
 - 4. That this report be forwarded to the October 9, 2012 City Council meeting, which will allow sufficient time to advertise the required public notice for the subject Zoning Bylaw amendment.

William Rudichuk, representing the Auto Gallery, addressed the Commission.

David Edwards moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in.

RPC12-63 Discretionary Use Application (12-DU-6) Proposed Planned Group of Dwellings in R6 Zone, 4801 Trinity Lane, Harbour Landing

Recommendation

- 1. That the discretionary use application for a proposed planned group of dwellings located at 4801 Trinity Lane, being Lot 3 in Block S, Plan No. 102050974, be APPROVED, subject to the following conditions:
 - a. The development shall be consistent with the attached site plan, elevations, and floor plans dated June 5, 2012 and labelled Reimer Custom Designed Homes;
 - b. The development shall comply with all applicable standards and regulations in Regina Zoning Bylaw No. 9250.
- 2. That this report be forwarded to the September 17, 2012 meeting of City Council.

Phil Selenski moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in.

ADJOURNMENT

Dallard Legault moved, AND IT WAS RESOLVED, that the meeting adjourn.

The meeting adjourned at 5:21 p.m.

Chairperson

Secretary