

AT REGINA, SASKATCHEWAN, TUESDAY, MAY 21, 2013

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 Michael Fougere, in the chair  
Councillor Sharron Bryce  
Councillor Bryon Burnett  
Councillor John Findura  
Councillor Jerry Flegel  
Councillor Shawn Fraser  
Councillor Bob Hawkins  
Councillor Terry Hincks  
Councillor Wade Murray  
Councillor Mike O'Donnell  
Councillor Barbara Young

Regrets: N/A

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  
Deputy City Manager, Corporate Services, Brent Sjoberg  
Director, Assessment and Property Taxation, Don Barr  
Director of Construction and Compliance, Kelly Wyatt  
Director of Planning, Diana Hawryluk  
Coordinator, Acquisitions, Greg Markewich

The meeting opened with a prayer.

Recognition/Presentations

Councillor Terry Hincks rose to thank the public, members of City Council, the City Clerk's Office and members of the City Administration for all their support during his medical leave.

Confirmation of Agenda

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

**ADD CP13-18: John Hopkins: Discretionary Use Application Proposed Nightclub - 2151 Albert Street**

Adoption of Minutes

**Councillor Barbara Young moved, seconded by Councillor Bryon Burnett, AND IT WAS RESOLVED, that the minutes for the meeting held on April 29, 2013 be adopted, as circulated.**

Advertised Bylaws and Related Reports

DE13-63 Lorne Yagelniski: Application for Zoning Bylaw Amendment, Concept Plan Amendment and Official Community Plan Amendment (12-Z-32/12-CP-11)

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**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 CR13-70, a report from the Regina Planning Commission respecting the same subject.**

CR13-70 Application for Zoning Bylaw Amendment, Concept Plan Amendment and Official Community Plan Amendment (12-Z-32/12-CP-11) The Greens on Gardiner Concept Plan, Phase 4 Development

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**Recommendation**

1. That *Part D – Southeast Sector Plan of Development Plan Bylaw No. 7877, section 5.5 f)* be repealed and substituted with the following:
  - f) A multi-seasonal zone level athletic park shall be developed in the Southeast Sector and be co-located with a future high school in consultation with the school boards.*
2. That the application to amend the Greens on Gardiner Concept Plan, as depicted on the attached Appendix A-2.1, be APPROVED.
3. That the application to amend *Regina Zoning Bylaw No. 9250* by rezoning from UH-Urban Holding to the following specified zone designations for the lands contained within The Greens on Gardiner

Phase 4 subdivisions as shown on Appendices A-3.1 and A-3.2, be APPROVED:

- i. To R1-Residential Detached:
    - Lots 1-20 in Block 31
    - All of Block 32
    - Lots 23-39 in Block 16
    - Lots 1-17 in Block 30
    - Lots 41-53 in Block 17
    - Lots 22-42 in Block 18
  - i. To DCD 12 – Direct Control District 12-Suburban Narrow Lot Residential:
    - Lots 18-37 in Block 30
    - Lots 23-38 in Block 29
    - Lots 21-35 in Block 27
    - Lots 1-18 in Block 25
  - ii. To R2-Residential Semi-Detached:
    - Lots 1-22 in Block 29
    - Lots 1-20 in Block 27
    - Lots 30-51 in Block 28
    - Lots 28-47 in Block 26
  - i. R5-Residential Medium Density:
    - Lots 1-29 in Block 28
    - Lots 1-27 in Block 26
    - Lots 19-41 in Block 25
3. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment and Development Plan amendment to Part D.
  4. 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 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 Terry Hincks, AND IT WAS RESOLVED, that recommendation #1 be tabled until July.**

**Councillor Mike O'Donnell moved, in amendment, seconded by Councillor Wade Murray, AND IT WAS RESOLVED that recommendation #2 be tabled until July.**

**Councillor Mike O'Donnell moved, in amendment, seconded by Councillor Terry Hincks, AND IT WAS RESOLVED that recommendation #5 be added as follows:**

**“That only areas of the Concept Plan identified in Phase 4 or 5 be approved, pending**

**Council's approval of the necessary amendments to Development Plan Bylaw No. 7877 (Official Community Plan)**

**Councillor Mike O'Donnell moved, in amendment, seconded by Councillor Terry Hincks, AND IT WAS RESOLVED, that recommendation #7 be added as follows:**

**“That the proposed full amendments to the Development Plan Bylaw No. 7877 (Official Community Plan) and the Greens on Gardiner Concept Plan be considered at the July meeting of City Council.**

**Councillor Mike O'Donnell moved, in amendment, seconded by Councillor Bob Hawkins, AND IT WAS RESOLVED, that the words “Development Plan” be removed from recommendations #4.**

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

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2013-32            The Regina Zoning Amendment Bylaw, 2013 (No.16)

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2013-34            The Regina Development Plan Amendment Bylaw, 2013

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**Councillor Wade Murray moved, seconded by Councillor Shawn Fraser, AND IT WAS RESOLVED, that Bylaws No. 2013-32 be introduced and read a first time and that Bylaw No. 2013-34 be tabled. Bylaw 2013-32 read a first time.**

**Councillor Wade Murray moved, seconded by Councillor Mike O'Donnell, AND IT WAS RESOLVED, that Bylaw No. 2013-32 be read a second time.**

**No letters of objection were received pursuant to the advertising with respect to Bylaw No. 2013-32.**

**The Clerk called for anyone present who wished to address City Council respecting Bylaw No. 2013-32 to indicate their desire. No one indicated a desire to address Council.**

**Second reading of Bylaw No. 2013-32 was put and declared CARRIED. Bylaw read a second time.**

**Councillor Wade Murray moved, seconded by Councillor Jerry Flegel that City Council hereby consents to Bylaw 2013-32 going to third reading at this meeting.**

**The motion was put and declared CARRIED UNANIMOUSLY.**

**Councillor Wade Murray moved, seconded by Councillor John Findura, AND IT WAS RESOLVED, that Bylaw 2013-32 be read a third time. Bylaw read a third time.**

Public Notice Bylaws and Related Reports

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CR13-71            Amendment to *The Regina Administration Bylaw No. 2003-69* Regarding the Purchasing Policy

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**Recommendation**

1. That, subject to the required public notice having been given in accordance with The Public Notice Bylaw, the recommended changes to Schedule “D” of *The Regina Administration Bylaw*, Bylaw No. 2003-69 outlined in Appendix A related to the Purchasing Policy be approved.
2. That the City Solicitor be directed to prepare the necessary amending bylaw for consideration by Council.

**Councillor Wade Murray moved that the recommendations of the Executive Committee contained in the report be concurred in.**

Mayor Michael Fougere stepped down to enter the debate

Councillor Wade Murray took the chair

Mayor Michael Fougere returned to the chair prior to the vote

**Main motion was put and declared CARRIED.**

CR13-72	Proposed 2013 Local Improvement Program and Amendments to the 2012 Local Improvement Program
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**Recommendation**

1. That Appendix A be amended by deleting Work Project #18 for Rae Street, from 25<sup>th</sup> Avenue to 24<sup>th</sup> Avenue, and by deleting Work Project #21 for Newton Crescent from Hudson Drive to Hudson Drive.
2. That the City Solicitor be directed to prepare a bylaw based on Appendix A to authorize the 2013 Local Improvement Program for consideration by City Council.
3. The construction rates for alley lighting in the 2012 Local Improvement Program be revised in the *Local Improvement Bylaw, 2012 No.2012-37* to reflect the interest rate change and the change of the construction rate for alley lighting as described in Council Report (CR13-10).

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

**Councillor Bob Hawkins moved, in amendment, seconded by Councillor Sharron Bryce, AND IT WAS RESOLVED that recommendation #1 be deleted and Appendix A be amended to restore the original works that were deleted at Committee.**

**Main motion, as amended, was put and declared CARRIED.**

2013-35      The Regina Administration Amendment Bylaw, 2013 (No. 2)

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2013-37      The Local Improvements Bylaw, 2013

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**Councillor Wade Murray moved, seconded by Councillor Bob Hawkins, AND IT WAS RESOLVED, that Bylaws No. 2013-35 and 2013-37 be introduced and read a first time. Bylaws read a first time.**

**Councillor Wade Murray moved, seconded by Councillor Bryon Burnett, AND IT WAS RESOLVED, that Bylaws No. 2013-35 and 2013-37 be read a second time.**

**No letters of objection were received pursuant to the advertising with respect to Bylaws No. 2013-35 and 2013-37.**

**The Clerk called for anyone present who wished to address City Council respecting Bylaws No. 2013-35 and 2013-37 to indicate their desire. No one indicated a desire to address Council.**

**Second reading of Bylaws No. 2013-35 and 2013-37 was put and declared CARRIED. Bylaws read a second time.**

**Councillor Wade Murray moved, seconded by Councillor Barbara Young that City Council hereby consents to Bylaws 2013-35 and 2013-37 going to third reading at this meeting.**

**The motion was put and declared CARRIED UNANIMOUSLY.**

**Councillor Wade Murray moved, seconded by Councillor Sharron Bryce, AND IT WAS RESOLVED, that Bylaws 2013-35 and 2013-37 be read a third time. Bylaws read a third time.**

Delegations and Related Reports

DE13-64      Adam Sperling: Application for Discretionary Use (13-DU-04) Proposed Nightclub and Off-Site Caveated Parking Lot - 2151 Albert Street

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**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 CR13-73, a report from the Regina Planning Commission respecting the same subject.**

CP13-18      John Hopkins: Discretionary Use Application Proposed Nightclub - 2151  
Albert Street

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**Recommendation**

That this communication be received and filed.

**Councillor Mike O'Donnell moved, seconded by Councillor Jerry Flegel, AND IT  
WAS RESOLVED that this communication be received and filed.**

CR13-73      Application for Discretionary Use (13-DU-04) Proposed Nightclub and  
Off-Site Caveated Parking Lot - 2151 Albert Street

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**Recommendation**

1. That the discretionary use application for a proposed nightclub located at 2151 Albert Street , being Lot 13, Block 404, Plan No. OLD 33 , OLD 33 Subdivision be APPROVED, subject to the applicant obtaining a Zoning Appeal for the distance requirements for Off-Site Caveated lots, 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-3.4 inclusive, prepared by Derek McDonald, Usonia Homes and dated April 4, 2013;
  - b. The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*; and
  - c. That there shall be a registrable agreement providing for the shared use of parking executed between the City, Lot 13, Block 404, Plan No. OLD 33 and Lot 12, Block 404, Plan No. OLD 33 and shall bind on the owner of Lot 13, Block 404, Plan No. OLD 33 and restrict the use of the Lot for the purpose of shared parking during proposed hours of operation between 8:00 pm and 2:00 am.
2. That the Discretionary Use application for an Off-Site Caveated Parking Lot, being Lot 21, Block 433, Plan No. 98RA28309 be APPROVED, subject to approval from the Development Appeals Board for relaxation of the maximum distance requirements to an Off-Site Caveated parking lot and the following condition:
  - a. The applicant/owner shall enter into an agreement with the City of Regina, in a form satisfactory to the City Solicitor, to provide the balance of required parking stalls not provided on site at an off-site location to meet the minimum parking requirements of *Regina Zoning Bylaw No. 9250*. This agreement will provide that the off-site parking serve the proposed development in perpetuity. The agreement shall be executed prior to issuance of

a building permit, and be registered on title in the City's interest at the applicant/owner's cost;

**Councillor Mike O'Donnell moved that the recommendations of the Regina Planning Commission contained in the report be concurred in.**

Mayor Michael Fougere stepped down to enter the debate

Councillor Wade Murray took the chair

Mayor Michael Fougere returned to the chair prior to the vote

**The main motion was put and declared CARRIED**

Committee Reports

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Finance and Administration Committee

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CR13-74      Property Purchase – 1675 Winnipeg Street

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**Recommendation**

1. That the proposed purchase of 1675 Winnipeg Street (Parcel C within the NW ¼ Section 20, Township 17, Range 19, W2M – ISC Parcel #111345500) (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 \$1,050,000 plus GST for the purchase of the property as outlined in this report with \$892,500 from the Servicing Agreement Fees (SAF) Roads Fund and \$157,500 from the General Fund Reserve.

**Councillor Wade Murray moved, AND IT WAS RESOLVED, that the recommendations of the Finance and Administration Committee contained in the report be concurred in.**



CP13-17 Independent Auditor's Report

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**Recommendation**

That this communication be received and filed.

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

CR13-75 2012 Annual Report

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**Recommendation**

1. That the 2012 Annual Report be approved.
2. That the Director of Financial Services be authorized to finalize the Annual Report, including the Financial Statements, with the auditor.

**Councillor Wade Murray moved, AND IT WAS RESOLVED, that the recommendations of the Finance and Administration Committee contained in the report be concurred in.**

CR13-76 2012 Results – General Operating Fund

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**Recommendation**

That this report be received and filed.

**Councillor Wade Murray moved, AND IT WAS RESOLVED, that the recommendations of the Finance and Administration Committee contained in the report be concurred in.**

Public Works Committee

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CR13-77 Car Share Parking Space

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**Recommendation**

That City Council authorize a single metered parking space on the ground level of the City Hall parkade to be reassigned to private parking for a Regina Car Share vehicle.

**Councillor Sharron Bryce moved, AND IT WAS RESOLVED, that the recommendations of the Public Works Committee contained in the report be concurred in.**

Bylaws and Related Reports

2013-36      The Local Improvements Amendment Bylaw, 2013 (CR13-3013/2012 LIP)

**Councillor Wade Murray moved, seconded by Councillor Shawn Fraser, AND IT WAS RESOLVED, that Bylaw No. 2013-36 be introduced and read a first time. Bylaws read a first time.**

**Councillor Wade Murray moved, seconded by Councillor Mike O'Donnell, AND IT WAS RESOLVED, that Bylaws No. 2013-36 be read a second time. Bylaws read a second time.**

**Councillor Wade Murray moved, seconded by Councillor Jerry Flegel that City Council hereby consents to Bylaw 2013-36 going to third reading at this meeting.**

**The motion was put and declared CARRIED UNANIMOUSLY.**

**Councillor Wade Murray moved, seconded by Councillor Terry Hincks, AND IT WAS RESOLVED, that Bylaw 2013-36 be read a third time. Bylaws read a third time.**

Adjournment

**Councillor Sharron Bryce moved, seconded by Councillor John Findura, AND IT WAS RESOLVED, that the meeting adjourn.**

**Meeting adjourned at 6:51 pm.**

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Mayor

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City Clerk