

AT REGINA, SASKATCHEWAN, WEDNESDAY, NOVEMBER 6, 2013

AT A MEETING OF CITY COUNCIL

AT 5:45 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 Wade Murray
Councillor Mike O'Donnell
Councillor Barbara Young

Regrets: Councillor Terry Hincks

Also in Attendance: City Clerk, Joni Swidnicki
City Solicitor, Byron Werry
Deputy City Clerk, Amber Smale
Acting Deputy City Manager, City Operations, Adam Homes
Deputy City Manager, Community Planning & Development, Jason Carlston
Acting Deputy City Manager, Corporate Services, Pat Gartner

The meeting opened with a prayer.

Confirmation of Agenda

Councillor Sharron Bryce moved, seconded by Councillor Wade Murray, AND IT WAS RESOLVED, that the agenda for this meeting be approved, as submitted.

Administration's Reports

CM13-14 Reconsideration of 2013 Boundary Alteration

Recommendation

That the requirement to give notice of motion from one meeting to the next in order to reconsider a previous motion be waived.

That the motions from report CR13-136 from September 9, 2013 be reconsidered as follows:

1. That the following resolutions concerning the alteration of municipal boundaries be adopted by City Council:

- a) “BE IT RESOLVED THAT, the east/ southeast lands identified as Area A in Appendix A, currently within the RM of Sherwood and described as follows, be annexed to the City of Regina:
- Portion of SW ¼ of Section 1 in Twp. 17, Rge. 19 W2M lying northwest of and excluding the rail line
 - Portion of NW ¼ of Section 1 in Twp. 17, Rge. 19 W2M lying west and northwest of and excluding the rail line
 - Portion of SE ¼ of Section 2 in Twp. 17, Rge. 19 W2M lying northwest of and excluding the rail line and including the road allowance to the south
 - SW ¼ of Section 2 in Twp. 17, Rge. 19 W2M including the road allowance to the south
 - Portion of NW ¼ of Section 2 in Twp. 17, Rge. 19 W2M
 - NE ¼ of Section 2 in Twp. 17, Rge. 19 W2M
 - All of Section 3 in Twp. 17, Rge. 19 W2M including the road allowance to the south
 - All of Section 4 in Twp. 17, Rge. 19 W2M including the road allowance to the south
 - Portion of SE ¼ of Section 9 in Twp. 17, Rge. 19 W2M
 - Portion of SW ¼ of Section 9 in Twp. 17, Rge. 19 W2M
 - Portion of SE ¼ of Section 11 in Twp. 17, Rge. 19 W2M
 - W ½ of Section 12 in Twp. 17, Rge. 19 W2M excluding the rail line
 - W ½ of Section 13 in Twp. 17, Rge. 19 W2M excluding the north-south running rail line
 - All of Section 23 in Twp. 17, Rge. 19 W2M including Tower Road and excluding the Highway 1 right-of-way
 - SW ¼ of Section 24 in Twp. 17, Rge. 19 W2M excluding the Highway 1 right-of-way
 - S ½ of Section 26 in Twp. 17, Rge. 19 W2M including Tower Road
 - Portion of NW ¼ of Section 26 in Twp. 17, Rge. 19 W2M lying south of and excluding the rail line
 - NE ¼ of Section 26 in Twp. 17, Rge. 19 W2M including Tower Road
 - Portion of SE ¼ of Section 35 in Twp. 17, Rge. 19 W2M lying south of and excluding the rail line and including Tower Road
- b) “BE IT RESOLVED THAT, the southwest lands identified as Area B in Appendix A, currently within the RM of Sherwood and described as follows, be annexed to the City of Regina:
- All of Section 3 in Twp. 17, Rge. 20 W2M including Courtney Street and excluding the Highway 1 right-of-way to the south
 - All of Section 10 in Twp. 17, Rge. 20 W2M including Courtney Street

- c) “BE IT RESOLVED THAT, the west/ northwest lands identified as Area C in Appendix A, currently within the RM of Sherwood and described as follows, be annexed to the City of Regina:
- All of Section 29 in Twp. 17, Rge. 20 W2M
 - All of Section 30 in Twp. 17, Rge. 20 W2M
 - All of Section 31 in Twp. 17, Rge. 20 W2M including the road allowances to the west and north
 - All of Section 32 in Twp. 17, Rge. 20 W2M including the road allowance to the north
 - All of Section 25 in Twp. 17, Rge. 21 W2M excluding the rail line to the north and including the road allowance to the west
 - E ½ of Section 5 in Twp. 18, Rge. 20 W2M
 - E ½ of Section 8 in Twp. 18, Rge. 20 W2M including Armour Road
 - All of Section 9 in Twp. 18, Rge. 20 W2M including Armour Road
 - Portion of SE ¼ of Section 16 in Twp. 18, Rge. 20 W2M
 - S ½ of Section 15 in Twp. 18, Rge. 20 W2M including the road allowance to the west
 - Portion of SW ¼ of Section 14 in Twp. 18, Rge. 20 W2M lying south of and excluding Highway 11
 - Portion of SE ¼ of Section 14 in Twp. 18, Rge. 20 W2M lying south of and excluding Highway 11
- 2) That subject to Ministerial approval of the applicable municipal boundary alterations in accordance with the provisions of Section 43.1(13) or Section 44 of *The Cities Act* amendments to the Regina Zoning Bylaw No. 9250 to rezone the annexed lands to UH-Urban Holding be ADVERTISED.
- 3) The Administration endeavor to conclude a tax loss compensation agreement with the RM of Sherwood (RM), and request the adoption of complementary resolutions in support of the City’s application for alteration of its municipal boundaries.
- 4) The City Solicitor in conjunction with the City Clerk do all things necessary to give effect to the resolutions in Recommendation #1 including preparing and submitting application to the Minister of Municipal Affairs or the Saskatchewan Municipal Board as per the provisions of Section 43.1 of *The Cities Act* pending conclusion of mediation with the RM of Sherwood to be completed at the end of October 2013.
- 5) That City Council approve the recommended tax mitigation principles and the recommended tax mitigation tools for impacted land owners, and direct Administration to communicate these to impacted land owners as outlined in the body of this report.

- 6) That City Council direct the Administration to develop an annexation implementation plan that includes bylaw amendments required to enable the continuation of specific land uses and operational practices in the long-term development areas.

(Note: The above motions need to be defeated in order to consider the following)

- 1) That the following resolutions concerning the alteration of municipal boundaries be adopted by City Council:
 - a) BE IT RESOLVED THAT, those lands described as follows and as depicted in the map attached hereto as Appendix A dated November 6, 2013, currently within the RM of Sherwood and described as follows, be annexed to the City of Regina:
 - i) all of those lands currently in the RM of Sherwood to the east of the City described as follows:
 - A) portion of the North West Quarter of Section 1 in Township 17, Range 19, West of the Second Meridian, lying to the northeast of and excluding Highway 33 (Arcola Avenue) and lying west and northwest of and excluding the rail line;
 - B) portion of the North East Quarter of Section 2 in Township 17, Range 19, West of the Second Meridian, lying to the northeast of and excluding Highway 33 (Arcola Avenue);
 - C) portion of the South East Quarter of Section 11 in Township 17, Range 19, West of the Second Meridian, lying to the northeast of and excluding Highway 33 (Arcola Avenue);
 - D) all of the West Half of Section 12 in Township 17, Range 19, West of the Second Meridian, excluding the north-south running rail line;
 - E) all of the West Half of Section 13 in Township 17, Range 19, West of the Second Meridian, excluding the north-south running rail line;
 - F) all of Section 23 in Township 17, Range 19, West of the Second Meridian, including Tower Road;
 - G) all of the South West Quarter of Section 24 in Township 17, Range 19, West of the Second Meridian, excluding the Highway 1 right-of-way and excluding the north-south running rail line;
 - H) all of the South Half of Section 26 in Township 17, Range 19, West of the Second Meridian, including Tower Road;

- I) portion of the North West Quarter of Section 26 in Township 17, Range 19, West of the Second Meridian, lying south of and excluding the rail line;
 - J) all of the North East Quarter of Section 26 in Township 17, Range 19, West of the Second Meridian, including Tower Road; and
 - K) portion of the South East Quarter of Section 35 in Township 17, Range 19, West of the Second Meridian, lying south of and excluding the rail line and including Tower Road; and
- ii) all of those lands currently in the RM of Sherwood to the southwest of the City described as follows:
- A) all of Section 3 in Township 17, Range 20, West of the Second Meridian, including Courtney Street and excluding the Highway 1 right-of-way to the south;
 - B) all of Section 10 in Township 17, Range 20, West of the Second Meridian, including Courtney Street; and
- iii) all of those lands currently in the RM of Sherwood to the west/northwest of the City described as follows:
- A) all of Section 29 in Township 17, Range 20, West of the Second Meridian;
 - B) all of Section 30 in Township 17, Range 20, West of the Second Meridian;
 - C) all of Section 31 in Township 17, Range 20, West of the Second Meridian, including the road allowances to the west and north;
 - D) all of Section 32 in Township 17, Range 20, West of the Second Meridian, including the road allowance to the north;
 - E) all of Section 25 in Township 17, Range 21, West of the Second Meridian, excluding the rail line to the north and including the road allowance to the west;
 - F) all of the East Half of Section 5 in Township 18, Range 20, West of the Second Meridian;
 - G) all of the East Half of Section 8 in Township 18, Range 20, West of the Second Meridian, including Armour Road;

- H) all of Section 9 in Township 18, Range 20, West of the Second Meridian, including Armour Road;
 - I) portion of the South East Quarter of Section 16 in Township 18, Range 20, West of the Second Meridian;
 - J) all of the South Half of Section 15 in Township 18, Range 20, West of the Second Meridian, including the road allowance to the west;
 - K) portion of the South West Quarter of Section 14 in Township 18, Range 20, West of the Second Meridian, lying south of and excluding Highway 11; and
 - L) portion of the South East Quarter of Section 14 in Township 18, Range 20, West of the Second Meridian, lying south of and excluding Highway 11.
- iv) In addition to the road allowances listed above the City of Regina will also assume jurisdiction and control of all registered road allowances within the annexation area.
- 2) That subject to Ministerial approval of the applicable municipal boundary alterations in accordance with the provisions of Section 43.1(13) or Section 44 of *The Cities Act* amendments to the Regina Zoning Bylaw No. 9250 to rezone the annexed lands to UH-Urban Holding be ADVERTISED.
 - 3) That the City pay a tax loss compensation to the RM of Sherwood as follows:
 - a) on or before January 1, 2014, the City shall pay to the RM of Sherwood an amount representing fifteen times the annual tax revenue generated from the 2013 Annexation Area based on the RM's 2013 assessment roll; and
 - b) the City agrees to assume and pay all obligations of the RM owed to Alliance Pulse Processors Inc. in relation to Tower Road to a maximum of \$700,000.00.
 - 4) That the Mayor and City Clerk be authorized to execute the Municipal Boundary Alteration Agreement between the City of Regina and the RM of Sherwood based on the terms noted within this report.
 - 5) The City Solicitor in conjunction with the City Clerk do all things necessary to give effect to the resolutions in Recommendation #1 including preparing and submitting application to the Minister of Municipal Affairs or the Saskatchewan Municipal Board as per the provisions of Section 43.1 of *The Cities Act*.

- 6) That City Council approve the recommended tax mitigation principles and the recommended tax mitigation tools for impacted land owners, and direct Administration to communicate these to impacted land owners as outlined in the body of this report.
- 7) The City Council direct the Administration to develop an annexation implementation plan that includes bylaw amendments required to enable the continuation of specific land uses and operation practices in the long-term development areas for consideration at the December 16, 2013 meeting of City Council.

Councillor Mike O'Donnell moved, seconded by Councillor Wade Murray that the requirement to give notice of motion from one meeting to the next in order to reconsider a previous motion be waived and that the recommendations from item CR13-136 on September 9, 2013 be reconsidered.

The motion was put and declared CARRIED UNANIMOUSLY.

Councillor Mike O'Donnell moved, seconded by Councillor Bob Hawkins that the recommendations from report CR13-136 from September 9, 2013 be concurred in.

The motion was put and declared DEFEATED.

Councillor Mike O'Donnell moved, seconded by Councillor Bob Hawkins, AND IT WAS RESOLVED:

- 1) **That the following resolutions concerning the alteration of municipal boundaries be adopted by City Council:**
 - a) **BE IT RESOLVED THAT, those lands described as follows and as depicted in the map attached hereto as Appendix A dated November 6, 2013, currently within the RM of Sherwood and described as follows, be annexed to the City of Regina:**
 - i) **all of those lands currently in the RM of Sherwood to the east of the City described as follows:**
 - A) **portion of the North West Quarter of Section 1 in Township 17, Range 19, West of the Second Meridian, lying to the northeast of and excluding Highway 33 (Arcola Avenue) and lying west and northwest of and excluding the rail line;**
 - B) **portion of the North East Quarter of Section 2 in Township 17, Range 19, West of the Second Meridian, lying to the northeast of and excluding Highway 33 (Arcola Avenue);**
 - C) **portion of the South East Quarter of Section 11 in Township 17, Range 19, West of the Second Meridian, lying to the northeast of and excluding Highway 33 (Arcola Avenue);**

- D) all of the West Half of Section 12 in Township 17, Range 19, West of the Second Meridian, excluding the north-south running rail line;**
 - E) all of the West Half of Section 13 in Township 17, Range 19, West of the Second Meridian, excluding the north-south running rail line;**
 - F) all of Section 23 in Township 17, Range 19, West of the Second Meridian, including Tower Road;**
 - G) all of the South West Quarter of Section 24 in Township 17, Range 19, West of the Second Meridian, excluding the Highway 1 right-of-way and excluding the north-south running rail line;**
 - H) all of the South Half of Section 26 in Township 17, Range 19, West of the Second Meridian, including Tower Road;**
 - I) portion of the North West Quarter of Section 26 in Township 17, Range 19, West of the Second Meridian, lying south of and excluding the rail line;**
 - J) all of the North East Quarter of Section 26 in Township 17, Range 19, West of the Second Meridian, including Tower Road; and**
 - K) portion of the South East Quarter of Section 35 in Township 17, Range 19, West of the Second Meridian, lying south of and excluding the rail line and including Tower Road; and**
- ii) all of those lands currently in the RM of Sherwood to the southwest of the City described as follows:**
- A) all of Section 3 in Township 17, Range 20, West of the Second Meridian, including Courtney Street and excluding the Highway 1 right-of-way to the south;**
 - B) all of Section 10 in Township 17, Range 20, West of the Second Meridian, including Courtney Street; and**
- iii) all of those lands currently in the RM of Sherwood to the west/northwest of the City described as follows:**
- A) all of Section 29 in Township 17, Range 20, West of the Second Meridian;**
 - B) all of Section 30 in Township 17, Range 20, West of the Second Meridian;**
 - C) all of Section 31 in Township 17, Range 20, West of the Second Meridian, including the road allowances to the west and north;**

- D) **all of Section 32 in Township 17, Range 20, West of the Second Meridian, including the road allowance to the north;**
 - E) **all of Section 25 in Township 17, Range 21, West of the Second Meridian, excluding the rail line to the north and including the road allowance to the west;**
 - F) **all of the East Half of Section 5 in Township 18, Range 20, West of the Second Meridian;**
 - G) **all of the East Half of Section 8 in Township 18, Range 20, West of the Second Meridian, including Armour Road;**
 - H) **all of Section 9 in Township 18, Range 20, West of the Second Meridian, including Armour Road;**
 - I) **portion of the South East Quarter of Section 16 in Township 18, Range 20, West of the Second Meridian;**
 - J) **all of the South Half of Section 15 in Township 18, Range 20, West of the Second Meridian, including the road allowance to the west;**
 - K) **portion of the South West Quarter of Section 14 in Township 18, Range 20, West of the Second Meridian, lying south of and excluding Highway 11; and**
 - L) **portion of the South East Quarter of Section 14 in Township 18, Range 20, West of the Second Meridian, lying south of and excluding Highway 11.**
- iv) **In addition to the road allowances listed above the City of Regina will also assume jurisdiction and control of all registered road allowances within the annexation area.**
- 2) **That subject to Ministerial approval of the applicable municipal boundary alterations in accordance with the provisions of Section 43.1(13) or Section 44 of *The Cities Act* amendments to the Regina Zoning Bylaw No. 9250 to rezone the annexed lands to UH-Urban Holding be ADVERTISED.**
 - 3) **That the City pay a tax loss compensation to the RM of Sherwood as follows:**
 - a) **on or before January 1, 2014, the City shall pay to the RM of Sherwood an amount representing fifteen times the annual tax revenue generated from the 2013 Annexation Area based on the RM's 2013 assessment roll; and**
 - b) **the City agrees to assume and pay all obligations of the RM owed to Alliance Pulse Processors Inc. in relation to Tower Road to a maximum of \$700,000.00.**
 - 4) **That the Mayor and City Clerk be authorized to execute the Municipal Boundary Alteration Agreement between the City of Regina and the RM of Sherwood based**

on the terms noted within this report.

- 5) **The City Solicitor in conjunction with the City Clerk do all things necessary to give effect to the resolutions in Recommendation #1 including preparing and submitting application to the Minister of Municipal Affairs or the Saskatchewan Municipal Board as per the provisions of Section 43.1 of *The Cities Act*.**
- 6) **That City Council approve the recommended tax mitigation principles and the recommended tax mitigation tools for impacted land owners, and direct Administration to communicate these to impacted land owners as outlined in the body of this report.**
- 7) **The City Council direct the Administration to develop an annexation implementation plan that includes bylaw amendments required to enable the continuation of specific land uses and operation practices in the long-term development areas for consideration at the December 16, 2013 meeting of City Council.**

Adjournment

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

Meeting adjourned at 6:15 pm.

Mayor

City Clerk