

AT REGINA, SASKATCHEWAN, TUESDAY, NOVEMBER 10, 2015

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 Mike O'Donnell, in the Chair
Councillor Jerry Flegel
Councillor Barbara Young
Phil Evans
Adrienne Hagen Lyster
Daryl Posehn
Laureen Snook
Phil Selenski
Kathleen Spatt

Regrets: Pam Dmytriw
Ron Okumura

Also in Attendance: Council Officer, Elaine Gohlke
Solicitor, Cheryl Willoughby
Executive Director, City Planning and Development, Diana Hawryluk
Director, Development Services, Louise Folk
A/Manager, Current Planning, Ben Mario
Manager, Development Engineering, Dustin McCall
Deputy City Clerk, Erna Hall
Historical Information and Preservation Supervisor, Dana Turgeon

(The meeting commenced in the absence of Phil Selenski.)

APPROVAL OF PUBLIC AGENDA

Councillor Young moved, AND IT WAS RESOLVED, that the agenda for this meeting be approved, as submitted, and that the delegations be heard in the order they are called by the Chairperson.

ADOPTION OF MINUTES

Daryl Posehn moved, AND IT WAS RESOLVED, that the minutes for the meeting held on October 7, 2015 be adopted, as circulated.

ADMINISTRATION REPORTS

RPC15-65 Application for Discretionary Use (15-DU-22) - Proposed Fast Food Outlet
2419 Park Street

Recommendation

1. That the discretionary use application for a proposed Fast Food Outlet located at 2419 Park Street, being Lot E, Block 17, Plan 59R16479 be APPROVED, 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 inclusive, prepared by LML Engineering Ltd and dated June 24, 2015; and
 - 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 November 23, 2015 meeting of City Council.

Councillor Flegel moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in.

RPC15-66 Application for Zoning Bylaw Amendment and Discretionary Use
(15-Z-16/ 15-DU-15) Proposed Medical Clinic and Retail Building
– 2055 Prince of Wales Drive

Recommendation

1. That the application to rezone Block/ Parcel T, Plan No. 00RA08920, Ext. 5, Spruce Meadows Subdivision located at 2055 Prince of Wales Drive from MAC3- Major Arterial Commercial Zone to MAC- Major Arterial Commercial Zone be APPROVED.
2. That the discretionary use application for a proposed Building F- Medical Clinic and Retail Building located at 2055 Prince of Wales Drive, being Plan No. 00RA08920, Spruce Meadows be APPROVED, 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-3.3 inclusive, prepared by Mallen Gowing Berzins Architecture and dated June 30, 2015; and
 - b) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.

3. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment; and
4. That this report be forwarded to the November 23, 2015, meeting of City Council for a decision on this application.

Garry Frawley, Carmen Lien and Jeff Booker, representing PC Urban Properties, addressed the Commission.

(Phil Selenski arrived during the presentation.)

Councillor Flegel moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in.

RPC15-67 Application for Discretionary Use (15-DU-23/ 15-Z-17) Proposed Licensed Restaurant with Outdoor Eating and Drinking, 3414 Hill Avenue

Recommendation

1. That Section 7C.2 Local Commercial Zone (LC1) be amended as follows:

Deleting clause (1) (a) in subsection 2.5 Additional Regulations Eating and Drinking Place and replacing it with the following clause:

(1) (a) At the discretion of City Council, no portion of an eating or drinking establishment shall be located outside of a building, except in compliance with the following review criteria:

- (i) The outdoor area shall animate the public realm (street edge);
- (ii) The outdoor area shall demonstrate sensitivity to existing residential development and areas zoned for future residential development;
- (iii) The approval of the discretionary outdoor eating and drinking uses can include conditions that address the following:
 - Appropriate scale for the available space;
 - Landscaping and screening; and
 - Compliance with relevant City bylaws and regulations as well as those of external agencies.

2. That the discretionary use application for a proposed Licensed Restaurant located at 3414 Hill Avenue, being a portion of Lot 20, Block 52, Plan No. 101161066 Ext 111, Lakeview Subdivision be APPROVED, and that a Development Permit be issued subject to the following conditions:

- a) The development of the interior of the building shall be consistent with the plan attached to this report as Appendix A-3.1;
 - b) The following additional conditions apply to the outdoor eating and drinking component of the licensed restaurant:
 - i. The outdoor eating and drinking area shall be limited to the sidewalk area at the front of the building and not be allowed on the deck attached to the rear of the building as shown on Appendix A-3.1;
 - ii. The applicant must obtain an Outdoor Restaurant permit from the City of Regina on an annual basis;
 - iii. The applicant must comply with relevant City bylaws and regulations and obtain all permission that may be required from external agencies.
 - c) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.
3. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw Amendment.
 4. That this report be forwarded to the November 23, 2015, City Council meeting, which will allow sufficient time for advertising of the required public notice for the respective bylaw.

The following addressed the Commission:

- Dean Gutheil;
- Terrence Pestyk;
- David Kapp; and
- Barry Wilkie, representing Hill Caffe.

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

(Adrienne Hagen Lyster left the meeting.)

The motion was put and declared CARRIED.

RPC15-68 Application for Road Closure (15-CL-18) - Road Right-of-Ways in Vicinity of Tower Road, Southeast Sector

Recommendation

1. That the application for the closure of portions of road right-of-ways corresponding to the attached *Tower Road Bypass Proposed Road Closure Plan (Tower Road Bypass)* prepared by M.M. Vanstone, dated

September 22, 2015, attached as Appendix A-3, and legally described as follows, be APPROVED:

- 1.) St/L 12-Plan AX2437 Ext 13
- 2.) St/L 18-Plan AX2437 Ext 19
- 3.) St/L 13-Plan AX2437 Ext 14
- 4.) St/L 45-Plan AX2437 Ext 46
- 5.) St/L 45-Plan AX2437 Ext 47
- 6.) St/L 20-Plan AX2437 Ext 21
- 7.) St/L 21-Plan AX2437 Ext 22
- 8.) St/L 28-Plan AX2437 Ext 29
- 9.) St/L 28-Plan AX2437 Ext 30

2. That the City Solicitor be directed to prepare the necessary bylaw; and
3. That this report be forwarded to the November 23, 2015, City Council meeting, which will allow sufficient time for advertising of the required public notice for the respective bylaw.

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

RPC15-69 Application for Road Closure (15-CL-15) Portion of 4th Avenue Adjacent to 1000 Broder Street

Recommendation

1. That the application for the closure and sale of a portion of 4th Avenue right-of-way as shown as the shaded area on the attached plan of proposed subdivision, prepared by Scott L. Colvin, dated June 29, 2015, and legally described as follows, be APPROVED:
 - a) All that portion of 4th Avenue, Reg'd Plan No. T4085, shown as the shaded area and further described as 0.68 metre wide area immediately north and adjacent to Lot 40, Block 5, Reg'd Plan No. T4085, shown on the attached Plan of Proposed Subdivision prepared by Scott L. Colvin, Saskatchewan Land Surveyor.
2. That the City Solicitor be directed to prepare the necessary bylaw; and
3. That this report be forwarded to the November 23, 2015, City Council meeting, which will allow sufficient time for advertising of the required public notice for the respective bylaw.

Phil Selenski moved, AND IT WAS RESOLVED, that this item be referred to the Administration to refer the applicant to the zoning appeal process for consideration, prior to coming back to Regina Planning Commission for the closure and subdivision.

RPC15-70 Application for Closure (15-CL-16) Laneway Connecting Wascana Estates
- Wascana View Subdivision

Recommendation

1. That the application for the closure of the lane as shown on the attached plan of proposed subdivision prepared by Scott L. Colvin S.L.S, dated June 22, 2015 and legally described Lane L1, Plan No. 101153382 and Lane L1, Plan No. 101627669, be APPROVED;
2. That the City Solicitor be directed to prepare the necessary bylaw; and
3. That this report be forwarded to the November 23, 2015, City Council meeting, which will allow sufficient time for advertising of the required public notice for the respective bylaw.

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

RPC15-64 Application for Discretionary Use (15-DU-17) Planned Group of
Townhouses Greens on Gardiner – 3301 Green Poppy Street

Recommendation

1. That the Discretionary Use Application for a proposed Planned Group of Townhouses located at the corner of Green Poppy Street and Green Brooks Way, being Block C, Plan 102196302, be APPROVED, 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, A-3.1a and A-3.3, prepared by Porchlight Developments and dated September 23, 2015; and
 - 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 November 23, 2015 meeting of City Council.

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

Phil Evans withdrew his motion of concurrence.

Phil Selenski moved, AND IT WAS RESOLVED, that this item be tabled for consideration after report #RPC15- 73, as the last item of business for this meeting.

CIVIC NAMING COMMITTEE REPORT

RPC15-71 Civic Naming Committee 2014 Annual Report

Recommendation

That this report be forwarded to City Council for information, in order to celebrate the achievements of honourees.

Phil Selenski moved that this report be forwarded to City Council for information.

(Councillor Flegel left the meeting.)

The motion was put and declared CARRIED.

MAYOR'S HOUSING COMMISSION REPORTS

The following reports RPC15-72 and RPC15-73 were submitted for consideration.

RPC15-72 Supplemental Report: Condominium Policy Bylaw 2012-14 Review and Policy Update

Recommendation

That this report be forwarded to the November 23, 2015 meeting of City Council for approval.

RPC15-73 Condominium Policy Bylaw 2012-14 Review and Policy Update

Recommendation

1. That *The City of Regina Condominium Policy Bylaw, 2012* (Bylaw No. 2012-14) be amended to:
 - a. Be consistent with the Provincial *Condominium Property Act, 1993* and *The Condominium Property Regulations, 2001*, both amended in 2014, by adding a definition for “Rate of Availability” to mean the impact of a conversion of a rental Property to condominiums based on the rental vacancy rate reported by Canada Mortgage and Housing Corporation (CMHC);
 - b. Add a definition of “Neighbourhood Vacancy Rate” to mean the most recent rental vacancy rate reported by CMHC at the Neighbourhood level;
 - c. Add a condition to Section 19 and Section 22 of the Bylaw that the impact of a condominium conversion for buildings of five units or

more must not reduce the Rate of Availability to less than three per cent based on the Neighbourhood Vacancy Rate;

- d. Be consistent with the Provincial *Condominium Property Act, 1993* and the *Condominium Property Regulations, 2001*, add a condition to Section 7, Section 8 and Section 18 that the impact of a condominium conversion must not reduce the Rate of Availability to less than 2.5 per cent for three and four unit properties, Vacant and Designated Heritage Properties based on the Census Metropolitan Area (CMA) or Citywide Vacancy Rate;
 - e. Strengthen the requirements of the Tenant Guarantee to provide a guarantee of a 24-month tenancy for tenants of a building approved for condominium conversion; and
 - f. Clarify and refine language in the Bylaw as housekeeping amendments.
2. That the Mayor's Housing Commission provide input on the proposed Bylaw amendments to the Regina Planning Commission for consideration at its meeting on October 7, 2015;
 3. That the City Solicitor be directed to prepare the necessary Bylaw to authorize the amendments, as described above; and
 4. That this report be forwarded to the October 26, 2015 City Council meeting in conjunction with recommendations from the Regina Planning Commission.

Jennifer Barrett, Senior City Planner, made a PowerPoint presentation related to both reports, a copy of which is on file in the office of the City Clerk.

With respect to RPC15-72, Phil Selenski moved, AND IT WAS RESOLVED, that this report be forwarded to City Council for information.

With respect to RPC15-73, Phil Selenski moved that the recommendation contained in the report be concurred in.

The motion was put and declared LOST.

Councillor Young moved, AND IT WAS RESOLVED, that Recommendation 2 be deleted and Recommendation 1. e. be amended to read:

1. e. **Revise the requirements of the Tenant Guarantee to provide a guarantee of a 12-month tenancy for tenants of a building approved for condominium conversion; and**

Kathleen Spatt moved, AND IT WAS RESOLVED, that Recommendation 4 be amended to read:

4. **That this report be forwarded to the November 23, 2015 City Council meeting together with the recommendation of the Mayor's Housing Commission.**

The main motion was put and declared CARRIED.

RPC15-64 Application for Discretionary Use (15-DU-17) Planned Group of
Townhouses Greens on Gardiner – 3301 Green Poppy Street

Recommendation

1. That the Discretionary Use Application for a proposed Planned Group of Townhouses located at the corner of Green Poppy Street and Green Brooks Way, being Block C, Plan 102196302, be APPROVED, 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, A-3.1a and A-3.3, prepared by Porchlight Developments and dated September 23, 2015; and
 - 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 November 23, 2015 meeting of City Council.

Phil Evans moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in and that the report forwarded to City Council be edited to include the following information:

- **Clarification on the configuration of the 64 townhouses with respect to how many residences are on the main floor and how many residences are on the upper level floors; and**
- **Clarity on the laneway width and dimensions of parking spaces that are adjacent to the laneway for the development.**

ADJOURNMENT

Phil Selenski moved, AND IT WAS RESOLVED, that the meeting adjourn.

The meeting adjourned at 7:24 p.m.

Chairperson

Secretary