



# **CITY COUNCIL**

**Monday, November 23, 2015  
5:30 PM**

**Henry Baker Hall, Main Floor, City Hall**



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**Agenda  
City Council  
Monday, November 23, 2015**

**CONFIRMATION OF AGENDA**

**MINUTES FROM THE MEETING HELD ON OCTOBER 26, 2015**

**DELEGATIONS, PUBLIC NOTICE BYLAWS AND RELATED REPORTS**

- DE15-91 Allison Kapp: Application for Discretionary Use (15-DU-23/15-Z-17)  
Proposed Licensed Restaurant with Outdoor Eating and Drinking, 3414 Hill Avenue
- DE15-92 David Kapp: Application for Discretionary Use (15-DU-23/15-Z-17)  
Proposed Licensed Restaurant with Outdoor Eating and Drinking, 3414 Hill Avenue
- DE15-93 Dean Gutheil: Application for Discretionary Use (15-DU-23/15-Z-17)  
Proposed Licensed Restaurant with Outdoor Eating and Drinking, 3414 Hill Avenue
- DE15-94 Jack Kambeitz: Application for Discretionary Use (15-DU-23/15-Z-17)  
Proposed Licensed Restaurant with Outdoor Eating and Drinking, 3414 Hill Avenue
- CR15-128 Regina Planning Commission: Application for Discretionary Use (15-DU-23/15-Z-17) Proposed Licensed Restaurant with Outdoor Eating and Drinking, 3414 Hill

**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:



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- (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.



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DE15-95 Chad Novak – Saskatchewan Taxpayers Advocacy Group: Application for Road Closure (15-CL-18) – Road Right-of-Way in Vicinity of Tower Road, Southeast Sector

CR15-129 Regina Planning Commission: Application for Road Closure (15-CL-18) – Road Right-of-Way 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.

DE15-96 Garry Fawley – Principal at PC Urban Properties Corp.: 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

CR15-130 Regina Planning Commission: 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:



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- 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.

CR15-131 Regina Planning Commission: 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.

2015-78 A BYLAW TO PROVIDE FOR THE CLOSURE OF LANEWAY  
CONNECTING WASCANA ESTATES

2015-79 THE REGINA ZONING AMENDMENT BYLAW, 2015 (No. 27)

2015-80 THE REGINA ZONING AMENDMENT BYLAW, 2015 (No. 28)

2015-81 A BYLAW TO PROVIDE FOR THE CLOSURE AND SALE OF  
PORTIONS OF ROAD RIGHT-OF-WAYS IN VICINITY OF TOWER  
ROAD, SOUTHEAST SECTOR

**ADMINISTRATION'S REPORTS**

CM15-12 Adoption of a Public Disclosure Statement Form

**Recommendation**

That Council approve the Public Disclosure Statement Form in Appendix A of this Report, to be adopted upon the coming into force of the amendments to section 116 of *The Cities Act* contained in Bill 186, *The Municipal Conflict of Interest Amendment Act, 2015*.



## COMMITTEE REPORTS

### COMMUNITY AND PROTECTIVE SERVICES COMMITTEE

CR15-132 Sinking Ship Entertainment Playground Donation

#### **Recommendation**

1. That City Council approve the receipt of Sinking Ship Entertainment's playground donation valued at approximately \$300,000.
2. That City Council authorize the Executive Director of City Services to negotiate and approve an agreement with Sinking Ship Entertainment on behalf of the City of Regina.
3. That City Council authorize the City Clerk to execute the agreement, after review by the City Solicitor.

### FINANCE AND ADMINISTRATION COMMITTEE

CR15-133 Three-Year Contract with Crown Enterprises Ltd. for Off-Site Records Storage

#### **Recommendation**

1. That City Council authorize the City Clerk or designate to negotiate and approve the terms of an agreement with Crown Enterprises Ltd. (CEL) for off-site storage services for corporate and archival records for the period of March 1, 2016 and ending February 28, 2019.
2. That the City Clerk be authorized to execute the agreement with CEL after review and approval by the City Solicitor.

CR15-134 Provincial Affordable Home Ownership Program (AHOP)

#### **Recommendation**

1. That the Executive Director of the City Planning and Development Division be authorized to enter into a revenue agreement with the Saskatchewan Housing Corporation on behalf of the City of Regina, so that the City of Regina may receive a final payment from the Saskatchewan Housing Corporation in the amount of \$253,291 for the City of Regina's enrollment in the Affordable Home Ownership Program.
2. That once the City Solicitor has reviewed the agreement, the City Clerk be authorized to sign on behalf of the City.



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**REGINA PLANNING COMMISSION**

CR15-135 Application for Discretionary Use (15-DU-17) Planned Group of Townhouses Greens on Gardiner – 3301 Green Poppy Street

**Recommendation**

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*.

CR15-136 Application for Discretionary Use (15-DU-22) – Proposed Fast Food Outlet 2419 Park Street

**Recommendation**

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*.

**INFORMATIONAL REPORTS**

IR15-21 Regina Planning Commission: Civic Naming Committee 2014 Annual Report

**Recommendation**

That this report be received and filed.



**BYLAWS AND RELATED REPORTS**

IR15-22 Regina Planning Commission: Supplemental Report: Condominium Policy Bylaw 2012-14 Review and Policy Update

**Recommendation**

That this report be received and filed.

CR15-137 Regina Planning Commission: 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. 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
  - f. Clarify and refine language in the Bylaw as housekeeping amendments.
2. That the City Solicitor be directed to prepare the necessary Bylaw to authorize the amendments, as described above.

2015-67 THE CITY OF REGINA CONDOMINIUM POLICY AMENDMENT BYLAW, 2015

**ADJOURNMENT**