

# Memo

## CITY OF MOOSE JAW Planning & Development Services

**DATE:** November 5, 2019

**TO:** City Council

**FROM:** Michelle Sanson  
Director of Planning and Development Services

**RE:** Minutes of Municipal Planning Commission, October 22, 2019 – 303  
Coteau Street West Rezoning Application

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At the October 22<sup>nd</sup>, 2019 Municipal Planning Commission meeting, the following motion was passed:

*"THAT the rezoning application of Parcels 86 and 87, Plan No. D4450 Ext. 27 & 28 from R1 – Large Lot Low Density Residential District to CZ – Contract Zoning District be tabled pending receipt of further documentation with regards to the Offer to Purchase."*

This motion was made after concern was raised regarding section 10.8.2(ii) of the Official Community Plan, which states: "no contract zone shall be designated on a part of a building or structure based on a leasehold interest of any person in the land on which the building or structure is situated".

Administration believes that this section was intended to prevent a contract zoning designation being applied to a part of a building. This is not an issue in this case because the rezoning would apply to the whole property.

It is unusual to request a confidential document like an offer to purchase to support a rezoning application. We never have guarantee that a sale between two third parties will be finalized. Arrangements between potential buyers and sellers have no bearing on the application, since zoning runs with the land.

All applications require a declaration that the applicant is acting as an authorized agent of the owner. That declaration was signed in this case and the ownership group is in support of the application.

Administration has recommended to the registered owner, Saskatchewan Conference of Mennonite Brethren Churches (Prairie Winds Church), that a representative be present at the November 12 Council meeting to address any questions.



Administration is recommending that the rezoning application proceed subject to Administration receiving a letter of written support from the registered owner.

**RECOMMENDATION:**

THAT City Administration be directed to proceed with the rezoning of Parcels 86 & 87, Plan No. D4450 Ext. 27 & 28 from R1 – Large Lot Low Density Residential District to CZ – Contract Zoning District, subject to City Administration receiving a letter of written support from the registered property owner.

Yours truly,

A handwritten signature in blue ink, appearing to read "MSanson", with a long horizontal flourish extending to the right.

Michelle Sanson, MCIP, RPP  
Director of Planning and Development Services

MS/eb