



# **CITY COUNCIL**

**Tuesday, October 15, 2013  
5:30 PM**

**Forum, Main Floor, City Hall**



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Office of the City Clerk

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**Agenda  
City Council  
Tuesday, October 15, 2013**

Open With Prayer

**Presentation**

Henry Baker Scholarships

**Confirmation of Agenda**

**Adoption of Minutes**

**Pubic Notice and Advertised Bylaws and Related Reports**

DE13-125      DE13-125 - Michael Harlos: Zoning Application Quance and Prince of Whales

CP13-27      CP13-27 - Ann Geres: Proposed Bylaw No. 2013-67

**Recommendation**

That this communication be received and filed.

CR13-140      CR13-140 - Regina Planning Commission: Application for Zoning Bylaw Amendment (13-Z-15) 3435 Quance Street (2013-67)

**Recommendation**

1. That the application to rezone Lot 34, Block 115, Plan No. 98RA28988 located at 3435 Quance Street from LC2 - Local Commercial Zone to MAC - Major Arterial Commercial, be APPROVED.
2. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.

CR13-141      CR13-141 - Regina Planning Commission: Application for Street Closure (13-CL-03) - Portion of Argan Drive Plan 88R42178 Abutting Lots 1 & 4, Block C Plan 88R42178 - Eastgate (2013-68)



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### **Recommendation**

1. That the application for the closure and sale of a portion of Argan Drive as shown on the attached plan of proposed subdivision prepared by P. Shrivastava, SLS, dated August 21, 2012 and legally described as follows, be APPROVED:

“that portion of Argan Drive abutting Lots 1 & 4 Block C Plan 88R42178”.

2. That the City Solicitor be directed to prepare the necessary bylaw; and

CR13-142      CR13-142 - Regina Planning Commission: Application for Contract Zoning (13-CZ-04) Proposed Special Care Home 310 E. 18th Avenue (2013-69)

### **Recommendation**

1. That the application to amend *Regina Zoning Bylaw No. 9250* to rezone 310 E. 18<sup>th</sup> Avenue, being Lot 18, Block 12, Plan No. FJ5368 from R6 - Residential Multiple Housing to C – Contract be APPROVED.
2. That further to recommendation 1, the proposed contract zone agreement shall include the following terms:
  - a. The number of residents permitted in the Special Care Home shall not exceed 20 residents;
  - b. That 4 parking stalls shall be developed pursuant to the requirements of *Regina Zoning Bylaw No. 9250*;
  - c. No parking shall be permitted in the rear Lane, with a sign to be erected as “No Parking,” so as to not restrict fire and emergency vehicle access;
  - d. The proposed parking stalls shall be designed to eliminate the need for backing and manoeuvring onto the street and shall be suitably paved with a hard surface material (Subpart 14B.3.8 and Subpart 14B.3.4) of *Regina Zoning bylaw No. 9250*;
  - e. Landscaping of the lot shall be developed according to the attached Landscape Plan and comply with the requirements of Chapter 15 of the *Zoning Bylaw*;
  - f. The development shall conform to the attached plans labelled Site Plan, Landscape Plan, A-1, A-2, A-3 prepared by Envision Drafting & Design Ltd., and dated May 2013, attached to this agreement as Appendix A-3.1 to A-3.5;
  - g. Signage on the subject property shall comply with the development standards for Special Zones pursuant to Table 16.1 of the *Zoning Bylaw*, if applicable;
  - h. No accessory structures (i.e., garage or shed) are permitted to be



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- constructed on-site;
- i. Any zoning related detail not specifically addressed in the contract zone agreement shall be subject to applicable provisions of the Zoning Bylaw; and
  - j. The agreement shall be registered in the City's interest at the applicant's cost pursuant to Section 69 of *The Planning and Development Act, 2007*;
1. That the City Solicitor be directed to prepare the necessary bylaws to authorize the respective Zoning Bylaw amendment.
  2. That the City Clerk be authorized to execute the Contract Zone Agreement between the City of Regina and the applicant/owner of the subject property following review by the City Solicitor.

CR13-143      CR13-143 - Public Works Committee: Proposed Uniform Assessment Rates - 2014 Local Improvement Program (2013-70)

**Recommendation**

1. That the following uniform assessment rates for the 2014 Local Improvement Program be approved:
2. That the City Solicitor be requested to prepare the required uniform rates bylaw for the 2014 uniform rates using the rates and information provided for in this report.

2013-67      2013-67 - The Regina Zoning Amendment Bylaw, 2013 (No. 30)

2013-68      2013-68 - A Bylaw to Provide for the Closure and Sale of a Portion of Argan Drive Abutting Lts 1 & 4, Block C, Plan 88R42178

2013-69      2013-69 - The Regina Zoning Amendment Bylaw, 2013 (No. 33)

2013-70      2013-70 - The 2014 Local Improvement Uniform Rates Bylaw, 2013

**Delegations and Related Reports**

DE13-126      DE13-126 - Steve Kuski: Rooming Houses

DE13-127      DE13-127 - Adam Knutson: Rooming Houses

DE13-128      DE13-128 - Lakkana Piewkhaow: Rooming Houses

DE13-129      DE13-129 - John Klein: Rooming Houses

DE13-130      DE13-130 - Jim Elliott: Rooming Houses

DE13-131      DE13-131 - Ian Zerr: Rooming Houses



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DE13-132 DE13-132 - Brian Black: Rooming Houses

CP13-28 CP13-28 - Nathan Magnus: Rooming Houses

### **Recommendation**

That this communication be received and filed.

CR13-144 CR13-144 - Executive Committee: Rooming Houses Update

### **Recommendation**

1. That the Administration be directed to prepare the necessary Zoning Bylaw Amendments for advertisement as per the public notice requirements in *The Planning and Development Act, 2007*, as listed below:
  - a. The removal of the “Rooming House” land use classification
  - b. The introduction of a definition for “Short-Term Accommodation”; and
  - c. The introduction of a “Residential Homestay” land use classification and the associated development standards
2. That the City Solicitor prepare the necessary bylaw for consideration by City Council at its November 25, 2013 meeting.
3. That Council adopt Strategy 15 of the Comprehensive Housing Strategy as detailed in Appendix 1 of this report.
4. That the Administration report back to Council in July 2014, with a status update on the implementation of new regulations.

## **Administration's Reports**

CM13-12 CM13-12 - Wastewater Treatment Plant Upgrade - Authority Reassignment

### **Recommendation**

1. That all authority provided to the Deputy City Manager of City Operations in City Council report CR13-26 be reassigned to the City Manager or his or her delegate;
2. That City Council authorizes the City Manager or his or her delegate to prepare, negotiate, review, amend and approve any additional documents, instruments, assurances and auxiliary closing documents as may be necessary to give full effect to the Project Agreement; and



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3. That City Council authorize the City Clerk to execute any such Additional Assurances.

### Committee Reports

#### Finance and Administration Committee

CR13-145 CR13-145 - Tax Enforcement - Application for Title - 2013 Liens

#### **Recommendation**

That the Manager of Property Taxation be authorized to serve six-month notices on all parcels of land included in the list of lands marked as Appendix A.

#### Public Works Committee

CR13-146 CR13-146 - Options for Removing Properties Exempt from the Clean Property Bylaw (WU07-29)

#### **Recommendation**

That this matter be referred to the 2014 budget process for further consideration.

#### Regina Planning Commission

CR13-147 CR13-147 - Application for Discretionary Use (13-DU-18) Proposed Planned Group of Dwellings (Apartments), Parcels R and S in Phase 5 Greens on Gardiner

#### **Recommendation**

1. That the discretionary use application for a proposed Planned Group of Dwellings located at the northeast corner of Chuka Boulevard and Arcola Avenue, being Parcels R and S, The Greens on Gardiner Phase V subdivision 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 Alton Tangedal Architects Ltd. and dated May 21, 2013; and
  - b) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.

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



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to their remote location and the current unavailability of direct public access

**CR13-148**      **CR13-148 - Application for Discretionary Use (13-DU-22) Proposed Warehousing of Hazardous Chemicals, 100 McDonald Street**

### **Recommendation**

1. That the discretionary use application for a proposed warehouse and distribution facility involving hazardous chemicals located at 100 McDonald Street, being Lot 1, Block 18, Plan No. 75R18889, Ross Industrial Park 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, prepared by Kreate Architecture and Design Ltd. and dated March 15, 2013 and Appendices A-3.2 to A-3.4 prepared by Hasegawa Consulting Professional Engineers and dated August 26, 2013; and
  - b) Prior to the issuance of a Building Permit, the applicant shall submit the following for review by the Fire and Protective Services Department, Development Engineering Department and/or any federal and provincial agencies having jurisdiction:
    1. a comprehensive fire safety plan and a spill mitigation plan;
    2. information showing storage layout, access aisles and storage heights; and
    3. Information indicating compliance with Parts 3 and 4 of the National Fire Code of Canada.
  - c) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.

**CR13-149**      **CR13-149 - Application for Discretionary Use (13-DU-20) Proposed - Planned Townhouse Dwelling Units, 3800 Arcola Avenue**

### **Recommendation**

1. That the discretionary use application for a proposed Planned Group of Dwellings located at 3800 Arcola Avenue, being Block 3, Plan No. 102102983 located in the Creeks Subdivision 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-3.4 inclusive, prepared by North Ridge Development Corporation and dated June 6, 2013;



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and

- b) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*

### **Motions**

MN13-5      MN13-5 - Neighbourhood Infrastructure Improvement Program

#### **Recommendation**

1. That the Administration report on the possibilities for developing and implementing a long-term, city-wide program for the improvement and rebuilding of neighbourhood streets, such program to be implemented in a systematic manner giving priority to areas of greatest need.
2. That the said report consider how such a program might be resourced and implemented over a reasonable time period beginning in the first quarter of 2014.

### **Communications/Petitions and Related Reports**

CP13-29      CP13-29 - RROC Appointment Communication

#### **Recommendation**

That Mr. John Lee be appointed as the representative of the Regina Regional Opportunities Commission.

CP13-30      CP13-30 - Wastewater Treatment Plant Referendum - September 25, 2013

#### **Recommendation**

That this report be received and filed.

### **Adjournment**

AT REGINA, SASKATCHEWAN, MONDAY, SEPTEMBER 9, 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 Shawn Fraser  
Councillor Bob Hawkins  
Councillor Terry Hincks  
Councillor Wade Murray  
Councillor Mike O'Donnell  
Councillor Barbara Young

Regrets: Councillor Jerry Flegel

Also in Attendance: City Clerk, Joni Swidnicki  
Acting City Manager, Jason Carlston  
City Solicitor, Byron Werry  
Deputy City Clerk, Amber Smale  
Acting Deputy City Manager, City Operations, Neil Vandendorp  
Deputy City Manager, Corporate Services, Brent Sjoborg  
Manager, Infrastructure Planning, Geoff Brown

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; and that the delegations listed on the agenda be heard when called forward by the Mayor.**

Adoption of Minutes

**Councillor Barbara Young moved, seconded by Councillor Bob Hawkins, AND IT WAS RESOLVED, that the minutes for the meeting held on August 26, 2013 be adopted, as circulated.**

Delegations, Advertised Bylaws and Related Reports

DE13-122      Stu Niebergall: SAF Rate Increase Before City Council Sept 9, 2013

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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 CR13-128, a report from the Public Works Committee respecting the same subject.**

CR13-128      Public Works Committee: 2014 Servicing Agreement Fee Rates & Development Levy Bylaw (2013-59)

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**Recommendation**

1. That the 2013 Servicing Agreement Fee (SAF) Rate of \$264,273 per hectare (ha) be approved to come into effect January 1, 2014.
2. That the 2013 Development Levy Bylaw Rate of \$264,273 per hectare (ha) be approved to come into effect January 1, 2014.
3. That the City Solicitor be instructed to prepare the necessary amendments to Bylaw 2011-16 *The Development Levy Bylaw, 2011* to include the new development levy rate.

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

**Mayor Michael Fougere stepped down to enter the debate.  
Councillor Bryon Burnett took the chair.**

**Mayor Michael Fougere returned to the chair prior to the vote.**

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

DE13-123      Ginna Sapozhnik: Rezoning of Parcel A at 1506 Pasqua Street and Discretionary Use Application for offsite parking at 4201, 4215, and 4217 Dewdney Ave

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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 CR13-129, a report from the**

**Regina Planning Commission respecting the same subject.**

CP13-23	Joseph Lewis: Bylaw No. 2013-62 - Proposed Zoning Bylaw Amendment - 12-Z-13
CP13-24	Dr. Rajnikant Patel: Bylaw No. 2013-61
CP13-25	Granite Properties: Proposed Zoning By-Law Amendment Application - Bylaw #2013-61 - Pasqua Street

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**Recommendation**

This report be received and filed.

**Councillor Shawn Fraser moved, seconded by Councillor Sharron Bryce, AND IT WAS RESOLVED, that items CP13-23, CP13-24 and CP13-25 be received and filed.**

CR13-129	Regina Planning Commission: Applications for Zoning Bylaw Amendment (13-Z-13) and Discretionary Use (13-DU-17) Proposed Height Overlay and Off-Site Caveated Parking Lot 1506 Pasqua Street and 4201, 4215, 4217 Dewdney Avenue (2013-61)
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**Recommendation**

1. That the application to rezone Parcel A, Plan No. 102012613 located at 1506 Pasqua Street from MAC - Major Arterial Commercial to MAC.H22, be APPROVED.
2. That the Discretionary Use application for an Off-Site Caveated Parking Lot located at 4201, 4215 and 4217 Dewdney Avenue, being Lots 12, 13, 15, 15, 16, Block 3, Plan No. FB2842 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-3.5 inclusive, prepared by Raymond S.C. Wan Architect, Inc. and dated April 2013; 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.

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

CR13-130 Regina Planning Commission: Application for Zoning Bylaw Amendment (13-Z-14) 1900 and 1920 McAra Street (2013-65)

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**Recommendation**

1. That the application to rezone part of Lot 3A, Block 84 located at 1900 and 1920 McAra Street from UH (Urban Holding) to IT (Industrial Tuxedo), be APPROVED.
2. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.

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

CR13-131 Regina Planning Commission: Application for Zoning Bylaw Amendment and Discretionary Use (12-Z-16, 12-DU-22) Proposed Townhouse - 1175 Pasqua Street (2013-55)

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**Recommendation**

1. That the application to rezone Lot 7, Block B, Plan FD5230 Ext 0 located at 1175 Pasqua street from I-Institutional to R4A-Residential Infill Housing, be APPROVED.
2. That the discretionary use application for a proposed Townhouse located at 1175 Pasqua Street , being Lot 7, Block B, Plan FD5230 Ext 0, Old 33 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-3.2 inclusive, prepared by Artisan Design Build Ltd. and dated April 2010 and July 20, 2013; 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.

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

CR13-132 Regina Planning Commission: Application for Zoning Bylaw Amendment (13-Z-16) - Rezoning R1 to DCD-5 - 3700 Queens Gate / 3619 Pasqua Street; and Official Community Plan Amendment -Secondary Plan for Lakeview/Albert Park (2013-62 and 2013-63)

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**Recommendation**

1. That the application to rezone part of Subdivision Plan No. 96R63551, from R1 to DCD-5, located at 3700 Queens Gate, to be consolidated with Parcel L, Plan No. 101897916, located at 3619 Pasqua Street, forming new lot L1, be APPROVED
2. That the application to redesignate part of Subdivision Plan No. 96R63551 within the Lakeview / Albert Park Secondary Plan, located at 3700 Queens Gate as shown on the attached plan of proposed subdivision (See Attachment 2.1), from b-Residential to a-Office / Institutional, be APPROVED.
3. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.

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

CR13-133 Regina Planning Commission: Proposed Amendments to Regina Zoning Bylaw No. 9250

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**Recommendation**

1. That the proposed housekeeping amendments to *Regina Zoning Bylaw No. 9250* be APPROVED.
2. That the City Solicitor be directed to prepare the necessary bylaw to authorize the housekeeping amendments.

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

2013-55 The Regina Zoning Amendment Bylaw, 2013 (No. 24)

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2013-59 The Development Levy Amendment Bylaw, 2013

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2013-61 The Regina Zoning Amendment Bylaw, 2013 (No. 28)

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2013-62 The Regina Zoning Amendment Bylaw, 2013 (No. 29)

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2013-63 The Regina Development Plan Amendment Bylaw, 2013 (No. 3)

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2013-64      The Regina Zoning Amendment Bylaw, 2013 (No. 31)

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2013-65      The Regina Zoning Amendment Bylaw, 2013 (No. 32)

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**Councillor Bryon Burnett moved, seconded by Councillor Barbara Young, AND IT WAS RESOLVED, that Bylaws No. 2013-55, 2013-59, 2013-61, 2013-62, 2013-63, 2013-64 and 2013-65 be introduced and read a first time. Bylaws read a first time.**

**No letters of objection were received pursuant to the advertising with respect to Bylaws No. 2013-55, 2013-59, 2013-61, 2013-62, 2013-63, 2013-64 and 2013-65.**

**Prior to second reading, the Clerk called for anyone present who wished to address City Council respecting Bylaws No. 2013-55, 2013-59, 2013-61, 2013-62, 2013-63, 2013-64 and 2013-65 to indicate their desire. No one indicated a desire to address Council.**

**Councillor Bryon Burnett moved, seconded by Councillor Sharron Bryce, AND IT WAS RESOLVED, that Bylaws No. 2013-55, 2013-59, 2013-61, 2013-62, 2013-63, 2013-64 and 2013-65 be read a second time. Bylaws read a second time.**

**Councillor Bryon Burnett moved, seconded by Councillor Wade Murray that City Council hereby consents to Bylaws 2013-55, 2013-59, 2013-61, 2013-62, 2013-63, 2013-64, and 2013-65 going to third reading at this meeting.**

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

**Councillor Bryon Burnett moved, seconded by Councillor Terry Hincks, AND IT WAS RESOLVED, that Bylaws 2013-55, 2013-59, 2013-61, 2013-62, 2013-63, 2013-64, and 2013-65 be read a third time. Bylaws read a third time.**

Delegation, Tabled and Related Reports

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DE13-124      Ned Kosteniuk: Official Community Plan

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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 CR13-112, a report from the Executive Committee respecting the same subject.**

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CR13-134      Supplementary Report – Harbour Landing West

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**Recommendation**

1. That the Administration be instructed to conduct planning, financial and engineering analyses to determine the 300,000-plus population growth plan of all lands resulting from the annexation process, in consultation with the development community.

2. That a report recommending the 300,000-plus population growth plan be submitted for the consideration of Council prior to the end of 2015 and the Official Community Plan (OCP) be amended accordingly.
3. That \$250,000 in Servicing Agreement Fee funding be approved for the 2014 budget for the completion the 300,000-plus population growth plan.

**Councillor Mike O'Donnell moved, seconded by Councillor Wade Murray that the recommendations of the Administration contained in the report be concurred in.**

**Mayor Michael Fougere stepped down to enter the debate.  
Councillor Bryon Burnett took the chair.**

**Mayor Michael Fougere returned to the chair prior to the vote.**

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

CR13-135      Supplementary Report - Alterations to the Proposed OCP

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**Recommendation**

1. That recommendations #1, 3 and 5 from report CR13-112 to seek Council's adoption of the OCP be further tabled to the October 15, 2013 meeting of City Council to enable the alterations (that include clarifying policy to align the OCP with the *Statements of Provincial Interest* and refine the Concept Plan definition to be consistent with *The Planning and Development Act*) to be brought forward as part of the process to adopt the proposed OCP; and
2. That the required four-week public notice process proceed to advance the alterations to be considered as part of the process for adopting the proposed official community plan (OCP).

**Councillor Mike O'Donnell moved, seconded by Councillor Bob Hawkins, AND IT WAS RESOLVED, that the recommendations of the Administration contained in the report be concurred in after amending recommendation #1 to return the report to the November 4, 2013 meeting of City Council.**

CR13-112      Proposed Official Community Plan (OCP) (Tabled August 20, 2013)

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**Recommendation**

1. That a new official community plan, known as "Design Regina" and attached as Appendix A to this report be adopted pursuant to Part IV of *The Planning and Development Act, 2007*.
2. That the Administration be directed to return to Council with a phasing and financing plan for the Growth Plan by December 2013.

3. That the Administration be directed to return to Council with recommendations on the Office Policies in Q1 of 2014.

**Councillor Mike O'Donnell moved, AND IT WAS RESOLVED, that this report be tabled to the November 4, 2013 meeting of City Council.**

Councillor's Report

MR13-2      Councillor Mike O'Donnell: Federation of Canadian Municipalities' (FCM) Board of Directors Meeting – September 4 – 7, 2013

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

Administration's Reports

CR13-136      2013 Boundary Alteration

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**Recommendation**

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  $\frac{1}{4}$  of Section 24 in Twp. 17, Rge. 19 W2M excluding the Highway 1 right-of-way
  - S  $\frac{1}{2}$  of Section 26 in Twp. 17, Rge. 19 W2M including Tower Road
  - Portion of NW  $\frac{1}{4}$  of Section 26 in Twp. 17, Rge. 19 W2M lying south of and excluding the rail line
  - NE  $\frac{1}{4}$  of Section 26 in Twp. 17, Rge. 19 W2M including Tower Road
  - Portion of SE  $\frac{1}{4}$  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  $\frac{1}{2}$  of Section 5 in Twp. 18, Rge. 20 W2M
  - E  $\frac{1}{2}$  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  $\frac{1}{4}$  of Section 16 in Twp. 18, Rge. 20 W2M
  - S  $\frac{1}{2}$  of Section 15 in Twp. 18, Rge. 20 W2M including the road allowance to the west
  - Portion of SW  $\frac{1}{4}$  of Section 14 in Twp. 18, Rge. 20 W2M lying south of and excluding Highway 11
  - Portion of SE  $\frac{1}{4}$  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.

**Councillor Mike O'Donnell moved, seconded by Councillor Terry Hincks that the recommendations of the Administration contained in the report be concurred in.**

**Mayor Michael Fougere stepped down to enter the debate.  
Councillor Bryon Burnett took the chair.**

**Councillor Terry Hincks left the meeting prior to the vote.**

**Mayor Michael Fougere returned to the chair prior to the vote.**

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

CR13-137      City of Regina and R.M. of Sherwood Memorandum of Understanding

---

**Recommendation**

That the Mayor and City Clerk be authorized to execute the Memorandum of Understanding between the City of Regina and the R.M. of Sherwood as attached in Appendix A.

**Councillor Mike O'Donnell moved, seconded by Councillor Sharron Bryce, AND IT**

**WAS RESOLVED, that the recommendations of the Administration contained in the report be concurred in.**

Committee Reports

Finance and Administration Committee

---

CR13-138      Reserve Balances in Comparison to Minimum and Maximum Target Balances

---

**Recommendation**

That a transfer be made from the Community Investment Reserve to the General Fund Reserve, in the amount of \$258,671; composed of \$221,266 and \$37,405 from the Executive Committee and Finance & Administration Committee respectively.

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

Informational Reports

---

IR13-8      Youth Advisory Committee: 2013 Youth Advisory Committee Forum

---

**Recommendation**

This report be received and filed.

**Councillor Sharron Bryce moved, AND IT WAS RESOLVED, that this report be received and filed.**

Bylaws and Related Reports

---

CR13-139      2014 Alley Maintenance Strategy and Special Tax Levy Funding Options (2013-58)

---

**Recommendation**

1. That the City Solicitor be instructed to prepare the appropriate bylaw for alley maintenance for 2014, which includes the following levies, proposed revenues, and estimated costs:

Paved Alleys	<b>\$3.90</b> per assessable foot
Gravel Alleys	<b>\$2.57</b> per assessable foot

The proposed revenues and estimated costs for maintenance of alleys in 2014 are:	
Paved Alleys	\$3,113,900
Gravel Alleys	<u>\$1,575,250</u>
<b>TOTAL</b>	<b>\$4,689,150</b>

2. That the administration conducts a review of the Alley Maintenance Special Tax Bylaw and provides a report with recommendations to the Public Works Committee in the second Quarter of 2014.

**Councillor Bryon Burnett moved, AND IT WAS RESOLVED, that the recommendations of the Executive Committee contained in the report be concurred in.**

---

2013-58      The 2014 Alley Maintenance Special Tax Bylaw, 2013

---

2013-60      The Regina Zoning Amendment Bylaw, 2013 (No. 27)

---

**Councillor Bryon Burnett moved, seconded by Councillor Mike O'Donnell, AND IT WAS RESOLVED, that Bylaws No. 2013-58, and 2013-60 be introduced and read a first time. Bylaws read a first time.**

**Councillor Bryon Burnett moved, seconded by Councillor John Findura, AND IT WAS RESOLVED, that Bylaws No. 2013-58, and 2013-60 be read a second time. Bylaws read a second time.**

**Councillor Bryon Burnett moved, seconded by Councillor Bob Hawkins that City Council hereby consents to Bylaws 2013-58 and 2013-60 going to third reading at this meeting.**

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

**Councillor Bryon Burnett moved, seconded by Councillor Barbara Young, AND IT WAS RESOLVED, that Bylaws 2013-58, and 2013-60 be read a third time. Bylaws read a third time.**

---

2013-44      The Properties Exempt From Taxation Amendment Bylaw, 2013 (Third Reading Only)

---

**Mayor Michael Fougere and Councillor Bryon Burnett declared a conflict of interest on Bylaw 2013-44 and left the meeting.**

**Councillor Wade Murray moved, seconded by Councillor Shawn Fraser, AND IT WAS RESOLVED, that Bylaw No. 2013-44 be read a third time. Bylaw read a third time.**

**Mayor Michael Fougere and Councillor Bryon Burnett returned to the meeting.**

Communications/Petitions and Related Reports

---

CP13-26      Regina's Warehouse Business Improvement District: Appointment to the Community Leaders' Advisory Committee

---

**Recommendation**

That Ms. Lovella Jones be appointed to the Community Leaders' Advisory

Committee as the representative of Regina's Warehouse Business  
Improvement District.

**Councillor Wade Murray moved, seconded by Councillor Barbara Young, AND IT  
WAS RESOLVED, that the recommendation of the City Clerk be concurred in.**

Adjournment

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

**The meeting adjourned at 6:50 pm.**

---

Mayor

---

City Clerk

**Zoning Application Quance and Price of Whales**

Good evening members of council, thank you for allowing me to speak to you today. I am here requesting the amendment for 3425 Quance Street from its current zoning of LC2 to MAC. We are requesting this change on behalf of one of our tenants: FATBURGER. It is their hope to allow for a small outdoor patio (23 square meters) and the only option is to amend current zoning use to Mac zoning.

As a note a question was raised in our planning council meeting as to why this wasn't brought forth at our earlier meeting when we applied for discretionary use to allow for another bay. Unfortunately with the way the meetings fell there was not the necessary 14 days to allow public notice before the earlier council meeting and our tenants required confirmation of acceptance of their location by the end of August which meant the only possibility was to make application on the two separate months.

Our planning committee has strived to mitigate concerns around noise. As a result, we have positioned the patio as close to the front of the building as possible in order to create the maximum distance from residential properties. The patio will also be surrounded by glass and enclosed which will also limit sound transfer. In addition, we have planted trees to further reduce noise. It is also important to note that typical Fat Burger hours of Operation are from 11am to between 8:00 and 9:00pm with limited patio use during our wonderful winter months. The existing barrier between our development and the residential properties will work to further reduce noise.

Concerns were raised about the future uses of this development if MAC zoning is granted (in the event that it was sold and another developer had a different intent). The site is occupied by RBC, which has an optional 30-year lease in place. This lease contains many limitations and restrictions on the development with a strong focus on a positive contribution to the neighborhood. Specifically, they restrict any business whose principal operation is the sale of fireworks, an auction, thrift store, liquidation, flea market, pawn shop, an adult entertainment facility, or an adult bookstore, video store or other adult facility principally selling adult paraphernalia. It also restricts uses such as a massage parlour; a skating or roller rink or any establishment whose principal business is a bar, pool or billiards or a smoking establishment or any business whose principal business is as a bingo parlour, off-track betting or similar game of chance. We believe these restrictive covenants will protect the integrity of the development and allow it to remain in the spirit of the original zoning.

Thank you for considering this zoning proposal.

Michael Harlos  
Wheatland Developments

CP13-27

2231 Calla Bay

REGINA, SK

Oct. 7/13

City Clerk  
City Hall.

Re: Proposed Bylaw No 2013-67

Dear Sir/Madame:

I am writing in regards to proposed rezoning of the property at 3435 Quance St. from LC - low commercial to MAC - major arterial to accommodate an outdoor patio for a licensed restaurant.

Already constructed on this property are 5 businesses in an area more residential than commercial. Little regard has been given to the people living in the area as only 3 households were notified in writing of the plan for the property. There was a sign posted regarding change in zoning, but it was attached backwards to a STOP sign, behind a fence, possibly because work was nearly completed when the sign finally went up. It seemed a waste of time at this point to contact the city as comments from the public were not deemed to be actually wanted.

The lot has only 60 parking spots, with no parking on Quance St. or Prince of Wales Dr., and limited parking on Iregawa Drive. I am already concerned about increased traffic and the businesses have not even opened yet.

Now we are being told we must put up with extra

noise that will come from an outdoor patio.

I am also hoping someone in the planning department will be proactive with parking in the area. The north side of Iregawa Drive should be made "no parking" from Quance St. to Hestline. Besides traffic from the businesses at 3435 Quance, multi-family units are being built in the area.

Hopefully my concerns regarding traffic and noise can be considered before allowing an outdoor patio at the licensed restaurant.

yours truly,

Ann Geres

(306-761-0197)

October 15, 2013

To: His Worship the Mayor  
and Members of City Council

Re: Application for Zoning Bylaw Amendment (13-Z-15) 3435 Quance Street

---

**RECOMMENDATION OF THE REGINA PLANNING COMMISSION  
- SEPTEMBER 11, 2013**

1. That the application to rezone Lot 34, Block 115, Plan No. 98RA28988 located at 3435 Quance Street from LC2 - Local Commercial Zone to MAC - Major Arterial Commercial, be APPROVED.
2. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.

*REGINA PLANNING COMMISSION – SEPTEMBER 11, 2013*

The following addressed the Commission:

- Lauren Miller, City Planner, made a PowerPoint presentation, a copy of which is on file in the City Clerk's Office; and
- Michael Harlos, representing 101216524 Saskatchewan Ltd.

The Commission adopted a resolution to concur in the recommendation contained in the report. Recommendation #3 does not require City Council approval.

Councillors: Shawn Fraser and Mike O'Donnell; Commissioners: David Edwards, Phil Evans, Ron Okumura, Daryl Posehn, Phil Selenski, Laureen Snook and Sherry Wolf were present during consideration of this report by the Regina Planning Commission.

The Regina Planning Commission, at its meeting held on September 11, 2013, considered the following report from the Administration:

**RECOMMENDATION**

1. That the application to rezone Lot 34, Block 115, Plan No. 98RA28988 located at 3435 Quance Street from LC2 - Local Commercial Zone to MAC - Major Arterial Commercial, be APPROVED.
2. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.

3. That this report be forwarded to the October 15, 2013 City Council meeting, which will allow sufficient time for advertising of the required public notices for the respective bylaws.

## CONCLUSION

The applicant proposes to rezone to accommodate:

- Portions of an eating or drinking establishment outside

The subject property is:

- Located within Spruce Meadows Subdivision
- Currently zoned LC2 - Local Commercial Zone

Public Comments:

- Excessive noise from outdoor patio

## BACKGROUND

A Zoning Bylaw amendment application has been submitted concerning the property at 3435 Quance Street.

This application is being considered pursuant to *Regina Zoning Bylaw No. 9250*, *Regina Development Plan Bylaw No. 7877 (Official Community Plan -OCP)*, and *The Planning and Development Act, 2007*.

## DISCUSSION

### Zoning and Land Use Details

The applicant has received discretionary use approval for a Shopping Centre on the subject property that will include retail, bank, restaurant and licensed restaurant establishments. The applicant is proposing to rezone the subject property from LC2 - Local Commercial Zone to MAC - Major Arterial Commercial. The LC2 zone does not allow for any portion of an eating or drinking establishment to be located outside of the building. Accordingly, none of the restaurant establishments on this site could have an outdoor open air patio due to this regulation.

Most surrounding commercial activities are zoned either MAC or MAC3, which does not have this type of regulation and has allowed surrounding restaurant establishments to have open air patios. Surrounding land uses include low-density residential to the south, medium-density residential to the west and a mix of big-box commercial to the north and east.

The OCP stipulates that neighbourhood commercial facilities be located on major arterial or collector streets and that the development standards for these zones work to minimize the negative impacts of commercial development on residential neighbourhoods. The OCP goes on to specify that seating restrictions be placed on licensed eating establishments in these zones to ensure the concept of neighbourhood restaurants is enhanced. In accord with this, the intent of the LC2 zone is to allow moderate intensity commercial and personal service uses in new neighbourhoods that were previously zoned UH-Urban Holding prior to January 16, 1984.

The LC2 zone is restricted to minor arterial and collector roads and prohibits licensed uses from exceeding a seating capacity of 100. All licensed uses are discretionary in this zone. All of the LC2 zones in the City are located within East Regina (See Appendix A-3.1).

The MAC zone is the most permissive commercial zone with regard to permitted uses. The zone was designed for the development of retail, service and office businesses which require locations with good visibility and accessibility along major arterial roadways. The MAC and MAC3 zones are somewhat unique in that these zones specifically speak to which roadways, or portions thereof the zone can be applied to.

The proposed development is consistent with the purpose and intent of the MAC zone with respect to:

- Applying this zone to specific arterial roadways or portions thereof; Quance Street being one of the specified roadways
- Encouraging the grouping of small scale establishments in multi-tenant and mixed-use settings

## RECOMMENDATION IMPLICATIONS

### Financial Implications

The subject area currently receives a full range of municipal services, including water, sewer and storm drainage. The applicant will be responsible for the cost of any additional or changes to existing infrastructure that may be required to directly or indirectly support the development, in accordance with City standards and applicable legal requirements.

### Environmental Implications

None with respect to this report.

### Policy/Strategic Implications

The proposal is consistent with the policies contained within Part A: Policy Plan of *Regina Development Plan, Bylaw No. 7877 (Official Community Plan)* with respect to:

- 5.4 (i) – That shopping and recreational uses in neighbourhoods should be located to maximize the number of residents who live within walking distance.

The proposal is also consistent with the policies contained in Part D – Southeast Sector Plan, of the OCP with respect to:

- 5.4 (b) – Commercial development proposals located within the commercial/residential interface areas shown in Map 5.1 (See Appendix A-3.4) shall provide for sensitive integration of commercial land uses adjacent to existing and proposed commercial-residential interface areas.

### Other Implications

None with respect to this report.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

Public notification signage posted on:	June 28, 2013
Will be published in the Leader Post on:	September 21, 2013 September 28, 2013
Letter sent to immediate property owners	July 3, 2013
Public Open House Held	N/A
Number of Public Comments Sheets Received	6

A more detailed accounting of the respondents' concerns and the Administration's response to them is provided in Appendix B. The applicant and other interested parties will receive written notification of City Council's decision.

DELEGATED AUTHORITY

City Council's approval is required, pursuant to Part V of *The Planning and Development Act, 2007*.

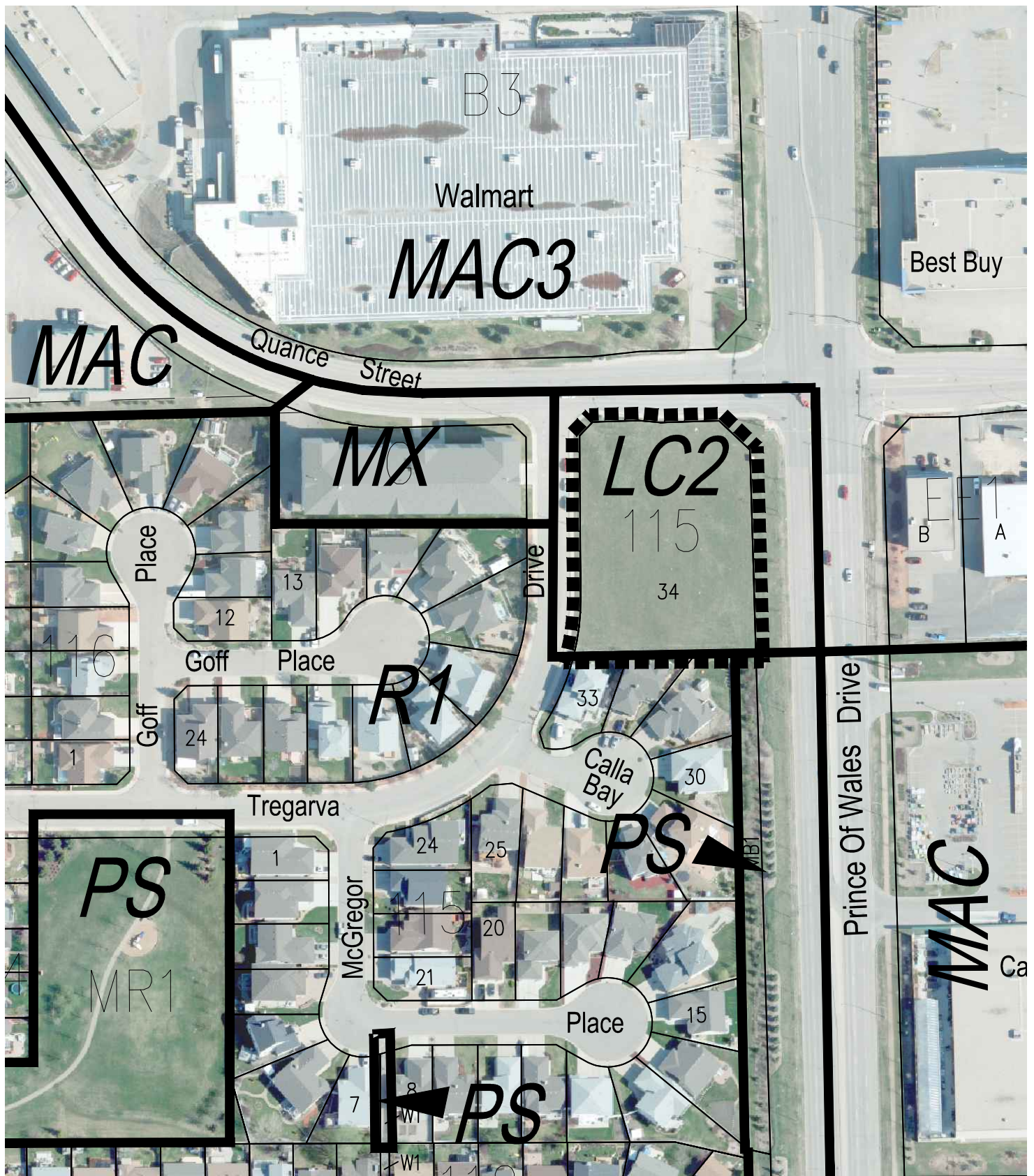
Respectfully submitted,

REGINA PLANNING COMMISSION



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Elaine Gohlke, Secretary



Subject Property



Project 13-Z-15

Civic Address/Subdivision 3435 Quance Street



Subject Property

Date of Photography: 2012



Project 13-Z-15

Civic Address/Subdivision 3435 Quance Street



## Subject Property



## Other LC2 Properties

**Date of photography: 2012**

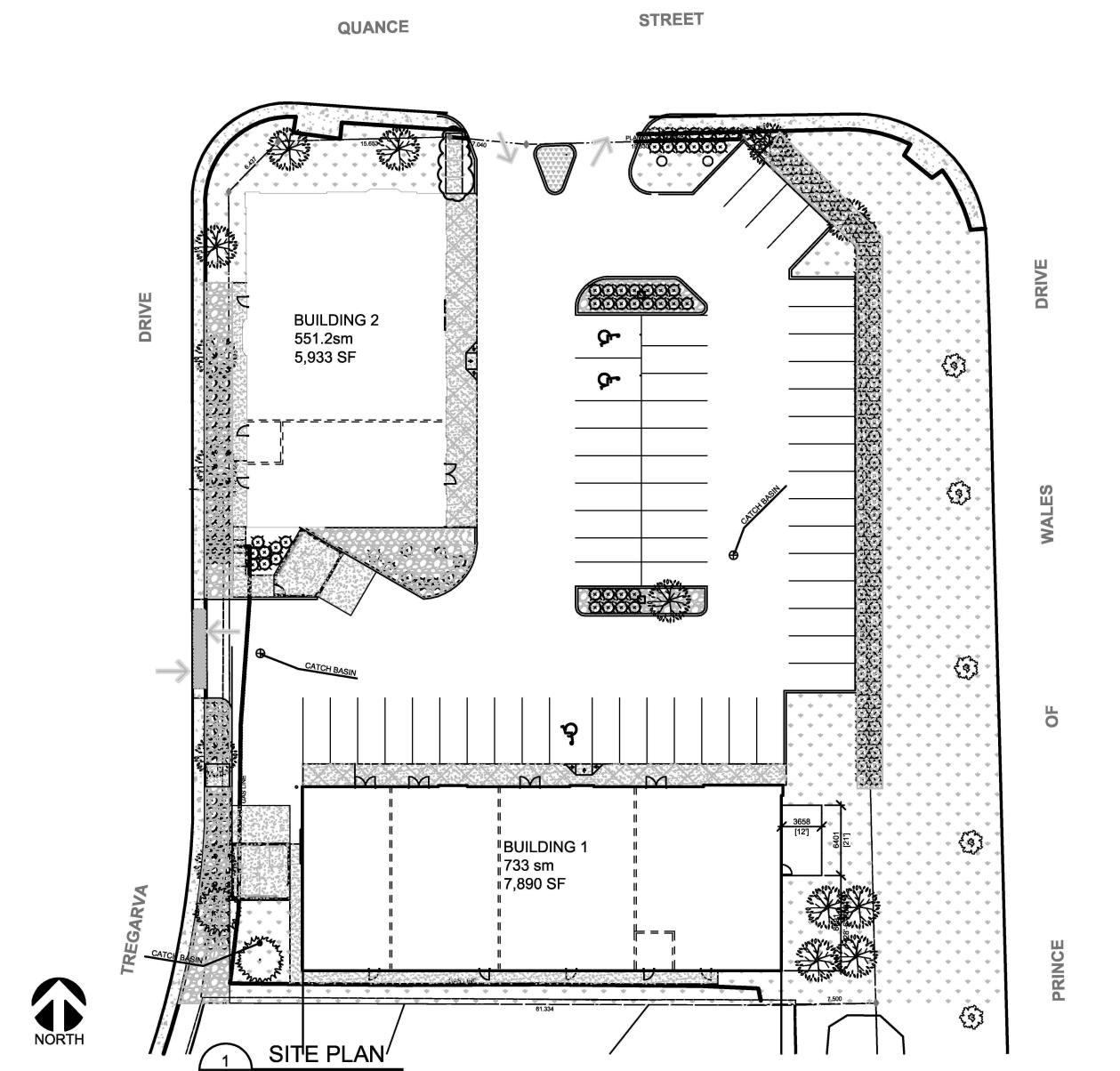
## Planning Department



Project 13-Z-15

Civic Address/Subdivision

### 3435 E Quance St/Spruce Meadows



### LANDSCAPE REQUIREMENTS

PROPERTY AREA: 4,542.6m<sup>2</sup>

COMMERCIAL: 10% OF AREA

LANDSCAPING REQUIRED: 454.3m<sup>2</sup>

PROVIDED: 1,596.1m<sup>2</sup>

TREES: 454.3m<sup>2</sup> / 40m<sup>2</sup> = 11 TREES  
DECIDUOUS TREES PLANTED MINIMUM 1 TREE PER 10 LINEAL METRES ALONG REGISTERED ROAD RIGHT-OF-WAY

SHRUBS: 454.3m<sup>2</sup> / 20m<sup>2</sup> = 23 SHRUBS

MINIMUM 3.0m LANDSCAPED STRIP REQUIRED WHERE A PARKING AREA OR LOADING AREA ABUTS A REGISTERED ROAD RIGHT-OF-WAY

- EXISTING TREE
- GOLDFLAME SPIRIA
- MANCANA ASH
- BABY COLORADO BLUE SPRUCE TREE
- RIVER ROCK
- MULCH
- GRASS

### PARKING

**BUILDING 1**

RESTAURANT - 216.2sm (2,327 SF)  
76 SEATS / 5 = 15 STALLS

RETAIL - 211.8sm (2,280 SF)  
211.8 x 90% / 20 = 10 STALLS

RESTAURANT - 169.2sm (1,820 SF)  
APPROX 45 SEATS / 5 = 9 STALLS

RESTAURANT - 137.5sm (1,480 SF)  
APPROX 35 SEATS / 5 = 7 STALLS

**BUILDING 2**

BANK - 377.8sm (4,067 SF)  
377.8 / 60 = 6 STALLS

RESTAURANT - 160.8sm (1,731 SF)  
41 SEATS / 5 = 8 STALLS

REQUIRED: 55 STALLS  
PROVIDED: 55 STALLS

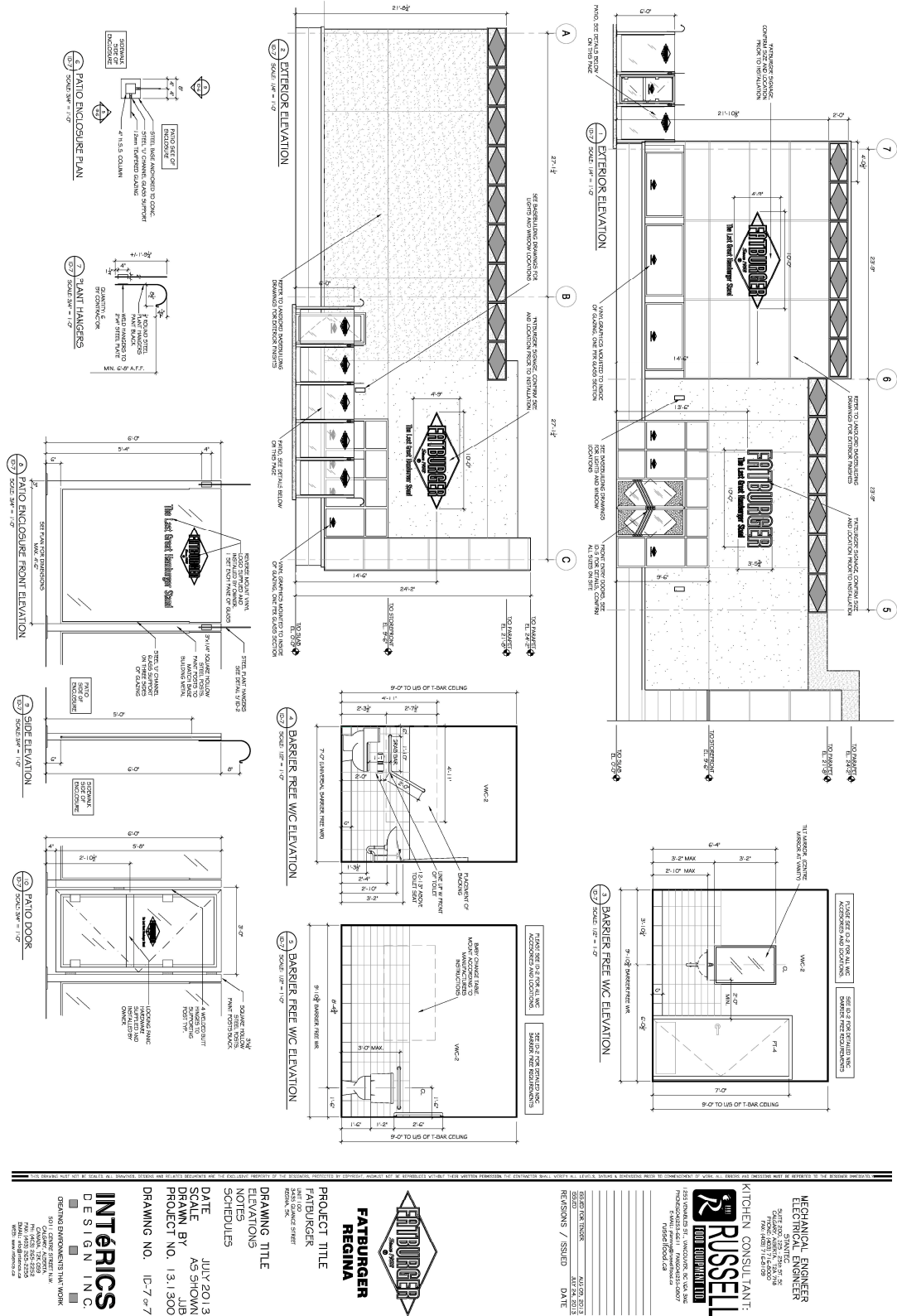
### LEGEND

**LOT AREA:** 4542.6 SM

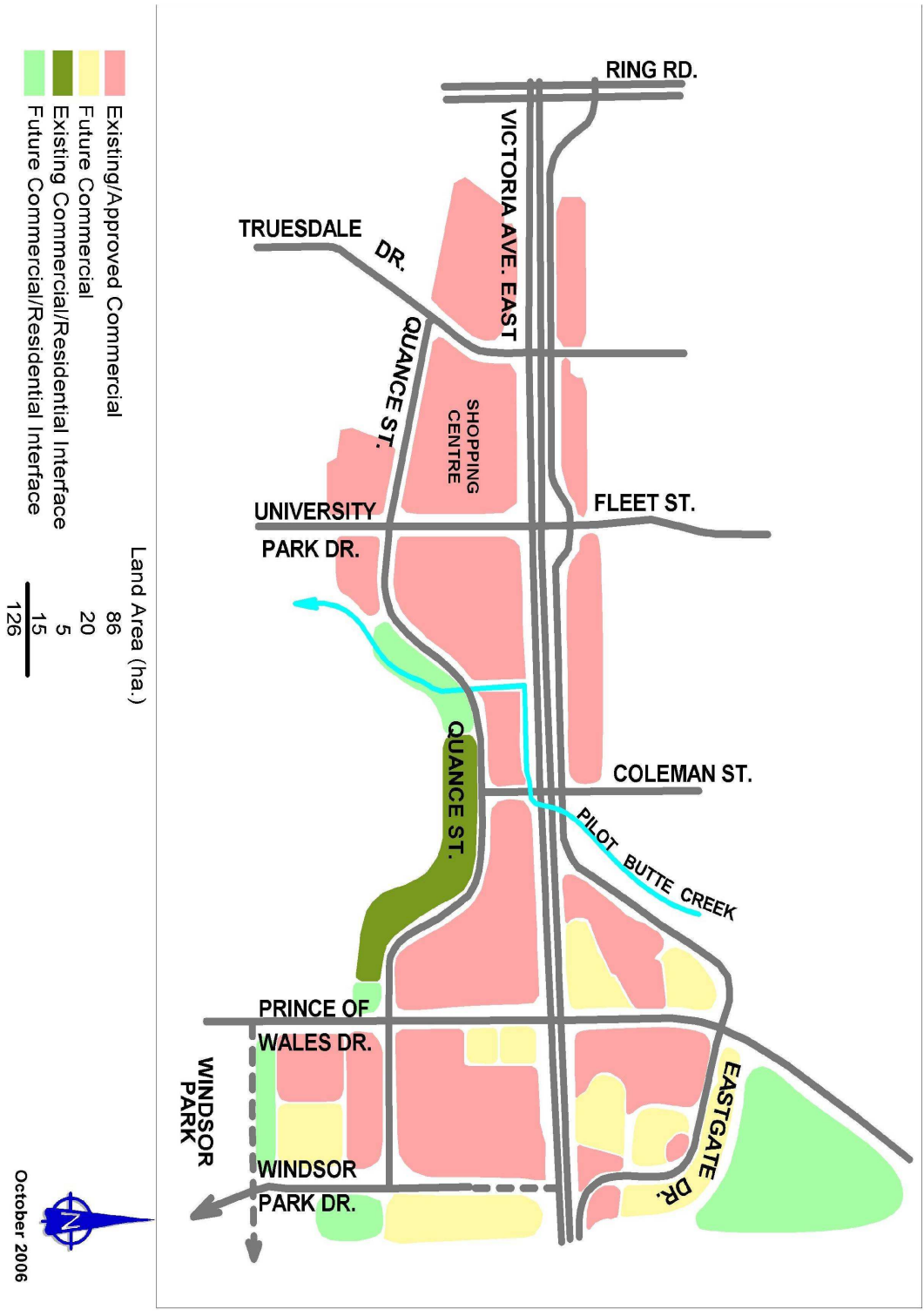
**FLOOR AREA:** 1273.3 SM

**FLOOR AREA RATIO:** 0.28

	PROJECT	QUANCE ST + PRINCE OF WALES COMMERCIAL DEVELOPMENT		DRAWN BY	KN/VK	DRAWING NO.  A1.1
	TITLE	SITE PLAN		SCALE	AS NOTED	
				DATE	2103-08-19	
				FILE NO.	12-79	



Map 5.1 Land Use Concept – East Victoria Avenue



Planning Department

Public Consultation Summary

Response	Number of Responses	Issues Identified
<i>Completely opposed</i>	3	-Noise generated from patio uses
<i>Accept if many features were different</i>	1	-Noise generated from patio uses
<i>Accept if one or two features were different</i>	2	-Noise generated from patio uses
<i>I support this proposal</i>		

**1. Issue – Noise generated from proposed uses**

*Administration's Response: The future tenant is proposing to have a 23 m<sup>2</sup> open-air patio with a seating capacity of 20. The proposed patio will be glassed on all sides, which would minimize noise from travelling to neighbouring properties. The applicant also proposes to plant four Mancana Ash trees to provide an additional sound and visual barrier. The applicant does not anticipate that the noise levels generated from the patio will exceed those typically generated by the traffic travelling along Prince of Wales Drive.*

October 15, 2013

To: His Worship the Mayor  
and Members of City Council

Re: Application for Street Closure (13-CL-03) – Portion of Argan Drive Plan 88R42178  
Abutting Lots 1 & 4, Block C Plan 88R42178 – Eastgate

---

**RECOMMENDATION OF THE REGINA PLANNING COMMISSION  
- SEPTEMBER 11, 2013**

1. That the application for the closure and sale of a portion of Argan Drive as shown on the attached plan of proposed subdivision prepared by P. Shrivastava, SLS, dated August 21, 2012 and legally described as follows, be APPROVED:

“that portion of Argan Drive abutting Lots 1 & 4 Block C Plan 88R42178”.

2. That the City Solicitor be directed to prepare the necessary bylaw; and

*REGINA PLANNING COMMISSION – SEPTEMBER 11, 2013*

Sue Luchuk, City Planner, made a PowerPoint presentation, a copy of which is on file in the City Clerk's Office.

The Commission adopted a resolution to concur in the recommendation contained in the report. Recommendation #3 does not require City Council approval.

Councillor Mike O'Donnell; Commissioners: David Edwards, Phil Evans, Ron Okumura, Daryl Posehn, Phil Selenski, Laureen Snook and Sherry Wolf were present during consideration of this report by the Regina Planning Commission.

The Regina Planning Commission, at its meeting held on September 11, 2013, considered the following report from the Administration:

RECOMMENDATION

1. That the application for the closure and sale of a portion of Argan Drive as shown on the attached plan of proposed subdivision prepared by P. Shrivastava, SLS, dated August 21, 2012 and legally described as follows, be APPROVED:

“that portion of Argan Drive abutting Lots 1 & 4 Block C Plan 88R42178”.

2. That the City Solicitor be directed to prepare the necessary bylaw; and

3. That this report be forwarded to the October 15, 2013 City Council meeting, which will allow sufficient time for advertising of the required public notice for the respective bylaw.

## CONCLUSION

The proposed road closure application is summarized below:

- Located in Eastgate in an area zoned for HC-Highway Commercial uses.
- Purpose of closure is to consolidate the land with the adjacent property to the east to create a new Parcel A. Plans to develop the new parcel are not known at this time.
- This portion of Argan Drive has not been developed as a street.
- Since land has not been developed as a street there will be no impact on access to adjacent properties or to existing traffic circulation and flow in the area.

## BACKGROUND

A closure application has been submitted concerning the right-of-way adjacent to 1711 and 1731 Argan Drive.

This application is being considered pursuant to *Regina Zoning Bylaw No. 9250, Regina Development Plan Bylaw No. 7877 (Official Community Plan), The Planning and Development Act, 2007* and *The Cities Act, 2002*.

A related subdivision application is being considered concurrently by the Administration, in accordance with Bylaw No. 2003-3, by which subdivision approval authority has been delegated to the Development Officer. The proposed subdivision is intended to consolidate respective portion of the partial street closure with the adjacent properties Lots 1 and 4 Block C (1711 and 1731 Argan Drive) to create a new Parcel A.

## DISCUSSION

The City's Real Estate Branch proposes to close and sell a 0.35 ha. portion of Argan Drive and consolidate it with the adjacent site/properties located at 1711 and 1731 Argan Drive as shown on the attached plan of proposed subdivision.

The purpose of the proposed closure is to consolidate a portion of the road right-of-way with adjacent highway commercial development sites. These sites are currently vacant. Future development plans for the new parcel are not known at this time.

Surrounding land uses include a truck stop to the west, a hotel to the east, vacant land zoned for Highway Commercial uses to the south and residential condominium development to the north.

Since the road was not developed, the proposed closure will not impact traffic flow or circulation in the immediate area.

The applicant will be required to grant all necessary easements or pay the cost associated with utility relocations where required. The applicant will also be responsible for constructing the

Argan Drive cul-de-sac and restoring the sidewalk, curb and gutter at the north end of Argan Drive to City standards.

The related subdivision application is being considered concurrently, in accordance with Bylaw No. 2003-3, by which subdivision approval authority has been delegated to the Administration. A copy of the plan of proposed subdivision is attached as Appendix A-3.1.

## RECOMMENDATION IMPLICATIONS

### Financial Implications

The sale price for the portion road is \$19,260 with GST. Consolidation of the road right-of-way into the adjacent properties will result in a modest increase in the property tax assessment attributable to the property owner. The closure of the right-of-way will relieve the City of any obligations for its maintenance or physical condition.

### Environmental Implications

None with respect to this report.

### Policy/Strategic Implications

The proposed street closure and sale responds to the City's strategic priority of managing growth and community development through optimization of existing infrastructure capacity.

### Other Implications

None with respect to this report.

### Accessibility Implications

None with respect to this report.

## COMMUNICATIONS

Will be published in the Leader Post on:	September 28, 2013
Letter sent to immediate property owners	June 4, 2013
Number of Public Comments Sheets Received	7 Five in favour. Two opposed.

Both of the residents who were opposed to the closure wanted information as to what the proposed development on the new parcel would be. The Administration could not provide information, as the nature of the proposed development is unknown at this time, and that any development would have to comply with the HC-Highway Commercial Zone or would require a rezoning or discretionary use which would require public notification.

Concerns were also raised regarding potential increased traffic, traffic flow and lack of parking. The Traffic Control and Parking Branch advised that traffic signals would be installed at Eastgate Drive and Prince of Wales Drive in 2014 and that signals would be installed this year at the Dewdney Avenue and Prince of Wales Drive intersection.

DELEGATED AUTHORITY

City Council's approval is required, pursuant to Section 13 of *The Cities Act, 2002*.

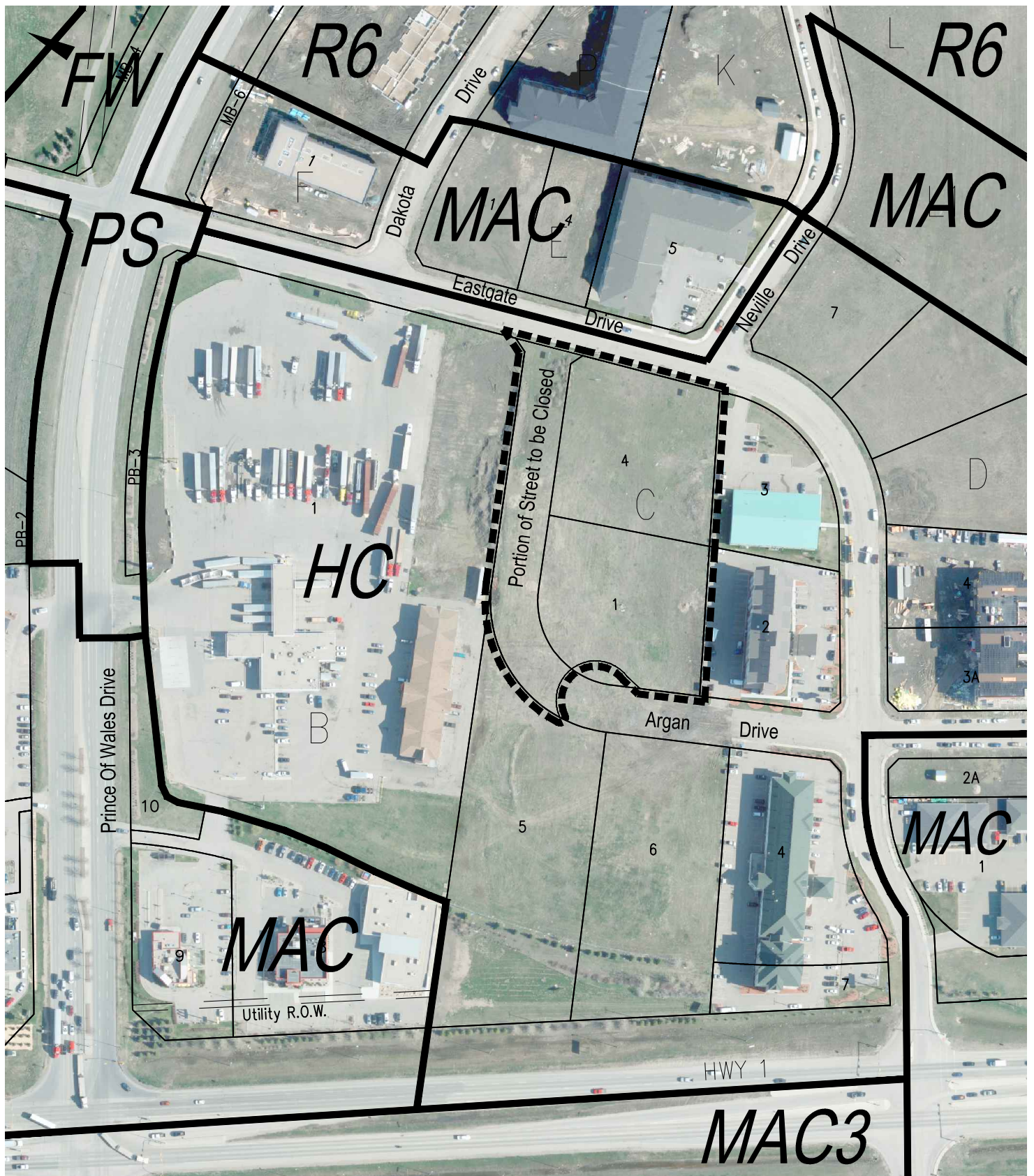
Respectfully submitted,

REGINA PLANNING COMMISSION



---

Elaine Gohlke, Secretary



Subject Property



Project 13-SN-14  
13-CL-3

Civic Address/Subdivision

Lot 1 and 4, Blk C, and part of Argan Drive



Subject Property

Date of Photography: 2012



Project 13-SN-14  
13-CL-3 Civic Address/Subdivision Lot 1 and 4, Blk C, and part of Argan Drive

**PLAN SHOWING  
PROPOSED SUBDIVISION**

of  
Lot 1 and Lot 4, Block C  
and Part of

Argan Drive  
Plan 88R42178  
Regina, Saskatchewan  
P. Shrivastava, S.L.S.  
2012

Scale 1:2000

Project No.: File: 156953PR

Initials: DZ - PS Job No.: 156953-R

Preliminary Survey: n/a

Limited Partnership

Toll Free: 1-800-465-6233  
www.altusgeomatics.com

**CITY OF REGINA APPROVAL**

The subdivision proposed herein outlined in bold dashed line is approved under the provisions of Bylaw No. 7748 of The City of Regina. Dated this \_\_\_ day of \_\_\_\_\_ A.D. 20\_\_.

**CITY CLERK**

Measurements are in metres and decimals thereof.  
Area to be registered is outlined in bold dashed line  
and contains 1.41 ha (3.49 acs.)

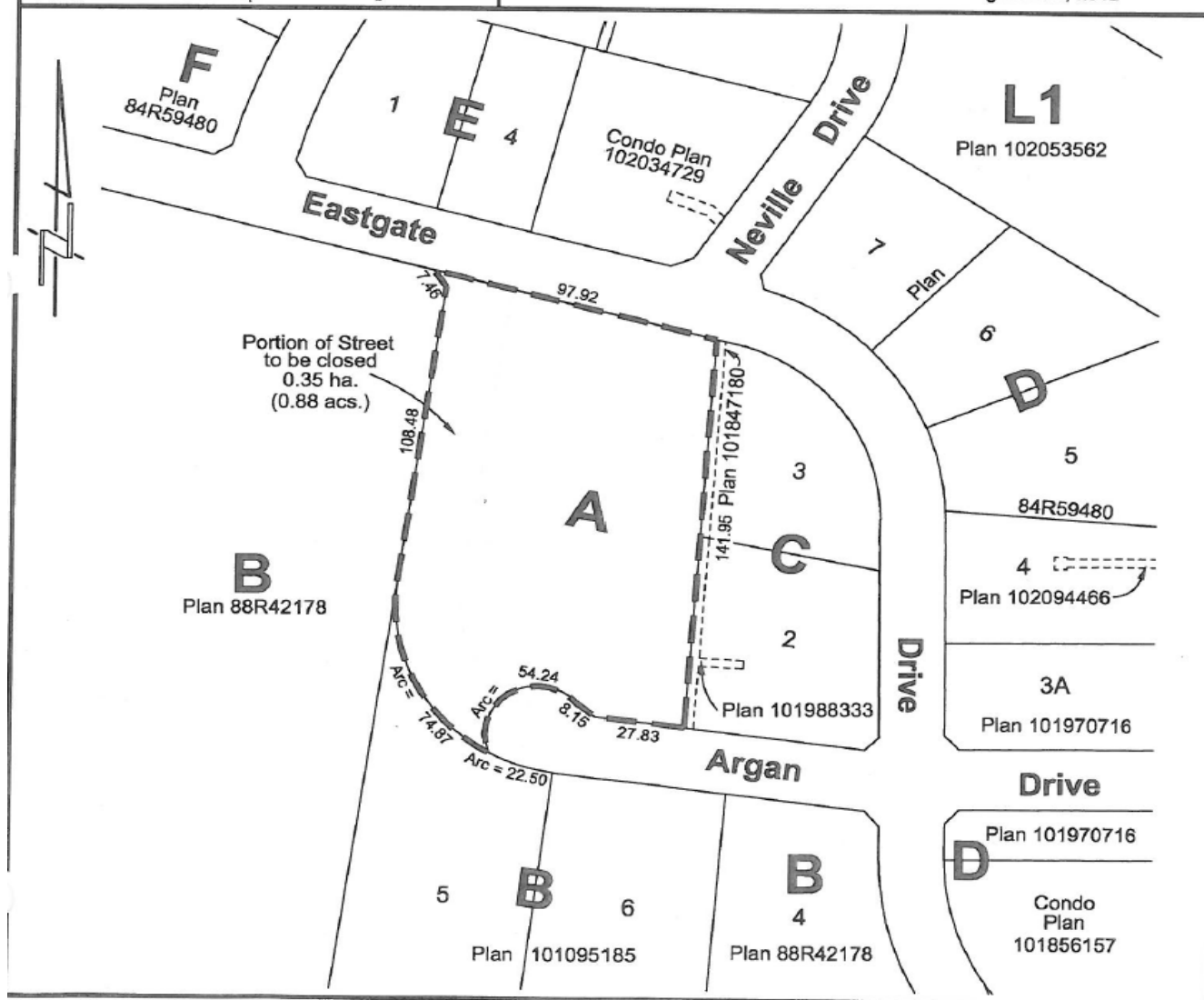
OWNER(S):

Saskwest Development Ltd. (Lot 1 & Lot 4)

City of Regina(Argan Drive)



Saskatchewan Land Surveyors  
Date: August 21st, 2012



13-CL-03

**Planning Department**

Proposed Closure of Argan Drive

Project

Civic Address/Subdivision

October 15, 2013

To: His Worship the Mayor  
and Members of City Council

Re: Application for Contract Zoning (13-CZ-04) Proposed Special Care Home  
310 E. 18th Avenue

---

**RECOMMENDATION OF THE REGINA PLANNING COMMISSION  
- SEPTEMBER 11, 2013**

1. That the application to amend *Regina Zoning Bylaw No. 9250* to rezone 310 E. 18<sup>th</sup> Avenue, being Lot 18, Block 12, Plan No. FJ5368 from R6 - Residential Multiple Housing to C – Contract be APPROVED.
2. That further to recommendation 1, the proposed contract zone agreement shall include the following terms:
  - a. The number of residents permitted in the Special Care Home shall not exceed 20 residents;
  - b. That 4 parking stalls shall be developed pursuant to the requirements of *Regina Zoning Bylaw No. 9250*;
  - c. No parking shall be permitted in the rear Lane, with a sign to be erected as “No Parking,” so as to not restrict fire and emergency vehicle access;
  - d. The proposed parking stalls shall be designed to eliminate the need for backing and manoeuvring onto the street and shall be suitably paved with a hard surface material (Subpart 14B.3.8 and Subpart 14B.3.4) of *Regina Zoning bylaw No. 9250*;
  - e. Landscaping of the lot shall be developed according to the attached Landscape Plan and comply with the requirements of Chapter 15 of the *Zoning Bylaw*;
  - f. The development shall conform to the attached plans labelled Site Plan, Landscape Plan, A-1, A-2, A-3 prepared by Envision Drafting & Design Ltd., and dated May 2013, attached to this agreement as Appendix A-3.1 to A-3.5;
  - g. Signage on the subject property shall comply with the development standards for Special Zones pursuant to Table 16.1 of the *Zoning Bylaw*, if applicable;
  - h. No accessory structures (i.e., garage or shed) are permitted to be constructed on-site;
  - i. Any zoning related detail not specifically addressed in the contract zone agreement shall be subject to applicable provisions of the *Zoning Bylaw*; and
  - j. The agreement shall be registered in the City’s interest at the applicant’s cost pursuant to Section 69 of *The Planning and Development Act, 2007*;
3. That the City Solicitor be directed to prepare the necessary bylaws to authorize the respective Zoning Bylaw amendment.
4. That the City Clerk be authorized to execute the Contract Zone Agreement between the City of Regina and the applicant/owner of the subject property following review by the City Solicitor.

*REGINA PLANNING COMMISSION – SEPTEMBER 11, 2013*

The following addressed the Commission:

- Mark Andrews, City Planner, made a PowerPoint presentation, a copy of which is on file in the City Clerk's Office; and
- Eldon Hall, representing Mount Pleasant Manor.

The Commission adopted a resolution to concur in the recommendation contained in the report. Recommendation #5 does not require City Council approval.

Councillors: Mike O'Donnell; Commissioners: David Edwards, Phil Evans, Ron Okumura, Daryl Posehn, Phil Selenski, Laureen Snook and Sherry Wolf were present during consideration of this report by the Regina Planning Commission.

The Regina Planning Commission, at its meeting held on September 11, 2013, considered the following report from the Administration:

RECOMMENDATION

1. That the application to amend *Regina Zoning Bylaw No. 9250* to rezone 310 E. 18<sup>th</sup> Avenue, being Lot 18, Block 12, Plan No. FJ5368 from R6 - Residential Multiple Housing to C – Contract be APPROVED.
2. That further to recommendation 1, the proposed contract zone agreement shall include the following terms:
  - a. The number of residents permitted in the Special Care Home shall not exceed 20 residents;
  - b. That 4 parking stalls shall be developed pursuant to the requirements of *Regina Zoning Bylaw No. 9250*;
  - c. No parking shall be permitted in the rear Lane, with a sign to be erected as “No Parking,” so as to not restrict fire and emergency vehicle access;
  - d. The proposed parking stalls shall be designed to eliminate the need for backing and manoeuvring onto the street and shall be suitably paved with a hard surface material (Subpart 14B.3.8 and Subpart 14B.3.4) of *Regina Zoning bylaw No. 9250*;
  - e. Landscaping of the lot shall be developed according to the attached Landscape Plan and comply with the requirements of Chapter 15 of the *Zoning Bylaw*;
  - f. The development shall conform to the attached plans labelled Site Plan, Landscape Plan, A-1, A-2, A-3 prepared by Envision Drafting & Design Ltd., and dated May 2013, attached to this agreement as Appendix A-3.1 to A-3.5;
  - g. Signage on the subject property shall comply with the development standards for Special Zones pursuant to Table 16.1 of the *Zoning Bylaw*, if applicable;
  - h. No accessory structures (i.e., garage or shed) are permitted to be constructed on-site;
  - i. Any zoning related detail not specifically addressed in the contract zone agreement shall be subject to applicable provisions of the *Zoning Bylaw*; and
  - j. The agreement shall be registered in the City's interest at the applicant's cost pursuant to Section 69 of *The Planning and development act, 2007*;

3. That the City Solicitor be directed to prepare the necessary bylaws to authorize the respective Zoning Bylaw amendment.
4. That the City Clerk be authorized to execute the Contract Zone Agreement between the City of Regina and the applicant/owner of the subject property following review by the City Solicitor.
5. That this report be forwarded to the October 15, 2013 City Council meeting, which will allow sufficient time for advertising of the required public notices for the respective bylaws.

## CONCLUSION

The following information is provided with respect to the subject proposal:

- The applicant proposes to convert an existing Supportive Living Home into a Special Care Home which will include a new addition to the existing structure (on both floors)
- The Special Care Home will accommodate up to a maximum of 20 residents
- A total of 4 parking stalls are provided on-site, calculated at 1 stall per 6 beds, which meets the minimum parking standards
- The subject property is currently zoned R6 – Residential Multiple Housing
- The subject property is located within the Assiniboia East Subdivision
- A Contract Zone is being considered to accommodate the Special Care Home with up to 20 residents in a Zone which does not permit a Special Care Home
- Compliant with OCP with respect to encouraging housing for people with special needs in all areas where residential uses are permitted and ensuring physically disabled persons are afforded a wide range of housing to achieve independent living

## BACKGROUND

An application has been received for Contract Zoning to accommodate a Special Care Home at 310 E 18<sup>th</sup> Avenue. This application is being considered pursuant to *Regina Zoning Bylaw No. 9250*, *Regina Development Plan Bylaw No. 7877 (Official Community Plan)*, and *The Planning and Development Act, 2007*.

## DISCUSSION

### Zoning and Land Use Details

	<b><u>Existing (R6 Zone)</u></b>	<b><u>Proposed</u></b>
Zoning	R6 – Residential Multiple Housing	C - Contract
Land Use	Supportive Living Home	Special Care Home
Number of Parking Stalls Required	4 stall(s)	4 stall(s) 1 stall per 6 beds
Minimum Lot Area (m <sup>2</sup> )	604.4 m <sup>2</sup>	604.4 m <sup>2</sup>
Maximum Height (m)	4.42 m	4.57 m
Building Area	403.6 m <sup>2</sup>	546.3 m <sup>2</sup>
Number of Residents	10	20

Surrounding land uses include Queen Elizabeth Jubilee Park to the west, low density, single-detached residential to the east and south, and higher density residential to the north.

Contract Zoning is intended to permit a unique development opportunity and/or the development of parcels of land or buildings which, because of their shape, size, unique characteristics or some other unusual condition, may require special consideration to achieve the desired results that are consistent with the general intent of the applicable zone in which they are situated.

Supportive Living Homes are limited to ten persons, unless it was established prior to October 1, 1991 and has been in continuous operation since that time and/or is licensed for a higher number under *The Personal Care Homes Act*. These facilities provide long-term residential social and personal care, including accommodation, meals, supervision or assistance for persons (including children) that have some limits on ability for self-care.

Similar to a Supportive Living Home, the proposed Special Care Home will provide the aforementioned services for persons requiring specific nursing care and up to a maximum of twenty residents. It is the intent of the proposed Special Care Home to decrease wait times for residents in the city requiring special living assistance and/or long-term nursing care.

The proposed development is consistent with this purpose and intent as it represents a unique development opportunity, enabling the continuous operation of an existing Supportive Living Home and accommodating more residents in the city requiring special care. The existing Supportive Living Home would be a Discretionary Use in the existing R6 Zone, however, there is no land use category in the R6 – Residential Multiple Housing Zone which would permit the development of the proposed Special Care Home. The Contract Zone recognizes the unique characteristics of the proposal and would permit the development opportunity of the proposed Special Care Home.

## RECOMMENDATION IMPLICATIONS

### Financial Implications

The subject area currently receives a full range of municipal services, including water, sewer and storm drainage. The applicant will be responsible for the cost of any additional or changes to existing infrastructure that may be required to directly or indirectly support the development, in accordance with City standards and applicable legal requirements.

### Environmental Implications

None with respect to this report.

### Policy/Strategic Implications

The proposal is consistent with the policies contained within Part A: Policy Plan of *Regina Development Plan, Bylaw No. 7877 (Official Community Plan)* with respect to:

- 7.23 – Special Needs Housing
  - a) That the City shall encourage housing for people with special needs to be located in all areas where residential uses are permitted.

- c) That the City shall ensure that physically disabled persons are afforded a wide range of choice in housing in terms of the type, location, affordability and design requirements to achieve independent living.
- d) That the City should require that all new multi-unit developers to make special provisions for access to the structure for the disabled and to provide special dwelling unit designs to facilitate independent living.

This proposal supports the continuing operation of a group care facility that is intended to provide care for people whose needs can no longer be met in the community.

#### Other Implications

None with respect to this report.

#### Accessibility Implications

The proposed Special Care Home includes an addition to the existing Supportive Living Home structure that features an elevator permitting barrier-free access for persons who are disabled between the two floors. The elevator would also ensure timely and efficient transport of a resident to hospital in an emergency situation.

#### COMMUNICATIONS

Public notification signage posted on:	June 24, 2013
Will be published in the Leader Post on:	September 28, 2013 & October 5, 2013
Letter sent to immediate property owners	June 19, 2013
Public Open House Held	N/A
Number of Public Comments Sheets Received	2

The Administration received two responses from neighbouring property owners with regards to the proposal. One was in full support of the proposal in that there is an increasing demand for beds and special care facilities for the aging population. On the other hand, of the concerns raised, they were related to parking. One resident felt that by increasing the number of residents, there would be an increase in traffic and greater need for parking. Further, another minor concern raised was related to building codes, specifically, a facility with housing over ten residents requires substantial upgrades.

The Administration circulated the proposal to the Building Standards Branch, and in response, did not have any comments or concerns with building codes. With regard to the parking, the proposal provides 4 parking stalls, which meets the minimum parking standards pursuant to *Regina Zoning Bylaw No. 9250*, which calculated parking for Special Care Homes at one stall per six beds, which would require three stalls. The proposal exceeds this requirement by one stall. Further, given the nature and intent of a Special Care Home (to provide long-term care people whose needs can no longer be met in the community), it is not expected that the residents will drive. The Administration has no concerns with regard to parking or traffic.

The applicant and other interested parties will receive written notification of City Council's decision.

DELEGATED AUTHORITY

City Council's approval is required, pursuant to Part V of *The Planning and Development Act, 2007*.

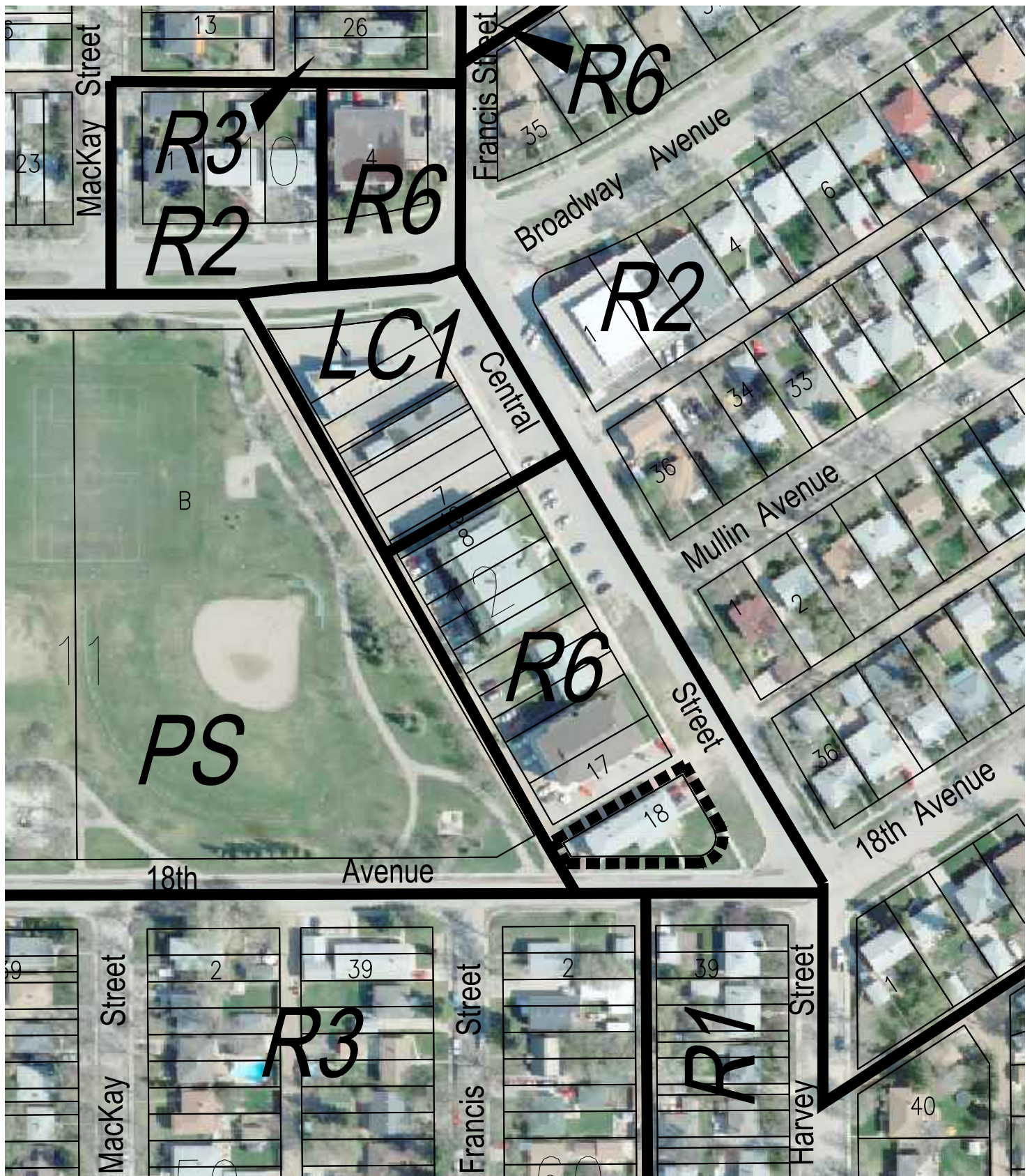
Respectfully submitted,

REGINA PLANNING COMMISSION



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Elaine Gohlke, Secretary

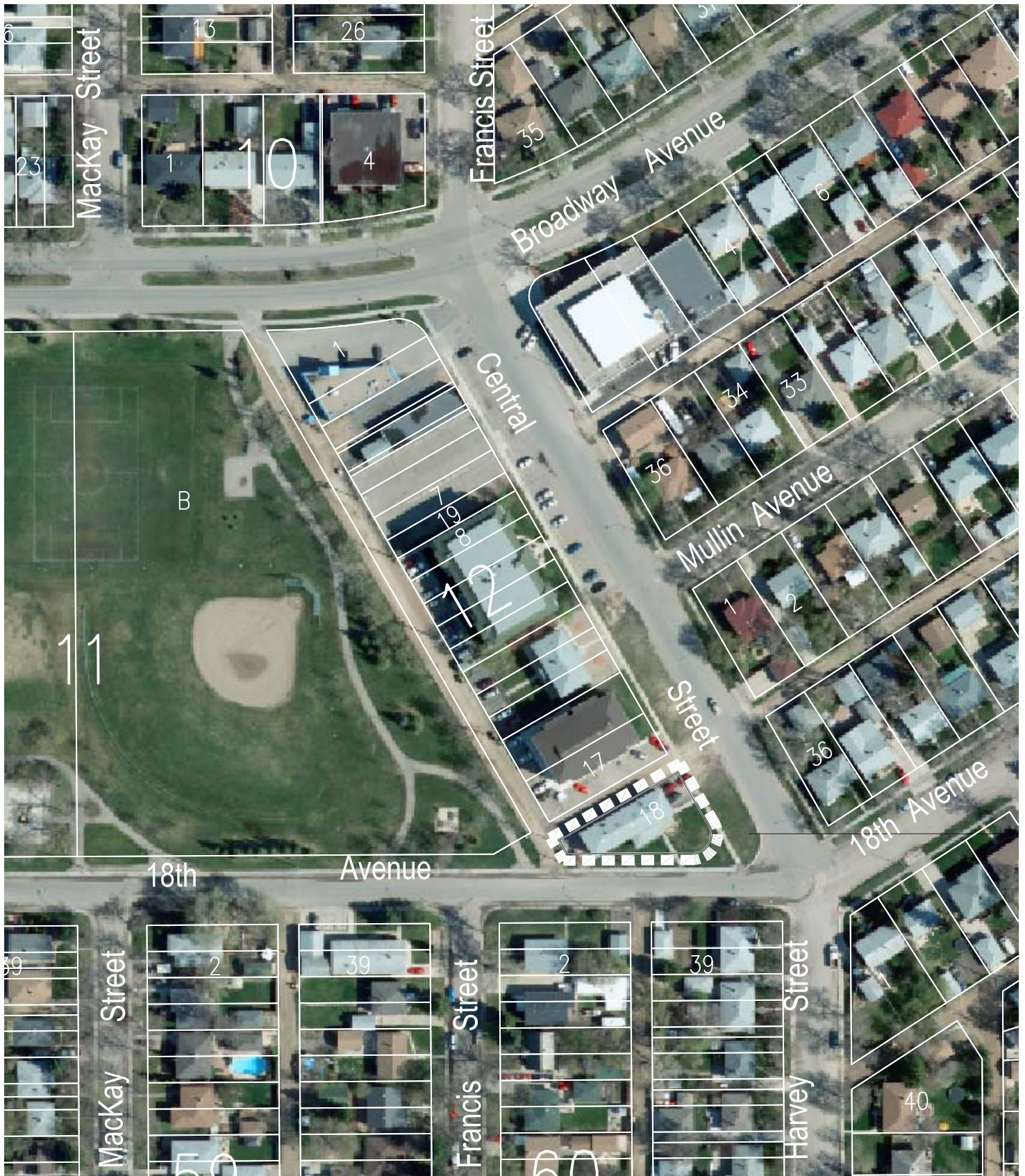


Subject Property



Project 13-CZ-04

Civic Address/Subdivision 310 E. 18th Avenue



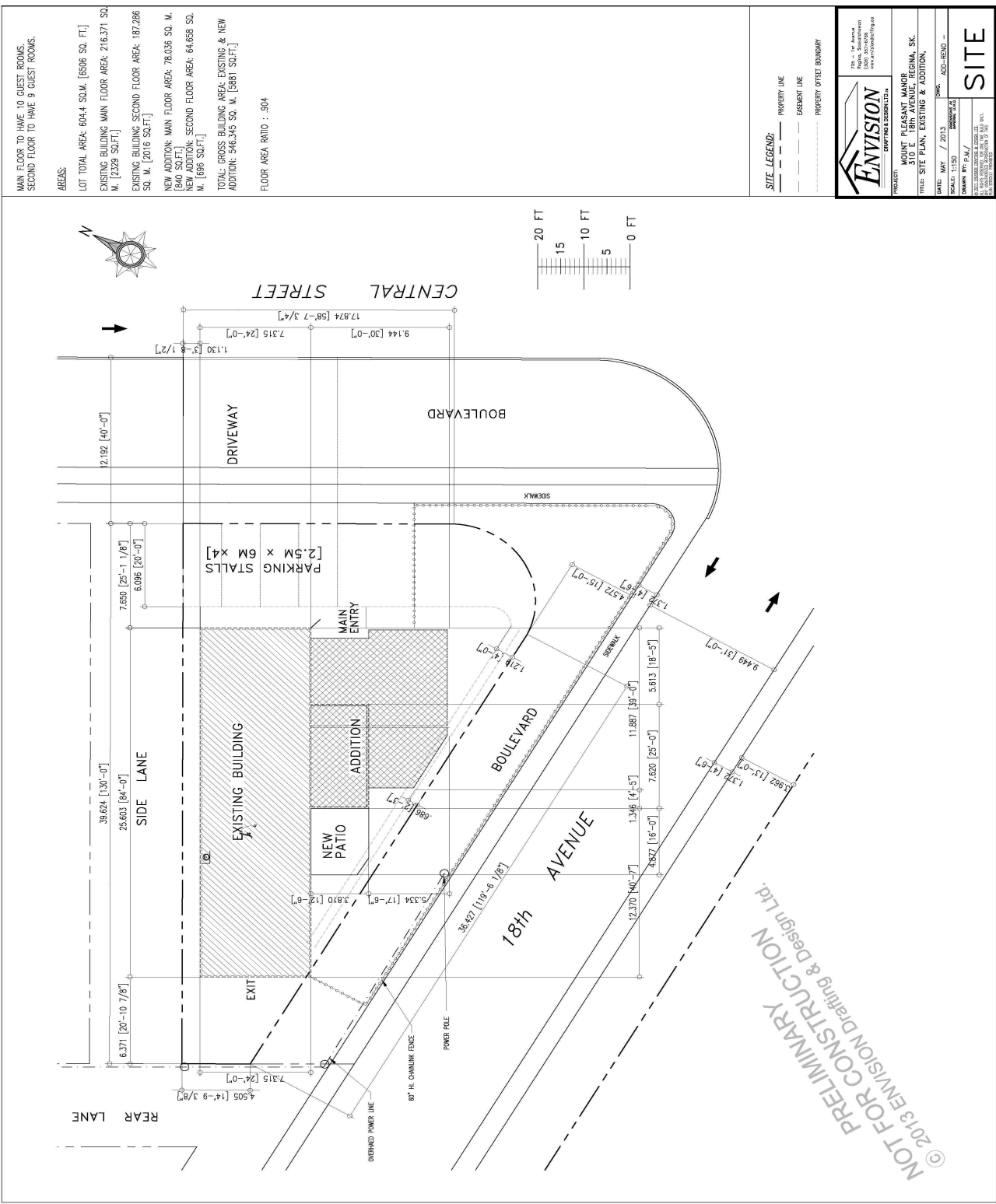
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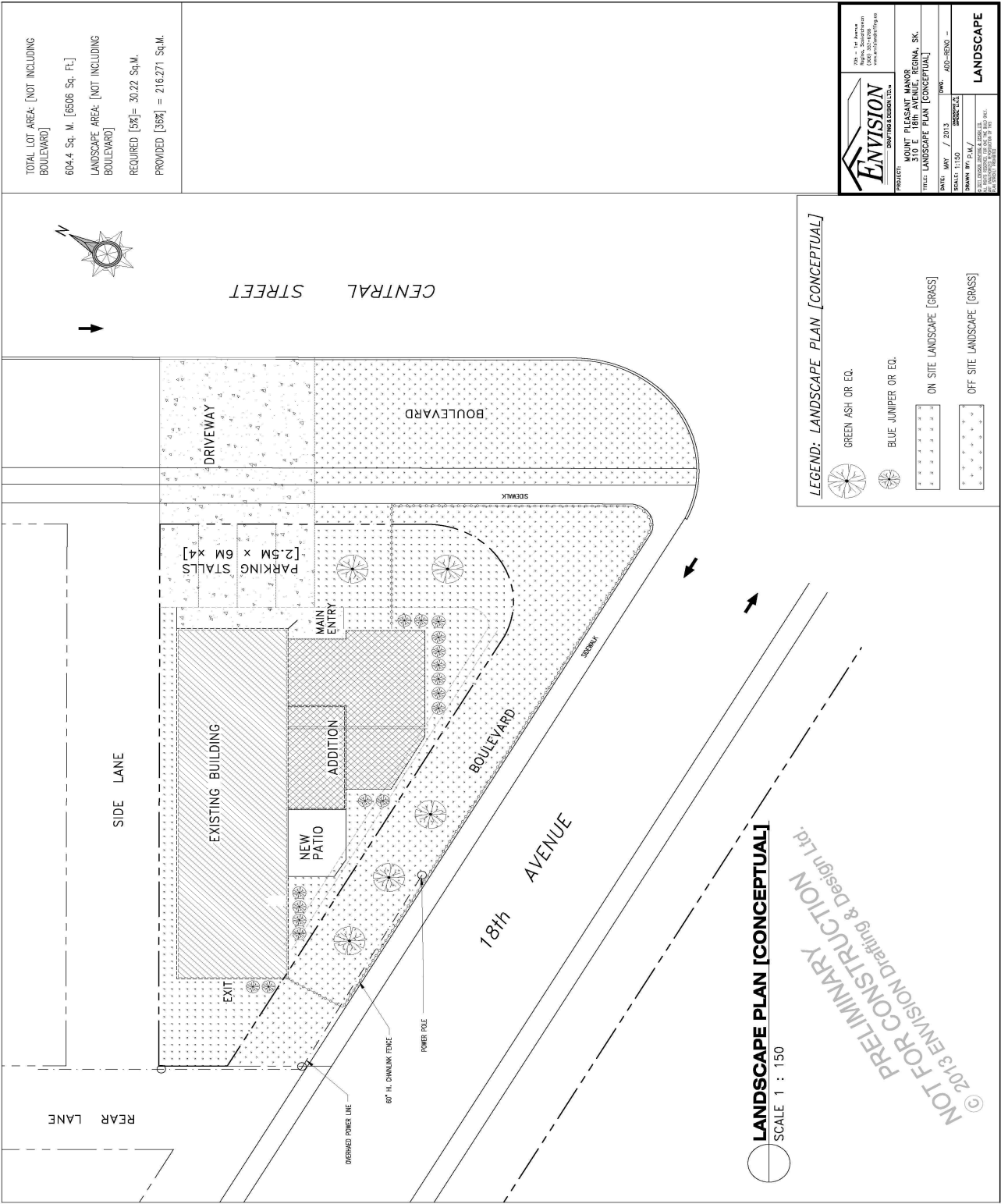
Date of Photography: 2012



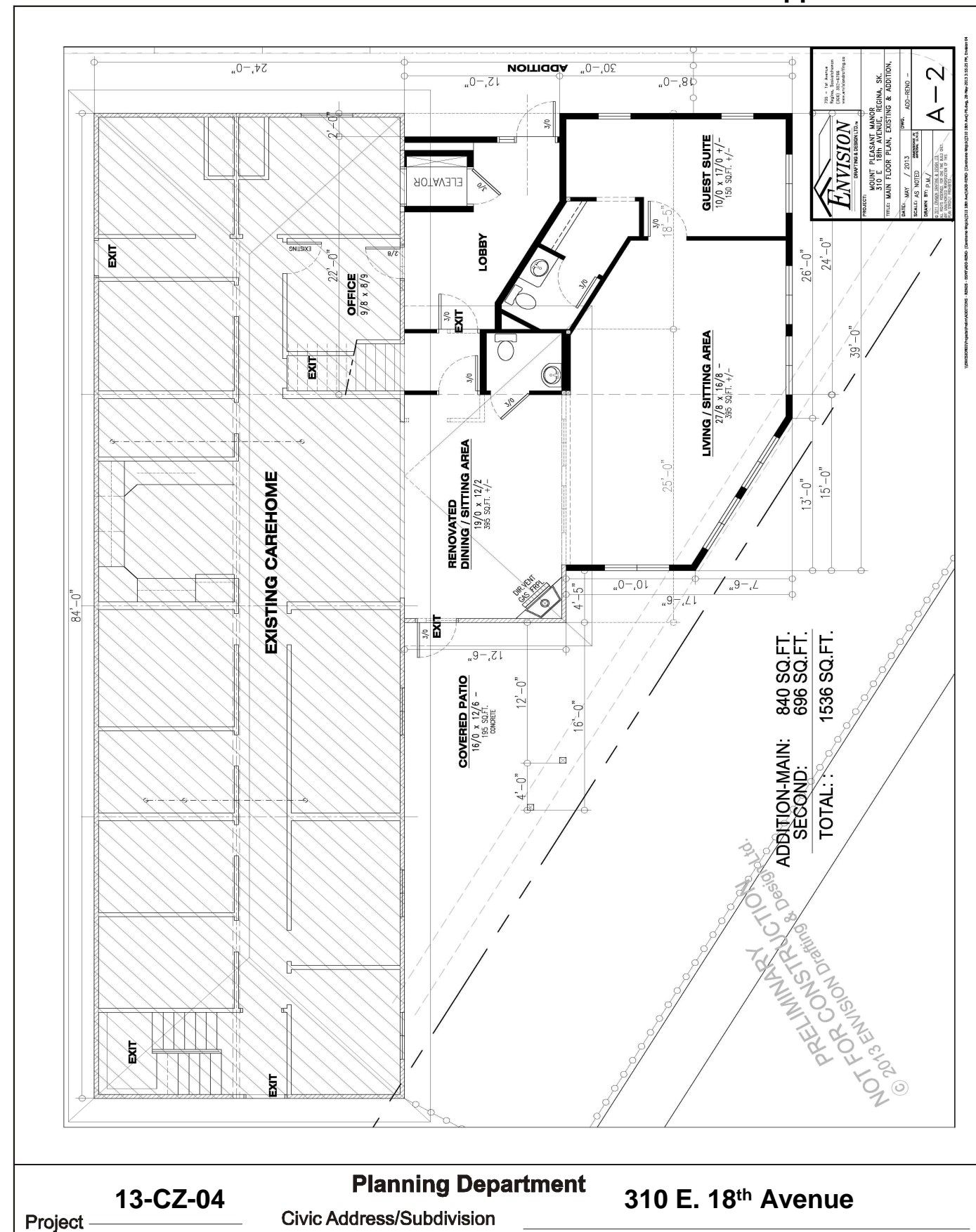
Project 13-CZ-04

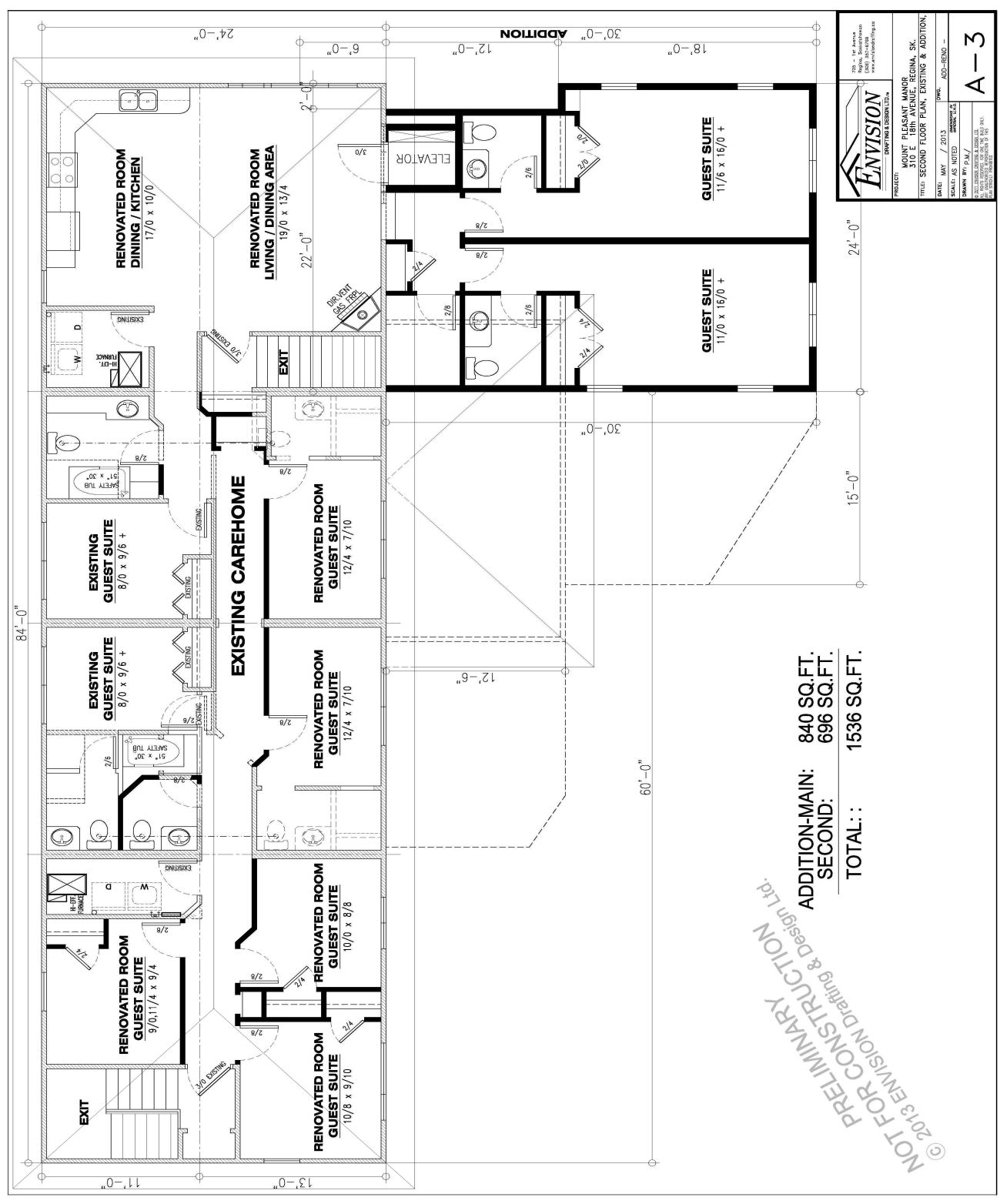
Civic Address/Subdivision 310 E. 18th Avenue











October 15, 2013

To: His Worship the Mayor  
and Members of City Council

Re: Proposed Uniform Assessment Rates - 2014 Local Improvement Program

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### **RECOMMENDATION OF THE PUBLIC WORKS COMMITTEE – OCTOBER 3, 2013**

1. That the following uniform assessment rates for the 2014 Local Improvement Program be approved:

Type of Construction	Prepaid Rate (\$) per Front Meter	Annual Rate (\$) per Front Meter
Water Main	256.86	35.85
Storm Sewer	359.61	50.19
Sanitary Sewers	219.43	30.62
Combined Works	670.44	93.57
Residential Pavement (8.5m traffic width)	404.78	56.47
Residential Pavement (10.36m traffic width)	485.73	67.79
Commercial Pavement (11.00m traffic width)	722.66	100.85
Curb and Gutter	210.30	29.35
Concrete Walk (up to 1.83m width)	203.30	28.37
Concrete Walk (each additional 0.61m width)	98.16	13.70
Monolithic Walk, Curb and Gutter (up to 1.83m width)	413.58	57.72
Alley Upgrades	Prepaid Rate (\$) per Rear Meter	Annual Rate (\$) per Rear Meter
Alley Paving (residential)	346.99	48.43
Alley Paving (commercial)	405.03	56.53
Alley Lighting Installation (incl. fixtures, poles & power source)	81.67	11.51
Alley Lighting Installation (fixtures only)	52.13	7.34

The 2014 annual rate is based on a ten year repayment period

2. That the City Solicitor be requested to prepare the required uniform rates bylaw for the 2014 uniform rates using the rates and information provided for in this report.

*PUBLIC WORKS COMMITTEE – OCTOBER 3, 2013*

The Committee adopted a resolution to concur in the recommendation contained in the report.

Councillors: Sharron Bryce, John Findura, Bob Hawkins and Barbara Young were present during consideration of this report by the Public Works Committee.

The Public Works Committee, at its meeting held on October 3, 2013, considered the following report from the Administration:

RECOMMENDATION

1. That the following uniform assessment rates for the 2014 Local Improvement Program be approved:

Type of Construction	Prepaid Rate (\$) per Front Meter	Annual Rate (\$) per Front Meter
Water Main	256.86	35.85
Storm Sewer	359.61	50.19
Sanitary Sewers	219.43	30.62
Combined Works	670.44	93.57
Residential Pavement (8.5m traffic width)	404.78	56.47
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Alley Lighting Installation (incl. fixtures, poles & power source)	81.67	11.51
Alley Lighting Installation (fixtures only)	52.13	7.34

The 2014 annual rate is based on a ten year repayment period

2. That the City Solicitor be requested to prepare the required uniform rates bylaw for the 2014 uniform rates using the rates and information provided for in this report.

## CONCLUSION

New uniform assessment rates are required for the 2014 Local Improvement Program (LIP). The 2014 Uniform Assessment Rates proposed in this report were calculated based on actual construction costs for both surface works and underground works in new areas. Data regarding costing was obtained from engineering consultants working with private sector contractors on new subdivision construction in Regina in 2013. This data has been evaluated in combination with comparable 2013 City contract prices to set new uniform rates. The construction cost analysis determined that costs for all types of concrete and asphalt work have increased by 7% over last year. Costs for water main, storm and sanitary sewer work have increased by 5%. The rates for Alley Lighting Installation (fixtures only) have increased by 4.8%. Alley Lighting Installation (including fixtures, poles and power source) costs have increased by 4.9% based on private sector 2013 construction cost.

## BACKGROUND

All City of Regina local improvements are done in accordance with provincial legislation called *The Local Improvements Act, 1993*. This legislation allows municipalities to specially assess the property for work or services from which the property benefits. City of Regina has used LIP to partially finance necessary improvements to municipal infrastructure. In recent years, LIP allowed the City to replace some sidewalks, curbs and gutters after the original infrastructure reached the end of its life.

The current practice is that LIP is applied when a block of a street requires more than 50 percent of the sidewalk, curb and gutter to be replaced in order to rehabilitate the existing road. If 50 percent or less of the concrete infrastructure replacement is required, the cost of that work is borne by the City.

City Council may declare, by resolution, that certain works are continuous or interlocking and are therefore a single project. For example, if the City planned to replace a sidewalk, curb and gutter for eight continuous blocks on a street, a resolution could be passed under Section 4 of *The Local Improvements Act, 1993* declaring the entire eight blocks as a single project. Construction is more efficient and cost effective when longer sections are constructed at the same time.

The LIP applies to all classifications of roadways, which include arterials, collectors, industrial/commercial and residential. At present, there is no charge to the property owners for the removal of the existing sidewalks, curb and gutters, pavement rehabilitation or any other work related to roadway reconstruction, such as renewal or replacement of the underground utilities done in conjunction with this program.

As part of this program, property owners may petition to have their location included in the local improvements program. They also can petition against local improvement work identified by the Administration, and if successful (majority of the property owners representing at least one-half of the amount of the special assessment petition against it), the location would be removed from the program.

The LIP requires City Council approval of the following three steps process to be completed in order to execute the construction projects under this program:

1. **Uniform Rates Approval** (which is the purpose of this report; typically provided in November or December) – Approval for setting the rates that will be applied to customers for the upcoming year under the LIP.
2. **Program Locations Approval** (January/February) – Approval of the project locations where the City of Regina would like to utilize the LIP.
3. **Program Approval** (March/April) – Approval to execute the projects under LIP.

In preparation for the 2014 Local Improvement Program, it is necessary to review construction and material costs, interest rates and economic trends in order to establish new uniform assessment rates. Uniform assessment rates include the portion of the cost of the work that is paid by benefiting property owners. The proposed 2014 uniform assessment rates are prepared in compliance with *The Local Improvements Act, 1993*.

## DISCUSSION

Assessment rates are calculated and revised annually based on the following policies previously approved by City Council:

1. Uniform assessment rates for water main, sidewalk, curb and gutter replacement in older developed areas are based on the cost of construction being carried out in new residential areas. Additional costs of removing existing infrastructure and pavement repair are borne by the City. Costs born by the benefiting property owners are approximately 60 percent of the total cost of sidewalks, curbs and gutters.
2. In certain pre-designated areas, commonly known as Neighbourhood Improvement Areas, Neighbourhood Improvement Program and Community Service Areas, an assessment reduction of 50 percent is applied thereby reducing the cost to the benefiting owner to approximately 30 percent for sidewalk, curb and gutter replacement.
3. The annual LIP involves sidewalk, curb and gutter replacement. The cost of any other maintenance work undertaken at the same time, such as replacement or repair of sanitary and storm sewers and pavement renewal, is not assessed to the benefiting property owners.
4. The uniform assessment rate for back alley paving is based on total program cost with 100 percent being assessed to the benefiting property owners.
5. The uniform assessment rate for alley lighting is based on total program cost with 100 percent being assessed to the benefiting property owners. Two components make up the total program cost consisting of the supply and installation of street lights by SaskPower Corporation and the annual energy and maintenance charges paid to SaskPower Corporation for the alley lights. A large majority of the cost is for the energy component.

There are two types of alley lighting programs:

- a) Alley Lighting Installation (including fixtures, poles and power source): for alleys that do not presently have poles for mounting alley lights, or do not have a power service. Costs for this type of installation are substantially higher due to the need to install new poles and power lines. Energy and maintenance costs are added to the installation costs.
  - b) Alley Lighting Installation (fixtures only): for alleys with existing poles, and a secondary power source already in place. The cost is lower as it only includes the installation of the fixtures. Energy and maintenance costs are added to the installation cost.
6. In accordance with City Policy, the term of repayment for Local Improvement charges is ten years.
  7. The majority of the construction carried out under the LIP is walk, curb and gutter replacement. However, uniform rates are established for other types of improvement to accommodate specific projects such as residential or commercial developments.

The 2014 uniform assessment rates proposed in this report were calculated based on actual 2013 construction costs for both surface works and underground works in new areas. Data regarding the costing was obtained from engineering consultants overseeing the work of private sector contractors on new subdivision construction in Regina in 2013.

#### Surface Works

In new subdivisions, the cost of concrete sidewalks, curb, gutter and asphalt increased by 7% from 2012 to 2013.

#### Sewer and Water main

In new subdivisions, water main, storm and sanitary sewer construction costs increased by 5% from 2012 to 2013.

#### Back Alley Lighting

The cost for back alley lighting upgrade installation increased by 4.8%, and back alley lighting new installation increased by 4.9% from 2012 to 2013, based on the private sector construction cost.

#### Financing

City Council sets the uniform assessment rates each year. The Finance Department proposes an interest rate for 2014, which is the average of the 10-year closed mortgage rates posted by CIBC, TD Canada Trust, Royal Bank, Bank of Montreal and Scotia Bank effective September 22, 2013. The average of the five banks was chosen in order to create a level of fairness, as some of the banks posted a different rate for the 10-year period.

City Council's policy is to adjust the previous year's uniform assessment rates on any works from other years that have not been completed if the interest rate in the year of construction is lower than the interest rate that existed when the uniform rates were established. A review of interest rates has been completed for 2014. The interest rate proposed for 2014 is 6.57%, which is the same as the rate established in 2013. Therefore an adjustment is required to the rates for 2013 work carried over to 2014. There was one location carried forward from 2013 to 2014 program.

A comparison of the revised 2014 and the proposed 2013 uniform assessment rates is shown in Appendix A.

## RECOMMENDATION IMPLICATIONS

### Financial Implications

The LIP is funded through the Street Infrastructure Renewal Program. The uniform assessment rates applied against benefiting property owners form an integral part of the LIP.

### Environmental Implications

There is a positive environmental impact caused by the replacement of deteriorated infrastructure. The condition of the infrastructure and the overall appearance of the streets are generally returned to "like new" condition. It has been observed in previous years that these improvements encourage many residents to improve their own properties.

### Policy and/or Strategic Implications

None with respect to this report.

### Other Implications

None with respect to this report.

### Accessibility Implications

On all locations where the sidewalk, curb and gutter are being replaced, pedestrian ramps will be installed at all corners.

## COMMUNICATIONS

The uniform assessment rates for the 2014 LIP will be used to estimate the property owner's share of the cost. The estimated cost per property and the uniform assessment rates will be included in the mail out informational package that will be sent to all property owners affected by the 2014 LIP.

DELEGATED AUTHORITY

The recommendation of this report requires City Council approval.

Respectfully submitted,

PUBLIC WORKS COMMITTEE

*Elaine Gohlke*

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Elaine Gohlke, Secretary

## Appendix A

### Comparison of 2013 and 2014 Uniform Assessment Rates for Local Improvements

Types of Construction	2013 Rates			2014 Rates	
	Prepaid Rate (5) Per Front Metre	Annual Rate * Per Front Metre	Revised Annual Rate Per Front Metre	Prepaid Rate Per Front Metre	Annual Rate ** Per Front Metre
Water Mains	244.63	34.14		256.86	35.85
Storm Sewer	342.49	47.80		359.61	50.19
Sanitary Sewers	208.98	29.17		219.43	30.62
Combined Works	631.15	88.08		670.44	93.57
Residential Pavement (8.5m traffic width)	378.30	52.80		404.78	56.47
Residential Pavement (10.36m traffic width)	453.95	63.35		485.73	67.79
Commercial Pavement (11.0)m traffic width)	675.38	94.26		722.66	100.85
Curb and Gutter	196.54	27.43		210.30	29.35
Concrete walk (up to 1.83m width)	190.00	26.52		203.30	28.37
Concrete Walk (each additional 0.61m)	91.74	12.80		98.16	13.70
Monolithic Walk, Curb & Gutter (up to 1.83m width)	386.52	53.94		413.58	57.72
Alley Upgrades	Prepaid Rate Per Rear Lot Meter	Annual Rate* Per Rear Lot Metre	Revised Annual Rate Per Rear Lot Metre	Prepaid Rate Per Rear Lot Meter	Annual Rate **Per Rear Lot Metre
Alley Paving (Residential)	324.29	45.26		346.99	48.43
Alley Paving (Commercial)	378.53	52.83		405.03	56.53
Alley Lighting New Installation	77.86	10.87		81.67	11.51
Alley Lighting Upgradee Installation	49.70	6.94		52.13	7.34

\* The 2013 annual rate was based on an interest rate of 6.57%

\*\* The 2014 annual rate is based on an interest rate of 6.57%

BYLAW NO. 2013-67

THE REGINA ZONING AMENDMENT BYLAW, 2013 (No. 30)

---

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

- 1 *Regina Zoning Bylaw No. 9250* is amended in the manner set forth in this Bylaw.
- 2 Chapter 19 – Zoning Maps (Map No. 3287) is amended by rezoning the lands in Regina, Saskatchewan, as outlined on the map attached as Appendix “A”, legally described as:

**Legal Address:**        **Lot 34, Block 115, Plan No. 98RA8988**

**Civic Address:**        **3435 Quance Street**

**Current Zoning:**        **LC2 - Local Commercial Area**

**Proposed Zoning:**        **MAC – Major Arterial Commercial**

- 3 This Bylaw comes into force on the day of passage.

READ A FIRST TIME THIS 15<sup>th</sup> DAY OF October 2013

READ A SECOND TIME THIS 15<sup>th</sup> DAY OF October 2013

READ A THIRD TIME AND PASSED THIS 15<sup>th</sup> DAY OF October 2013

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk (SEAL)

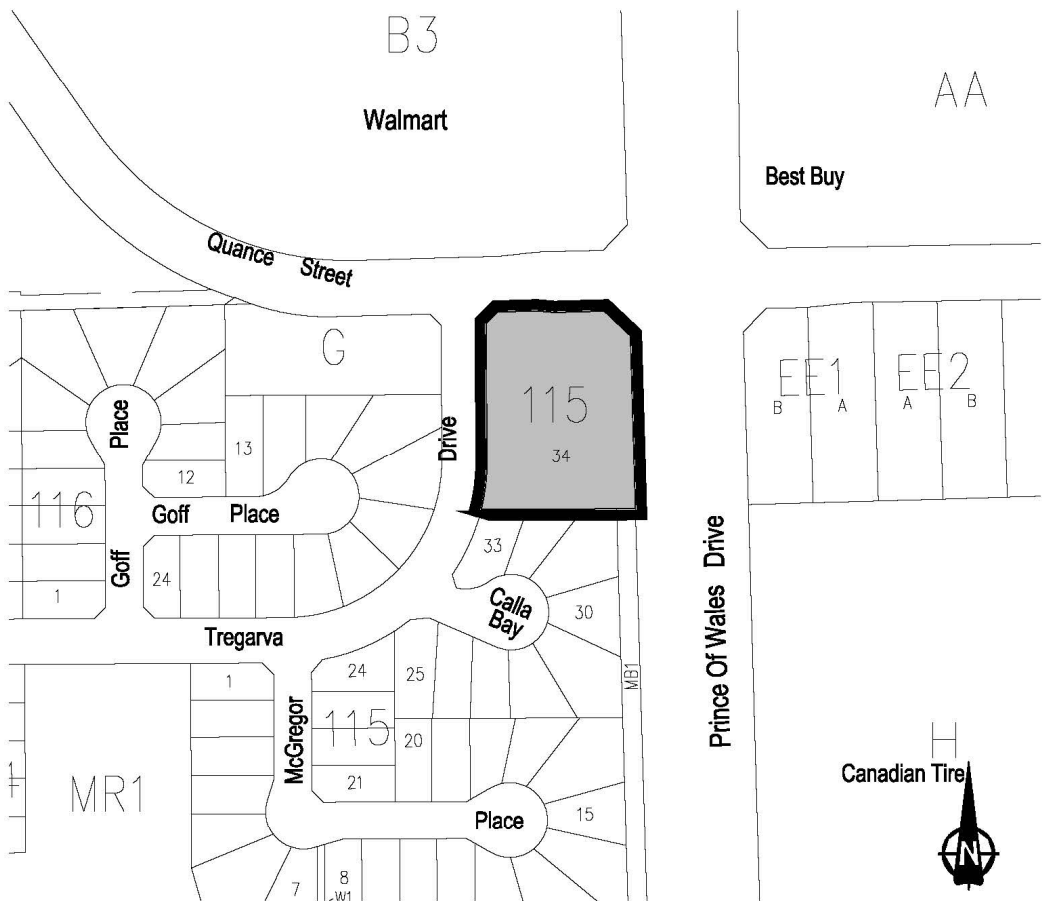
CERTIFIED A TRUE COPY

\_\_\_\_\_  
City Clerk

Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
City Solicitor

Appendix “A”



ABSTRACT

BYLAW NO. 2013-67

THE REGINA ZONING AMENDMENT BYLAW, 2013 (No. 30)

---

PURPOSE:	To amend <i>Regina Zoning Bylaw No. 9250</i> .
ABSTRACT:	The proposed amendment would rezone the subject property in order to accommodate a 23m <sup>2</sup> outdoor patio associated with a licensed restaurant.
STATUTORY AUTHORITY:	Section 46 of <i>The Planning and Development Act, 2007</i> .
MINISTER'S APPROVAL:	N/A
PUBLIC HEARING:	Required, pursuant to section 207 of <i>The Planning and Development Act, 2007</i> .
PUBLIC NOTICE:	Required, pursuant to section 207 of <i>The Planning and Development Act, 2007</i> .
REFERENCE:	Regina Planning Commission Meeting September 11, 2013 RPC13-61.
AMENDS/REPEALS:	Amends <i>Regina Zoning Bylaw No. 9250</i> .
CLASSIFICATION:	Regulatory
INITIATING DIVISION:	Community Planning and Development
INITIATING DEPARTMENT:	Planning

BYLAW NO. 2013-68

A BYLAW TO PROVIDE FOR THE CLOSURE AND SALE OF A PORTION OF  
ARGAN DRIVE ABUTTING LOTS 1 & 4,  
BLOCK C, PLAN 88R42178

---

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

1 The street described as follows is closed and may be sold:

That portion of Argan Drive abutting Lots 1 & 4, Block C, Plan 88R42178, Regina,  
Saskatchewan, as shown on the attached Appendix "A".

2 This Bylaw comes into force on the day of passage

READ A FIRST TIME THIS 15<sup>th</sup> DAY OF October 2013.

READ A SECOND TIME THIS 15<sup>th</sup> DAY OF October 2013.

READ A THIRD TIME AND PASSED THIS 15<sup>th</sup> DAY OF October 2013

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

(SEAL)

CERTIFIED A TRUE COPY



\_\_\_\_\_  
City Clerk

*Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.*

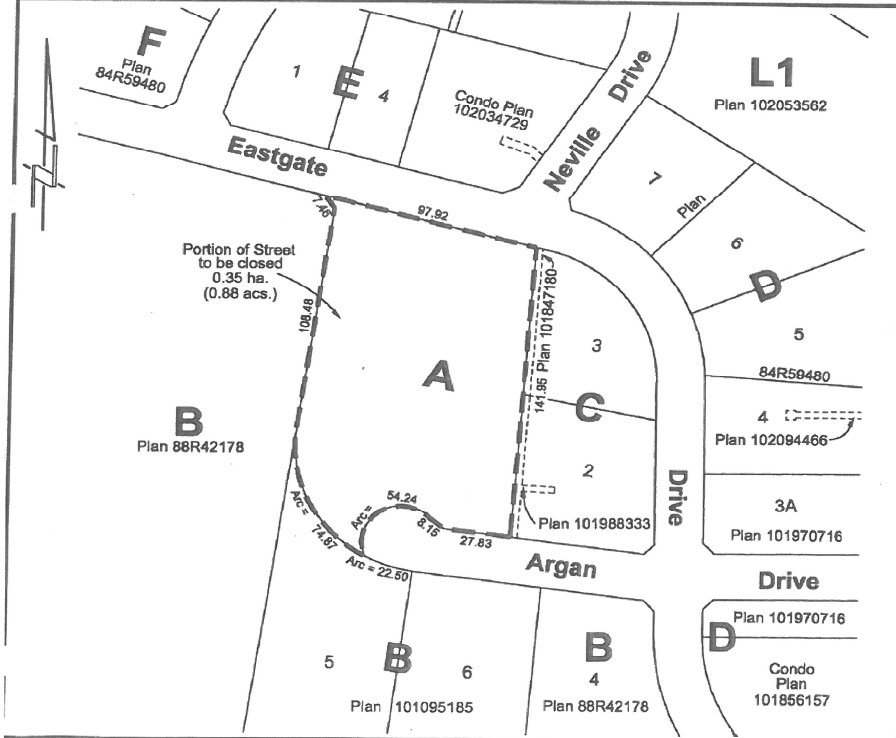
*City Solicitor*

## APPENDIX “A”

### Appendix A-3.1

<b>PLAN SHOWING PROPOSED SUBDIVISION</b> of Lot 1 and Lot 4, Block C and Part of Argan Drive Plan 88R42178 Regina, Saskatchewan P. Shrivastava, S.L.S. 2012 Scale 1:2000 <table style="width: 100%; border: none;"> <tr> <td style="border: none;">Project No.:</td> <td style="border: none;">File: 156063PR</td> </tr> <tr> <td style="border: none;">Initials: DZ - PS</td> <td style="border: none;">Job No.: 156953-R</td> </tr> <tr> <td colspan="2" style="border: none;">Preliminary Survey: n/a</td> </tr> </table>	Project No.:	File: 156063PR	Initials: DZ - PS	Job No.: 156953-R	Preliminary Survey: n/a		<b>CITY OF REGINA APPROVAL</b> The subdivision proposed herein outlined in bold dashed line is approved under the provisions of Bylaw No. 7748 of The City of Regina. Dated this ____ day of ____ A.D. 20__.  <b>CITY CLERK</b> Measurements are in metres and decimals thereof. Area to be registered is outlined in bold dashed line and contains 1.41 ha (3.49 acs.) <b>OWNER(S):</b> <div style="text-align: center;">               Saskwest Development Ltd. (Lot 1 &amp; Lot 4)         </div>
Project No.:	File: 156063PR						
Initials: DZ - PS	Job No.: 156953-R						
Preliminary Survey: n/a							
Limited Partnership Toll Free: 1-800-465-6233 www.atlungeomatics.com	City of Regina(Argan Drive)  <div style="text-align: right;">                   Saskatchewan Land Surveyors                  Date: August 21st, 2012             </div>						



The plan shows a subdivision of land bounded by Argan Drive to the south, Eastgate to the north, and Neville Drive to the east. A portion of Eastgate is to be closed, creating a new lot (A) and a new lot (B). The plan includes various other lots (1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100) and their respective plan numbers. Measurements are provided for various lots and distances between points. A north arrow is located in the top left corner.

ABSTRACT

BYLAW NO. 2013-68

A BYLAW TO PROVIDE FOR THE CLOSURE AND SALE OF A PORTION OF  
ARGAN DRIVE ABUTTING LOTS 1 & 4,  
BLOCK C, PLAN 88R42178

---

PURPOSE:	To close and allow for the sale of a portion of Argan Drive abutting lots 1 & 4, Block C, Plan 88R42178.
ABSTRACT:	The purpose of closure is to consolidate the land with the adjacent property to the east to create a new Parcel A.
STATUTORY AUTHORITY:	Section 13 of <i>The Cities Act</i> .
MINISTER'S APPROVAL:	Not required
PUBLIC HEARING:	Yes
PUBLIC NOTICE:	Required, pursuant to subsection 13(6) of <i>The Cities Act</i> .
REFERENCE:	Regina Planning Commission Meeting September 11, 2013 RPC13-63
AMENDS/REPEALS:	N/A
CLASSIFICATION:	Regulatory
INITIATING DIVISION:	Community Planning and Development
INITIATING DEPARTMENT:	Planning

BYLAW NO. 2013-69

THE REGINA ZONING AMENDMENT BYLAW, 2013 (No. 33)

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

- 1 *Regina Zoning Bylaw No. 9250* is amended in the manner set forth in this Bylaw.
- 2 Chapter 19 – Zoning Maps (Map No. 2886 and 2887) is amended by rezoning the lands in Regina, Saskatchewan as outlined on the map attached as Appendix “A”, legally described as:  
  
**Legal Address:        Lot 18, Block 12, Plan No. FJ5368**  
  
**Civic Address:        310 E. 18<sup>th</sup> Avenue**  
  
**Current Zoning:       R6 – Residential Multiple Housing**  
  
**Proposed Zoning:     C – Contract**
- 3 The City Clerk is authorized to execute the Contract Zone Agreement attached as Appendix “B” and forming part of this Bylaw.
- 4 This Bylaw comes into force on the date an interest based on the Contract Zone Agreement is registered in the Land Registry at Information Services Corporation.

READ A FIRST TIME THIS 15<sup>th</sup> DAY OF October 2013

READ A SECOND TIME THIS 15<sup>th</sup> DAY OF October 2013

READ A THIRD TIME AND PASSED THIS 15<sup>th</sup> DAY OF October 2013

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
(SEAL)

CERTIFIED A TRUE COPY

\_\_\_\_\_  
City Clerk

Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
City Solicitor

Appendix "A"



## APPENDIX "B"

THIS AGREEMENT made as of this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

BETWEEN:

**THE CITY OF REGINA**  
in its capacity as approving authority  
pursuant to *The Planning and Development Act, 2007*  
(the "City")

- and -

**101209593 SASKATCHEWAN LTD.**  
(the "Owner")

- and -

**MONIKA WOJCIK**  
(the "Applicant")

---

### CONTRACT ZONE AGREEMENT

---

**WHEREAS:**

- A. The City has an approved official community plan as contemplated in section 69 of *The Planning and Development Act, 2007* that contains guidelines respecting the entering into of agreements for the purpose of accommodating requests for the rezoning of lands to permit the carrying out of a specific proposal, referred to as "contract zoning"; and
- B. The Owner is or is entitled to become the registered owner of the lands and buildings (if any) located at 310 E. 18<sup>th</sup> Avenue, Regina, Saskatchewan, and legally described as:  
  
Surface Parcel(s): 107164605  
Reference Land Description: Lot 18, Block 12, Plan FJ5368, Extension 0  
(the "Property")
- C. The Owner/Applicant has applied to the City to have the Property rezoned from R6 - Residential Multiple Housing to C-Contract to permit the use of the Property for the carrying out of a specific proposal described as: Special Care Home (the "Proposal").

NOW THEREFORE, the Parties agree as follows:

1. **Preamble.** The preamble forms an integral part of this Agreement.
2. **Establishment of the Contract Zone.** The City hereby agrees that the zoning of the Property shall be a contract zone (C-Contract) pursuant to the provisions of *The Planning and Development Act, 2007* and *The Regina Development Plan, Bylaw No. 7877* to accommodate the Applicant's Proposal ("Contract Zone").
3. **Effective Date.** The effective date of this Agreement shall be the date of passage of the bylaw by City Council authorizing the Contract Zone (the "Effective Date"), it being understood by the Owner and the Applicant that the relevant amendments to the Zoning Bylaw shall not take effect until an interest based on this Agreement is registered against the affected title(s) to the Property at the Saskatchewan Land Titles Registry.
4. **Permitted Development and Use.** The development and use of the Property permitted within the Contract Zone shall be as follows:
  - (a) *Permitted use.* Existing and proposed use and development on the Property shall be limited to a Special Care Home which includes a 142.7 m<sup>2</sup> addition to both levels of the existing structure to accommodate a maximum of twenty (20) residents;
  - (b) *Site Layout and External Design.* The site layout and design of existing and proposed development on the Property shall be consistent with the site plan prepared by Envision Drafting & Design Ltd. and dated May 2013, which is attached to this Agreement as Schedule "Schedule A";
  - (c) *Landscaping.* Landscaping for the Property shall comply with the applicable development standards for landscaped areas pursuant to Chapter 15 of the *Regina Zoning Bylaw, No. 9250*;
  - (d) *Parking.* Parking requirements for the Property shall comply with applicable development standards for parking areas pursuant to Chapter 14 of the *Regina Zoning Bylaw, No. 9250*. Four (4) parking stalls shall be provided as per the site plan referenced in 4 (b);
  - (e) *Signage.* Signage on the Property shall comply with applicable development standards for signage pursuant to Chapter 16 of the *Regina Zoning Bylaw, No. 9250* for the Special Zones listed in Table 16.1 of the Bylaw;
  - (f) *Access.* Vehicle entry and exit from the Property shall comply with the site plan attached as Schedule A; and
  - (g) *Other.* Except as expressly modified or otherwise stated herein, the Property shall be subject to and comply with the applicable requirements and provisions of the *Regina Zoning Bylaw No. 9250*.

5. **Conditions.** The Contract Zone and this Agreement shall be conditional on the following:
  - (a) The number of residents permitted in the Special Care Home shall not exceed 20 residents;
  - (b) That 4 parking stalls shall be developed pursuant to the requirements of *Regina Zoning Bylaw No. 9250*;
  - (c) No parking shall be permitted in the rear Lane, with a sign to be erected as "No Parking," so as to not restrict fire and emergency vehicle access;
  - (d) The proposed parking stalls shall be designed to eliminate the need for backing and maneuvering onto the street and shall be suitably paved with a hard surface material (Subpart 14B.3.8 and Subpart 14B.3.4) of *Regina Zoning bylaw No. 9250*;
  - (e) Landscaping of the lot shall be developed according to the attached Landscape Plan and comply with the requirements of Chapter 15 of the *Zoning Bylaw*;
  - (f) The development shall conform to the attached plans, prepared by Envision Drafting & Design Ltd., and dated May 2013, attached to this agreement as Schedule A;
  - (g) Signage on the subject property shall comply with the development standards for Special Zones pursuant to Table 16.1 of the *Zoning Bylaw*, if applicable;
  - (h) No accessory structures (i.e., garage or shed) are permitted to be constructed on-site;
  - (i) Any zoning related detail not specifically addressed in the contract zone agreement shall be subject to applicable provisions of the *Zoning Bylaw*;
  - (j) The agreement shall be registered in the City's interest at the applicant's cost pursuant to Section 69 of *The Planning and Development Act, 2007*; and
  - (k) None of the land or buildings comprising the Property shall be developed or used except in accordance with this Agreement.
6. **Time Limits.**
  - (a) The City's approval to initiate the proposed development on the Property shall be valid for a period of two years from the Effective Date.
  - (b) The term of this Agreement and the Contract Zone provided for herein shall be in effect from the Effective Date until Termination.
7. **Compliance with Laws Other than Zoning.** The Owner and Applicant agree to comply with and to conform to the requirements of every applicable statute, law, bylaw, code and order in connection with its development, use or occupancy of the Property, which govern the Property and not to use either the land or building for any unlawful purpose.
8. **Termination.** Subject to the requirements of *The Planning and Development Act, 2007*, this Agreement may be terminated or declared void by the City if:
  - (a) the Property is developed or used contrary to the provisions of this Agreement; or
  - (b) the development fails to meet a time limit prescribed in this Agreement.
9. **Re-Zoning on Termination.** In the event that this Agreement is declared void or otherwise terminated or expires, the zoning of the Property shall revert to the following:

- (a) R6 – Residential Multiple Housing.
10. **Liability on Termination and Indemnity.** In the event that this Agreement is declared void or otherwise terminated, the City shall not be liable to the Owner or Applicant for any compensation, reimbursement or damages or account of profit or account of expenditures in connection with the Property.
11. **Departure or Waiver.** Departure from or waiver of the terms of this Agreement shall be deemed not to authorize any prior or subsequent departure or waiver and the City shall not be obligated to suffer any continued departure or grant further waiver(s). No alteration or modification of any of the provisions of this Agreement shall be binding unless the same is in writing and signed by the parties.
12. **Severability.** If any covenant or provision of this Agreement is deemed to be void or unenforceable in whole or in part, it shall not be deemed to affect or impair the validity of any other covenant or provision of this Agreement.
13. **Governing Jurisdiction.** This Agreement shall be governed and interpreted exclusively in accordance with the laws of the Province of Saskatchewan.
14. **Amendment of Agreement.**
- (a) Pursuant to *The Planning and Development Act, 2007*, the council of the City may, on the application by the Owner and Applicant or any subsequent owner of the Property:
- (i) vary this Agreement;
- (ii) enter into a new agreement; or
- (iii) extend any time limit established in this Agreement.
- (b) Notwithstanding clause (a), the provisions hereof may not otherwise be modified, unless design modifications are approved by the Development Officer, in his/her sole discretion, pursuant to that certain policy document approved by the Council of the City on or about March 25, 1991 and entitled *Guidelines for Changes to Contract Zones*.
15. **Notice.** Any notice required to be given by the parties under the terms hereof shall be in writing and may be delivered personally or mailed in a properly stamped and addressed envelope to the party to be notified at the address as follows:
- (a) to the City at: Director of Planning  
City of Regina  
P. O. Box 1790  
Regina, SK S4P 3C8

- (b) to the Owner at: 101209593 Saskatchewan Ltd.  
2042 Cornwall Street  
Regina, Saskatchewan, S4P 2K5
- (c) to the Applicant at: Monika Wojcik  
2042 Cornwall Street  
Regina, Saskatchewan, S4P 2K5

16. **Registration of Agreement.** The parties acknowledge and agree that:

- (a) this Agreement is made pursuant to section 69 of *The Planning and Development Act, 2007*;
- (b) the City shall register an interest against the title(s) to the Property based on the terms of this Agreement and, upon such registration, this Agreement shall be binding on and run with the Property as against the Owner and the Owner's heirs, executors, administrators, successors and assigns; and
- (c) the interest mentioned in clause (b) shall register in preference to all other encumbrances against the Property save and except those acceptable to the City.

IN WITNESS WHEREOF the Parties have hereunto affixed their hand and seal on the day and year first above written.

(seal)

THE CITY OF REGINA

\_\_\_\_\_  
City Clerk

(seal)

101209593 SASKATCHEWAN LTD.

Per: \_\_\_\_\_

Per: \_\_\_\_\_

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
MONIKA WOJCIK

AFFIDAVIT VERIFYING CORPORATE SIGNING AUTHORITY

CANADA ) I, Monika Wojcik of Regina, Saskatchewan,  
PROVINCE OF SASKATCHEWAN ) (Name of Corporate Officer)  
TO WIT: ) MAKE OATH AND SAY THAT:

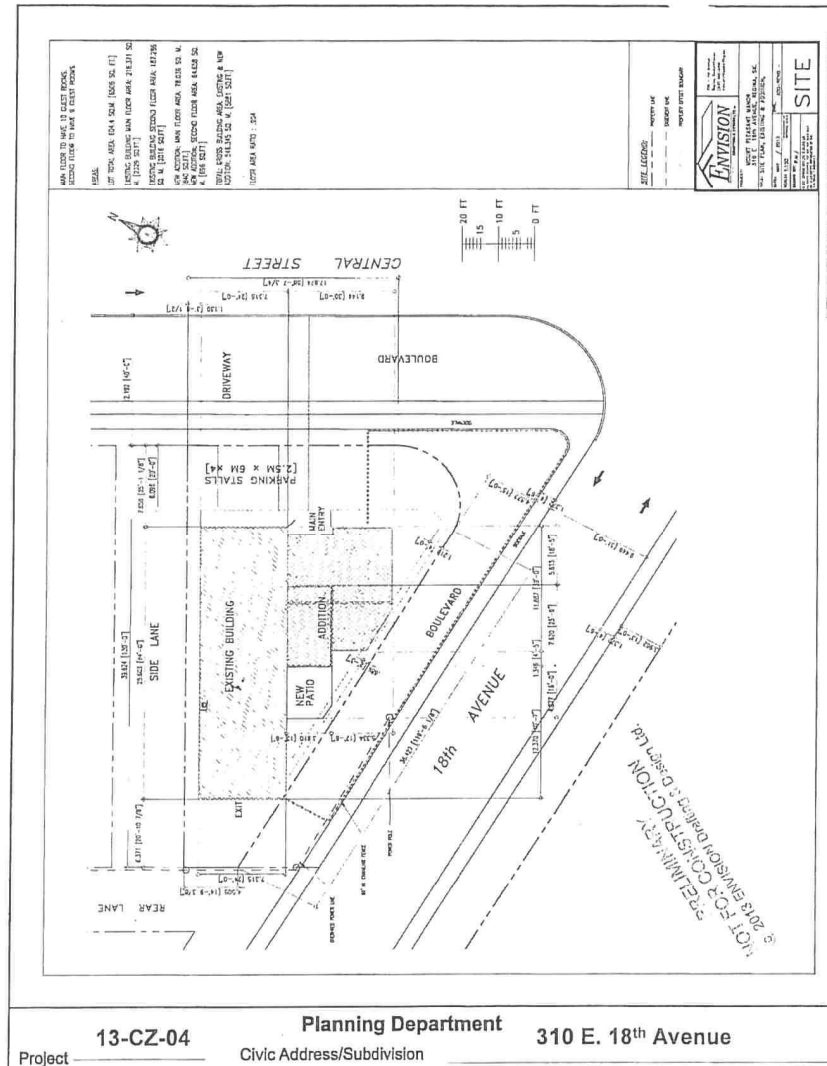
1. I am an Officer of **101209593 SASKATCHEWAN LTD.**, named in the within agreement; and  
(Name of Owner/Applicant)
2. I am authorized by the corporation to execute the document without affixing a corporate seal.

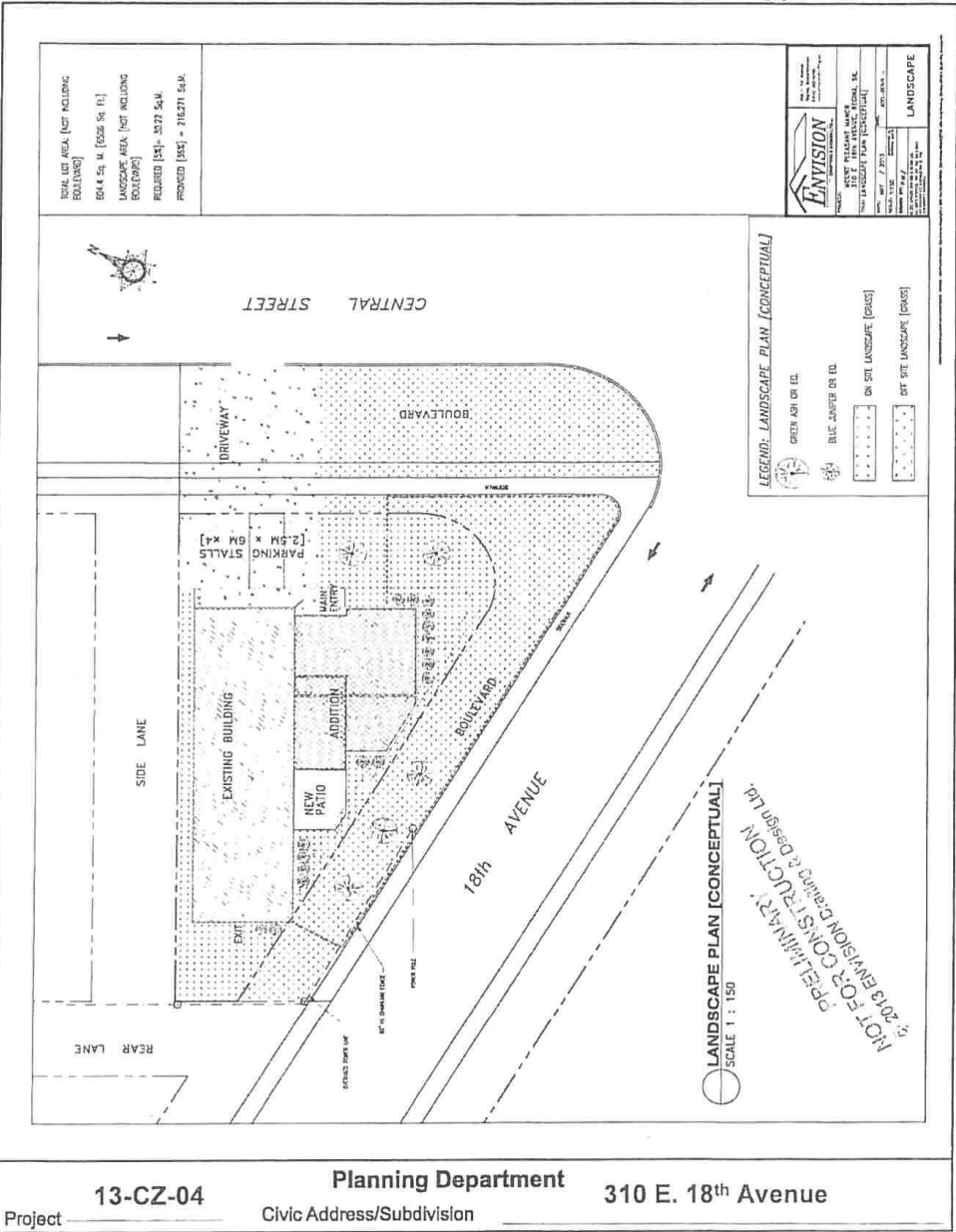
SWORN BEFORE ME at Regina, )  
Saskatchewan, this 9 day )  
of October, 2013. )  
\_\_\_\_\_  
(Signature of Commissioner)

M. Wojcik  
(Signature of Owner/Applicant)

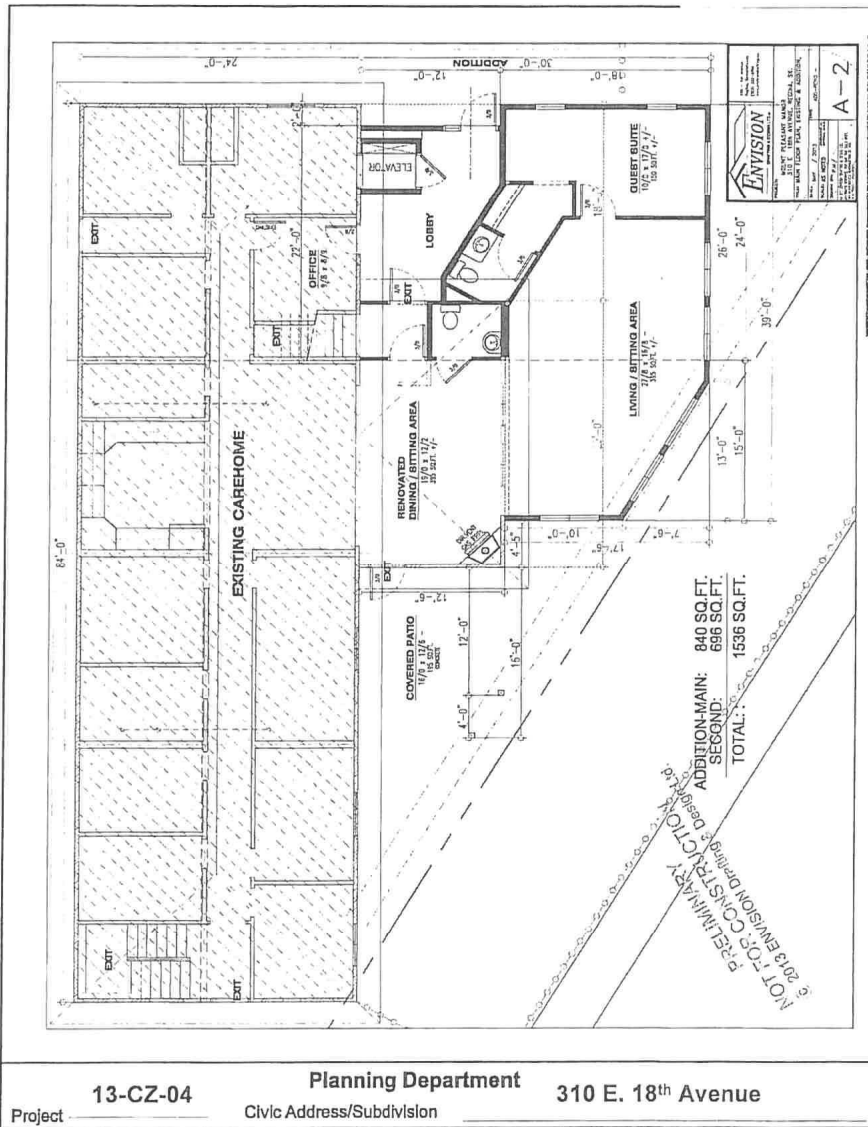
A COMMISSIONER FOR OATHS in  
and for the Province of Saskatchewan.  
My Commission expires \_\_\_\_\_  
(Date)  
Being a solicitor, my  
commission does not expire.

Dezarae S. Senft  
Barrister & Solicitor









Project **13-CZ-04** Planning Department **310 E. 18th Avenue**  
Civic Address/Subdivision



ABSTRACT

BYLAW NO. 2013-69

THE REGINA ZONING AMENDMENT BYLAW, 2013 (No. 33)

---

PURPOSE:	To amend <i>Regina Zoning Bylaw No. 9250</i> .
ABSTRACT:	The proposed Zoning Bylaw amendment pertains to a Contract Zone Agreement which is intended to convert an existing Supportive Living Home into a Special Care Home which will include a new addition to the existing structure. A Contract Zone Agreement is being considered to accommodate the Special Care Home with a maximum of 20 residents in a Zone which does not permit a Special Care Home.
STATUTORY AUTHORITY:	Section 69 of <i>The Planning and Development Act, 2007</i> .
MINISTER'S APPROVAL:	N/A
PUBLIC HEARING:	Required, pursuant to section 207 of <i>The Planning and Development Act, 2007</i> .
PUBLIC NOTICE:	Required, pursuant to section 207 of <i>The Planning and Development Act, 2007</i> .
REFERENCE:	Regina Planning Commission Meeting September 11, 2013 RPC13-64.
AMENDS/REPEALS:	Amends <i>Regina Zoning Bylaw No. 9250</i> .
CLASSIFICATION:	Regulatory
INITIATING DIVISION:	Community Planning and Development
INITIATING DEPARTMENT:	Planning

BYLAW NO. 2013-70

THE 2014 LOCAL IMPROVEMENTS UNIFORM RATES BYLAW, 2013

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

**Interpretation**

1 In this Bylaw:

“City” means the municipal corporation of the City of Regina;

“Council” means the Council of the City.

**Uniform Rates**

2(1) Pursuant to section 20(1) of *The Local Improvements Act, 1993*, when the City undertakes any of the following works as a local improvement for 2014, the City will charge the following rates as a special assessment against the properties benefited by the works:

Type of Construction	Prepaid Rate (\$) per Front Metre	Annual Rate (\$) per Front Metre
Water Main	256.86	35.85
Storm Sewer	359.61	50.19
Sanitary Sewers	219.43	30.62
Combined Works	670.44	93.57
Residential Pavement (8.5m traffic width)	404.78	56.47
Residential Pavement (10.36m traffic width)	485.73	67.79
Commercial Pavement (11.00m traffic width)	722.66	100.85
Curb and Gutter	210.30	29.35
Concrete Walk (up to 1.83m width)	203.30	28.37
Concrete Walk (each additional 0.61m width)	98.16	13.70
Monolithic Walk, Curb and Gutter (up to 1.83m width)	413.58	57.72
Alley Upgrades	Prepaid Rate (\$) per Rear Metre	Annual Rate (\$) per Front Metre
Alley Paving (residential)	346.99	48.43
Alley Paving (commercial)	405.03	56.53
Alley Lighting Installation (including fixtures, poles and power source)	81.67	11.51
Alley Lighting Installation		

Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

City Solicitor

(fixtures only)	52.13	7.34
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- (2) The annual rates in subsection (1) are based on a 6.57% interest rate and a ten (10) year repayment period.

#### **Assessment Against Corner Lots**

- 3(1) Corner lots assessed for surface works will be assessed for the whole frontage of the lot and 30% of the flankage.
- (2) Corner lots assessed for underground works will be assessed for the whole frontage of the lot and any flankage exceeding 61 metres.

#### **Rates for NIP, NIA and Community Service Areas**

- 4 For properties in neighbourhoods designated by Council as a Neighbourhood Improvement Program Area, a Neighbourhood Improvement Area or a Community Service Area, the rates in section 2 for sidewalk or curb and gutter replacement are reduced by 50 percent.

#### **Commutation of Installments**

- 5 A person whose property has been specially assessed in respect of local improvement work may, at any time, commute the remaining unpaid installments of the special assessment by paying a sum which, with interest calculated at a rate of 6.57% per annum, will totally satisfy the annual charges as they become due.

#### **Coming into Force**

- 6 This Bylaw comes into force on January 1, 2014.

READ A FIRST TIME THIS 15<sup>th</sup> DAY OF OCTOBER 2013.

READ A SECOND TIME THIS 15<sup>th</sup> DAY OF OCTOBER 2013.

READ A THIRD TIME AND PASSED THIS 15<sup>th</sup> DAY OF OCTOBER 2013

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
(SEAL)

CERTIFIED A TRUE COPY

\_\_\_\_\_  
City Clerk

## ABSTRACT

### BYLAW NO. 2013-70

#### THE 2014 LOCAL IMPROVEMENTS UNIFORM RATES BYLAW, 2013

---

PURPOSE:	To set the uniform rates for the 2014 Local Improvements Program.
ABSTRACT:	<i>The Local Improvements Act, 1993</i> requires the rates used to assess local improvement charges for works under a local improvement program to be set by bylaw.
STATUTORY AUTHORITY:	Subsection 20(1) of <i>The Local Improvements Act, 1993</i> .
MINISTER'S APPROVAL:	Not Applicable
PUBLIC HEARING:	Not Applicable
PUBLIC NOTICE:	Not Applicable
REFERENCE:	Public Works Committee, October 3, 2013, PW13-19
AMENDS/REPEALS:	Not Applicable
CLASSIFICATION:	Administrative
INITIATING DIVISION:	City Operations
INITIATING DEPARTMENT:	Roadway Preservation

DE13-126

From: Steven Kuski  
30 Darke Cres, Regina, Saskatchewan, S4S 3X9

October 15, 2013

To: The Mayor and City Council of Regina

Re: Rooming Houses

---

I have read the report prepared by the Executive Committee in regards to the "rooming house" issue. I find it to be well thought out and competently prepared. I am in agreement with the recommendations and explanations presented by the Executive Committee; specifically, that the "rooming house" land use classification be removed.

I would like to see City Council adopt the Executive Committee's recommendations.

Thank you.

Steven Kuski

Good Evening Mayor and Council,

First I want to thank the Mayor for putting the Rooming House Bylaw into Abeyance back in May. You showed good leadership and recognized not only that the housing market is very tight in Regina but something had to be done on that issue immediately. Enforcement of the Rooming House bylaw would have had drastic effects on vacancy rates first and then prices second. I suspect thousands of Residents would have had to move in short order and availability of vacant rentals would have completely disappeared.

Secondly I'd like to thank the City Administration for the work they have done in regards to analyzing the Rooming House issue. I have taken the time to review all the documents they have put out available on the website and have reviewed the report. They have recognized many key issues in regards to the challenge that was before them. I think they have done a particularly good job on the matter.

I'd like Council to pass the recommendation to remove the Rooming House Bylaw as presented in the Report. It is the responsible thing to do for the City, Homeowners, Renters and the people affected by the affordability issue. Not only those trying to buy a house but those who have to rent also. It respects the rights of homeowners and renters and that is the proper thing to do.

Thanks for your time.

Adam Knutson,  
Regina Resident

(submitted electronically)

Mayor and Council,

I would like to recommend that the Rooming House definition be dropped from the city bylaws. I was an international student from Thailand but now am a permanent resident of Canada studying at the University of Regina and know many other international students that have come here from abroad to study. For many students living in a Rooming House have been a necessity based on price of rent and availability of housing. I have known several students that have lived in a home with the homeowner and it has always been a good situation for them.

Removal of this bylaw definition will allow many of my friends to stay living where they are and carrying on with their studies.

Thank you,  
Lakkana Piewkhaow

(submitted electronically)

Good evening Your Worship, and Councillors:

Months ago I was prepared to deliver a different delegation on the subject of the Rooming House bylaw, where I would have asked you to repeal the 1992 bylaw so my friend would not be under threat of jail time for sharing space in his home with other Regina residents. I'm very pleased to instead say I support the recommendations from the Administration in their report on Homestays, and ask you to vote in favour of it.

Thank-you for your attention.

John Klein

(submitted electronically)

My name is Jim Elliott.

I have two concerns about this report.

Rooming houses and housing in general have generated very strong concerns by the public for many years perhaps as soon as 2000 when the current Mayor at the time had a task force on housing. This concern has also generated enough concern that the public has begun to be vocal and very engaged. They want action by their Council and administration. They want leadership and are willing to be engaged and involved in the future of their city.

But the first time the public knew of this rooming house report is when the media reported it. This is troubling. And secondly and perhaps more troubling is that this report was seen by the Executive Committee in a private meeting tells me that this Council or its administration still does not want the public to be fully engaged in the discussion of the future of their city. And to have my councilor respond by saying it "will come to the public through council" at the end of the discussion period is equally troubling. These questions deserve an answer.

Tonight, my opposition to the recommendations of your administration is simply. By removing the definition of the Rooming House land use classification, you will lose any fundamental control over this type of illegal action in this city. If you remove the definition, this problem will not disappear. It will simply limit the abilities of this city to control rooming houses. By limiting your abilities, you will become less capable to respond to the calls of neighbours or other residents to the growing problem of illegal rooming houses. Perhaps this Council thinks it should be the private market that should solve this problem just like it has solved the housing crisis in Regina.

So instead of doing what your administration recommends, I would suggest the following:

**a. Remove the complicating portions of the definition of Rooming Houses. I would suggest the following:**

*Rooming houses would be a building in which rooming units are provided by the owner, for permanent occupancy and compensation, to persons.*

*A rooming unit would be a room for only paid accommodation that is not a dwelling unit or other form of accommodation defined elsewhere in this Bylaw, and which:*

*(a) may or may not provide meals; and*

*(b) makes no provision for cooking in any of the rooms occupied by paying boarders.*

If the problems are with the wording of the bylaw, i.e. "primary residences of the owner" then simply take out that provision. If "permanent occupancy" is not defined in the bylaw, then simply add it to the definitions in Chapter 2. Again, if there are limitations to the bylaw being enforced by including the words "to persons not related by blood, marriage or adoption to the owner" then simply take the restriction away.

**b. Increase the current parking requirements for the Rooming House from 0.5 stalls per unit to the equivalent of other residential requirements, i.e. 1 parking stall per rooming unit.**

As one of the significant problems with this type of housing in residential areas is the overflow of parking, then simply require the property to have enough parking. If it doesn't have a solution to this, then the problem will disappear by having it on a bigger lot with sufficient parking or not at all.

**c. Increase the waste receptacles requirements up to 1 receptacle per rooming unit.**

Similar to the last one, if there is problems with excessive waste accumulating at the back of the property, then have with each rooming unit a corresponding waste receptacle.

**d. Make this type of dwelling unit discretionary in all residential zones, not just R4 and R4A.**

I suspect the reason that the rooming houses showed up in zones that have no direction on acceptability is not by accident but by plan. Anyone other than the city would not be able to say that this type of housing is acceptable or not unless it was forced into the light as this issue now has. And if bylaw enforcement is not getting out into the residential areas without a complaint, then again that puts this type of action into the shadows or the gray area of the rules.

As with the response of the administration that there is ambiguity within the bylaw, a much clearer definition of where these are acceptable, the use of the discretionary zoning and the requirement for all residential zones means that these operations will be known to the community, they will be known to the city and this should place enough scrutiny on their operations that problems will be dealt with quickly and efficiently. This will also allow the city to be inside the building when it is established and know whether the building codes and other requirements are being followed.

Lastly, and probably more emphatically, please enforce the bylaws of this city. If it requires more staff, then hire more staff. Don't make excuses why you don't have enough staff and try to solve the problem by eliminating needed bylaws.

Respectfully submitted,

Jim Elliott

October 15, 2013

Brief to the City of Regina – Regarding the Administration's Recommendations for Rooming/Boarding Houses (October 2, 2013)

Your Worship Mayor Fougere, City Councillors, Ladies and Gentlemen:

My name is Ian Zerr and I have owned and resided in my home in Windsor Park since August 2008. I am at your meeting to provide a response to the recently released Recommendation for Rooming/Boarding Houses as to what strategies may be implemented.

The main reason I am here is to raise some comments and concerns regarding the release of the proposed recommendations to address rooming/boarding houses. As a resident who has been living immediately next door to a home being run as a residential motel since 2012, not by choice mind you, I feel that I am justified in bringing my concerns forward.

To start with a brief background, I first noticed numerous different vehicles coming and going from the property and it had my attention. The winter that season was particularly bad with snowfall and I had occasions where these neighbor vehicles would park on or drive across my front yard. After some investigation, I found that it was being operated and advertised as a motel. The garbage hasn't been excessive, but is often strewn across the neighborhood by wind because the 'tenants' do not clean up spills from trash collection. I have heard some of the tenants carry on some very inappropriate discussions on the back deck, within earshot of my kids playing in their own yard. There have been periods of rapid turnover of visitors and some staying longer. There was an enormous wedding party that occupied the house over the July long weekend this year. The list could go on, but I wanted to try to be brief.

I attended and spoke at the public review of the rooming house review on July 10, 2013. After that meeting, I was sure to provide my own feedback on the options presented and can see a few of my points in the Appendix 2 of this latest recommendation.

After reviewing these latest documents made public, I would like to raise the following points, comments, and questions:

1.) The report indicated that residential dwellings are essentially operating as a motel/hotel be regulated in the same manner as a Bed & Breakfast Homestay (Report, page 5). It states that:

- It must be an "owner occupied dwelling".
- It would fall under the 'discretionary use' clause.

So why create the "Residential Homestay" land use for these 30-day or less, short-term accommodations allowing the owner NOT to occupy it, when it was just identified that these residential motels/hotels are functioning along the same lines as a Bed & Breakfast? Could the City not simply expand the definition of BBH to include "Residential Homestay" and then enforce the same rules?

October 15, 2013

How are BBH/Residential Homestays NOT considered a business operation? The City of Regina has a list of some prohibited home-based businesses under a business license. How do these types of activities NOT require a business license and fall under the same restrictions?

I would like to also see some clarity provided about what kind of weight or priority is put on public notification/feedback from neighbors/neighborhoods when considering discretionary use. I have a young son that has a severe visual impairment and I feel that the City permitting this type of transient use of the property immediately next door to me poses a degree of safety risk for my son, and also my daughter. I moved into my house and neighborhood because I expected it to be safe for my family. If I wanted to live next door to a motel, I would have asked Super 8 or the Sandman if I could build beside them.

2.) Could the City attempt to make the definition of long-term rental properties more simple: If the owner does NOT occupy the dwelling, it must be considered a long-term rental, requiring leases of greater than 3 months.

3.) Could the City consider permitting only 'owner occupied dwellings' to apply as a BBH (or Residential Homestay variant) to offer short-term stays of 30 days or less. This would still require discretionary approval after consideration of public notification feedback. Having the owner occupy these dwellings may help ensure the integrity of the home and/or neighborhood.

4.) With respect to "rooming houses", I still believe that the number of tenants/occupants SHOULD be regulated because even with the clause that no cooking facilities can exist in the rooms, there is nothing stopping a microwave and/or toaster oven appliance from being used. This could pose a fire safety risk to other "occupants".

5.) I would like to see that modifications to residences to modify living space to increase the number of available rental rooms should be regulated and monitored through building permits. With the living spaces removed to make space for more rooms, these no longer remain as "dwelling units", rather, they become "bedroom units".

Thank you for your time and consideration.

BRIEF TO THE CITY OF REGINA - Rooming Houses - City Administration's proposal to chose option one from the July 10, 2013 meeting.

Delivered October 15, 2013 to City Council

Your worship Mayor Fougere, City Councillors, Ladies and Gentlemen:

I am Brian Black and I have my neighbours, friends, and relatives including Luc Lemoine with me.

We are here representing the citizens of Hillsdale and Whitmore Park located in the south central area of Regina. I have lived in this part of the city for over 33 years. We used to have a community with great features but in the last several years we have noticed a significant decline in community spirit and character. We attribute this to the increasing number of houses that are being converted from family homes to properties offering individual rooms for rent.

My fellow neighbours and I are here this evening to oppose the City administration's proposal to have City Council adopt and pass the features contained in Option 1 - Removing the rooming house definition from the Zoning bylaw and not regulating rooming houses at all. This option 1 was initially presented by City Administration at a July 10, 2013 meeting over 3 months ago. Based on other citizens' statements to City officials at other public meetings and the 107 survey results that the City received after the July meeting, it is apparent that Option 1 was not everyone's first choice, in fact it was very obvious that the community wants additional regulation of rooming houses that is sorely absent from the City's bylaws and has created numerous problems in the neighbourhoods where they exist.

It is very interesting that the City chose to adopt regulations to address the issue of short term rentals (rooms rented by the night or the week.) The City identified by-laws would be effective in shutting down and/or regulating these illegal motel operations. The same principle applies to rooming houses. The only way to address the problems associated with rooming houses is to effectively regulate them.

- The City's proposal leaves many unanswered questions:
  - How does the City intend to protect the tenants of rooming houses who are exploited by landlords and often live in dangerous and unhealthy living conditions?
  - Do tenants' rights fall secondary to landlords rights?
  - Does the City approve of the current rooming house operations that have upwards of 17 individuals living in single detached dwelling zoned and designed for single family occupancy? Is this seen as the solution the City is seeking on the affordable housing problem?
  - In terms of communication, the proposal lacks any mention of providing residents with essential details required to keep the community informed. How does the City expect residents to respond when nothing more than whether a case was opened or closed is provided in regards to City's concerns?

-Why is there a focus on the enforcement of existing by-laws, when by the City's own admission, it can not gain access to rooming house properties to determine whether any by-laws have been violated?

As it is clear the rooming house problem will not be directly dealt with by the by-law changes, my neighbours and I have prepared a list of the likely future outcomes for our communities if Option 1 - the non-regulation of rooming houses is allowed to go forward. Removing instead of improving the definition of rooming houses and removing it as a land use out of the Zoning bylaw compounds the very problem identified by the community and by administration that led to these by-law changes.

The adoption of no regulation and no useable land use definition will have serious negative consequences for the protection of tenants, the condition of housing stock and our neighbourhoods.

#### Protecting the tenants

1. Without regulation property owners of rooming houses are less motivated to maintain safe and healthy living conditions for the tenants, as these houses are unlikely to be inspected for code violations.
2. The Provincial fire code regulations for smoke detectors, adequate sized windows and the type of window that does not freeze shut for sleeping accommodation will not be checked. This heightens the safety risks for tenants living in substandard housing.
3. Apartment suite tenants are protected with strict life and safety provincial regulations that the City is responsible to enforce, however rooming house and illegal suite tenants are not provided with the same protection.
4. Other Canadian cities have set up a licensing system for rooming houses that provides the right for fire, health and other inspectors to periodically visit these rental buildings and determine if they can continue to operate. If conditions are found to be dangerous and are not corrected within a short period of time, they lose their licence and they cannot continue to rent out rooms. Some violations face financial penalties.

#### Condition of housing stock

1. Noticeable lack of maintenance with rooming houses. For example, lawns are not cut, weeds grow high, broken screens and windows are not repaired, paint peels on the house, shingles curl up and are not replaced, shrubs are not pruned, garage doors are left half open, and garbage litters the yard from overflowing garbage bins. Substandard repairs, dividing common areas in a house, etc. are not bylaw infractions and the City will not be able to counteract them.
2. Tenants are often forced to or are instructed to park off the hard-surfaced driveways on adjacent front yards, damaging the appearance and drainage of the properties. They have also

blocked access to adjacent property's driveways and parked on sidewalks rendering them impassable for disabled citizens.

3. The City's recently researched Official Community plan outlined that they determined there is a significant number of houses in our city that are severely in need of repair and restoration. Allowing more properties to become rooming houses will surely add to the dismal state of housing stock.

4. Creating as many rooms for rent in a house to maximize profits changes the future use of the house. This limits the utility of the house for future tenants/owners that do not require a chopped up house that has 10 bedrooms. The future costs to return the house back to its original design will be too expensive for owner occupants.

5. Most of the older houses in our city do not have large enough or a sufficient number of basement windows to meet fire code regulations. The City will be encouraging slum landlords to rent unsafe, hazardous rooms in basements. Must a tragedy occur before the City takes action?

#### Impact on the community

1. The surplus number of vehicles resulting from a rooming house that does not have sufficient driveway spaces affects the ability for school buses, emergency and other essential vehicles to drive down the street. In some cases the streets are impassable in the winter, preventing emergency vehicles from safely accessing streets.

2. Hillsdale and Whitmore Park residents are currently upset about the negative impacts of the unchecked proliferation of rooming houses. The negative impacts will only further multiply as the City implicitly approves of these arrangements through a deliberate lack of regulation. Resident satisfaction will further decrease resulting in residents abandoning the area and the area becomes known for its sub-standard housing and overcrowded rooming houses.

3. Home owners may decide that they want to move away from areas that are more likely to become rooming houses because of the run down housing, the extra noise at various times of the day, the inability for them or emergency vehicles to drive down their streets.

4. Rental of rooms without a live in owner or caretaker has created problems for surrounding neighbours that is very difficult to resolve because there is no one in charge to talk to that may correct the problems that exist.

The City administration had provided evidence at their July 2013 meeting that other Canadian cities have designed and administered a licensing system for rooming houses. It was our hope that City Council would adopt the best solutions found in other cities. We had expected more from our City since Mayor Fougere was quoted on a CBC Radio afternoon show on July 10, 2013 promising that if the majority of people want proper regulation of rooming houses then the necessary resources would be made available for it. We are disillusioned with the lack of support for our residentially zoned areas of the city where owners and tenants have their homes. Our communities and in fact the city is now being swamped with longer stay rooming house with no

limitations on the number of rooms rented and will deepen the degradation of our neighbourhood housing conditions. How come other cities are able to govern these and we can't? We have not been provided any substantive reasons why this has to be the chosen policy and believe City Administration does not see the big picture.

The City has declared that they will deal with all rooming house problems using enforcement and education. It is difficult to believe this can be accomplished when they do not have a rooming houses registry and admit they can not even gain access to rooming houses or illegal suites unless they are invited in!

At a June 2013 meeting, City planners were provided a Central Mortgage and Housing Corporation (CMHC) report-produced February 27, 2007, that was done on rooming house regulatory practices and conditions in 11 Canadian cities. It declared in its findings that, [quote]"Licensing appears to be a key component for effective regulation and enforcement for rooming houses. Most inspectors rely on provisions in municipal licensing bylaws for the right of entry to carry out inspections in an expeditious and regular manner. Without these bylaw provisions, inspectors would have to depend on various provincial statutes, some of which present constraints that could delay or even frustrate inspections.

All of the profiled cities that seem to have effective control of their rooming house stock utilize regular inspections. Two of the cities have reinstated regular inspections after having temporarily inspected complaints only. In both cases, the return to regular inspections was supported by local studies that indicated a deterioration in the condition of rooming houses."[end quote]

Once again your worship Mayor Fougoure and City Councillors, the residents of Hillsdale and Whitmore Park implore you not to vote in favour for the Option 1 proposal and instead work towards a licensing bylaw that can adequately regulate rooming houses in Regina. Once again we are asking you to vote NO for the future benefit of our community. We care too much to allow rooming houses to destroy our neighbourhoods.

Good evening Your Worship, and Councillors:

I am unable to attend the October 15, 2013 meeting to express my opinions on the issues that have emerged around "Rooming Houses." Please accept Adam Knutson in my place to read the comments below.

After reading the frequently asked questions relating to Rooming Houses I am pleased with the proposed solution. This solution seems to fairly recognize the needs of both individuals currently running Rooming Houses and the needs of citizens in affected neighbourhoods. I believe the introduction of a "Residential Homestay" will prevent high turnover and the potential disrespect that may come with short term occupants.

Sincerely,  
Nathan Magnus

October 15, 2013

To: His Worship the Mayor  
and Members of City Council

Re: Rooming Houses Update

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**RECOMMENDATION OF THE EXECUTIVE COMMITTEE  
- OCTOBER 2, 2013**

1. That the Administration be directed to prepare the necessary Zoning Bylaw Amendments for advertisement as per the public notice requirements in *The Planning and Development Act, 2007*, as listed below:
  - a. The removal of the “Rooming House” land use classification
  - b. The introduction of a definition for “Short-Term Accommodation”; and
  - c. The introduction of a “Residential Homestay” land use classification and the associated development standards
2. That the City Solicitor prepare the necessary bylaw for consideration by City Council at its November 25, 2013 meeting.
3. That Council adopt Strategy 15 of the Comprehensive Housing Strategy as detailed in Appendix 1 of this report.
4. That the Administration report back to Council in July 2014, with a status update on the implementation of new regulations.

*EXECUTIVE COMMITTEE – OCTOBER 2, 2013*

The Committee adopted a resolution to concur in the recommendation contained in the report.

Mayor Michael Fougere, Councillors: Sharron Bryce, Bryon Burnett, John Findura, Jerry Flegel, Shawn Fraser, Bob Hawkins, Terry Hincks, Wade Murray, Mike O'Donnell and Barbara Young were present during consideration of this report by the Executive Committee.

The Executive Committee, at the **PRIVATE** session of its meeting held on October 2, 2013, considered the following report from the Administration:

**RECOMMENDATION**

1. That the Administration be directed to prepare the necessary Zoning Bylaw Amendments for advertisement as per the public notice requirements in *The Planning and Development Act, 2007*, as listed below:
  - a. The removal of the “Rooming House” land use classification
  - b. The introduction of a definition for “Short-Term Accommodation”; and
  - c. The introduction of a “Residential Homestay” land use classification and the associated development standards

2. That the City Solicitor prepare the necessary bylaw for consideration by City Council at its November 25, 2013 meeting.
3. That Council adopt Strategy 15 of the Comprehensive Housing Strategy as detailed in Appendix 1 of this report.
4. That the Administration report back to Council in July 2014, with a status update on the implementation of new regulations.

## CONCLUSION

The City of Regina plays a major role in shaping and maintaining the quality of life within its neighbourhoods. This is accomplished not only through land use planning but also through the enforcement of a number of bylaws and codes that protect and maintain the safety of residents. While multiple people living in a dwelling unit may reflect a change in neighbourhood norms, this does not change the inherent fact that in many cases, these individuals are “living” in these homes. They are contributing members of our community, carrying out the activities of daily life, no different than anyone else. While these individuals do not own these dwellings, they ultimately function as their homes.

Through this review process, the Administration has attempted to find a balance between the rights of individuals to reside where they choose and the concerns of neighbouring property owners regarding the impact multiple tenant dwellings have on their property and the neighbourhood as a whole.

The Administration recommends amendments to the Zoning Bylaw that provide clear land use purpose and intent while not attempting to regulate users (people); including household size or composition. These amendments include revisions that speak to emerging residential uses that have been sparked by Regina’s growing economy and the choice and availability of housing options. The Administration is also recommending a revised Strategy 15 to address the need for a diversity of rental accommodations including provisions for small efficiency units for singles, as well as continued and improved enforcement of health and safety concerns around the rental of detached dwellings and other forms of rental housing.

## BACKGROUND

Council and the Administration received a significant amount of rooming house related feedback during the review of the Comprehensive Housing Strategy, specifically regarding Strategy 15. The intent of Strategy 15 was to support the creation of purpose-built rooming houses and single room occupancies throughout the City, in accordance with the Zoning Bylaw, to accommodate temporary workers and others requiring temporary or low-cost living accommodations. Existing concerns around this issue, coupled with the recommendations associated with Strategy 15 raised concerns that the City intended to financially support the conversion of existing detached dwellings to rooming houses in low-density residential zones.

At the April 29, 2013 meeting of City Council, Council considered the Comprehensive Housing Strategy and tabled Strategy 1, items c & h and Strategy 15 to “allow for a more comprehensive review of this area to be completed and brought back to Council by July 29<sup>th</sup> for direction whereby said review shall engage the Provincial Government as appropriate and address the goals of protecting the health and safety of potential renters and protecting the quality of life in the neighbourhoods where they are located”.

## DISCUSSION

An extremely low vacancy rate for rental properties, increasing house prices, immigration trends and changing family demographics are impacting the way some detached dwellings in Regina are being used. Increased occupancy in detached dwellings by large families or multiple unrelated individuals, or a combination of the two can create conflicts with neighbours, who may experience concerns related to noise, parking and property maintenance.

### Role of the Provincial Government

The Province of Saskatchewan does not require registration or licensing of single-detached rental properties. The only provincial jurisdiction around the rental of dwellings applies to out-of-province landlords who must provide the name of someone with power of attorney (e.g., a family member) who may act on behalf of the landlord and be available to tenants should issues arise.

Should concerns arise from tenants, they can file formal complaints with the Provincial Rentalsman who is the authority in matters of tenant-landlord disputes.

### Current Regulatory Approach for Rooming Houses

While the Rooming House definition was relevant many years ago when this type of residential accommodation typically developed in medium density or mixed use zones, it no longer addresses current housing conditions given the availability and affordability of rental housing.

*Regina Zoning Bylaw No. 9250* defines a Rooming House as “a building that is the primary residence of the owner and in which rooming units are provided by the owner, for permanent occupancy and compensation, to persons not related by blood, marriage, or adoption to the owner.” This definition poses the following three key challenges with regard to enforcement:

1) “...primary residence of the owner”

While the Administration has means of identifying who the property owner is and whether the property is their primary residence, many of the known problem properties are not owner occupied. Accordingly, they cannot be classified as Rooming Houses and be required to adhere to the development standards associated with this use.

2) “...for permanent occupancy”

Permanent occupancy is not defined within the Zoning Bylaw, which opens the definition up to a variety of interpretations regarding an individual’s length of stay within the dwelling unit.

3) “...to persons not related by blood, marriage or adoption to the owner”

Proving relationship of individuals within a home poses challenges as legal documents would be required (birth or marriage certificates) that occupants would not likely provide willingly. As such, they would need to be subpoenaed. In addition, although some municipalities do continue to have similarly worded bylaws, regulation of household composition and relationship of individuals has been successfully challenged in other jurisdictions as being discriminatory.

In order for the City to take action on any “Rooming House” complaint, the City has to prove that the property passes the three part test of the definition as described above. In its current form, the definition creates a loophole, because the majority of problem properties do not pass the three part test and thus are not subject to the Rooming House regulations laid out in the Zoning Bylaw. Only properties that meet the three part test are subject to the Rooming House regulations, which are separate regulations from those dealing with issues of life safety.

Many of the complaints received about multi-tenant detached dwellings have little to do with the actual land use of the property, and more to do with the behaviour of the tenants, the maintenance of the property and the availability of on-street parking.

#### Regulatory Approaches Considered

At a July 10, 2013 public meeting held at Knox Metropolitan Church, the Administration presented three possible options to regulating rooming house operations, which are detailed in Appendix 2 of this report. The options are as follows:

**Option 1:** *Eliminate the land use ‘Rooming House’ from the Zoning Bylaw and continue to enforce life safety issues*

This option would include an amendment to the Zoning Bylaw deleting the land use classification and the specific provisions that apply to Rooming Houses.

**Option 2:** *Limit the number of boarders permitted in detached dwellings*

Under this option, the Rooming House land use classification would be deleted from the Zoning Bylaw. A new land use classification of “Boarding House” and definition of “Boarder” would be introduced, with a limit on the number of Boarders allowed within a Boarding House. Larger Boarding Houses containing 5 to 8 boarders would require review under the discretionary use process and final consideration by City Council.

**Option 3:** *Establish boarding house sizes dependent on densities allowed in zoning districts, boarding houses/apartments require an annual license and inspections.*

This option would include the amendments referenced in Option 2 with the exception that there would be no discretionary use provision for larger Boarding Houses. A new land use classification of “Boarding Apartments” would be introduced to accommodate larger facilities within medium to higher density residential, mixed use and commercial zones. This option also included the licensing of all Boarding facilities.

These three options were developed based on research and staff interviews on approaches taken in five other cities across Canada. The five cities included Calgary, Edmonton, Ottawa, Saskatoon, and London.

## Recommended Approach

The Administration is recommending that an amended Option 1 be implemented.

The purpose of Zoning is to separate incompatible land uses and attempt to mitigate the impacts of individual land uses on neighbouring properties. It is not a mechanism to regulate the behaviour or relationships of individual tenants or composition of households. Therefore, the Administration is not recommending an approach that attempts to regulate user rather than use, as contemplated in Options 2 and 3. The proposed definitions are designed to remove some of the barriers to enforcement by making it clear what the land use is and how it functions. This approach also shifts the focus away from lifestyle choices regarding living arrangements within private dwellings to ensuring that the dwelling is safe for human habitation. Many of the complaints associated with multiple tenant dwellings are not land use related and are already addressed through other municipal bylaws.

Through the public engagement process and an analysis of complaints received, the Administration has identified that some residential properties are actually functioning along the lines of a Bed & Breakfast providing accommodation for short stays ranging in duration from nightly to weekly and advertised as such. The Zoning Bylaw defines a Bed & Breakfast Homestay (BBH) as *“an owner occupied dwelling unit where short-term lodging rooms and meals are provided”*. A BBH is a discretionary use in all residential zones with the exception of the TAR – Transitional Area Residential zone where it is permitted.

The Administration is of the view that residential dwellings where rooms are being provided on a short-term basis (by the day or week) for a fee, are essentially operating as a motel/hotel or a BBH without the provision of meals. It is recommended that these types of operations be regulated in the same manner as a BBH, as the land use impacts are essentially the same.

Accordingly, the Administration recommends the removal of the existing “Rooming House” land use classification and the introduction of a definition that speaks to what is deemed to be “short-term accommodation” and a land use classification that addresses motel like functions taking place in a structure that was purposely built as a dwelling unit. The recommended definition and land use classification are as follows:

**Short-Term Accommodation** – the provision of sleeping and bathing quarters for less than 30 days, and where a daily or weekly rate is charged.

**Residential Homestay** – a dwelling unit where short-term accommodations are provided without meals.

The Administration has determined that any stay under 30 days is short-term, as dwelling rentals are typically provided on a monthly or yearly basis. In order to differentiate more traditional rental situations from those providing more transient accommodations, the rate being charged on a daily or weekly basis was included in the definition.

The Residential Homestay land use classification refers to short-term accommodation being provided for a fee in any type of dwelling unit, not just a detached dwelling, regardless of whether the owner lives there or not. The proposed use would be permitted in the Transitional Area Residential (TAR) Zone and discretionary in all other residential zones as is the case with the BBH. By making this a discretionary use, all proposals will be subject to an internal review, public notification to surrounding neighbours and be subject to review through Regina Planning Commission and final consideration by City Council. Inspection by the Fire department will be included as part of the approval process. The use may also be subject to inspection by other branches if and when deemed necessary. The recommended development standards for Residential Homestays are detailed in Appendix 3.

The Administration expects that with this approach, a percentage of the current short-term accommodations will likely revert back to long-term rentals by property owners who are not interested in seeking a development permit in order to continue to operate “short-term accommodations” and “residential homestays”. Homes providing long-term rental would be functioning as residences and be permitted to operate without City approval.

### Health & Safety Investigations

All concerns regarding the health and safety of a dwelling unit that are reported through Service Regina are initially forwarded to the City of Regina’s Bylaw and Licensing Branch for further investigation. Based on the outcome of their investigation, the property may be referred to the City’s Housing Standards Enforcement Team (HSET) if numerous violations are found within the dwelling. This would require a multi-departmental response which is within the HSET mandate. If there are not multiple violations found, the HSET is not engaged.

The HSET is comprised of members from Regina Qu’Appelle Health Region, Regina Police Service, Regina Fire and Protective Services and the City’s Bylaw and Licensing Branch. The mandate of this team is to enforce housing standards as they relate to the various partner agencies. Properties are referred to the HSET by partner organizations who, during the course of their duties, notice properties in need of safety related repairs (e.g. lack of hard-wired smoke detectors, proper ventilation, insufficiently sized egress windows, etc.). The team focuses on the physical condition of a dwelling, not the tenure of those living in the dwelling. There is no consideration given to the relationship of the persons living in the dwelling or their status as a renter or owner. The primary concern of the team is the safety of the home for those living in it.

The HSET is subject to the same police powers as any of the partner organizations. This means that the team cannot gain access to the dwelling in question without consent of the property owner or tenant, or by getting a warrant from a judge. This poses challenges to enforcement, as landlords and tenants are sometimes uncooperative in providing consent and have no legal obligation to do so unless presented with a warrant.

When the team sets out to conduct an investigation, several attempts are made to gain entry into a property. If staff is unsuccessful in gaining access through tenant or landlord consent, a warrant may be applied for depending on the availability of credible evidence. In order for the team to gain access, the warrant must be applied for by the team.

The team cannot gain entry based on a warrant granted solely to one of the partner organizations. If the team cannot gain access by consent and is unable to obtain a warrant, the City’s Bylaw and Licensing Branch will still conduct an exterior investigation to ensure the dwelling is compliant with *The Regina Property Maintenance Bylaw 2008-48*.

Complaints regarding the land use of multiple-tenant dwellings will continue to be forwarded to the Bylaw and Licensing Branch for further investigation. To help address concerns that some residents expressed regarding the ability to find out the outcome of investigations, the Administration will work with Service Regina to ensure complainants are provided with the Service Request number associated with their complaint, should the complainant wish to follow-up on the outcome in the future. This will help to address concerns that were expressed by residents regarding being made aware of the outcome of investigations. In responding to future complaints, the Administration will also maintain a list of known problem properties to ensure issues pertaining to health and safety are addressed and maintained.

### Parking

A common complaint associated with multiple people living within a dwelling unit is the perceived impacts on the availability of on-street parking and incidents of illegal parking. To address these issues, the City's Parking Services Branch has recently increased the number of parking enforcement officers, expanded the hours of service for enforcement and in-bound calls to include evenings and weekends. This is expected to improve the effectiveness and responsiveness of the City for parking enforcement requests.

Additional measures to address resident concerns regarding excess numbers of vehicles on their streets would require the development of a new type of residential parking program that would limit all residents' access to on-street parking on their block and throughout their neighbourhood, thus extending the restriction to adjacent streets to reduce the spill over of vehicles. Potential parking restrictions could eliminate or limit overnight parking on select streets or permit parking by permit only with a cap on the number of permits issued to a home.

It should be noted that through the course of the Administrations review, no other Canadian municipality could be identified that has implemented a parking program whose purpose is to reduce the number of vehicles eligible to park in a residential area where a competing non-residential use (e.g. stadium, university, hospital etc.) is not present.

### Comprehensive Housing Strategy #15

The intent of Strategy 15 was to support the creation of purpose-built rooming houses and single room occupancies throughout the City, in accordance with the Zoning Bylaw, to accommodate temporary workers and others requiring temporary or low-cost living accommodations. In light of the concerns brought forth since the release of the Comprehensive Housing Strategy including both the rental of single-detached houses and the lack of affordable rental accommodations in the City, Strategy 15 has been amended to address the need for a diversity of rental accommodations including provisions for small efficiency units for singles, as well as continued and improved enforcement of health and safety concerns. The revisions to Strategy 15 will direct the Administration to:

1. Address the shortage of rental housing available due to economic growth and the influx of newcomers, temporary workers, students and others seeking low-cost accommodations.
2. Research, evaluate and adapt to the housing needs of a changing population by working with partners such as the U of R, SIAST, Open Door Society, Saskatchewan Housing Corporation and others.

3. Foster the creation of purpose-built, low-cost, flexible living accommodations in new and existing neighbourhoods including identifying appropriate areas for these uses through the Comprehensive Housing Strategy (CHS) and Official Community Plan (OCP).
4. Strengthen a coordinated and efficient system for enforcement to ensure safe, healthy living environments for all residents in parallel with Strategy 13 in the CHS through the work of the Bylaw and Licensing Branch and the Housing Standards Enforcement Team (HSET).
5. Communicate regulations and standards for dwellings being rented to multiple tenants
6. Provide information and educational opportunities to help tenants, property owners and residents understand housing standards and regulations as well as demographic and economic changes contributing to housing issues

A revised Strategy 15 is included in Appendix 1 including additional background information, steps to implementation, definitions and Administrative branches involved. Incentives for rooming houses as recommended in Strategy 15 c) and 15 d) and in Strategy 1 c) and 1 h) have been dropped from the revised Strategy 15 and the Implementation Plan. Single-room occupancies as new, purpose-built, efficiency apartment units will be considered for housing incentives under the City's Housing Incentives Policy.

As part of Strategy 15, Administration will work with the Communications Branch to create an educational strategy to help landlords, property owners, tenants and residents understand the regulations related to housing standards and the process of enforcement.

## RECOMMENDATION IMPLICATIONS

### Financial Implications

None with regard to this report.

### Environmental Implications

None with regard to this report.

### Policy and/or Strategic Implications

Recommendations herein align with the goals and strategies of the *Comprehensive Housing Strategy* and the policies of the final draft *Official Community Plan* to increase the supply of rental housing, improve housing affordability and increase the diversity of housing options.

### Other Implications

None with regard to this report.

### Accessibility Implications

None with regard to this report.

## COMMUNICATIONS

Public meetings were held in May and July for the Administration to exchange information, present and consider options, and engage in the public in a dialogue over this issue.

In addition to these meetings, the Administration met with individuals and groups to receive feedback and responded to numerous requests for service as this issue gained heightened awareness in the community.

A public survey regarding potential solutions was initiated on July 10, 2013 and was made available through hard copy documents and on the City of Regina's website. 106 surveys were received. The result of this survey is detailed in Appendix 2.

Individuals who have provided their contact information on comment sheets through the public meeting events will receive written notice of this report.

## DELEGATED AUTHORITY

City Council's approval is required.

Respectfully submitted,

EXECUTIVE COMMITTEE



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Joni Swidnicki, Secretary

## CITY OF REGINA HOUSING STRATEGY: DETAILED WORK PLAN

**Strategy 15**

## SHORT to MEDIUM-TERM STRATEGY

Strategy will include public consultation or outreach

<b>Foster the creation of diverse and economical rental accommodations</b>
--

**Background**

*Strategy 15 as outlined in the CHS was originally focused on the creation of purpose-built rooming houses and single room occupancy rental units throughout the City to accommodate temporary workers and others requiring temporary living accommodations. The release of the Comprehensive Housing Strategy and evaluation of this strategy brought attention to existing conditions in which single-family homes are rented to a number of related or unrelated individuals. The rental of single-family homes has shed light on the lack of rental options throughout the city. Therefore, Strategy 15 has been amended to address the need for a diversity of rental accommodations including provisions for small efficiency units for singles, as well as improved enforcement of health and safety standards in single detached dwellings.*

*Incentives for rooming houses and single-room occupancies as recommended in Strategy 15 c) and 15 d) and included in Strategy 1 c) and 1 h) have been dropped from the revised Strategy 15 and implementation plan for Strategy 1.*

**Intent of Strategy**

1. Address the shortage of rental housing available due to economic growth and the influx of newcomers, temporary workers, students and others seeking low-cost accommodations
2. Research, evaluate and adapt to the housing needs of a changing population by working with partners such as the U of R, SIAST, Open Door Society, Saskatchewan Housing Corporation and others
3. Foster the creation of purpose-built, low-cost, flexible living accommodations in new and existing neighbourhoods including identifying appropriate areas for these uses through the Comprehensive Housing Strategy (CHS) and Official Community Plan (OCP)
4. Strengthen a coordinated and efficient system for enforcement to ensure safe, healthy living environments for all residents in parallel with Strategy 13 in the CHS and through the work of the Bylaw and Licensing Branch, and the Housing Standards Enforcement Team (HSET)
5. Communicate regulations and standards for dwellings being rented to multiple tenants
6. Provide information and educational opportunities to help tenants, property owners and residents understand housing standards and regulations as well as demographic and economic changes contributing to housing issues

## APPENDIX 1

Steps to Implementation	Time Frame
1. Study and evaluate other Canadian cities for case examples and best practices research including land use, licensing and parking requirements for the regulation of safe and healthy rental accommodations in existing detached dwelling units and single-family housing	Short
2. Study and propose changes to the Zoning Bylaw to accommodate safe, healthy living accommodations in existing housing stock and established neighbourhoods	Short
3. In combination with Strategy 9, consult with non-profits, special needs groups and provincial housing authorities to identify the housing needs of newcomers and vulnerable populations and propose new types of flexible housing options	Short
4. Increase coordination and efficiency between City branches and departments for reporting and enforcement of building and maintenance standards in parallel with Strategy 13. Priority will be given to health and safety issues	Short
5. Study and propose changes to the Zoning Bylaw to accommodate small, purpose-built efficiency rental units or flexible units for single individuals or households in medium and high-density zones in parallel with Strategy 16	Short-medium
6. Establish a communications strategy to help tenants, property owners and residents understand rules and regulations as well as demographic and economic changes contributing to housing issues	Medium

### Definitions

*New definitions will come forward with revisions to Zoning Bylaw following approval of strategy by City Council.*

Detached dwelling - a building that contains only one dwelling unit and is not attached to another, adjacent dwelling unit. Where permitted, a detached dwelling unit may also contain a Secondary Suite subject to the regulations of *The Zoning Bylaw No. 9250*.

Purpose built rental unit – A rental unit that is designed and built for rental purposes and is not intended as an ownership unit.

### Branches involved

Neighbourhood Planning, Current Planning, Building Standards Branch, Bylaw Enforcement and City Solicitor

The following reflects the options that the Administration presented at a public meeting held on July 10, 2013 at Knox Metropolitan Church. Through further analysis and consideration of input received in follow up to the meeting, some of the content contained in these options will not reflect the current perspective or position of the Administration.

# **Option 1: Eliminate the land use ‘Rooming House’ from the Zoning Bylaw and continue to enforce life safety issues**

Public Responses: 23

## **Administration Comments**

### Issues and Considerations:

- No increased spending required
- Reduce enforcement complexities
- Life Safety issues continue to be enforced by Bylaw Enforcement
- No tenant displacement (only for life safety)
- No control over numbers of boarders
- May create incompatible situations

## **Public Comments and Issues Identified:**

### General

- This option is easier to implement
- There will be limited tenant displacement only under circumstances due to life safety enforcement matter
- Municipal government has no place saying if property owners can or can not rent their property/houses
- Existing complaints are already covered under other bylaws and as such there is no need to regulate rooming/boarding houses as a land use. There are already bylaws in place to deal with the other issues such as crime, parking, noise, safety, building code and property maintenance. The focus should be on these specific problems and enforcing bylaws related to these areas
- It will help to intensify development in existing suburban areas and contribute to better utilization of city infrastructure. Intensification of residential development is a good thing and is identified in the new official community plan as important for achieving a sustainable community
- Allowing people the opportunity to rent rooms in their house to help them pay their mortgages achieves community objectives of affordable housing. This option helps first time home buyers enter the housing market
- University students need a place to live and rooming houses are a viable option in communities such as Whitmore Park and Hillsdale. It is unfair to have rental supply restricted and not able to live near the university.

## APPENDIX 2

- Renters should be free to choose the best options that suit their needs and the determination of who lives where is best determined between renters and the landlord.
- This form of housing fills an important need in the housing market for those looking for more affordable product

### Enforcement

- Focus should be on ensuring building code compliance
- More focus should be on enforcing existing noise and parking standards. Similar parking issues that occur at some rooming houses can and do occur with large families. How are these situations different than parking at a rooming house
- The City needs to ramp up enforcement in these areas and this will address the problem

### Regulation

- Parking standards are not required as many in boarding houses use public transit
- Regulation would be a bad economic move as it will impact affordable housing supply and further strain the housing market. More regulation could have the effect of driving people away from the city for labour coming that is coming into the market to fill employment voids (they may choose to work elsewhere)
- Over regulation will increase municipal property taxes and result in rent increases and stagnate the economy. More regulations equate to increases in spending. If annual licensing for rooming houses is implemented it will be another administrative problem open to inconsistent enforcement.

## Option 2: Limit the number of boarders permitted in detached dwellings

Public Responses: 6

### Administration Comments

Boarder Definition: A person who rents a room for sleeping and living accommodation within a detached dwelling, with or without the provision of meals, who is not a member of the household occupying the detached dwelling and who is not the owner of the detached dwelling

Boarding House Definition: A detached dwelling in which the owner provides accommodation to boarders, exclusive of the owner and the owners household, and where no cooking facilities are present in any individual accommodation rooms

- Up to 4 Boarders with or without the occupancy of the owner's household
- 5 to 8 Boarders subject to public notice and City Council approval

Parking Standard: 0.5 stalls per Boarder, plus one for detached dwelling with no more than one parking stall provided in tandem.

### Issues and Considerations:

- The amendments would replace the current Rooming House definition with a new and clearer definition that establishes maximum number of Boarders
- Easier to understand and enforce than current definition
- Larger boarding homes subject to community review and input
- Off-street Parking standard applied
- Quick implementation period with new zoning amendments in place prior to the end of 2013
- Enforcement would be driven on a complaint basis and as such the Administration may not become aware of Boarding Houses that violate the rules until they are operational
- When complaints are received there will be enforcement challenges that will need to be overcome including gaining entry to property and establishing number of boarders and that there is a monetary exchange with a land lord.
- Public education process would be required and to make property owners aware of the new requirements

### Resource Implications:

Heightened community awareness around this issue would result in additional resources being required under this option. The resources would also be required to undertake public education on the new regulations.

Estimate two additional resources: Bylaw Standards Officer and Development Control Officer I.

### Public Comments and Issues Identified:

#### General

- The problem is not with the home owner who rents out rooms but the problem is with the commercial rooming house enterprise where the owner is not present on site. Under option 2 the city could encourage a voluntary registration side by side with a complaint driven enforcement process

## APPENDIX 2

- This option would provide a limit that balances the need for more housing, providing the owner with ability and opportunity to rent and help to protect the character of existing neighbourhoods

### Regulation

- This option would allow boarders to still live in R1 areas but would address houses overflowing with people that lead to both safety issues in the houses and problems related to impact on the neighbourhood.
- If option 2 is selected it should address daily rentals and classify those situations as something different. These operations are operating more as motels in a residential area and may need to be defined differently
- If there is tenant displacement with the implementation of regulations limiting the number of boarders there should be a two months grace period allowed to allow tenants to find alternate housing
- The numbers of boarders needs to be regulated and where there are larger boarding homes then area need to be specifically identified for these homes and they should not be located in R1 areas as these areas were not planned for multiple tenants in a home
- We currently have Option 1 and this approach has been unsuccessful in addressing issues of landlords violating bylaws and exploiting tenants and neighbourhoods. The number of boarders need to be regulated

### Enforcement

- Although enforcement will remain reactive, this is all that is needed as limits on the number of boarders with clear definitions will have desired effect

## **Option 3: Establish boarding house sizes dependent on densities allowed in zoning districts and boarding houses/apartments require an annual license and inspections**

Public Responses: 17

### **Administration Comments**

Boarding House: Boarding House as defined in Option 2 and accommodated in detached dwellings in any zoning district and no discretionary use provision

Boarding Apartment Definition: A building in which the owner supplies accommodation for more than four boarders, exclusive of the owner and the owner's household, with or without provision of meals, and where no cooking facilities are present in any individual accommodation rooms

- Accommodated in medium to high density and some commercial zoning districts
- Work unit created to enforce and administer licensing of Boarding Houses/Apartments with annual inspections

Parking Standard: 0.5 stalls per Boarder, plus one for detached dwelling with no more than one parking stall provided in tandem.

### Issues and Considerations:

- Proactive enforcement with annual licensing and inspection for life safety issues
- The amendments would replace the current Rooming House definition with a new and clearer definition that establishes maximum number of Boarders
- Licensing would provide a means for tracking this segment of the rental market and an inventory of licensed boarding facilities would be created and maintained
- Option 3 may result in better quality accommodation for boarders however, given expenses with the upkeep of properties that would result this may result in rental increases for a more vulnerable segment of the rental market
- Annual inspection would serve as an important tool for ensuring compliance with various codes however, it is very resource intensive and would require the establishment of a work team which would have a core set of employees but also require resource commitments from other work areas including Fire, Building Standards, Parking Standards, Enforcement, and Planning.
- The implementation period would be long as specific bylaw provisions and regulations would need to be prepared and adopted. In addition work would be required to hire a work team to administer and regulate the annual inspection process. It is estimated that the implementation period would be two to three years.
- A development permit would not be required for a boarding house (less than four boarders) but would be required for more than four boarders should City Council approve.

### Resource Implications:

A work team would need to be established as well as resource commitments from a number of business units to undertake an annual licensing process.. The resources would also be required to undertake public education on the new regulations.

Estimated additional resources:

Manager Position  
Administrative Support  
Boarding House Coordinator  
Two Bylaw Licensing Clerks

Staff allocations from the following work areas to an inspection team:

- Fire
- Building Standards
- Bylaw Enforcement
- Parking Standards

### **Public Comments and Issues Identified:**

#### General

- Support adoption of the approach used in the City of Ottawa which is very similar to this option
- This option provides for a coordinated approach to dealing with the multiple regulatory areas that this issue touches and does so with a team approach from many city regulatory work areas
- An important implementation piece of this option would be public education and advertising to inform the public and property owners of the changes in regulatory approach
- Prefer this option with the owner living in the house
- The City should consider making parking a cost that might deter more vehicles from parking on the street.
- The adoption of Option 1 will lead to further community degradation. The current lack of regulation is allowing a “free ride” on community assets

#### Regulation

- A requirement of 0.5 parking stalls per boarder is fair. This should address on-street parking impacts
- As indicated in Option 2 – If this option is selected it should address daily rentals and classify those situations as something different. These operations are operating more as motels in a residential area and may need to be defined differently. Rentals by boarders should be for at least a one month period to provide for more stability and less frequent tenant turnover
- The capacity of boarders in a home should be determined by the number of bedrooms or size of house. One option for determining the number of boarders in a house might be to have the number of boarders determined by the floor area of the home or a boarder to washroom ratio
- The City in adopting this option will also need to look at how secondary suites in detached dwellings are treated

## APPENDIX 2

- Option two and three indicated that boarding house can have up to four boarders present in the home as a permitted use. If implemented this option should consider 2 or 3 boarders as opposed to 4 as a permitted use. Fewer boarders should be considered where the owner resides on site as the impacts of the owners household need to be considered.
- The City should regulate the number of boarding houses permitted in an area to avoid clustering of boarding house activity

### Enforcement

- This option includes vital element of monitoring and enforcement and proactive enforcement
- This option allows the City to regulate and enforce Boarding Houses as a business
- Confidence in enforcement and follow up is critical and this option provides for more regular enforcement and follow up
- Any option must address fire regulations, electrical code and insurance guidelines. Option 3 ensures that this is addressed on an ongoing basis. This option is proactive with respect to enforcement. What we currently have is reactive enforcement which is ineffective and inconsistent. This option ensures that life safety issues are checked with regularity

### Licensing

- Rooming and boarding rental situations are businesses and need to be licensed
- To reduce the costs with implementation the City should not do annual inspections and could have home owners complete applications voluntarily on line with no fee. Another option might be to do inspections of rooming and boarding facilities every three to five years but still have them submit an annual fee

# **Combination of Options Presented**

Public Responses: 6

## **Public Comments and Issues Identified:**

### General

- In addition, to the regulations identified in the options the City needs to provide land lord information to the CCRA to ensure they are paying taxes
- These residents were aligned with some combination between options two and three

### Regulation

- Option three should be changed to only allow rooming/boarding house situations in medium to high density residential area and some commercial zones.
- Overall in favour of option 2 but owners can not be invisible to neighbours. It must be clear that this option is a limit of four boarders regardless of whether or not they live in a basement suite. Four must remain four throughout the building.

### Licensing

- Rental of rooms in residential areas can occur but only if they are licensed and no more than 2 rooms per dwelling unit. The City should also list the location of homes that they have inspected through this process

# None of the Proposed Options

Public Responses: 55

## Public Comments and Issues Identified:

### General

- Input on this issue is needed from health, mobile crisis units, and other service providers
- It is unfair to have these operations pop up in existing communities. The City should prohibit the purchase and conversion of homes in existing neighbourhoods into purely rooming or boarding houses. The City needs to address the situations where houses are being physically altered and carved up to add additional rental rooms
- All options do not go far enough to protect the investment home owners have in their homes and the options do not go far enough in protecting the renter
- None of the options presented deal with the real issues which are parking and absent landlords
- Part of the problem is the City converted too many former rental buildings into condominiums
- Safe-guards should be provided to protect boarders
- Owners should be required to provide proof of insurance. This would address some concerns that surrounding residents have about fire risk from the over use and occupancy of detached dwellings
- The uncontrolled expansion of rooming houses into detached residential areas is negatively impacting the character of these areas and it is the City's responsibility is to protect the character and integrity of neighbourhoods
- Amelioration of the low vacancy rate should not be at the expense of established neighbourhoods. The City should put more effort into establishing more apartment rentals
- If an application requires City Council approval then how is the public notified

### Regulations

- There is a need when a group of unrelated people rent that the owner has to be living in the home as this will address a number of behavioural issues
- The options should look at regulating by number of boarders per floor area or having boarder to bathroom ratios
- A parking space should be provided for each boarder and not 0.5 stalls per boarder
- The City should consider an approach of random inspections and not undertake annual inspections as a means to reduce and manage cost
- Rooming houses should be directed to medium and high density areas where sites and parking can be purposefully planned
- Short term accommodation offerings of one day/week are commercial motel business and are not consistent with the purpose and intent of the R1 zone. High turnover in rooming houses and

## APPENDIX 2

“residential motels” and transient behavior of these situations negatively impact the security and sense of community. If changes are made to the bylaws these existing situations should not be grandfathered.

- The City should regulate boarding houses in the same manner that Group Care facilities are regulated by restricting the number that can be allowed in any given district or block face
- Up to four boarders is too many. Rules should fall in line with what the insurance industry deems a rooming house with anything more than two rooms being rented out a rooming house. Number of boarders should be limited to no more than two per detached dwelling and more than 2 boarders should only be allowed in medium to high density residential zones
- The parking standard should be higher with at least .75 spots per boarder as opposed to the 0.5 stalls per boarder identified in options 2 and 3. In general, off-street parking standards/requirements must be implemented
- The current Rooming House definition is out of date and needs to be addressed
- There needs to be an alignment between the number of boarders and the zones they are located

### Licensing

- Home owners renting out rooms from the primary residence should be allowed to do so and not required to need a permit or a license. Regulate instead the situations where the owner is absent
- Room rental business that earn more than \$5000/year must be licensed and inspected for life safety issues
- Licensees must agree to periodic inspections

### Enforcement

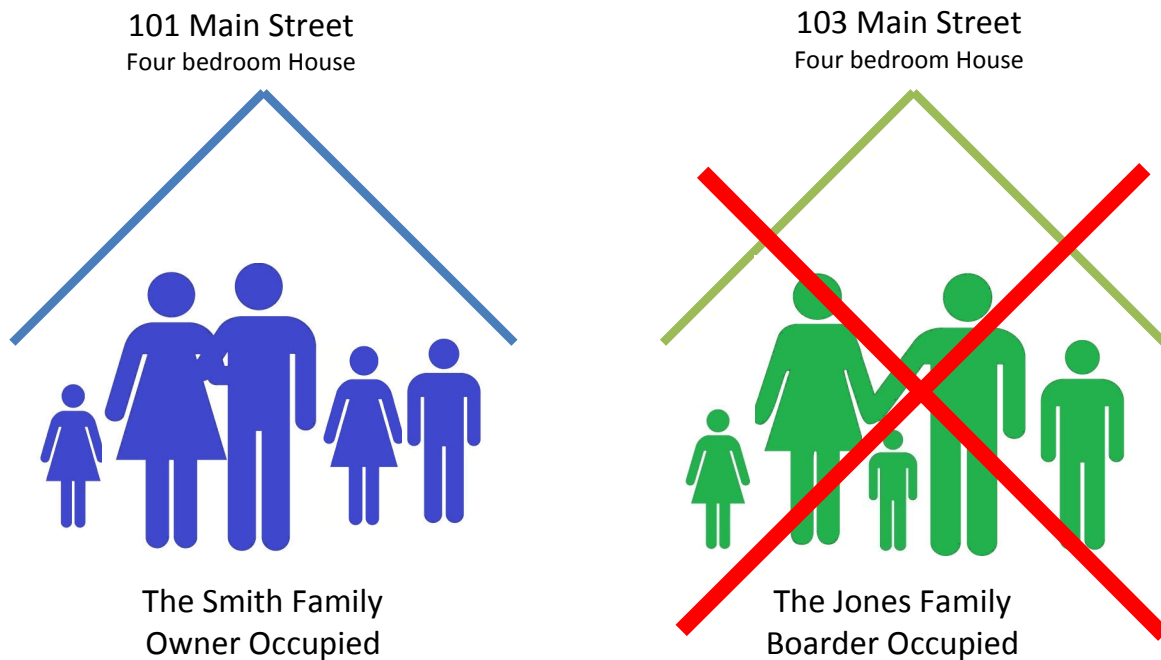
- No matter what option is chosen enforcement of the bylaws and current bylaws must occur regardless of rental arrangement. The City needs to increase fines for street parking violations. The City should make it clear how the bylaws will be enforced no matter what option is selected
- More thorough enforcement is the key for any bylaw. Enforcement should be on a graduated scale with penalties increasing for multiple offences.

## Residential Homestay Development Regulations

<b>Location</b>	<p>Residential Homestay shall be a:</p> <ul style="list-style-type: none"> <li>• Permitted use within the Transitional Area Residential Zone (TAR)</li> <li>• Discretionary use in all other residential zones</li> </ul>
<b>External Appearance</b>	No alterations shall be made to the external appearance of any principal or accessory structures or of the building site which change the character of the residence.
<b>Number of Guest Rooms</b>	No more than four bedrooms shall be used for short-term accommodation.
<b>Rooms</b>	<ul style="list-style-type: none"> <li>a) Guest rooms shall be located within the dwelling unit.</li> <li>b) Guest rooms shall be a minimum of 10 square metres in gross floor area.</li> <li>c) No Residential Homestay guest room shall contain cooking facilities.</li> </ul>
<b>Signs</b>	<ul style="list-style-type: none"> <li>a) One permitted sign not to exceed 1 square metre in surface area, displaying the name of the Residential Homestay, name of the operator, the street address or any combination of these.</li> <li>b) Sign shall not be erected or displayed closer than 6 metres from the street property line.</li> </ul>
<b>Parking</b>	<ul style="list-style-type: none"> <li>a) 0.5 space per guest room in addition to the parking requirement for the dwelling unit</li> <li>b) No more than one parking stall provided in tandem</li> </ul>
<b>Development Permit</b>	No person shall operate a Residential Homestay without a development permit issued under Chapter 18 of this Bylaw.

## Regulating Owners vs. Renters

In this scenario, the Smith's and Jones' are both five member families, living on the same street in identical houses. The only thing that makes these two families different is the fact that the Smith's own their home, while the Jones rent theirs. Under an approach where limits are placed on the number of permissible boarders (Option 2 or 3), the Smith's can continue to live in their home, but the Jones' cannot because they exceed the number of boarders permitted in a home.



In order for the Jones to reside in the home at 103 Main Street, discretionary use approval would need to be sought from Council to allow more than four boarders to live in the home. Discretionary use approval would involve a review of the plans of the home, circulation to surrounding neighbours and a report prepared for consideration by Regina Planning Commission and final approval by City Council. The fee for a standard discretionary use is \$2,500. A standard application is one where the proposal is not significantly changing the intensity of use on the property.

In order to allow families to rent but regulate unrelated individuals the definition of boarder would need to be amended to exclude families. However, doing so adds another element the City would have to prove before enforcement could take place. The definition of Boarder under Option 2 or 3 requires the City to prove two things: that the individuals are paying rent and that they are not a member of the owner's household. Adding the family exclusion would now require the City to prove the boarders relationship to each other. Using the term "individuals" has fewer challenges associated with it because it is a mere counting exercise.

## Regulating Number of People

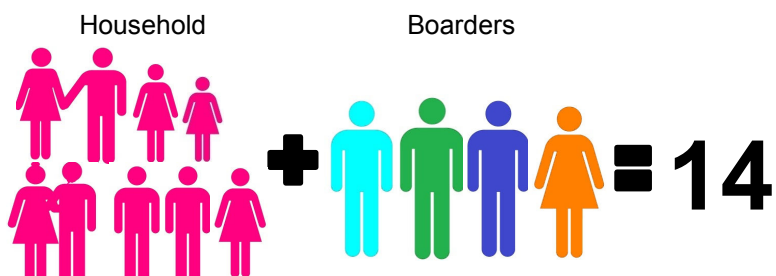
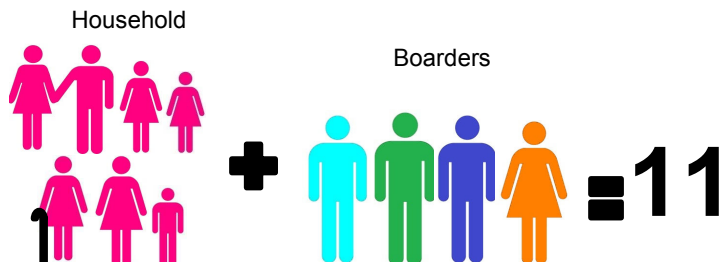
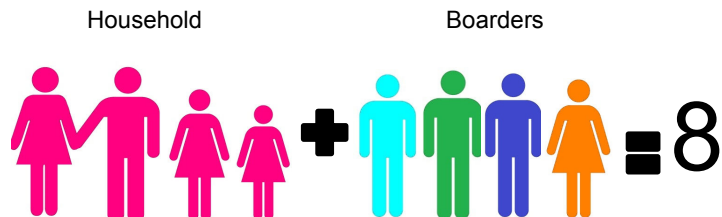
The following scenarios depict various household compositions. In some of these cases, extended family members are living within the dwelling and make up the owners household. Under an approach where limits are placed on the number of permissible boarders (Option 2) all of these situations would be completely legal. Each dwelling, regardless of the size of the household, would still have the right to have up to four boarders.

The composition of families is changing; adult children are staying at home longer and aging parents are moving in with their adult children. A growing number of Baby Boomers are finding themselves sandwiched between providing care and support to their children as well as to their parents, all within the same home.

Therefore, even with a cap on the number of boarders in place, the size of the household is what will ultimately dictate how many people are living in the home.

Accordingly, there's little efficacy in reducing the number of people living in a dwelling by regulating the number of boarders, without regulating household size as well.

The number of members in a household is unlimited, while the number of Boarders is static at four (4).



October 15, 2013

To: His Worship the Mayor,  
and Members of City Council

Re: Wastewater Treatment Plant Upgrade - Authority Reassignment

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RECOMMENDATION

1. That all authority provided to the Deputy City Manager of City Operations in City Council report CR13-26 be reassigned to the City Manager or his or her delegate;
2. That City Council authorizes the City Manager or his or her delegate to prepare, negotiate, review, amend and approve any additional documents, instruments, assurances and auxiliary closing documents as may be necessary to give full effect to the Project Agreement; and
3. That City Council authorize the City Clerk to execute any such Additional Assurances.

CONCLUSION

The Administration is continuing with the procurement for the Wastewater Treatment Plant (WWTP) upgrade as directed by City Council (CR13-26).

With organizational changes at the Division level, the Executive Lead responsibility for the Project was reassigned from the Deputy City Manager of City Operations to the Deputy City Manager of Corporate Services. To ensure that decision authority is in place to align with these organizational changes the Administration recommends that City Council reassign the authorities provided to the Deputy City Manager of City Operations in CR13-26 to the City Manager or his or her delegate, allowing the City Manager to assign the required project oversight.

The design, build, finance, operate and maintenance contract between the City and the proponent the City selects following the request for proposal process is known as the "Project Agreement". In order to give effect to the terms and conditions in the Project Agreement it will be necessary for the City to enter into additional documents, instruments, assurances and auxiliary closing documents. The Administration recommends that City Council authorize the City Manager or his or her delegate to prepare, negotiate, review and approve such documents as may be necessary to give full effect to the Project Agreement with the City Clerk authorized to execute any such Additional Assurances as part of our normal practices.

BACKGROUND

On February 25, 2013, City Council unanimously approved proceeding with the Design/Build/Finance/Operate/Maintain (DBFOM) procurement approach for the upgrade of the WWTP (CR13-26). This approval provided the Deputy City Manager of City Operations the authority to carry out the steps in the DBFOM procurement model.

In July 2013 the City Manager reassigned the Executive Lead responsibilities for the WWTP Upgrade Project (the “Project”) from the Deputy City Manager of City Operations to the Deputy City Manager of Corporate Services. This change was facilitated by the departure of former Deputy City Manager, Dorian Wandzura, and the organizational alignment of Executive Lead responsibilities for the WWTP Upgrade Project to the Deputy City Manager of Corporate Services.

On September 25, 2013 a Referendum was held where the residents of Regina affirmed City Council’s decision to proceed with a DBFOM delivery model for the WWTP Project.

## DISCUSSION

The Administration requires City Council’s previous approval authority for the WWTP project to be aligned with the more recent reassignment of organizational responsibility. Since the Executive leadership of this project has been transferred by the City Manager, it is important to ensure future approvals follow Council’s delegated authority. Assuming the recommendation is accepted, the City Manager will confirm his delegated authority is assigned to the Deputy City Manager, Corporate Services, in alignment with the overall responsibility for the project. This change will allow the project to continue forward toward delivery on the overall project objectives.

The City will need to enter into additional documents, instruments and assurances and auxiliary closing documents to give full effect to the Project Agreement. These documents include items such as agreements with lenders, warranty certificates, undertakings, closing certificates and legal opinions all of which are typical for large commercial transactions. The auxiliary closing documents provide the City with the contractual ability to seek remedies directly from the successful proponent’s financial institutions, suppliers and others in the event the successful proponent fails to meet its contractual obligations under the Project Agreement.

## RECOMMENDATION IMPLICATIONS

### Financial Implications

None with respect to this report.

### Environmental Implications

None with respect to this report.

### Strategic Implications

None with respect to this report.

### Other Implications

None with respect to this report.

### Accessibility Implications

None with respect to this report.

COMMUNICATIONS

None with respect to this report.

DELEGATED AUTHORITY

The recommendations in this report require Council approval.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'B Sjoberg', with a stylized flourish at the end.

Brent Sjoberg, Deputy City Manager & CFO  
Corporate Services

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Glen Davies', with a stylized flourish at the end.

Glen Davies  
City Manager

Report prepared by:  
Rob Court, Manager Environmental Engineering

October 15, 2013

To: His Worship the Mayor  
and Members of City Council

Re: Tax Enforcement - Application for Title - 2013 Liens

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**RECOMMENDATION OF THE FINANCE AND ADMINISTRATION COMMITTEE  
- OCTOBER 1, 2013**

That the Manager of Property Taxation be authorized to serve six-month notices on all parcels of land included in the list of lands marked as Appendix A.

*FINANCE AND ADMINISTRATION COMMITTEE – OCTOBER 1, 2013*

The Committee adopted a resolution to concur in the recommendation contained in the report.

Councillors: Wade Murray, Shawn Fraser, Bryon Burnett and Bob Hawkins were present during consideration of this report by the Finance and Administration Committee.

The Finance and Administration Committee, at its meeting held on October 1, 2013, considered the following report from the administration:

RECOMMENDATION

1. That the Manager of Property Taxation be authorized to serve six-month notices on all parcels of land included in the list of lands marked as Appendix A.

CONCLUSION

The properties listed in Appendix A to this report have, based on a 2013 tax lien, an interest registered by the City of Regina at the Land Registry and have outstanding tax arrears. Upon City Council approval, the Administration will proceed with the tax enforcement proceedings and serve six-month notices after October 25, 2013 on the properties where the arrears of taxes have not been paid and the interest based on the tax lien has not been discharged.

BACKGROUND

The purpose of this report is to obtain approval to serve six-month notice after October 25, 2013 on properties where the City of Regina placed an interest in 2013 through registration of a tax lien for tax arrears, where the arrears of taxes have not been paid and the interest based on the tax lien has not been discharged.

## DISCUSSION

City Council approval to proceed under Section 22, Subsection 1 of *The Tax Enforcement Act* is requested to serve six-month notice on the 290 properties listed in Appendix A to this report. Section 22, Subsection 1 reads in part as follows:

“At any time after the expiration of six months from the date on which the municipality’s interest based on a tax lien was registered in the Land Titles Registry, the municipality may, by resolution, authorize proceedings to request title to any parcel included in the list with respect to which the arrears of taxes have not been paid and the interest based on the tax lien has not been discharged...”

The steps taken prior to proceedings for title for the typical property listed on the attachment are as follows:

1. Taxes on the property were due and payable on June 30, 2012.
2. Taxes were in arrears as of January 1, 2013.
3. The properties were advertised in the Leader Post on February 9, 2013.
4. Interests, based on a tax lien, were registered on the various title(s) to the properties at the Land Registry beginning April 19, 2013.

In all cases, the market value of these properties exceeds the value of tax arrears, thus prompting the owner or a financial institution with an interest in the property to pay the tax arrears prior to the City actually taking title.

The next steps in the process are:

1. First application for title (which is pursuant to this resolution).
2. After a required six-month waiting period, Provincial Mediation Board consent would be required prior to final application for title.

The City of Regina will not necessarily take title to the property after the six-month period. The City has the right to pursue any and all other means to collect the outstanding arrears as allowed by *The Cities Act*, including but not limited to, civil suit, seizure of rents and/or seizure of goods and chattels.

## RECOMMENDATION IMPLICATIONS

### Financial Implications

Allowances are established at the end of each year for outstanding taxes, with the allowance reflected in year-end results.

### Environmental Implications

There are no environmental implications directly related to this report. In most instances, the taxes are paid for properties where application for title is made. In those instances where the

City has to proceed to possibly taking title, the City would undertake a review of the environmental implications and make a decision on a case by case basis as to whether to proceed to take title or not. Every effort is made to minimize the cost to the City.

#### Strategic Implications

The authorization to serve six-month notices to the properties listed in Appendix A allows for timely and efficient tax enforcement.

#### Other Implications

None with respect to this report.

#### Accessibility Implications

None with respect to this report.

#### COMMUNICATIONS

The City has an active process of communicating with property owners with respect to outstanding taxes. Property owners are notified throughout the tax enforcement process and will continue to be notified as required by the legislation.

#### DELEGATED AUTHORITY

This report must be forwarded to City Council.

Respectfully submitted,

FINANCE AND ADMINISTRATION COMMITTEE

A handwritten signature in cursive script that reads "Linda Leeks".

---

Linda Leeks, Secretary

## Appendix A

APPENDIX A		
6 Month Tax Enforcement Properties - 2013 Liens		
	by Civic Address	
6803 1ST AVENUE N	2358 BROAD STREET	1221 EDGAR STREET
5310 2ND AVENUE N	1003 N BROAD STREET	1263 EDGAR STREET
5616 2ND AVENUE N	1226 N BROAD STREET	1303 EDGAR STREET
2904 3RD AVENUE N	167 N BROAD STREET	1441 EDGAR STREET
2805 4TH AVENUE N	504-1275 BROAD STREET	1933 EDGAR STREET
4400 4TH AVENUE	1457 BRODER STREET	2126 EDGAR STREET
4816 4TH AVENUE	2230 BRODER STREET	2156 EDGAR STREET
4209 6TH AVENUE	2263 BRODER STREET	2169 EDGAR STREET
709 7TH AVENUE	1218 N BUTTERFIELD CRESCENT	2615 EDGAR STREET
4629 7TH AVENUE	2219 CALLA BAY	6202 EHRLE CRESCENT
3734 E 7TH AVENUE	702 CAMERON STREET	2301 ELLICE STREET
1500 8TH AVENUE	1531 CAMERON STREET	2115 ELLIOTT STREET
4723 8TH AVENUE	2957 CAMERON STREET	2136 ELLIOTT STREET
5103 8TH AVENUE	1129 CAMPBELL STREET	321 ELPHINSTONE STREET
7328 8TH AVENUE	15 CARMICHAEL BAY	650 ELPHINSTONE STREET
1583 9TH AVENUE N	10 CATHEDRAL DRIVE	1258 ELPHINSTONE STREET
1325 11TH AVENUE	7624 CATTAIL PLACE	2215 ELPHINSTONE STREET
1332 11TH AVENUE	12 CECIL CRESCENT	8235 FAIRWAYS WEST DRIVE
7-2320 13TH AVENUE	28 CECIL CRESCENT	41 FALCON BAY
1317 15TH AVENUE	43-43 CENTENNIAL STREET	1665 N FENWICK CRESCENT
4211 19TH AVENUE	31 CHARLES CRESCENT	1515 FLEET STREET
2834 23RD AVENUE	158-4801 CHILD AVENUE	1031 FORT STREET
1216 ABERDEEN STREET	74-4500 CHILD AVENUE	2301 FORT STREET
1410 ALBERT STREET	836 COLLEGE AVENUE	43 FRENCH CRESCENT
476 ALEXANDRA STREET	6623 COLLINS BAY	14 FULTON DRIVE
1762 ALEXANDRA STREET	1837 CONNAUGHT STREET	708 GARNET STREET
1844 ALEXANDRA STREET	2748 CORBETT ROAD	1010 GARNET STREET
1932 E ANGLELY COURT	142 CORNWALL STREET	1101 GARNET STREET
260 ANGUS STREET	67 COWBURN CRESCENT	1352 GARNET STREET
4-2155 ANGUS STREET	2450 E CROWE BAY	188-160 GORE PLACE
3927 ARBOR GROVE DRIVE	152 DALGLIESH DRIVE	988 GRAHAM ROAD
240 ARGYLE STREET	299 DALGLIESH DRIVE	1620 GRANT DRIVE
2275 ARGYLE STREET	322 DALGLIESH DRIVE	3681 GREEN BANK ROAD
3009 ARGYLE ROAD	689 DALGLIESH DRIVE	155 GREENWOOD CRESCENT
3638 ARGYLE ROAD	2250 DAVID STREET	729 GREY STREET
405 N ARGYLE STREET	2251 DAVID STREET	920 GREY STREET
1210 N ARNASON STREET	1208 DEGELMAN DRIVE	1318 GROSVENOR STREET
755 ATHOL STREET	1250 DEWDNEY AVENUE	1412 GROSVENOR STREET
922 ATHOL STREET	2929 DEWDNEY AVENUE	150 HALIFAX STREET
1522 ATHOL STREET	3200 DEWDNEY AVENUE	375 HALIFAX STREET
2222 ATKINSON STREET	3215 DEWDNEY AVENUE	320 HAMILTON STREET
746 N BARD CRESCENT	3431 DEWDNEY AVENUE	420 HAMILTON STREET
2213 E BEDFORD AVENUE	3734 DEWDNEY AVENUE	1306 HAMILTON STREET
151 BIRCHWOOD CRESCENT	4410 DEWDNEY AVENUE	4544 HARBOUR VILLAGE WAY
5418 BLAKE CRESCENT	5026 DEWDNEY AVENUE	26 HAWKES AVENUE
7251 BLAKENEY DRIVE	6400 DEWDNEY AVENUE	507-3520 HILLSDALE STREET
831 BLUEBIRD CRESCENT	1230 E DEWDNEY AVENUE	321 HOLLAND AVENUE
2163 BORDEN STREET	400-2128 DEWDNEY AVENUE	45 INGERSOLL CRESCENT
8 BOYCE STREET	7 DIAMOND STREET	29-5019 JAMES HILL ROAD
101 BROAD STREET	1800 DUFFERIN ROAD	6G-5009 JAMES HILL ROAD
1833 BROAD STREET	35 EDENWOLD CRESCENT	7G-5029 JAMES HILL ROAD
2344 BROAD STREET	849 EDGAR STREET	2519 JAMESON CRESCENT

Appendix A

466 KING STREET	4513 PADWICK CRESCENT	15 SNEATH CRESCENT
2111 KING STREET	91 PAPPAS CRESCENT	1003 N SNOWBERRY WAY
2154 KING STREET	2930 PARTRIDGE CRESCENT	65 SPRUCEVIEW ROAD
2634 KLIMAN CRESCENT	1175 PASQUA STREET	115 N ST JOHN STREET
141 KRIVEL CRESCENT	91 PLANT CRESCENT	1873 ST JOHN STREET
2958 KUTARNA CRESCENT	139 POPLAR BLUFF CRESCENT	2335 ST JOHN STREET
1579 N LAKERIDGE DRIVE	4429 PRESTON CRESCENT	22 STEWART AVENUE
6311 LEGER BAY	1045 PRINCESS STREET	51 SUSSEX CRESCENT
2410 LEXIER PLACE	1252 PRINCESS STREET	611 SWEENEY STREET
2515 LINDSAY STREET	2335 QUEBEC STREET	3325 E TANAGER CRESCENT
2-405 N LORNE STREET	779 QUEEN STREET	19 TATE STREET
2144 MACKAY STREET	223 N RADISSON BAY	82 TURNER CRESCENT
2500 MACKAY STREET	1111 RAE STREET	9 USHER STREET
2545 MACKAY STREET	1176 RAE STREET	710 N VANIER DRIVE
51 MACKENZIE WAY	1365 RAE STREET	639 VICTORIA AVENUE
93 MACKENZIE MEWS	4-2121 RAE STREET	701 VICTORIA AVENUE
2117 MACPHERSON AVENUE	1346 N REED PLACE	1131 VICTORIA AVENUE
47 MAGEE CRESCENT	18 REIBLING BAY	3415 VICTORIA AVENUE
1 MARSH CRESCENT	865 RETALLACK STREET	202-1901 VICTORIA AVENUE
1015 MCCARTHY BOULEVARD	879 RETALLACK STREET	205-1901 VICTORIA AVENUE
1464 MCCARTHY BOULEVARD	2322 RETALLACK STREET	305-1901 VICTORIA AVENUE
2257 MCDONALD STREET	2022 REYNOLDS STREET	400-2305 VICTORIA AVENUE
404 N MCINTOSH STREET	82 RINK AVENUE	405-1901 VICTORIA AVENUE
375 MCINTYRE STREET	827 RINK AVENUE	406-1901 VICTORIA AVENUE
111-2315 MCINTYRE STREET	2311 RIVERBEND CRESCENT	407-1901 VICTORIA AVENUE
3911 MCPHAIL AVENUE	11 ROBERTS PLACE	3503 E WADDELL CRESCENT
1141 MCTAVISH STREET	43 ROBINSON CRESCENT	1035 WALLACE STREET
1555 MCTAVISH STREET	929 ROBINSON STREET	1041 WALLACE STREET
2216 MCTAVISH STREET	1201 ROBINSON STREET	1228 WALLACE STREET
2875 MCTAVISH STREET	1216 ROBINSON STREET	1301 WALLACE STREET
9 MERRITT CRESCENT	1222 ROBINSON STREET	500 WASCANA STREET
69 MITCHELL CRESCENT	1431 ROBINSON STREET	506 WASCANA STREET
135 MOLLARD CRESCENT	1567 ROBINSON STREET	731 WASCANA STREET
916 MONTAGUE STREET	119 ROGERS ROAD	1221 WASCANA STREET
1856 MONTREAL STREET	58 ROTHWELL CRESCENT	1355 WASCANA STREET
2252 MONTREAL STREET	2821 ROTHWELL STREET	1411 WASCANA STREET
600 E MURRAY AVENUE	633 ROYAL STREET	8318 WASCANA GARDENS WAY
192 NAGEL CRESCENT	1243 ROYAL STREET	9348 WASCANA MEWS
203-1510 NEVILLE DRIVE	75 SALEMKA CRESCENT	11 WILLINGDON BAY
3830 NORMANDY AVENUE	167 N SCARTH STREET	17 WILSON CRESCENT
15 NORRIS ROAD	300-1821 SCARTH STREET	1135 WINNIPEG STREET
236 ORCHARD CRESCENT	91 SCHNEIDER CRESCENT	1800 WINNIPEG STREET
1858 OSLER STREET	4627 SHERLOCK DRIVE	2612 WINNIPEG STREET
1454 OXFORD STREET	494 SMITH STREET	1861 YORK STREET

October 15, 2013

To: His Worship the Mayor  
and Members of City Council

Re: Options for Removing Properties Exempt from the Clean Property Bylaw (WU07-29)

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**RECOMMENDATION OF THE PUBLIC WORKS COMMITTEE – OCTOBER 3, 2013**

That this matter be referred to the 2014 budget process for further consideration.

*PUBLIC WORKS COMMITTEE – OCTOBER 3, 2013*

The Committee adopted the following resolution:

That this matter be referred to the 2014 budget process for further consideration.

Councillors: Sharron Bryce, John Findura, Bob Hawkins and Barbara Young were present during consideration of this report by the Public Works Committee.

The Public Works Committee, at its meeting held on October 3, 2013, considered the following report from the Administration:

RECOMMENDATION

That the Winter Maintenance Policy be amended to include sidewalk clearing as outlined in Option 2 - City to Plough all Sidewalks that do not have Private Frontage.

CONCLUSION

The current service levels outlined in the Winter Maintenance Policy for sidewalk clearing are inadequate as there are a number of sidewalks surrounding City of Regina parks, and adjacent to no frontage locations that are not cleared during winter months. The expectation of the public is that the City will clear these sidewalks.

*Option 1 – Status Quo* represents only 178 km, or 14 per cent, of the approximate 1,265 km sidewalk network in the City. The remaining sidewalks are to be cleared by property owners using the encouragement model, or are not cleared at all.

*Option 2 – City to Plough all Sidewalks that do not have Private Frontage* would require an amendment to the Winter Maintenance Policy is required to include all sidewalks that do not fall under the Bylaw, or are the responsibility of a residential property owner.

*Option 3 – Amend the Clean Property Bylaw to include all Residential Properties* is to amend the Bylaw so all residential properties in Regina are responsible to clear their sidewalks, and can be enforced during non-compliance.

Although the recommendation to choose Option 2 would push our sidewalk clearing capabilities to near maximum in terms of equipment availability, it is a level of service we can provide and would be of great benefit to the users of the sidewalk network throughout winter months.

## BACKGROUND

A report was submitted to the Public Works Committee to amend *The Clean Property Bylaw*, No. 9881 (the “Bylaw”) on July 17, 2007. The report was submitted to clarify the intent of certain sections of the Bylaw, allowing the public to better understand it and to ensure more consistent enforcement.

Although the majority of the recommendations stated in this report were carried forward, there was one item not updated. Recommendation 5 stated the Administration be requested to submit a report to the Public Works Committee, prior to the 2008/2009 winter season, on options for ploughing of sidewalks adjacent to properties exempt from the Bylaw.

## DISCUSSION

### **Option 1 – Status Quo**

The Bylaw states that commercial property, apartment buildings, commercial parking lots and vacant lots are to be cleared by the property owners within 48 hours of snowfall. The Bylaw includes 134 km of Regina’s 1,265 km sidewalk network.

In 2006, the City adopted a Winter Maintenance Policy to provide quality winter maintenance that supports the health, attractiveness and economic viability of the community. According to the policy, Winter Maintenance is responsible to clear the following sidewalks within 72 hours:

- Any sidewalk adjacent to a City owned building or property that is located within the area noted in Schedule B of the Bylaw;
- Any sidewalk adjacent to a City owned building or parking lot that is regularly used by the public during the winter season, excluding outdoor rinks;
- Any sidewalk adjacent to bridge decks and subways;
- Any sidewalk adjacent to transit stops on the Heritage bus route which is not covered by the Bylaw;
- Any frontage sidewalk adjacent to senior citizen complexes with more than 20 units in a single building;
- Adjacent to no frontage locations on category 1 and 2 streets;
- Adjacent to a storm channel and railway crossings on category 1 and 2 streets;
- Adjacent to City owned parks and City owned vacant land on category 1 and 2 streets;
- Adjacent to City owned buildings or parks not accessed by the public in winter on category 1 and 2 streets;
- Adjacent to hospital gateway (sidewalks both sides on 14<sup>th</sup> Avenue from Broad Street to the alley east of Halifax Street); and
- Adjacent to Core Community Park (Quebec Street side).

The Winter Maintenance Policy includes 44 km of Regina’s 1,265 km sidewalk network cleared by City of Regina. In addition, the Bylaw represents an additional 134 km of sidewalk cleared by the property owner.

*Option 1 – Status Quo* represents only 178 km, or 14 per cent, of the approximate 1,265 km sidewalk network in the City. The remaining sidewalks are to be cleared by property owners using the encouragement model, or are not cleared at all.

**Option 2 – City to Plough all Sidewalks that do not have Private Frontage**

Currently, the Winter Maintenance Policy outlines only a fraction of Regina's 1,265 km of sidewalks within the City. The current breakdown is as follows:

- 134 km – Sidewalks cleared according to the Bylaw;
- 44 km – Sidewalks cleared by City of Regina crews as per the Winter Maintenance Policy (category 1 and 2 streets);
- 59 km – Sidewalks surrounding city parks and no frontage locations outside of the Winter Maintenance Policy (category 3,4, and 5 streets); and
- 1,028 km – All remaining residential sidewalks that are to be cleared by property owners using the encouragement model.

*Option 2 – City to Plough all Sidewalks that do not have Private Frontage* would require an amendment to the Winter Maintenance Policy to include all sidewalks that do not fall under the Bylaw, or are the responsibility of a residential property owner.

**Option 3 – Amend the Clean Property Bylaw to include all Residential Properties**

Currently, 1,087 km of sidewalk in the City is exempt from the Bylaw, or maintained by City crews according to the Winter Maintenance Policy (1,028 km if Option 2 is chosen). This is a large amount of sidewalk where snow clearing is not enforced. According to a survey performed by the Bylaw and Licensing Branch during the 2012/2013 winter season, 75 percent of residents voluntarily clear snow from City sidewalks bordering their property. This survey suggests there are approximately 257 km of sidewalk not being cleared. This causes difficulties for pedestrians in winter, which typically lasts almost half the year.

*Option 3 – Amend the Clean Property Bylaw to include all Residential Properties* is to amend the Bylaw so all residential properties in Regina are responsible to clear their sidewalks, and can be enforced during non-compliance.

During public consultation with the community and stakeholders in 2006, there were many service level options presented that garnered much input and interest. Some of the options included an increased level of service on sidewalks (\$830,000<sup>1</sup>), as well as the creation and enforcement of a residential sidewalk clearing bylaw (\$360,000). However, when the costs associated with the increased service levels were discussed, interest dropped off considerably<sup>2</sup>. Based on the results of public consultation contacted prior to approval of the existing Winter Maintenance Policy, there will be lack of public support for this option.

For informational purposes, other municipalities that have a sidewalk clearing bylaw have experienced mixed results, as the bylaws tend to be contentious with citizens, especially when a timeline for sidewalk clearing is included. Saskatchewan municipalities that have a sidewalk clearing bylaw include:

- Saskatoon
- North Battleford

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<sup>1</sup> I:\Wordpro\Winter Road Maintenance\WM Policy & Annual Reports\Policy Review Info 2006\AAA Policy Draft Aug 2006\ W&UWinterMaintenancePolicyReviewDEC12- attachment #2

<sup>2</sup> I:\Wordpro\Winter Road Maintenance\WM Policy & Annual Reports\Policy Review Info 2006\AAA Policy Draft Aug 2006\ W&UWinterMaintenancePolicyReviewDEC12- attachment #3

- Lloydminster
- Melville
- Moose Jaw
- Swift Current
- Weyburn
- Estevan

Canadian municipalities that have a sidewalk clearing bylaw include:

- Edmonton, Alberta
- Calgary, Alberta
- Brampton, Ontario
- Hamilton, Ontario
- Kitchener, Ontario

Canadian municipalities that clear their own sidewalks include:

- Montreal, Quebec
- Toronto, Ontario
- Ottawa, Ontario
- Winnipeg, Manitoba

In order to bring about changes to the Bylaw, many branches of the Administration would need to be involved, such as:

- Legal – to identify the proposed amendment and to advise on implementation of changes to the Bylaw;
- Bylaw Enforcement – part of the Bylaw Working Group, to draft the amendments to the Bylaw, as well as enforcement once the amendments are approved;
- Traffic Control and Parking – part of the Bylaw Working Group, to draft the amendments to the Bylaw;
- Winter Maintenance – part of the Bylaw Working Group, to draft the amendments to the Bylaw;
- Regina Police Service – part of the Bylaw Working Group, to draft the amendments to the Bylaw;
- Communications – to inform the public of the amendments made to the Clean Property Bylaw;
- Information Technology – to develop website services and mobile applications to keep citizens educated and informed of the amendments to the Clean Property Bylaw; and
- City Council – to approve any Bylaw changes.

This project would take a significant amount of time and resources to implement, but could benefit the citizens of Regina by ensuring clean sidewalks throughout the winter season.

Additionally, according to the Bylaw and Licensing Branch, enforcement would be provided by an outside contractor and the cost for this service would be passed on to property owners. However, there would be an internal cost of \$46,000 per season<sup>3</sup> to administer the contract.

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<sup>3</sup> 1/2 year of salary for 1 FTE = \$30,000; 1/10 year of salary for admin = \$3,000; 1/10 salary for Senior Bylaw Standards Officer = \$8,000; 1/20 salary for manager = \$5,000

## RECOMMENDATION IMPLICATIONS

### Financial Implications

With a current annual budget of \$406,510, City crews plow 44 km of sidewalk as stated in the Winter Maintenance Policy. Based on the operational requirements of the current program, Option 2 - City to Plow all Sidewalks that do not have Private Frontage is estimated to cost an extra \$418,203 annually, to plough an additional 59 km of sidewalk.

### Environmental Implications

None with respect to this report.

### Policy and/or Strategic Implications

The amendment in Section 2.3.b. of the Winter Maintenance Policy would be described as follows (changes in **BOLD**):

- Any sidewalk adjacent to a City owned building or property that is located within the area noted in Schedule B of the Bylaw.
- Any sidewalk adjacent to a City owned building or parking lot that is regularly used by the public during the winter season, ~~excluding outdoor rinks.~~
- Any sidewalk adjacent to bridge decks and subways.
- Any sidewalk adjacent to transit stops on the Heritage bus route which is not covered by the Bylaw.
- Any frontage sidewalk adjacent to senior citizen complexes with more than 20 units in a single building.
- Adjacent to no frontage locations on ~~Category 1 and 2 streets~~ **all streets (Category 1, 2, 3, 4 and 5).**
- Adjacent to a storm channel and railway crossings on ~~Category 1 and 2 streets~~ **all streets (Category 1, 2, 3, 4 and 5).**
- Adjacent to City owned parks and City owned vacant land on ~~Category 1 and 2 streets~~ **all streets (Category 1, 2, 3, 4 and 5).**
- Adjacent to City owned buildings or parks not accessed by the public in winter on ~~Category 1 and 2 streets~~ **all streets (Category 1, 2, 3, 4 and 5).**
- Adjacent to hospital gateway (sidewalks both sides on 14<sup>th</sup> Avenue from Broad Street to the alley east of Halifax Street).
- Adjacent to Core Community Park (Quebec Street side).

### Other Implications

Option 2 - City to Plow all Sidewalks that do not have Private Frontage is a scenario that stretches the City's current sidewalk ploughing equipment capabilities to a maximum. Fleet Services would need to be able to provide maintenance services to our equipment both night and day as the equipment downtime for sidewalk ploughing machines in the 2012/2013 season was approximately 25 percent. Winter Maintenance will need to rent two units (trackless or skid steer) to supplement the City sidewalk clearing program.

Another implication is a resource strain on the Roadways and Transportation Services department as the sidewalk clearing program would require a significant update to activity booklets and ploughing location lists. This would require manually surveying, inspecting and

updating all sidewalks adjacent to parks and no frontage locations, as this data is not readily available.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

Communications will include any policy amendments in the overall winter communications strategy.

DELEGATED AUTHORITY

City Council is required to amend the Winter Maintenance Policy.

Respectfully submitted,

PUBLIC WORKS COMMITTEE

*Elaine Gohlke*

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Elaine Gohlke, Secretary

October 15, 2013

To: His Worship the Mayor  
and Members of City Council

Re: Application for Discretionary Use (13-DU-18) Proposed Planned Group of Dwellings  
(Apartments), Parcels R and S in Phase 5 Greens on Gardiner

---

**RECOMMENDATION OF THE REGINA PLANNING COMMISSION  
- SEPTEMBER 11, 2013**

1. That the discretionary use application for a proposed Planned Group of Dwellings located at the northeast corner of Chuka Boulevard and Arcola Avenue, being Parcels R and S, The Greens on Gardiner Phase V subdivision 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 Alton Tangedal Architects Ltd. and dated May 21, 2013; and
  - b) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.
2. 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.

*REGINA PLANNING COMMISSION – SEPTEMBER 11, 2013*

The following addressed the Commission:

- Ben Mario, City Planner, made a PowerPoint presentation, a copy of which is on file in the City Clerk's Office; and
- Denis Jones, representing Deveraux Homes & Developments.

The Commission adopted a resolution to concur in the recommendation contained in the report. Recommendation #3 does not require City Council approval.

Councillors Mike O'Donnell; Commissioners: David Edwards, Phil Evans, Ron Okumura, Daryl Posehn, Phil Selenski, Laureen Snook and Sherry Wolf were present during consideration of this report by the Regina Planning Commission.

The Regina Planning Commission, at its meeting held on September 11, 2013, considered the following report from the Administration:

RECOMMENDATION

1. That the discretionary use application for a proposed Planned Group of Dwellings located at the northeast corner of Chuka Boulevard and Arcola Avenue, being Parcels R

and S, The Greens on Gardiner Phase V subdivision 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 Alton Tangedal Architects Ltd. and dated May 21, 2013; and
  - b) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.
2. 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.
  3. That this report be forwarded to the October 15, 2013 meeting of City Council.

## CONCLUSION

The applicant proposes to develop:

- A Planned Group of Apartment Dwellings
- There would be 320 units in six buildings
- The subject property is currently zoned R6- Residential Multiple Housing Zone
- The subject property is located within The Greens on Gardiner Subdivision
- No technical issues were raised during the review process.

The proposal complies with the development standards and regulations contained in Regina Zoning Bylaw No. 9250 and is consistent with the policies contained in Regina Development Plan Bylaw No. 7877 (Official Community Plan).

## BACKGROUND

This application is being considered pursuant to *Regina Zoning Bylaw No. 9250*, *Regina Development Plan Bylaw No. 7877 (Official Community Plan)*, and *The Planning and Development Act, 2007*.

Pursuant to subsection 56(3) of the Act, Council may establish conditions for discretionary uses based on; nature of the proposed development (e.g. site, size, shape and arrangement of buildings) and aspects of site design (e.g. landscaping, site access, parking and loading), but not including the colour, texture or type of materials and architectural details.

## DISCUSSION

Land Use Details		
	<u>Existing</u>	<u>Proposed</u>
Zoning	R6	R6
Land Use	Vacant	Planned Group of Dwellings (Apartments)
Number of Dwelling Units	N/A	320
Building Area	N/A	32677.4 m <sup>2</sup>

<b>Zoning Analysis</b>		
	<b><u>Required</u></b>	<b><u>Proposed</u></b>
Number of Parking Stalls Required	480 stalls (1.5 x 320)	486 stalls
Minimum Lot Area (m <sup>2</sup> )	500 m <sup>2</sup>	32,400m <sup>2</sup>
Minimum Lot Frontage (m)	10.5 m	189.35 m
Maximum Building Height (m)	13 m	12.2 m
Gross Floor Area	N/A	32677.4m <sup>2</sup>
Maximum Floor Area Ratio	3.0	1.0
Maximum Coverage (%)	50%	26.25%

The surrounding land uses are vacant land in all directions. However, the approved Greens on Gardiner concept plan (Appendix A-3.4), identifies high density residential (adjacent to Chuka Boulevard) and low density to the north; mixed use (commercial and high density residential) to the west across Chuka Boulevard; and low density residential to the east. Arcola Avenue is also to the south of the subject property.

The proposed development is consistent with the purpose and intent of the Zone with respect to:

- Providing development options in excess of 50 units per hectare
- Provision of affordable housing
- Provision of high density residential along major arterial streets

The developer has indicated that the development is intended for the rental market.

## **RECOMMENDATION IMPLICATIONS**

### **Financial Implications**

Capital funding to provide municipal infrastructure that is required for subdivision and development in the concept plan area will be the sole responsibility of the developer. The municipal infrastructure that is built and funded by the developer will become the City's responsibility to operate and maintain through future budgets.

Any infrastructure that is deemed eligible for Servicing Agreement Fee funding will be funded by the City of Regina in accordance with the *Administration of Servicing Agreements Fees and Development Levies* policy. Utility charges are applied to the costs of water, sewer and storm drainage services.

### **Environmental Implications**

The subject property is located within the Low Sensitivity Aquifer Protection Overlay Zone. The proposal is required to comply with the applicable performance standards.

### Policy/Strategic Implications

The proposal is consistent with the policies contained within Part A: Policy Plan of *Regina Development Plan, Bylaw No. 7877 (Official Community Plan)* with respect to:

- 5.4 a) A compact urban form be achieved by favouring development of new areas with high density development.
- 5.4 d) That higher density development should be encouraged along transit routes.

The proposed development conforms with the recently amended Greens on Gardiner concept plan. The high density residential development will compliment its future context. Transit service will potentially be frequent and direct along Chuka Boulevard. Mixed use development along Chuka Boulevard will include local commercial services, and high quality public spaces. A copy of the Greens on Gardiner concept plan is attached for reference purposes in Appendix A-3.4.

### Other Implications

None with respect to this report.

### Accessibility Implications

The proposed development provides 11 parking stalls for persons with disabilities which meets the minimum 2 percent requirement.

The Uniform Building and Accessibility Standards Act requires 5% of units in new rental buildings to be barrier-free including accessible washrooms, space in bedrooms and kitchens, and balconies. For this proposal, this equates to 16 barrier-free units.

### COMMUNICATIONS

Public notification signage posted on:	The subject lands were not signposted, due to their remoteness from surrounding urban development and the current unavailability of direct public access to the site. The Administration acknowledges that according to Section 18D.1.1 of <i>Regina Zoning Bylaw No. 9250</i> , the authority to waive the signposting requirement rests exclusively with City Council. Although occurring after the fact, a recommendation has been provided for Council to waive those requirements.
Letter sent to immediate property owners	N/A
Public Open House Held	N/A
Number of Public Comments Sheets Received	N/A

DELEGATED AUTHORITY

City Council's approval is required, pursuant to Part V of *The Planning and Development Act, 2007*.

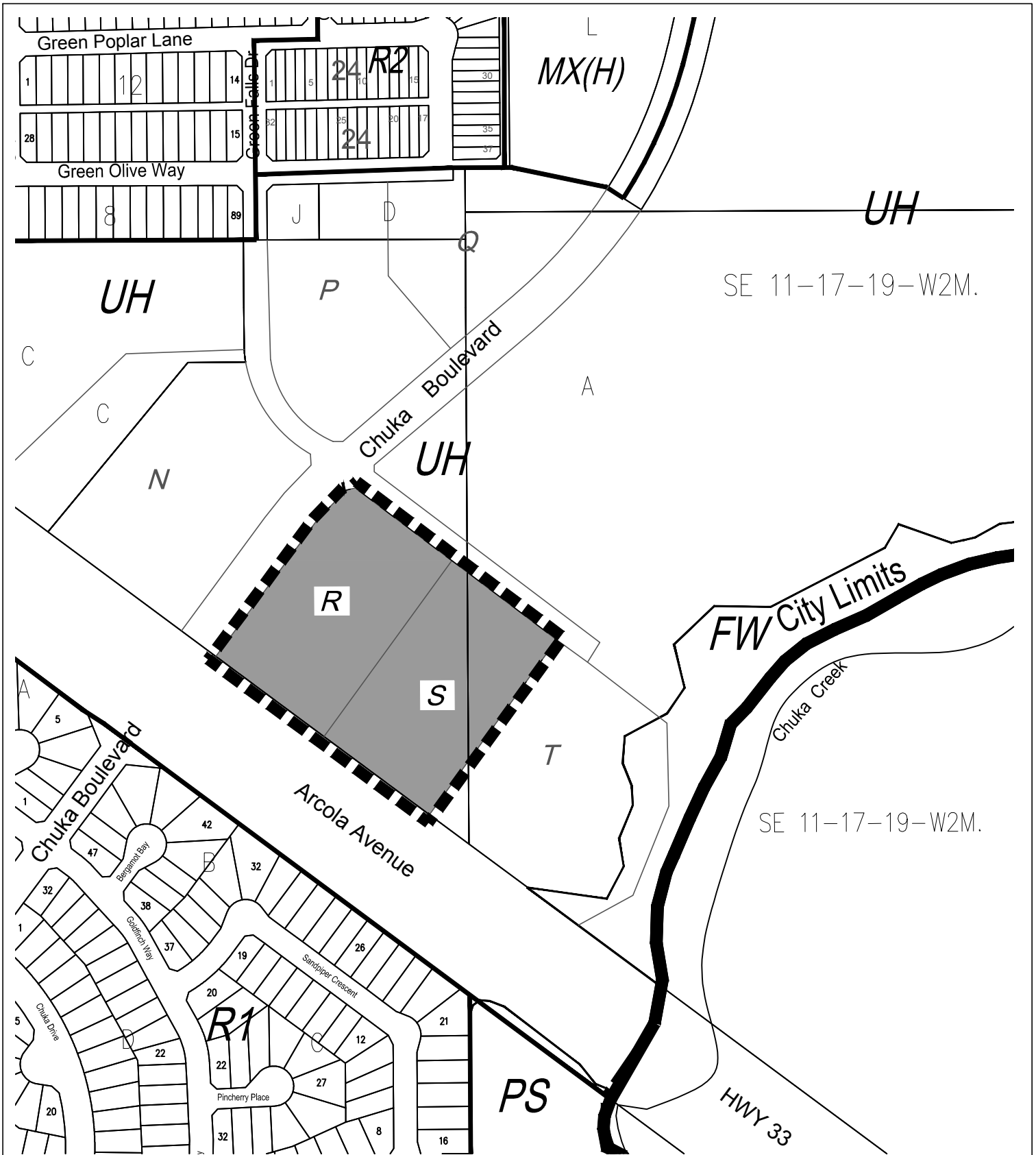
Respectfully submitted,


REGINA PLANNING COMMISSION

*Elaine Gohlke*

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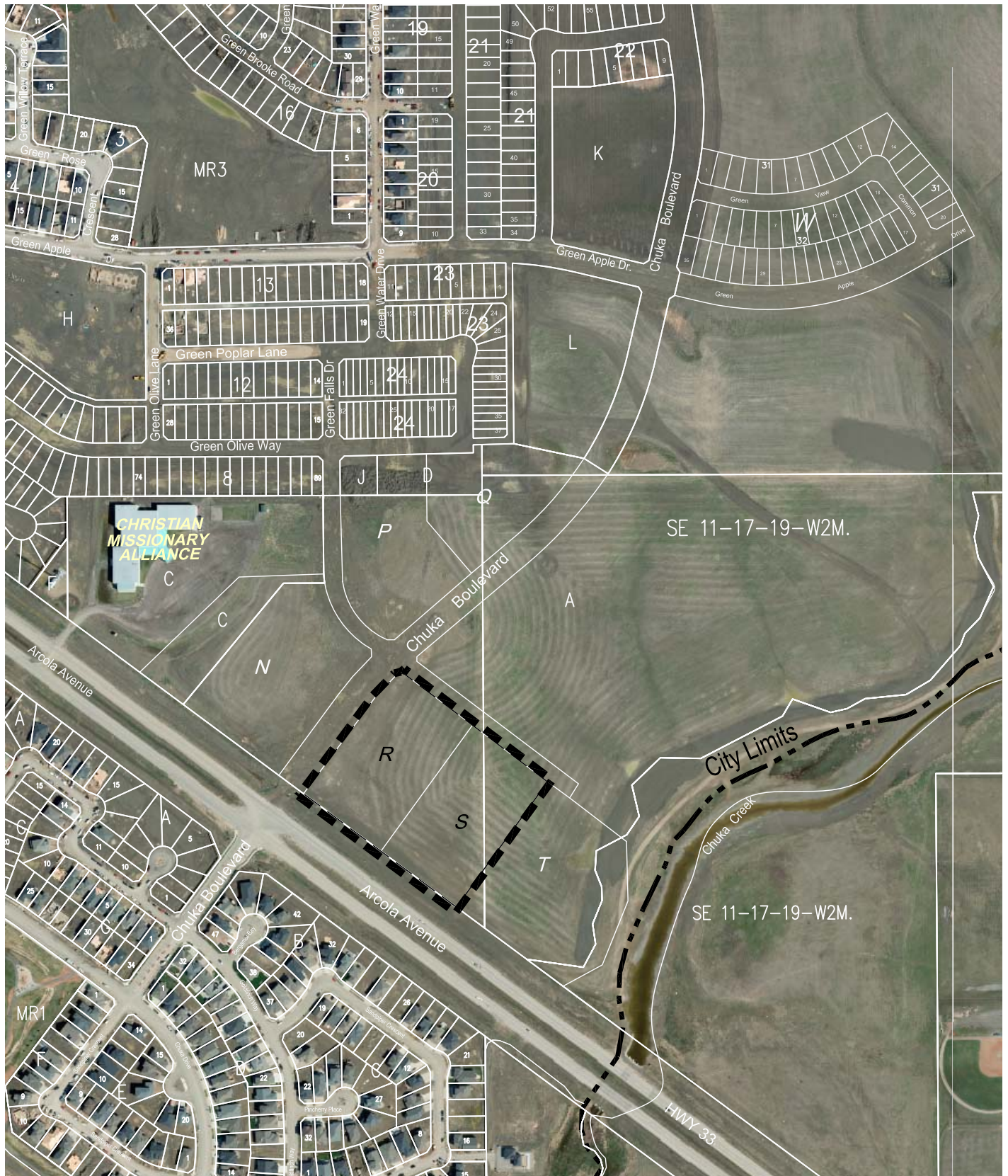
Elaine Gohlke, Secretary



 Subject Property

Project 13-DU-18

Civic Address/Subdivision The Gardens on Gardiner Phase 5  
Proposed Subdivision  
Sec. 11, Twp. 17, Rge. 19 W2M.



Subject Property

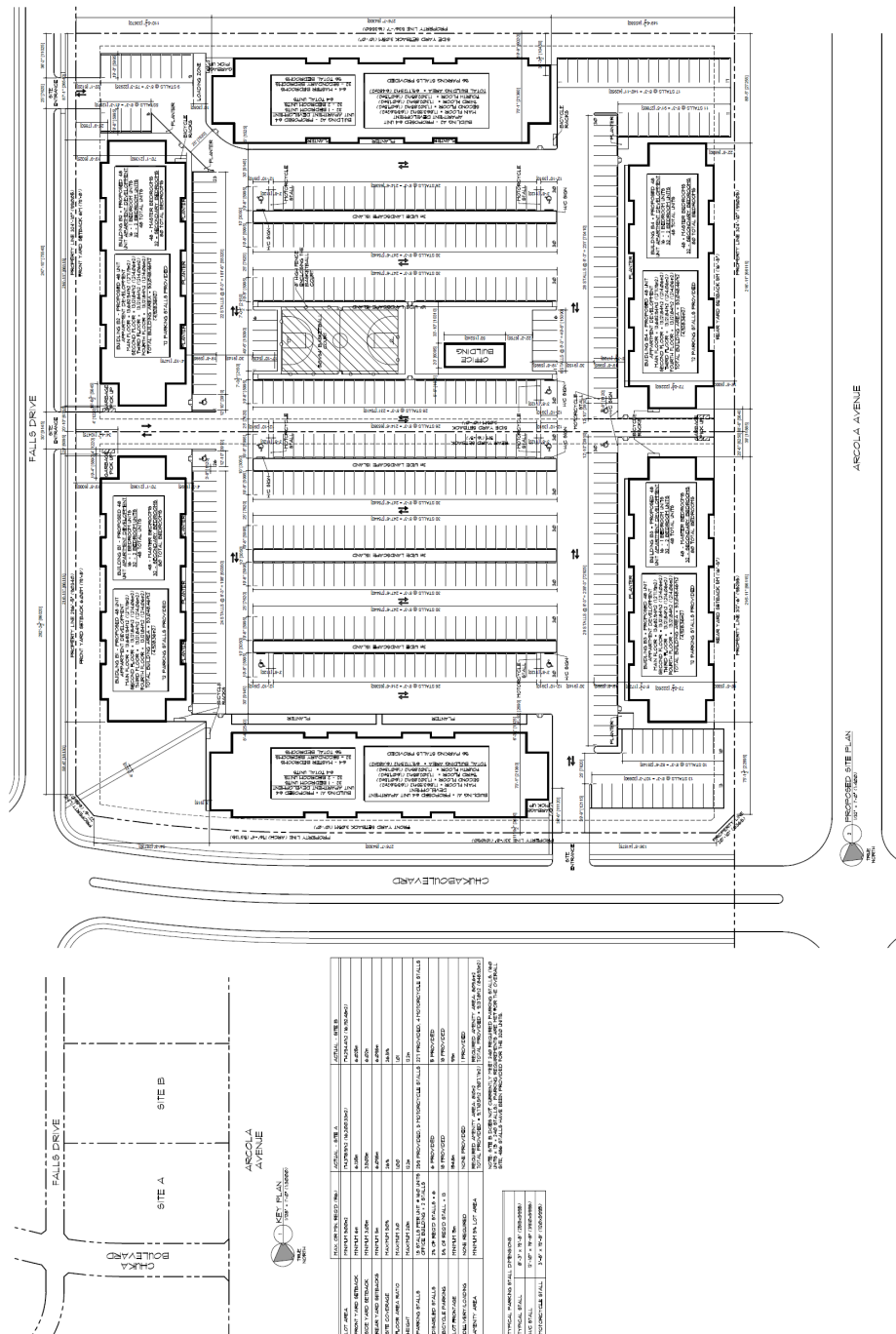
Date of Photography : 2012

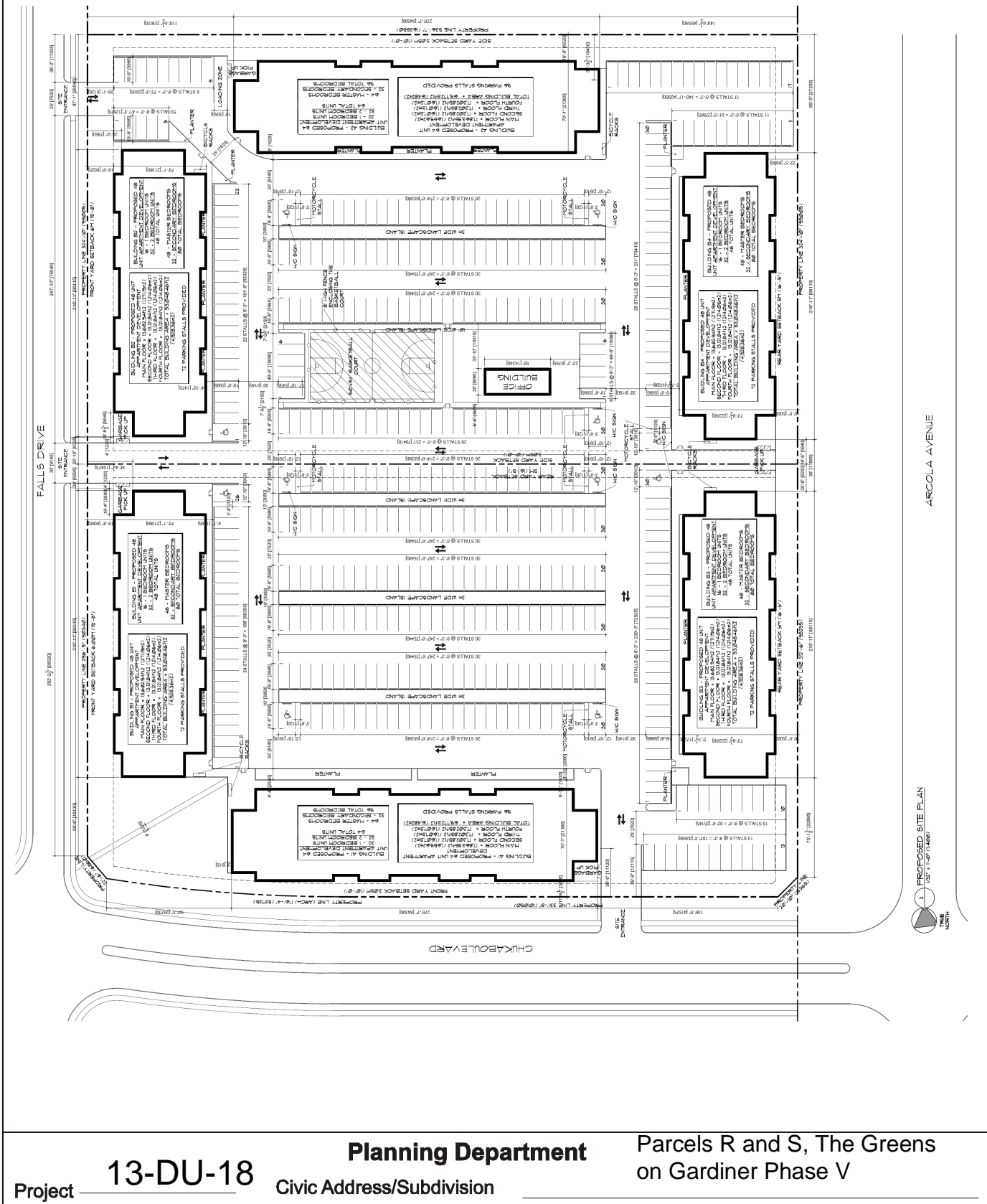


Project 13-DU-18

Civic Address/Subdivision

The Gardens on Gardiner Phase 5  
Proposed Subdivision  
Sec. 11, Twp. 17, Rge. 19 W2M.







	MAX. OR MIN. REQ'D (REQ)	ACTUAL - SITE A	ACTUAL - SITE B
LOT AREA	MINIMUM 500m <sup>2</sup>	174,378.9ft <sup>2</sup> (16,200.33m <sup>2</sup> )	174,294.4ft <sup>2</sup> (16,192.48m <sup>2</sup> )
FRONT YARD SETBACK	MINIMUM 6m	6.135m	6.025m
SIDE YARD SETBACK	MINIMUM 3.05m	3.505m	6.02m
REAR YARD SETBACKS	MINIMUM 5m	6.095m	6.095m
SITE COVERAGE	MAXIMUM 50%	26%	26.5%
FLOOR AREA RATIO	MAXIMUM 3.0	1.00	1.01
HEIGHT	MAXIMUM 20m	12.2m	12.2m
PARKING STALLS	15 STALLS PER UNIT @ 160 UNITS OFFICE BUILDING = 2 STALLS	259 PROVIDED, 5 MOTORCYCLE STALLS	227 PROVIDED, 4 MOTORCYCLE STALLS
DISABLED STALLS	2% OF REQ'D STALLS = 6	6 PROVIDED	5 PROVIDED
BICYCLE PARKING	5% OF REQ'D STALL = 13	18 PROVIDED	18 PROVIDED
LOT FRONTAGE	MINIMUM 15m	154.8m	99m
DELIVERY/LOADING	NONE REQUIRED	NONE PROVIDED	1 PROVIDED
AMENITY AREA	MINIMUM 5% LOT AREA	REQUIRED AMENITY AREA: 810m <sup>2</sup> TOTAL PROVIDED = 9,110.5ft <sup>2</sup> (907.1m <sup>2</sup> )	REQUIRED AMENITY AREA: 809.6m <sup>2</sup> TOTAL PROVIDED = 9,137.8ft <sup>2</sup> (848.93m <sup>2</sup> )

NOTE: SITE B DOES NOT CURRENTLY MEET 240 REQUIRED PARKING STALLS, (160 UNITS x 15 = 240 STALLS). PARKING REQUIREMENTS ARE MET FOR THE OVERALL SITE, 486 STALLS HAVE BEEN PROVIDED FOR THE 320 UNITS.

TYPICAL PARKING STALL DIMENSIONS	
TYPICAL STALL	8'-3" x 19'-8" (2515x5995)
H/C STALL	12'-10" x 19'-8" (3910x5995)
MOTORCYCLE STALL	3'-8" x 19'-8" (1120x5995)

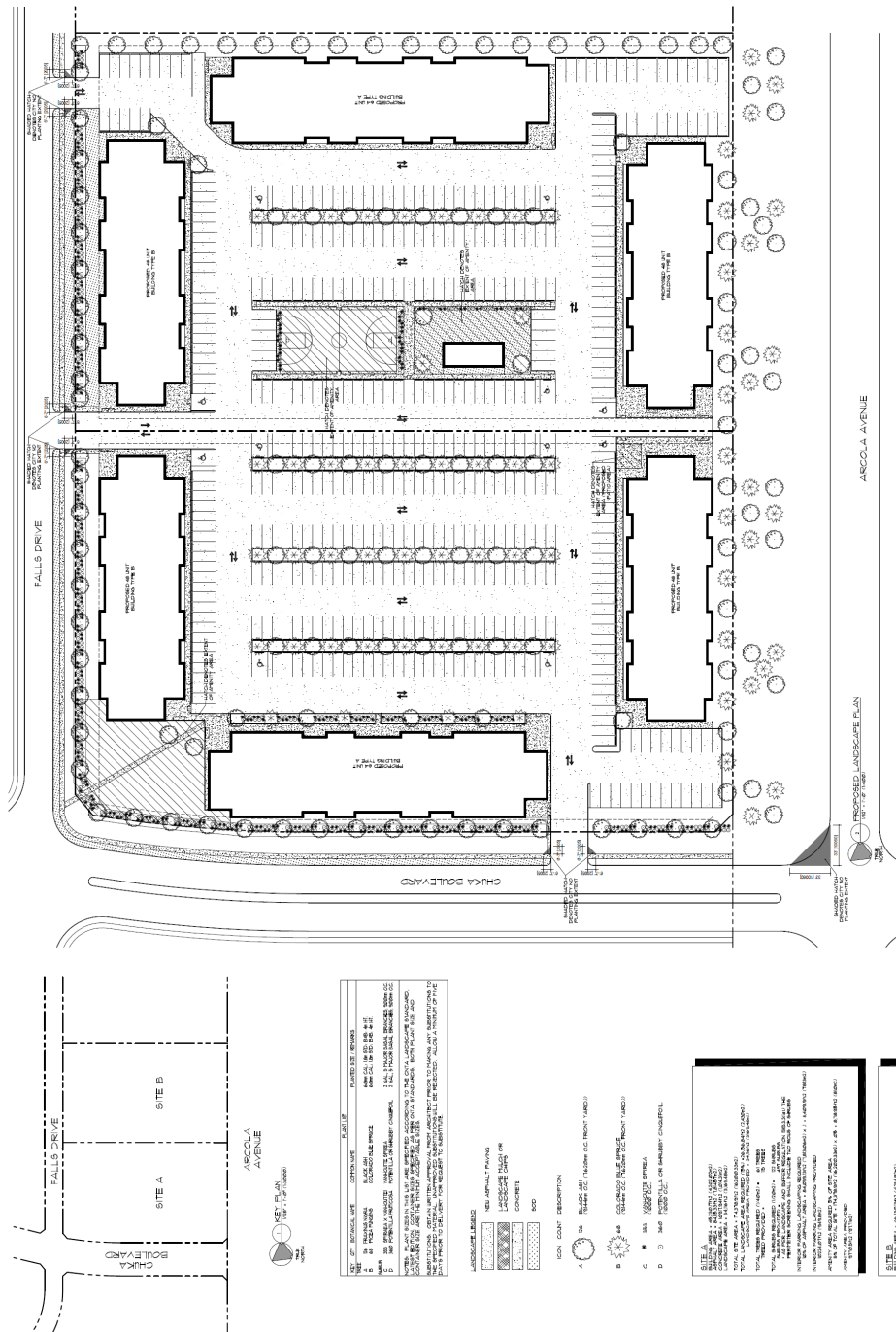
Project **13-DU-18**

**Planning Department**  
Civic Address/Subdivision

Parcels R and S, The Greens on  
Gardiner Phase V

The figure contains three main architectural drawings for the Sterling Manor US Elevator project:

- Top Drawing: BUILDING A NORTH ELEVATION**
  - A large, detailed elevation drawing showing the north facade of the building. It features a grid system with vertical lines labeled 1 through 10 and horizontal lines labeled A through J. The drawing shows various window types, door locations, and structural elements. A legend on the right side of the drawing lists the following items:
    - 1. WINDOW
    - 2. DOOR
    - 3. WALL
    - 4. ROOF
    - 5. FLOOR
    - 6. CEILING
    - 7. STAIR
    - 8. ELEVATOR
    - 9. MECHANICAL
    - 10. ELECTRICAL
- Middle Drawing: BUILDING A EAST ELEVATION**
  - A smaller, detailed elevation drawing showing the east facade of the building. It features a grid system with vertical lines labeled 1 through 10 and horizontal lines labeled A through J. The drawing shows various window types, door locations, and structural elements. A legend on the right side of the drawing lists the following items:
    - 1. WINDOW
    - 2. DOOR
    - 3. WALL
    - 4. ROOF
    - 5. FLOOR
    - 6. CEILING
    - 7. STAIR
    - 8. ELEVATOR
    - 9. MECHANICAL
    - 10. ELECTRICAL
- Bottom Drawing: BUILDING A SOUTH ELEVATION**
  - A large, detailed elevation drawing showing the south facade of the building. It features a grid system with vertical lines labeled 1 through 10 and horizontal lines labeled A through J. The drawing shows various window types, door locations, and structural elements. A legend on the right side of the drawing lists the following items:
    - 1. WINDOW
    - 2. DOOR
    - 3. WALL
    - 4. ROOF
    - 5. FLOOR
    - 6. CEILING
    - 7. STAIR
    - 8. ELEVATOR
    - 9. MECHANICAL
    - 10. ELECTRICAL



<b>SITE A</b>	
BUILDING AREA = 48,230.77sq ft (4,202.02sq m) ASPHALT AREA = 84,183.33sq ft (7,764.57sq m) CONCRETE AREA = 10,913.94sq ft (1,004.31sq m) LANDSCAPE AREA = 34,116.12sq ft (3,163.48sq m)	
TOTAL SITE AREA = 177,444.14sq ft (16,280.33sq m) TOTAL LANDSCAPE AREA REQUIRED (5%) = 8,872.21sq ft (819.48sq m) LANDSCAPE AREA PROVIDED = 34,116.12sq ft (3,163.48sq m)	
TOTAL TREES REQUIRED (1/40sq ft) = 61 TREES TREES PROVIDED = 119 TREES	
TOTAL SHRUBS REQUIRED (1/20sq ft) = 122 SHRUBS SHRUBS PROVIDED = 487 SHRUBS * AS PER LANDSCAPE AND BUFFER REGULATION (B3.3.1(1)) THE PERIMETER SCREENING SHALL INCLUDE TWO ROWS OF SHRUBS	
INTERIOR PARKING LANDSCAPING REQUIRED 10% OF ASPHALT AREA = 8,418.33sq ft (778.86sq m) x J = 8,409.91sq ft (778.31sq m) INTERIOR PARKING LANDSCAPING PROVIDED 10,224.07sq ft (949.82sq m)	
AMENITY AREA REQUIRED 5% OF SITE AREA 5% OF TOTAL SITE = 8,872.21sq ft (819.48sq m) x 0.05 = 8,718.95sq ft (806.12sq m) AMENITY AREA PROVIDED 9,110.51sq ft (843.11sq m)	

<b>SITE B</b>	
BUILDING AREA = 46,230.13sq ft (4,264.92sq m) ASPHALT AREA = 81,642.32sq ft (7,564.82sq m) CONCRETE AREA = 11,255.82sq ft (1,045.71sq m) LANDSCAPE AREA = 30,463.85sq ft (2,830.37sq m) BASKETBALL COURT = 4,100.00sq ft (379.64sq m)	
TOTAL SITE AREA = 173,491.90sq ft (16,032.48sq m) TOTAL LANDSCAPE AREA REQUIRED (5%) = 8,674.59sq ft (800.96sq m) LANDSCAPE AREA PROVIDED = 30,463.85sq ft (2,830.37sq m)	
TOTAL TREES REQUIRED (1/40sq ft) = 10 TREES TREES PROVIDED = 15 TREES	
TOTAL SHRUBS REQUIRED (1/20sq ft) = 140 SHRUBS SHRUBS PROVIDED = 216 SHRUBS * AS PER LANDSCAPE AND BUFFER REGULATION (B3.3.1(1)) THE PERIMETER SCREENING SHALL INCLUDE TWO ROWS OF SHRUBS	
INTERIOR PARKING LANDSCAPING REQUIRED 10% OF ASPHALT AREA = 8,164.23sq ft (756.48sq m) x J = 8,160.44sq ft (756.13sq m) INTERIOR PARKING LANDSCAPING PROVIDED 8,271.51sq ft (764.34sq m)	
AMENITY AREA REQUIRED 5% OF SITE AREA 5% OF TOTAL SITE = 8,674.59sq ft (800.96sq m) x 0.05 = 8,114.29sq ft (751.66sq m) AMENITY AREA PROVIDED 9,151.85sq ft (846.53sq m)	

PLANT LIST		
KEY	BOTANICAL NAME	COMMON NAME
TREE		
A	106 FRAXINUS NIGRA	BLACK ASH
B	68 PICEA FENSCH	COLORADO BLUE SPRUCE
SHRUB		
C	353 SPIRAEA X VANHOUTEI	VANHOUTEI SPIRAEA
D	360 POTENTILLA FRUTICOSA	POTENTILLA OR SHRUBBY CINQUEFOIL

NOTES: PLANT SIZES IN THIS LIST ARE SPECIFIED ACCORDING TO THE ONTARIO LANDSCAPE STANDARD, LATEST EDITION. CONTAINER SIZES SPECIFIED AS PER ONTARIO STANDARDS. BOTH PLANT SIZE AND CONTAINER SIZE ARE THE MINIMUM ACCEPTABLE SIZES.

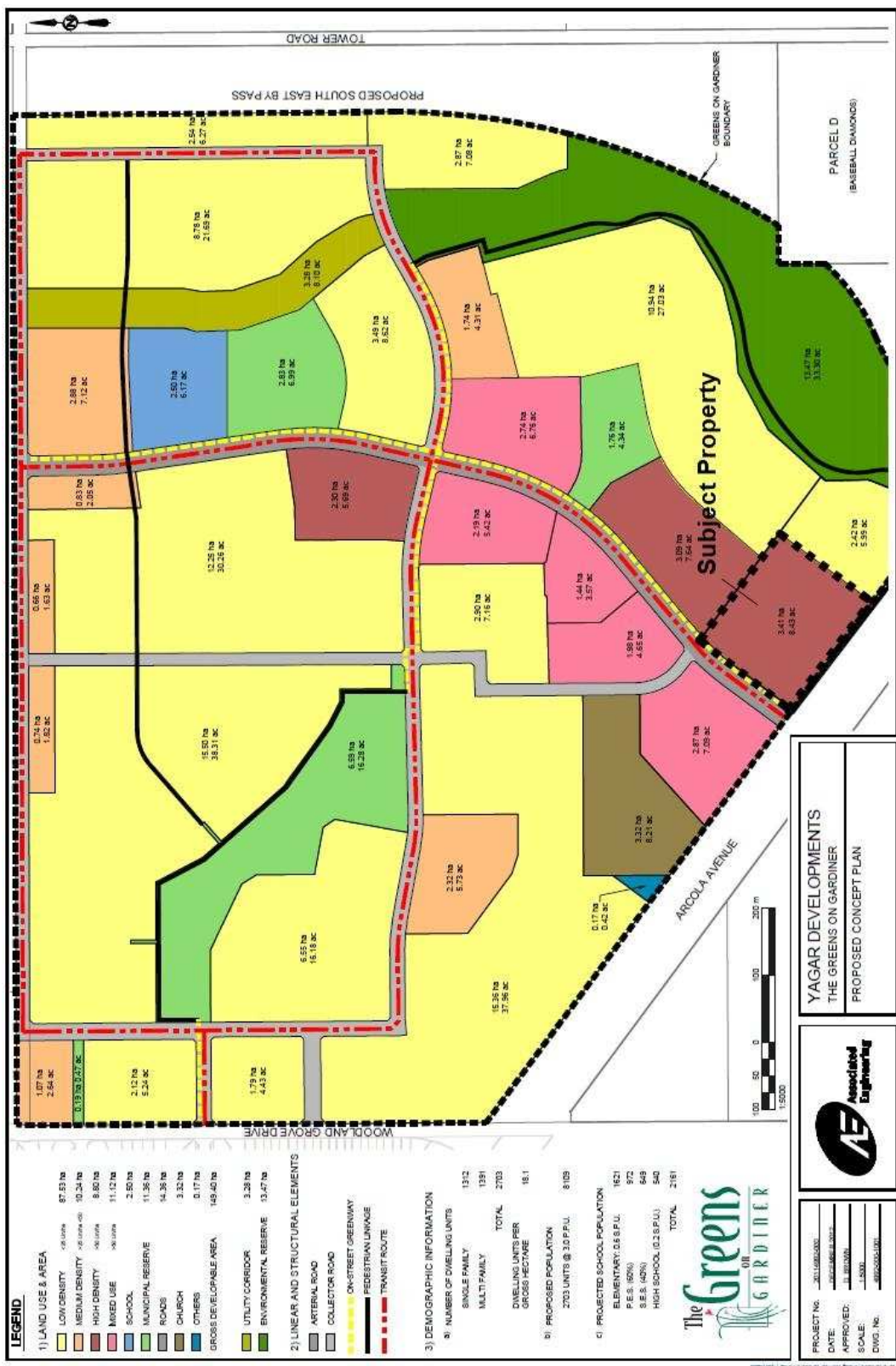
SUBSTITUTIONS: OBTAIN WRITTEN APPROVAL FROM ARCHITECT PRIOR TO MAKING ANY SUBSTITUTIONS TO THE SPECIFIED MATERIAL. UNAPPROVED SUBSTITUTIONS WILL BE REJECTED. ALLOW A MINIMUM OF FIVE DAYS PRIOR TO DELIVERY FOR REQUEST TO SUBSTITUTE.

LANDSCAPE LEGEND

- NEW ASPHALT PAVING
- LANDSCAPE MULCH OR LANDSCAPE CHIPS
- CONCRETE
- 900

ICON COUNT DESCRIPTION

- A 126 BLACK ASH (914mm O.C. (1620mm O.C. FRONT YARD))
- B 68 COLORADO BLUE SPRUCE (914mm O.C. (1620mm O.C. FRONT YARD))
- C 353 VANHOUTEI SPIRAEA (1000 O.C.)
- D 360 POTENTILLA OR SHRUBBY CINQUEFOIL (1000 O.C.)



Project **13-DU-18**

**Planning Department**  
Civic Address/Subdivision

Parcels R and S The Greens on Gardiner Phase V

October 15, 2013

To: His Worship the Mayor  
and Members of City Council

Re: Application for Discretionary Use (13-DU-22) Proposed Warehousing of Hazardous  
Chemicals, 100 McDonald Street

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**RECOMMENDATION OF THE REGINA PLANNING COMMISSION  
- OCTOBER 2, 2013**

1. That the discretionary use application for a proposed warehouse and distribution facility involving hazardous chemicals located at 100 McDonald Street, being Lot 1, Block 18, Plan No. 75R18889, Ross Industrial Park 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, prepared by Kreate Architecture and Design Ltd. and dated March 15, 2013 and Appendices A-3.2 to A-3.4 prepared by Hasegawa Consulting Professional Engineers and dated August 26, 2013; and
  - b) Prior to the issuance of a Building Permit, the applicant shall submit the following for review by the Fire and Protective Services Department, Development Engineering Department and/or any federal and provincial agencies having jurisdiction:
    1. a comprehensive fire safety plan and a spill mitigation plan;
    2. information showing storage layout, access aisles and storage heights; and
    3. Information indicating compliance with Parts 3 and 4 of the National Fire Code of Canada.
  - c) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.

*REGINA PLANNING COMMISSION –OCTOBER 2, 2013*

The following addressed the Commission:

- Sue Luchuck, City Planner, made a PowerPoint presentation, a copy of which is on file in the City Clerk's Office; and
- Ray Smith, representing Haliburton.

The Commission adopted a resolution to concur in the recommendation contained in the report. Recommendation #2 does not require City Council approval.

Councillors: Shawn Fraser and Mike O'Donnell; Commissioners: David Edwards, Phil Evans, Dallard LeGault, Ron Okumura, Daryl Posehn, Phil Selenski and Laureen Snook were present during consideration of this report by the Regina Planning Commission.

The Regina Planning Commission, at its meeting held on October 2, 2013, considered the following report from the Administration:

### RECOMMENDATION

2. That the discretionary use application for a proposed warehouse and distribution facility involving hazardous chemicals located at 100 McDonald Street, being Lot 1, Block 18, Plan No. 75R18889, Ross Industrial Park be APPROVED, and that a Development Permit be issued subject to the following conditions:
  - d) The development shall be consistent with the plans attached to this report as Appendix A-3.1, prepared by Kreate Architecture and Design Ltd. and dated March 15, 2013 and Appendices A-3.2 to A-3.4 prepared by Hasegawa Consulting Professional Engineers and dated August 26, 2013; and
  - e) Prior to the issuance of a Building Permit, the applicant shall submit the following for review by the Fire and Protective Services Department, Development Engineering Department and/or any federal and provincial agencies having jurisdiction:
    1. a comprehensive fire safety plan and a spill mitigation plan;
    2. information showing storage layout, access aisles and storage heights; and
    3. Information indicating compliance with Parts 3 and 4 of the National Fire Code of Canada.
  - f) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.
3. That this report be forwarded to the October 15, 2013 meeting of City Council.

### CONCLUSION

The applicant proposes to develop:

- a warehouse and distribution facility involving hazardous chemicals in conjunction with the existing administration and maintenance facility to support oil field services currently operating on the site.
- using an existing building on the site for the warehousing and distribution
- chemicals are stored in drums, totes, pails or sacks depending on the nature of the chemical
- quantities of chemicals vary by type
- The subject property is currently zoned IB-Medium Industrial Zone
- The subject property is located within Ross Industrial Park

The proposal complies with the development standards and regulations contained in Regina Zoning Bylaw No. 9250 and is consistent with the policies contained in Regina Development Plan Bylaw No. 7877 (Official Community Plan).

### BACKGROUND

This application is being considered pursuant to *Regina Zoning Bylaw No. 9250, Regina Development Plan Bylaw No. 7877 (Official Community Plan)*, and *The Planning and Development Act, 2007*.

Pursuant to subsection 56(3) of the Act, Council may establish conditions for discretionary uses based on; nature of the proposed development (e.g. site, size, shape and arrangement of buildings) and aspects of site design (e.g. landscaping, site access, parking and loading), but not including the colour, texture or type of materials and architectural details.

It should be noted that the existing administration and maintenance facility is a permitted use in the IB-Medium Industrial Zone. The component of the operation that is discretionary is the storage of chemicals.

## DISCUSSION

Land Use Details		
	Existing	Proposed
Zoning	IB	IB
Land Use	Administration and maintenance	Administration and maintenance and the warehousing and distribution of hazardous chemicals
Building Area	4240 m <sup>2</sup>	4240 m <sup>2</sup>

Zoning Analysis		
	Minimum Required	Existing
Number of Parking Stalls Required	28 stalls (1 space per 150 sq. m. gross area)	106 stalls
Minimum Lot Area (m <sup>2</sup> )	2000 m <sup>2</sup>	35367.95 m <sup>2</sup>
Minimum Lot Frontage (m)	30 m	184 m
Maximum Floor Area Ratio	2	0.2
Maximum Coverage (%)	75%	8.3%

Surrounding land uses include medium to light industrial uses to the west, north and east, with the Ring Road to the south.

The applicant proposed to maintain the current landscaping on the property and will landscape the area of the south access that is to be closed.

The proposed development is consistent with the purpose and intent of the IB-Medium Industrial Zone with respect to:

- Accommodating a wide range of land uses including manufacturing, processing, assembly, distribution, service and repair activities that carry out some of their operations outdoors or require outdoor storage.

## RECOMMENDATION IMPLICATIONS

### Financial Implications

The subject area currently receives a full range of municipal services, including water, sewer and storm drainage. The applicant will be responsible for the cost of any additional or changes to existing infrastructure that may be required to directly or indirectly support the development, in accordance with City standards and applicable legal requirements.

The applicant is proposing to close the south access to McDonald Street and make improvements to the north access to McDonald Street at Henderson Drive. The north entrance would therefore be the sole point of movement in and out of this site. Currently the intersection is not signalized for traffic exiting the site.

The proposed access modifications will require full signalization at the intersection McDonald Street and Henderson Drive. However, since the only aspect of this development on the site that is the subject of discretionary use approval is the warehousing and distribution of hazardous materials, the City cannot require the applicant to contribute to the cost of these off-site upgrades as a condition of approval.

The modification to the north access will require the relocation of the existing street light and sign post at the applicant's expense.

### Environmental Implications

The subject property is located within the Low Sensitivity Aquifer Protection Overlay Zone. The proposal is required to comply with the following applicable performance standards in the Zoning Bylaw to prevent contamination of the aquifer including:

- If a new building is constructed onsite in the future, they must be developed with a maximum excavation depth of six metres to ensure the excavation does not expose the aquifer or negatively impact the aquifer.
- Development of containment ponds where required to minimize seepage into any underlying aquifers.
- Proper sealing of all holes created by the removal of piles, foundations, drilling or any similar activity to minimize seepage into the underlying aquifer.
- Detailed environmental impact report(s) with appropriate mitigation measures and annual soil tests and or other contamination detection measure reports as required by the City, federal and provincial agencies having jurisdiction.

### Policy/Strategic Implications

The proposal is consistent with the following policies contained within Part A: Policy Plan of *Regina Development Plan, Bylaw No. 7877 (Official Community Plan)*:

- 4.1b) To direct new urban growth in a sustainable manner, which supports the economic sustainability by minimizing the cost of developing and maintaining services, social sustainability by giving proper emphasis to neighbourhood renewal and revitalization, and environmental sustainability by promoting compact, balanced urban form that minimize travel distances and supports transit.

- 4.8b) That the primary area for industrial development shall continue to be Ross Industrial Park.

The applicant has taken over a previously developed industrial site within Ross Industrial Park, negating the need to build a new facility. The site is serviced by public transit.

#### Other Implications

None with respect to this report.

#### Accessibility Implications

The building that will house the chemicals does not require the provision of accessible parking stalls. However, there are accessible stalls provided near the entrance of the administration building on the site.

#### COMMUNICATIONS

Public notification signage posted on:	September 9, 2013
Letter sent to immediate property owners	September 5, 2013
Number of Public Comments Sheets Received	1 - In support 2- Opposed

The issues identified by the business owners who expressed opposition to the proposed storage facility were related to fire and to disposal of hazardous waste material. In response to these concerns, the applicant prepared a fact sheet, attached to this report as Appendix B. The fact sheet was sent to all of the businesses that were included in the initial circulation. The fact sheet explains how the company handles and disposes of their hazardous waste material and their fire control mechanisms.

In addition, the City's Fire and Protective Services Department commented that compliance with all code requirements and the spill mitigation measures (required as part of the building permit application) along with the company's due diligence in regard to fire safety minimizes the risk substantially.

#### DELEGATED AUTHORITY

City Council's approval is required, pursuant to Part V of *The Planning and Development Act, 2007*.

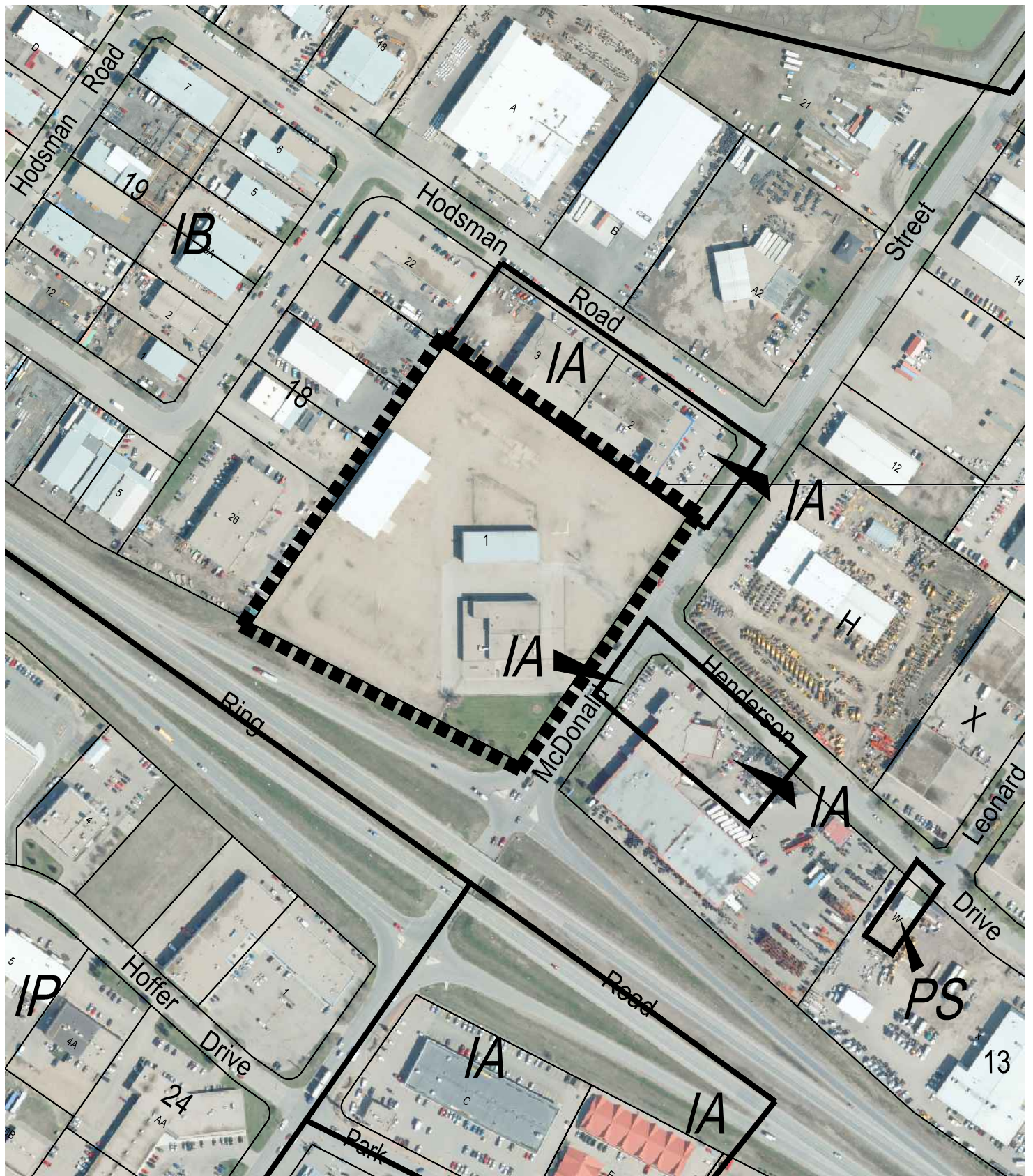
Respectfully submitted,

REGINA PLANNING COMMISSION



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Elaine Gohlke, Secretary



Subject Property



Project 13-DU-22

Civic Address/Subdivision

100 McDonald St/Industrial Ross,  
Lot 1, Block 18, Plan No. 75R18889



Subject Property

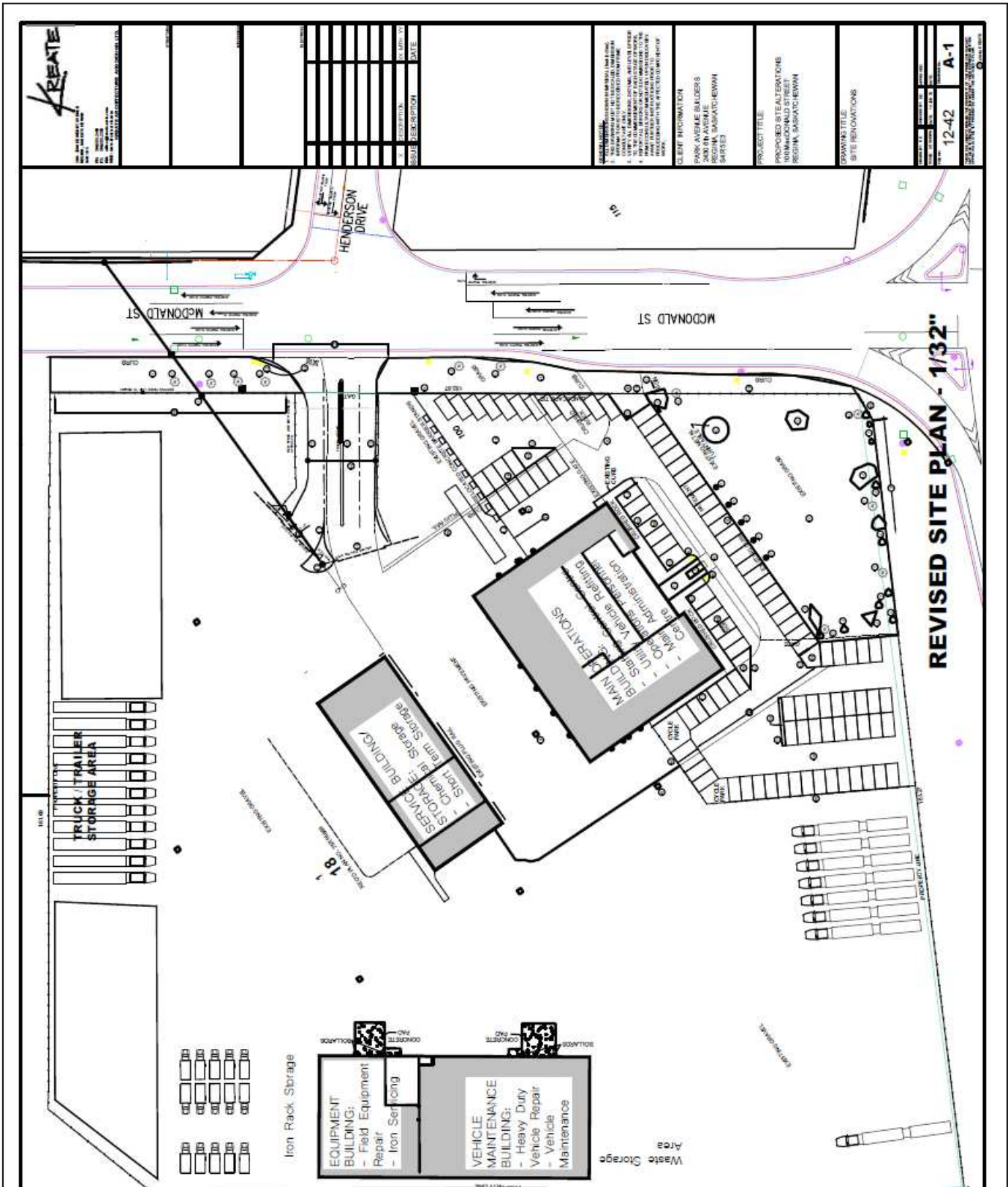
Date of Photography: 2012



Project 13-DU-22

Civic Address/Subdivision

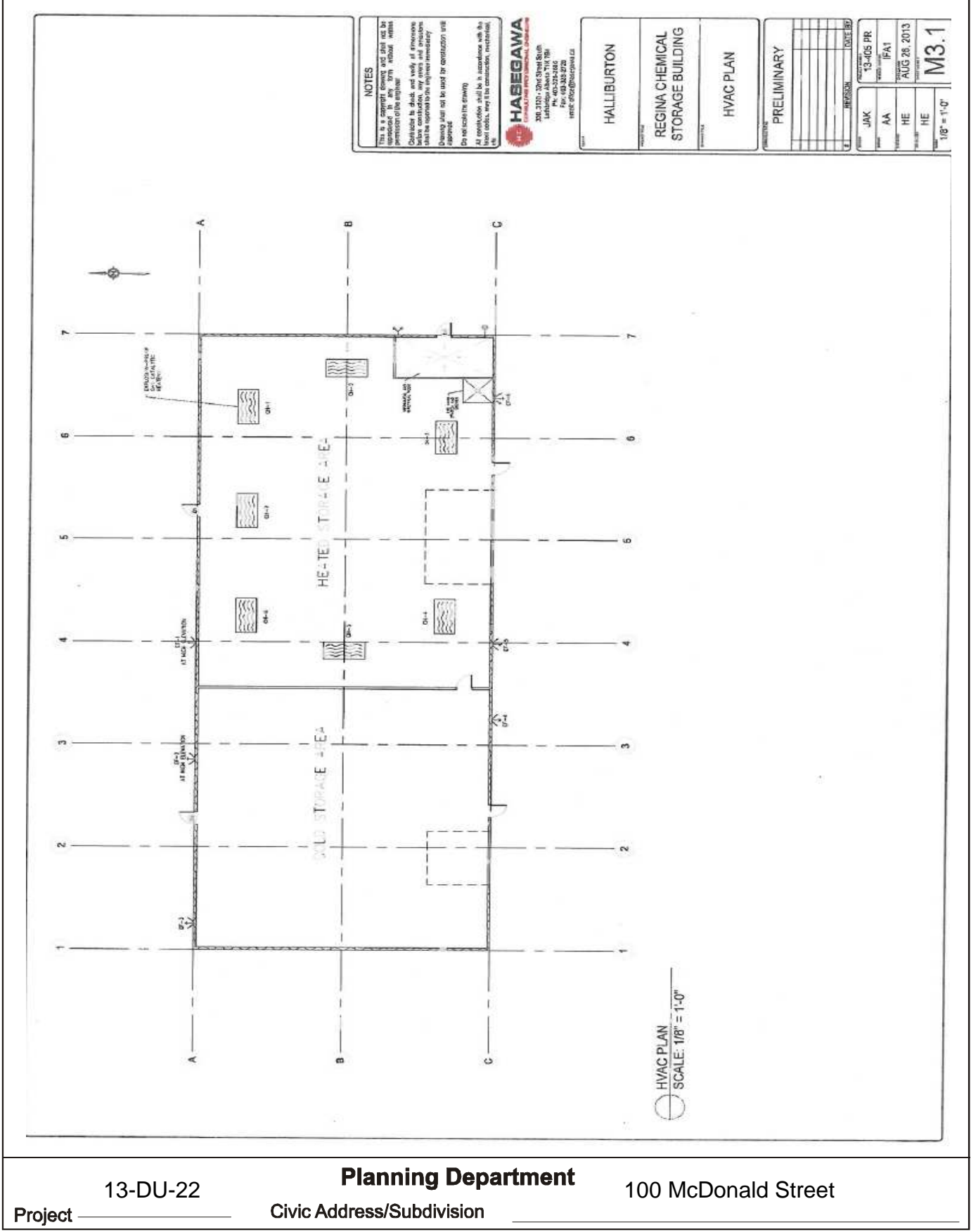
100 McDonald St/Industrial Ross,  
Lot 1, Block 18, Plan No. 75R18889

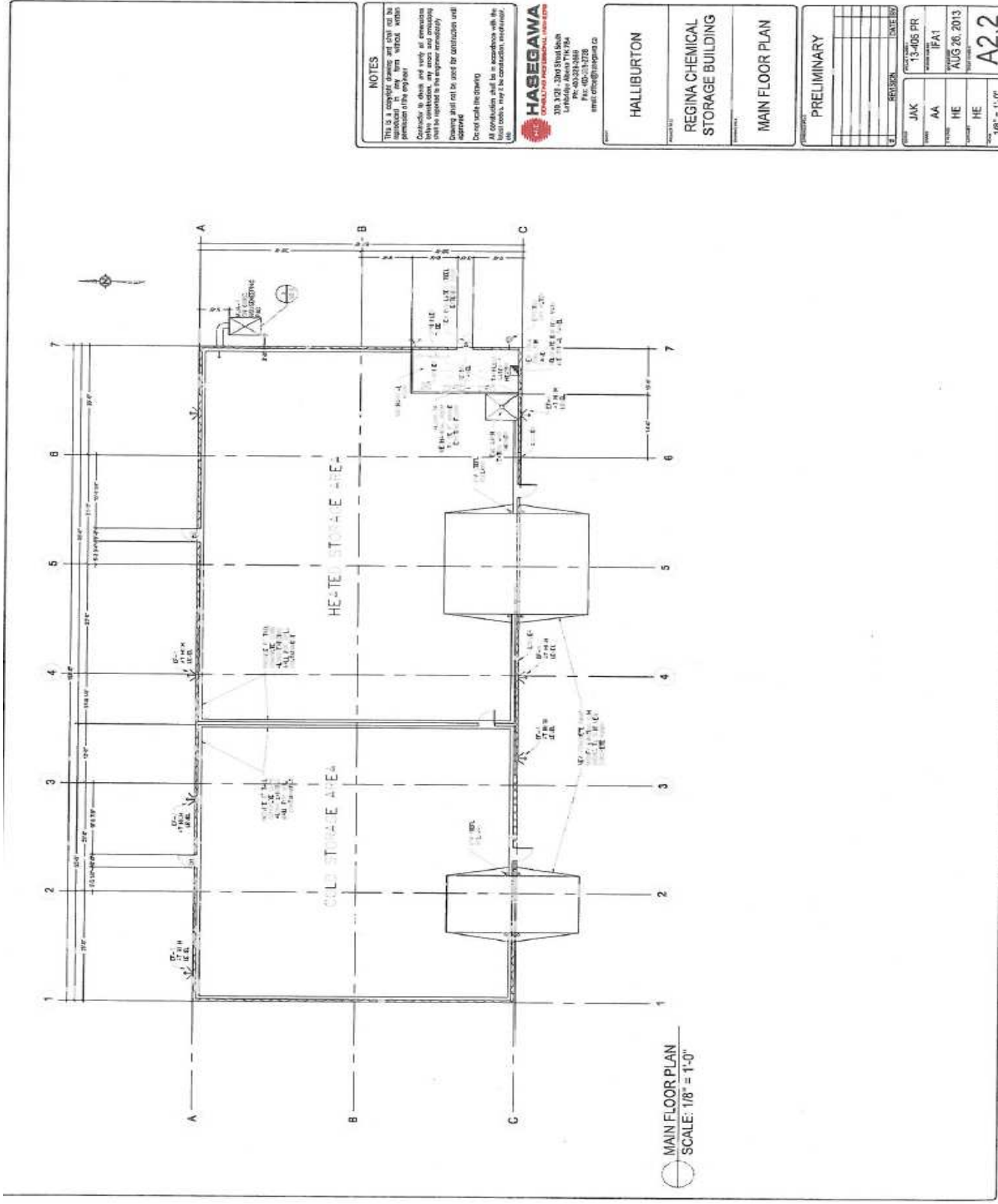


Project 13-DU-22

**Planning Department**  
Civic Address/Subdivision

100 McDonald Street





**HALLIBURTON**

## Halliburton Group Canada

**Re: 100 McDonald Street, Regina, SK, S4N 5V9**

September 18, 2013

Halliburton Group Canada has acquired the above noted facility to serve as a central operational base for providing Oil and Gas Services to our clients in Saskatchewan and Manitoba, bringing in 100+ jobs to benefit local residents and businesses alike.

In fulfilment of the relevant provisions of *The Hazardous Substances and Waste Dangerous Goods Regulations*, please find below a summary of information (fact sheet) on Halliburton's Regina Facility:

Halliburton provides Well Stimulation and Coil Tubing operations out of the facility, which includes providing chemicals directly to our customers to complete operations on lease locations owned and operated by Oil/Gas Companies. These include: water treatment microbiocide, organic peroxides, liquid gel concentrates, organic acids and other additives. A comprehensive list of all chemicals on site, together with their Materials Safety Data Sheets (MSDS), has previously been provided to the City of Regina and is available at the Halliburton Regina Facility.

The chemicals will be stored in a 9000 ft<sup>2</sup> stand-alone chemical storage building located in the center of our 8.8 acre property. The building is constructed of metal claddings with fire-proof gyproc on the interior of the warm storage side, and metal interior on the cold storage side, all on concrete pad. All chemicals are stored in appropriate, approved containers as provided by the manufacturers. Empty containers and unused portions of chemical products that are returned to the facility are stored in appropriate containers with secondary containment, and are disposed of by approved 3<sup>rd</sup> Party contractors in accordance with applicable provincial regulations.

The building has been equipped with spill containment kits, and is being fitted out with a forced-air ventilation system, appropriate secondary containments, fire alarm and suppression systems as part of the emergency response plan. Halliburton has similar chemical storage facilities in Saskatchewan and Alberta, including Estevan, Red Deer, Medicine Hat, Lloydminster, Grand Prairie and Onoway.

The facility does not produce, consume or process chemicals. As a part of our operations, the building provides storage for chemicals that are being transported to and used in field operations. Halliburton does not store any flammable fuels (gasoline, diesel, LNG/LPG) or hazardous gases of any type (ammonia, chlorine etc.) on site.

For further information or concern, please contact the Facility Manager on (306) 737-7155 or by email at Ron.Hunter@Halliburton.com.

### *About Halliburton*

*Founded in 1919, Halliburton is one of the world's largest providers of products and services to the energy industry. With more than 75,000 employees, representing 140 nationalities in approximately 80 countries, the company serves the upstream oil and gas industry throughout the lifecycle of the reservoir – from locating hydrocarbons and managing geological data, to drilling and formation evaluation, well construction and completion, and optimizing production through the life of the field. Visit the company's website at [www.halliburton.com](http://www.halliburton.com)*

October 15, 2013

To: His Worship the Mayor  
and Members of City Council

Re: Application for Discretionary Use (13-DU-20) Proposed - Planned Townhouse Dwelling  
Units, 3800 Arcola Avenue

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**RECOMMENDATION OF THE REGINA PLANNING COMMISSION  
- OCTOBER 2, 2013**

1. That the discretionary use application for a proposed Planned Group of Dwellings located at 3800 Arcola Avenue, being Block 3, Plan No. 102102983 located in the Creeks Subdivision 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-3.4 inclusive, prepared by North Ridge Development Corporation and dated June 6, 2013; and
  - b) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*

*REGINA PLANNING COMMISSION – OCTOBER 2, 2013*

The following addressed the Commission:

- Blaine Yatabe, City Planner, made a PowerPoint presentation, a copy of which is on file in the City Clerk's Office;
- Pat May, representing North Ridge Developments.

The Commission adopted a resolution to concur in the recommendation contained in the report. Recommendation #2 does not require City Council approval.

Councillors: Shawn Fraser and Mike O'Donnell; Commissioners: David Edwards, Phil Evans, Dallard LeGault, Ron Okumura, Daryl Posehn, Phil Selenski and Laureen Snook were present during consideration of this report by the Regina Planning Commission.

The Regina Planning Commission, at its meeting held on October 2, 2013, considered the following report from the Administration:

RECOMMENDATION

1. That the discretionary use application for a proposed Planned Group of Dwellings located at 3800 Arcola Avenue, being Block 3, Plan No. 102102983 located in the Creeks Subdivision 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-3.4 inclusive, prepared by North Ridge Development Corporation and dated June 6, 2013; 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 October 15, 2013 meeting of City Council.

## CONCLUSION

The applicant proposes to develop:

- A Planned Group of 61 two storey townhouses
- 106 parking stalls are provided
- The subject property is currently zoned R5- Residential Medium Density.
- The proposal is consistent with the Creeks Concept Plan
- Compliant with standards and regulations contained in *Regina Zoning Bylaw No. 9250* and the policies contained in the Official Community Plan

## BACKGROUND

This application is being considered pursuant to *Regina Zoning Bylaw No. 9250*, *Regina Development Plan Bylaw No. 7877 (Official Community Plan)*, and *The Planning and Development Act, 2007*.

Pursuant to subsection 56(3) of the Act, Council may establish conditions for discretionary uses based on; nature of the proposed development (e.g. site, size, shape and arrangement of buildings) and aspects of site design (e.g. landscaping, site access, parking and loading), but not including the colour, texture or type of materials and architectural details.

## DISCUSSION

Land Use Details		
	Existing	Proposed
Zoning	R5	R5
Land Use	Vacant	Planned Group of Townhouse Dwellings
Number of Dwelling Units	None	61

<b>Zoning Analysis</b>		
	<b>Required</b>	<b>Proposed</b>
Number of Parking Stalls Required	61 stalls	106 stalls
Minimum Lot Area (m <sup>2</sup> )	7320 m <sup>2</sup>	19,427 m <sup>2</sup>
Maximum Building Height (m)	11 m	9 m
Maximum Floor Area Ratio	.85	.41
Maximum Coverage (%)	50%	29%

Surrounding land uses include low density residential development to the south of Sandhill Crescent, medium residential development to the south east, and utility public service uses to the west of the property.

The proposed development is consistent with the purpose and intent of the R5 Zone with respect to:

- Providing flexibility in building design where medium residential development is considered.
- Meets requirements for medium density development for units per hectare.
- Provides minimum allotted space for communal area.

This proposal is consistent with the Creeks Concept Plan which identifies this location for medium density development ranging between 25-50 units per hectare. The proposed development has a density of 32 units per hectare.

## RECOMMENDATION IMPLICATIONS

### Financial Implications

The subject area currently receives a full range of municipal services, including water, sewer and storm drainage. The applicant will be responsible for the cost of any additional or changes to existing infrastructure that may be required to directly or indirectly support the development, in accordance with City standards and applicable legal requirements.

Any infrastructure that is deemed eligible for Servicing Agreement Fee funding will be funded by the City of Regina in accordance with the *Administration of Servicing Agreements Fees and Development Levies* policy. Utility charges are applied to the costs of water, sewer and storm drainage services.

The Transit Department has indicated that the development is likely to generate demand for transit service in the area although resources and budget have not been allocated to allow for extension of transit services to this area at this time. Extension of transit service is dependent upon population growth of the area, further development of the internal collector road network, and ultimately the provision of resources through the annual budget process.

### Environmental Implications

None with respect to this report.

### Policy/Strategic Implications

The proposal is consistent with the policies contained within Part A: Policy Plan of *Regina Development Plan, Bylaw No. 7877 (Official Community Plan)* with respect to:

- Section 7.1(c)– Housing Objectives-
  - A) To accommodate the demand for a variety of housing types throughout the city
  - H) To ensure that residential development is compatible with adjacent residential and non-residential development in the City.
- Section 7.14(c)– That the city shall ensure that higher density residential development is compatible with adjacent land uses and will not be affected by noise from industrial uses or major truck transportation routes.

These policies will encourage more housing types for homebuyers wanting expanded choices. The proposal requires screening and buffering along the northeast property line, which is adjacent to Arcola Avenue. The vegetative buffering will take the form of a minimum of one row of deciduous and coniferous plantings. Sound attenuation was addressed at the time of concept plan approval and is achieved through a mix of fencing, berms, and landscaping as noted above.

The proposal is also consistent with the policies contained in Part D Southeast Sector Plan, of the OCP with respect to:

- Section 3.4 Facilitate Housing Choice
  - (a)- To facilitate the development and integration of a range of housing types;
  - (c)- To locate higher density and mixed land uses along major roads;
  - To ensure compatibility between residential development and adjacent land uses
- This will be part of phase G of the Southeast Sector Development Strategy in the 235,000 + growth stage.

These policies will allow for a choice of housing type for prospective homebuyers. This proposed development is within the growth parameters of Community “G” in the Southeast Sector Plan for population and growth stages.

### Other Implications

None with respect to this report.

### Accessibility Implications

The proposed development provides two parking stalls for persons with disabilities which meets the minimum requirements.

### COMMUNICATIONS

Public notification signage posted on:	August 20, 2013
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The Administration was contacted department one resident of Wascana View who requested information on the proposal.

DELEGATED AUTHORITY

City Council's approval is required, pursuant to Part V of *The Planning and Development Act, 2007*.

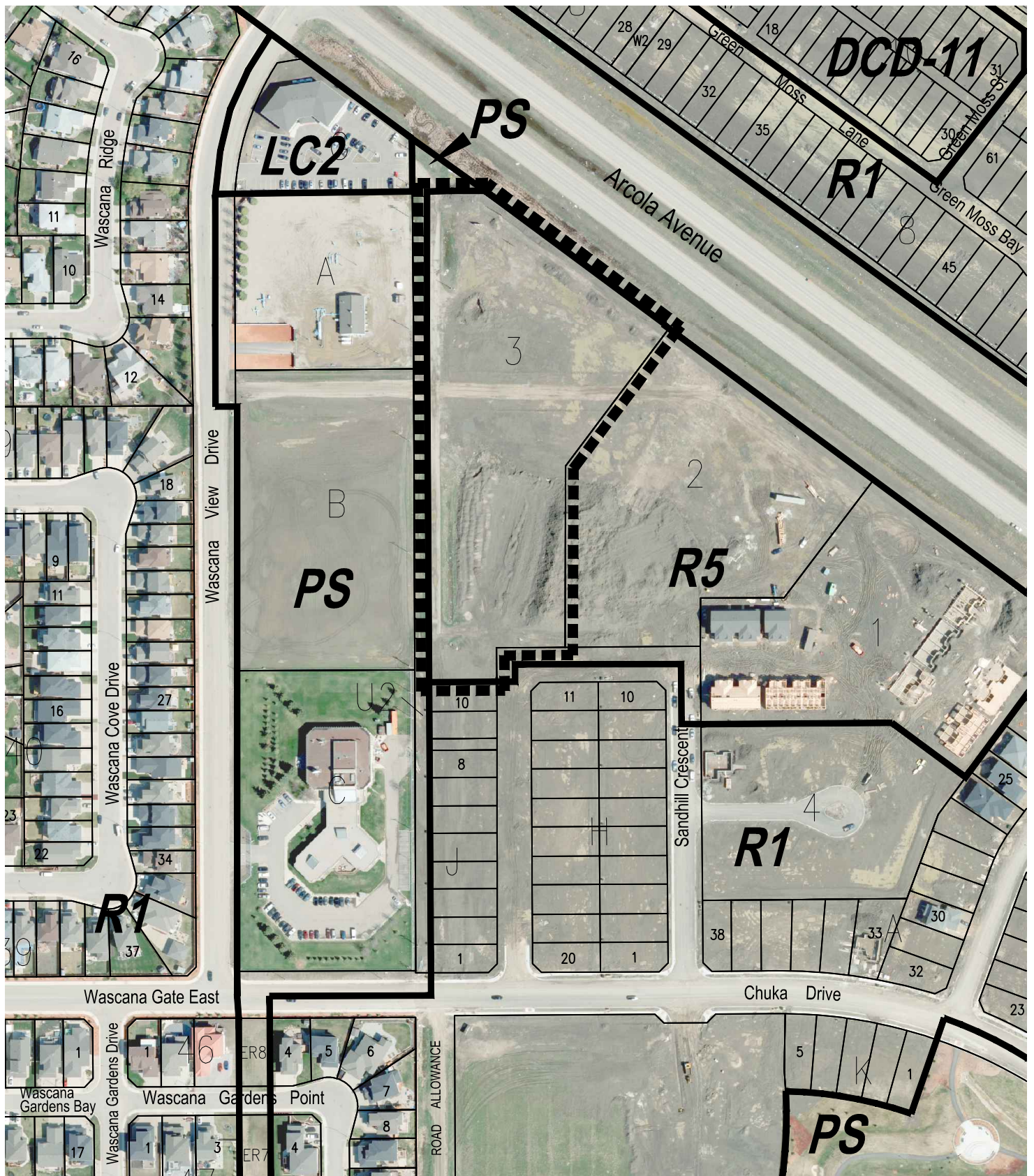
Respectfully submitted,

REGINA PLANNING COMMISSION

*Elaine Gohlke*

---

Elaine Gohlke, Secretary



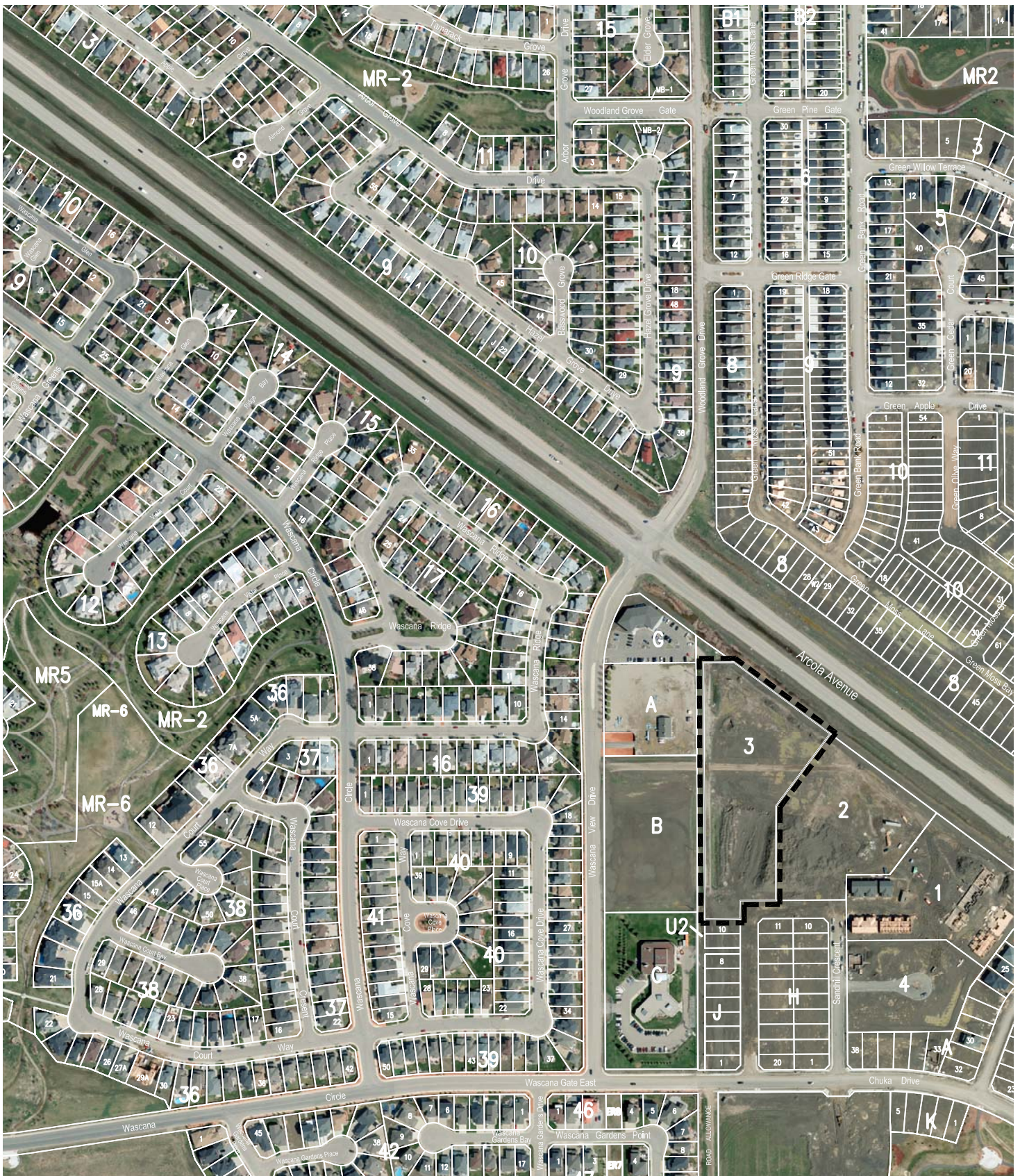
Subject Property



Project 13-DU-20

Civic Address/Subdivision

The Creeks - 3800 Arcola Avenue plan#: 102102983



Subject Property

Date of Photography: 2012



Project 13-DU-20

Civic Address/Subdivision

The Creeks - 3800 Arcola Avenue plan#: 102102983

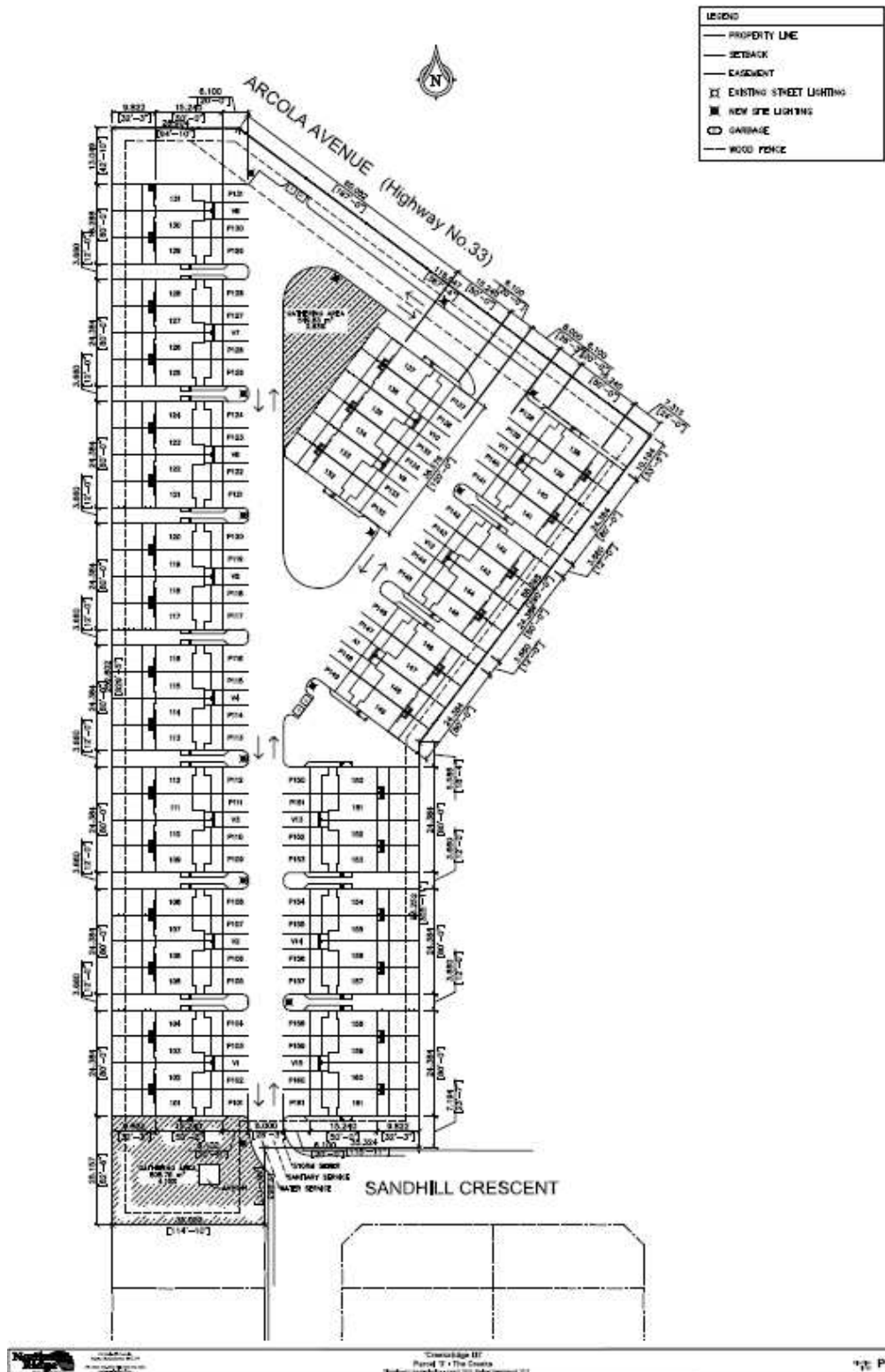


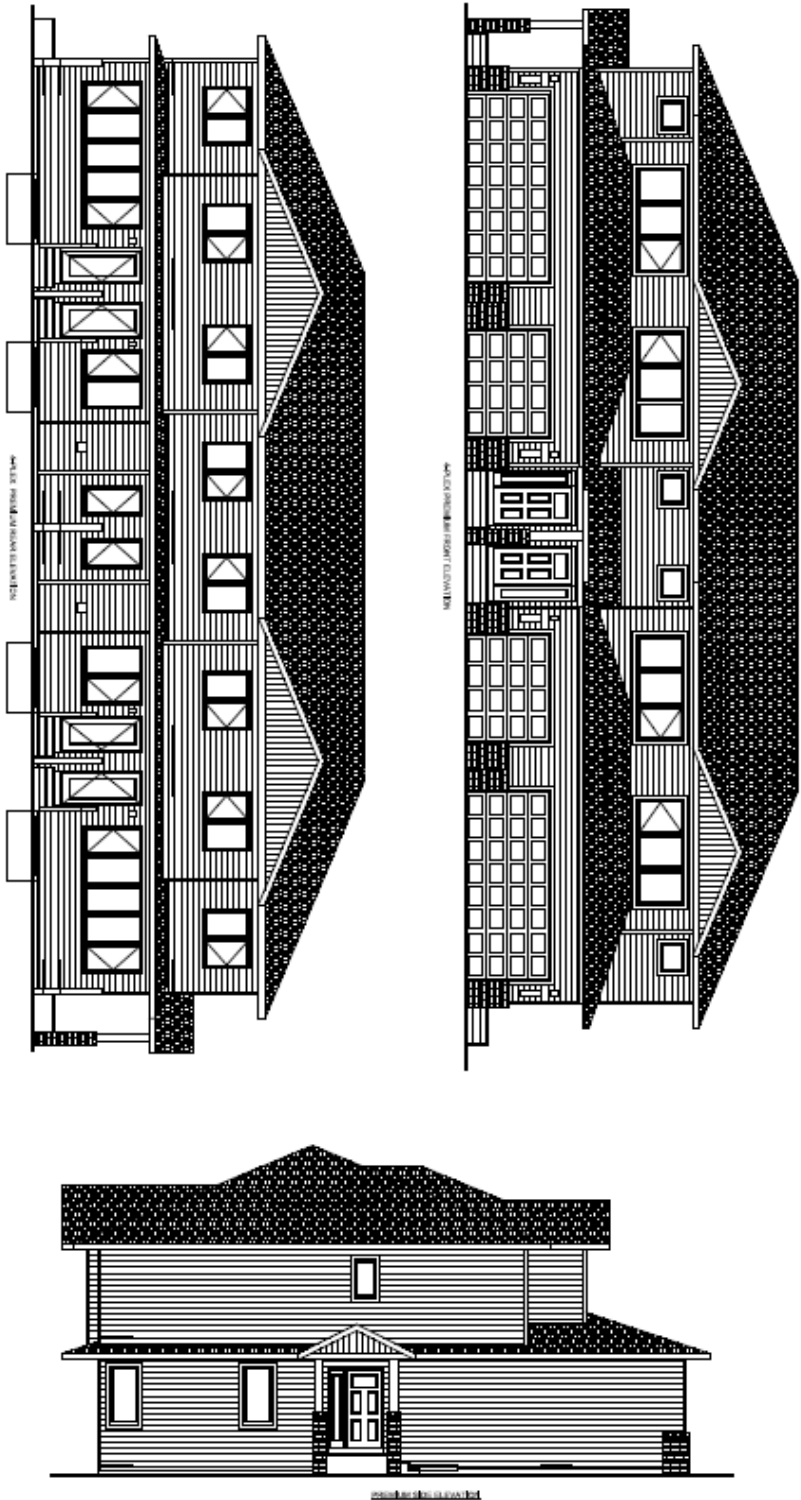
Project 13-DU-20

Planning Department  
Civic Address/Subdivision

3800 Arcola Avenue

## Appendix A-3.2

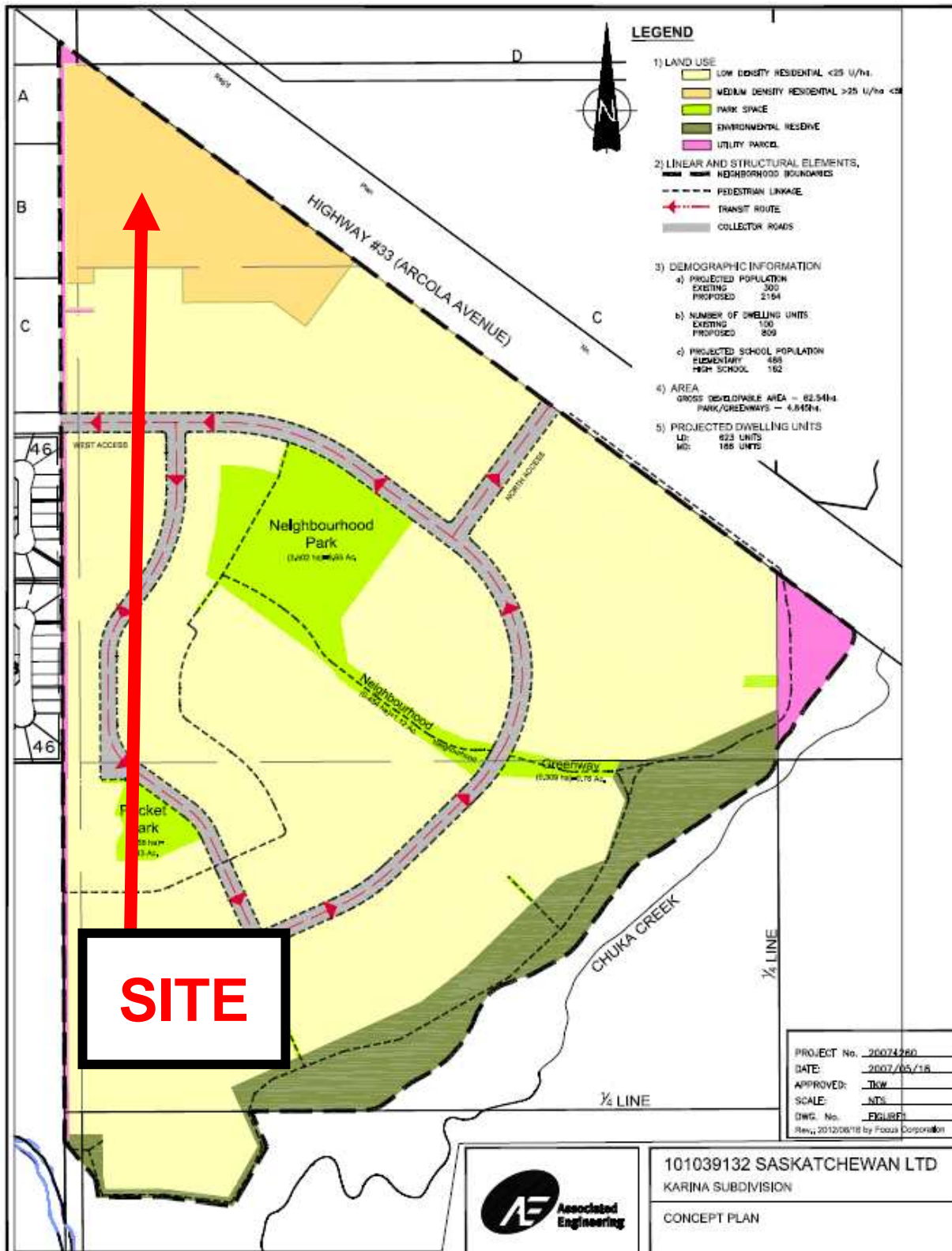




**North Ridge**  
Architectural Firm  
10000 North Ridge Road  
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Northridge, CA 91329  
Tel: (818) 708-1100  
Fax: (818) 708-1101  
www.northridge.com

**CreekEdge III**  
Parcel 37 - The Creeks  
Shedding Creek Subdivision - June 9, 2013 (Revised September 9, 2013)

Project & Sheet Number  
P6



13-DU-20

Planning Department

The Creeks-3800 Arcola Ave.

Project \_\_\_\_\_

Civic Address/Subdivision \_\_\_\_\_

**Notice of Motion**

**Re: Neighbourhood Infrastructure Improvement Program**

WHEREAS, the citizens of Regina have expressed concern about the condition of aging neighbourhood streets; and

WHEREAS, the condition of neighbourhood streets are an important consideration for people contemplating relocation to Regina to take advantage of the city's growing economy; and

WHEREAS, Regina recently adopted an Official City Plan that calls for the adoption of a continuous improvement framework to address the current infrastructure gap and streets are the largest part of the infrastructure deficit; and

WHEREAS, the current Local Improvement Program is only one method of insuring systematic renewal of neighbourhood streets and infrastructure; and

WHEREAS, it would be desirable for Regina City Council to consider options for the development a long-term, phased-in, program of neighbourhood street renewal; and

WHEREAS, revenue sources should be identified to support such a program; and

WHEREAS, such a program should identify, and facilitate the development of street building capacity that would enable the implementation of such a program.

THEREFORE BE IT RESOLVED, that the Administration report on the possibilities for developing and implementing a long-term, city-wide program for the improvement and rebuilding of neighbourhood streets, such program to be implemented in a systematic manner giving priority to areas of greatest need,

AND BE IT FURTHER RESOLVED that the said report consider how such a program might be resourced and implemented over a reasonable time period beginning in the first quarter of 2014.

Respectfully submitted,



for  
Barbara Young  
Councillor – Ward 1

Respectfully submitted,



Bob Hawkins  
Councillor – Ward 2

October 4, 2013

Ms. Elaine Gohlke,  
City Clerk's Office  
City of Regina  
PO Box 1790  
Queen Elizabeth II Court  
2476 Victoria Avenue  
Regina, Saskatchewan S4P 3C8

Dear Ms. Gohlke:

**Re: Community Leaders Advisory Committee**

Please be advised that I have been the Regina Regional Opportunities Commission (RROC) representative on the Community Leaders Advisory Committee. I will be leaving RROC on October 15<sup>th</sup> and Mr. John Lee will become the new President & CEO of RROC. We request that Mr. Lee be appointed as the new representative of RROC on the Committee.

John's contact information will be the same as mine except his email will be:

[jdlee@reginarcom.com](mailto:jdlee@reginarcom.com).

It has been my distinct pleasure to have served the committee and its predecessor, the Mayor's Task Force on Regina's Future, for the past 10 years. I have really appreciated the opportunity to work with many of Regina's leaders on helping Regina achieve its potential as a great city.

Please pass on my appreciation and best wishes to the Mayor and committee.

Yours truly,



Larry Hiles  
President & CEO

October 15, 2013

To: His Worship the Mayor  
and Members of City Council

Re: Wastewater Treatment Plant Referendum - September 25, 2013

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RECOMMENDATION

That this report be received and filed.

CONCLUSION

A referendum on the financing, operation and maintenance of the City of Regina Wastewater Treatment Plant was held on September 25, 2013 in accordance with *The Cities Act* and *The Local Government Election Act*. The Certificate of Results is attached as Appendix A.

BACKGROUND

City Council at its special meeting held July 22, 2013 adopted the following resolutions:

1. That a referendum be held on the construction of the Wastewater Treatment Plant.
2. That the resolution on the ballot be:

    THAT the Council of the City of Regina publicly finance, operate and maintain the new wastewater treatment plant for Regina through a traditional Design, Bid, Build (DBB) approach.

At its special meeting held August 14, 2013, City Council further resolved:

1. That a referendum be held on Wednesday, September 25, 2013 from 9 am to 8 pm.
2. That 30 polling locations (3 per ward) as outlined in Appendix A be approved;  
  
    and further, that mail in ballots be used instead of special and mobile polls;  
  
    and further, that Advance polls be held on Saturday, September 21, 2013 from 10 am until 5 pm at the Golden Mile Shopping Centre, 3806 Albert Street, Northgate Mall, 489 Albert Street, Normanview Shopping Centre, McCarthy Boulevard & 9<sup>th</sup> Avenue North and Victoria Square Mall, 2223 E Victoria Avenue.
3. That depending on the option chosen, expenses between \$300,000 and \$550,000 be funded through the General Fund Reserve.
4. That free transit and paratransit be provided to voters for advance voting and referendum day whereby related expenses shall be reimbursed to the Transit Department from the Referendum budget.
5. That the rates of remuneration for election officials summarized in Appendix 'B' be approved.

6. That the voters be registered at the polls on Referendum Day.
7. That representations requesting the appointment of electors to be authorized to attend at the polling place and at the final summing up of the votes be received by the Returning Officer on Tuesday, September 10, 2013 at 11am on the Main Floor of City Hall.
8. That the City Solicitor be directed to prepare or amend any necessary bylaws to facilitate the decisions of City Council related to the referendum.

The purpose of this report is to provide City Council with the outcome of the referendum.

### DISCUSSION

The required referendum was held in compliance with all statutory requirements and as directed by City Council.

Based on the number of electors determined in the 2011 Ward Boundary Review, there was a 31.2% voter turnout. The results were: Yes 43% No 57% as indicated in the Official Summary of Results attached as Appendix B.

A turnout by Poll is attached as Appendix C.

A breakdown of costs is as follows:

Communication:	\$79,557.86
Referendum Staffing:	\$101,244.01
Printing:	\$17,770.12
Supplies, Postage and Miscellaneous:	\$15,323.07
Transit and Paratransit (266 rides)	\$665.00
Accu-vote rental	15,453.15
Storage and Destruction:	<u>\$1,480.00</u>
Total	\$231,493.21

Not included in the above is the allocation of City of Regina staff time for approximately \$125,000, which would include the following:

4 City Clerk Department staff, full time for 10 weeks  
5 City Clerk Department staff, half time for 4 weeks  
26 City of Regina staff, full time for 16 hours  
Facility and IT staff as required

### RECOMMENDATION IMPLICATIONS

#### Financial Implications

Costs as noted above were not budgeted and will have to be allocated from the General Fund Reserve.

#### Environmental Implications

None with this report.

Policy and/or Strategic Implications

Holding elections and/or referendum is a fundamental part of the democratic process and provides the opportunity for community engagement at a grass-roots level.

Other Implications

None with this report.

Accessibility Implications

All polls were accessible for persons with disabilities. Additionally, mail-in ballot kits were provided in person to those unable to attend the office.

COMMUNICATIONS

Official results were released on Friday, September 27, 2013. This report fulfills the requirement under the Act to report to City Council.

DELEGATED AUTHORITY

City Council is required to receive the results in accordance with *The Cities Act*.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "J. Swidnicki".

Joni Swidnicki, Returning Officer, and City Clerk

Report prepared by:

J. Swidnicki, Returning Officer and City Clerk

2013 CITY OF REGINA WASTEWATER REFERENDUM

DECLARATION OF RESULTS

For the referendum held on the 25th day of September, 2013

For the question that read:

**THAT the Council of the City of Regina publicly finance, operate and maintain the new wastewater treatment plant for Regina through a traditional Design, Bid, Build (DBB) approach.**

The votes are as follows:

Yes: 21,025

No: 27,988

Blank Voted: 7

Over Voted: 13

Rejected: 69

I declare and certify to be true that this is an accurate statement of the votes cast in the affirmative and negative for the above noted question, and further declare that the majority of persons who voted have voted in the negative of the question.

September 27, 2013

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Returning Officer

Wastewater Treatment Plant Referendum  
September 25, 2013  
Official Summary of Results

Date:09/27/13  
Time:10:25:40  
Page:1 of 1

Registered Voters 157198

Num. Report Precinct 35 - Num. Reporting 35 100.00%

Referendum Question		Total	
Number of Precincts		35	
Precincts Reporting		35	100.0 %
Times Counted	49033/157198	31.2	%
Total Votes	49013	100.0	%
Times Blank Voted	7	0.0	%
Times Over Voted	13	0.0	%
<b>NO</b>	27988	57.08%	
<b>YES</b>	21025	42.88%	

# Wastewater Treatment Plant Referendum

September 25, 2013

## Official Summary of Results and % Turnout by Poll

Date:09/27/13

Time:10:26:52

Page:1 of 1

	TURN OUT			Referendum Question						
	Reg. Voters	Cards Cast	% Turnout	Reg. Voters	Times Counted	Total Votes	Times Blank Voted	Times Over Voted	YES	NO
Jurisdiction Wide										
St. Matthew School	5740	1832	31.92%	5740	1832	1831	0	1	800	1031
St. Anne's Catholic Church	5367	1314	24.48%	5367	1314	1314	0	0	562	752
Douglas Park Elementary School	6032	1560	25.86%	6032	1560	1559	0	1	819	740
Dr. A.E. Perry School	5112	1819	35.58%	5112	1819	1818	1	0	600	1218
Deshaye Catholic School	5111	1416	27.70%	5111	1416	1416	0	0	538	878
St. Pius X School	5041	1773	35.17%	5041	1773	1772	1	0	808	964
Connaught School	6037	2007	33.24%	6037	2007	2006	1	0	1286	720
YMCA	6038	1206	19.97%	6038	1206	1206	0	0	744	462
Trinity Evangelical Church	6018	750	12.46%	6018	750	747	0	3	481	266
Wilfrid Walker School	5157	1715	33.26%	5157	1715	1715	0	0	586	1129
W.S. Hawrylak School	5138	1929	37.54%	5138	1929	1927	0	2	448	1479
Jack MacKenzie School	5111	1942	38.00%	5111	1942	1940	0	2	517	1423
F.W. Johnson Collegiate	5494	1299	23.64%	5494	1299	1299	0	0	481	818
St. Theresa School	5393	1606	29.78%	5393	1606	1606	0	0	621	985
Glen Elm Church of Christ	5435	927	17.06%	5435	927	927	0	0	452	475
Core/Ritchie Neighbourhood Centre	5521	1055	19.11%	5521	1055	1055	0	0	611	444
Albert Community School	4171	277	6.64%	4171	277	277	0	0	168	109
Albert Scott Community Centre	4897	802	16.38%	4897	802	802	0	0	489	313
Imperial School	5323	1032	19.39%	5323	1032	1032	0	0	572	460
Gladys McDonald School	5153	1117	21.68%	5153	1117	1117	0	0	535	582
Elsie Mironuck School	5163	1238	23.98%	5163	1238	1238	0	0	573	665
Martin Collegiate	5039	1073	21.29%	5039	1073	1071	1	1	562	509
St. Francis School	5179	1397	26.97%	5179	1397	1397	0	0	705	692
St. Joan of Arc School	5200	1271	24.44%	5200	1271	1271	0	0	536	735
St. Josaphat School	5566	1716	30.83%	5566	1716	1716	0	0	646	1070
Northwest Leisure Centre	4246	1539	36.25%	4246	1539	1539	0	0	572	967
Holy Family Parish	5178	1357	26.21%	5178	1357	1356	1	0	545	811
Henry Janzen School	4979	1768	35.51%	4979	1768	1768	0	0	588	1180
St. Timothy School	4940	1391	28.16%	4940	1391	1391	0	0	560	831
St. Gregory School	4419	1320	29.87%	4419	1320	1320	0	0	547	773
Mail In Ballot	0	1690	-	0	1690	1687	2	1	745	942
Golden Mile Shopping Centre	0	2048	-	0	2048	2047	0	1	922	1125
Normanview Crossing	0	1185	-	0	1185	1185	0	0	443	742
Northgate Mall Shopping Centre	0	1031	-	0	1031	1031	0	0	418	613
Victoria Square Mall	0	1631	-	0	1631	1630	0	1	545	1085
Total	157198	49033	31.19%	157198	49033	49013	7	13	21025	27988