

# Regina Planning Commission

Thursday, December 6, 2018 4:00 PM

Henry Baker Hall, Main Floor, City Hall



#### OFFICE OF THE CITY CLERK

#### Public Agenda Regina Planning Commission Thursday, December 6, 2018

#### **Approval of Public Agenda**

#### **Adoption of Minutes**

Minutes of the meeting held on November 7, 2018.

#### **Administration Reports**

RPC18-48 Discretionary Use Application (18-DU-14) Religious Institution Addition – 2110 King Street

#### Recommendation

- 1. That the discretionary use application for an addition to an existing Religious Institution located at 2110 King Street, being Lots 35 40, Block 389, Plan DV4420, in the Cathedral Neighbourhood, be approved and that a development permit be issued subject to the following conditions:
  - a) The development shall be generally consistent with the plans attached to this report as Appendix A-3.1 and A-3.5 submitted by Lane Arthur Architecture Ltd dated July 2018.
  - 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 December 17, 2018 meeting of City Council for approval.

RPC18-49 Landscape Regulations (MN18-9)

#### Recommendation

 That Option 2 – Moderate Landscape Requirements and Enforcement Option 3 – Intensive Bylaw and Process Changes as outlined in this report be approved.



#### OFFICE OF THE CITY CLERK

- 2. That Administration be directed to prepare a report on creating a program that supports tree planting, identifies potential sources of funding and minimizes long-term risk to Regina's urban forest.
- 3. That the City Solicitor be directed to prepare the necessary bylaw amendments to the *Regina Zoning Bylaw No. 9250* as outlined in the table entitled Landscape Option 2 Moderate Landscape Requirements, under the heading Bylaw and Process Changes.
- 4. That the City Solicitor be directed to prepare the necessary bylaw amendments to *The Regina Community Standards Bylaw No. 2016-2* as outlined in the table entitled Enforcement Option 3 Intensive Bylaw and Process Changes, under the heading Bylaw Changes.
- 5. That item MN18-9 be removed from the list of outstanding items for Regina Planning Commission and the list of outstanding items for City Council.
- 6. That this report be forwarded to the December 17, 2018 meeting of City Council for approval.

#### RPC18-50 Review of Outstanding Items

#### **Recommendation**

1. That the following item be deleted from the list of outstanding items for Regina Planning Commission:

<u>Item</u>	<b>Committee</b>	<u>Subject</u>
RPC18-23	Regina Planning	Civic Naming Committee Guideline Review
	Commission	

2. That this report be forwarded to Executive Committee for information.

#### Adjournment

#### AT REGINA, SASKATCHEWAN, WEDNESDAY, NOVEMBER 7, 2018

## AT A MEETING OF REGINA PLANNING COMMISSION HELD IN PUBLIC SESSION

#### AT 4:00 PM

These are considered a draft rendering of the official minutes. Official minutes can be obtained through the Office of the City Clerk once approved.

Present: Councillor Mike O'Donnell, in the Chair

Councillor Bob Hawkins Councillor Barbara Young

Member David Bale Member Frank Bojkovsky Member Simon Kostic Member Robert Porter Member Steve Tunison Member Celeste York

Regrets: Member Andre Kroeger

Member Adrienne Hagen Lyster

Also in Council Officer, Elaine Gohlke Attendance: Legal Counsel, Cheryl Willoughby

City Clerk, Jim Nicol

Executive Director, City Planning & Development, Diana Hawryluk

A/Director, Development Services, Fred Searle A/Manager, Current Planning, Autumn Dawson

Historical Information & Preservation Supervisor, Dana Turgeon

#### APPROVAL OF PUBLIC AGENDA

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

#### **ADOPTION OF MINUTES**

Councillor Hawkins moved, AND IT WAS RESOLVED, that the minutes for the meeting held on October 3, 2018 be adopted, as circulated.

#### **ADMINISTRATION REPORTS**

RPC18-45 Discretionary Use Application (18-DU-12) - Medical Clinic in MX - Mixed Residential Business Zone - 2020 Halifax Street

(Robert Porter declared a conflict of interest on this item, , citing his employment and involvement during the application process, abstained from discussion and voting, and temporarily left the meeting.)

#### Recommendation

- 1. That the discretionary use application for a proposed Medical Clinic located at 2020 Halifax Street, being Lots 11-18, Block 362, Plan No. 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 Neher & Associates and dated July 26, 2018; and
  - b) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.
- 2. That this report be forwarded to the November 26, 2018 meeting of City Council for approval.

Pam Ford, representing Specialty RX, addressed the Commission.

David Bale moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in.

(Mr. Porter returned to the meeting.)

RPC18-46 Discretionary Use Application (18-DU-13) Retail Use (Art Gallery) - 3424 13th Avenue

#### Recommendation

- 1. That the discretionary use application for a proposed Retail Use (Art Gallery) located at 3424 13<sup>th</sup> Avenue, being Lot 48, Block 380, Plan No. 99RA05074, be approved, and that a Development Permit be issued subject to the following conditions:
  - a) The development shall be generally consistent with the plans attached to this report as Appendix A-3.1 to Appendix A-3.4 inclusive, prepared by Alton Tangedal Architecture Ltd. and dated August 1, 2018.

- b) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.
- 2. That this report be forwarded to the November 26, 2018 meeting of City Council for approval.

Trevor Munroe, representing Alton Tangedal Architecture Ltd., addressed the Commission.

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

RPC18-47 Zoning Bylaw Amendment Application (18-Z-11) PS - Public Service Zone to MX - Mixed Residential Business Zone 1464 Broadway Avenue

(Robert Porter declared a conflict of interest on this item, citing his employment and involvement during the application process, abstained from discussion and voting, and temporarily left the meeting.)

#### **Recommendation**

- That the application to rezone Lot F, Block 8, Plan FU1637; located at 1464 Broadway Avenue, within the Gladmer Park Neighbourhood from, PS - Public Service Zone to MX - Mixed Residential Business Zone, be approved.
- 2. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective *Regina Zoning Bylaw No. 9250* amendment.
- 3. That this report be forwarded to the November 26, 2018 meeting of City Council for approval, which will allow sufficient time for advertising of the required public notices for the respective bylaw.

Steve Tunison moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in.

(Mr. Porter returned to the meeting.)

#### TABLED AND SUPPLEMENTAL REPORTS

RPC18-44 Supplemental Report for Civic Naming Committee Guidelines Review - Status of Motions

#### Recommendation

That this report be received and filed.

Councillor Young moved, AND IT WAS RESOLVED, that this report be received and filed.

#### Recommendation

- 1. That Regina Planning Commission approve the new Civic Naming Committee Guideline as in Appendix A;
- 2. That the Terms of Reference for the Civic Naming Committee be amended as in Appendix B to include a representative from Roadways and Transportation to address matters pertaining to signage, road planning and construction;
- 3. That the City Clerk be granted delegated authority to approve a street or park name change if:
  - a. The name poses a threat to health and safety and/or wayfinding; or
  - b. The commemorative name honouring a person has been misspelled.
- 4. That City Council be informed of street and park name changes approved by the City Clerk under delegated authority once per year via the Civic Naming Committee annual report;
- 5. That the Administration prepare a report on criteria to apply when writing a report addressing the historical legacy of the namesake by December 31, 2018 and submit the report for consideration to City Council;

Stu Niebergall, representing Regina & Region Home Builders' Association, addressed the Commission.

(At the September 5, 2018 meeting, the report was introduced and a motion of concurrence was made. During consideration of the following amending motion, the report was tabled to the November 7 meeting for further consideration after receiving a supplemental report based on discussion at that meeting.)

Councillor Hawkins moved, in amendment, with respect to 4.9.1 of Appendix A of the Civic Naming Committee Guideline Review which reads, "Naming Quota Requirements: Developers must ensure that 25% of street and 50% of park names within a concept plan bear a name with an Indigenous connection:

That the word "Developers" be replaced with the words, "Civic Naming Committee" and,

That the words "25% of street and 50% of park names" be replaced with the words, "significant number of street and park names."

Councillor Young, moved in amendment to the amendment, AND IT WAS RESOLVED, that Developers collaborate with the Civic Naming Committee to work

toward achieving a target of 25% of street and 50% of park names within a concept plan bearing a name with an Indigenous connection.

Councillor Young moved, in amendment, AND IT WAS RESOLVED, that the Civic Naming Committee bring forward expanded ways of honouring individuals whose names are on the civic naming list as of November 26, 2018 in addition to names that come forward under the existing criteria.

Frank Bojkovsky moved, in amendment, AND IT WAS RESOLVED, that Administration review the criteria for eligibility for names to be included on the civic naming list and report back to Regina Planning Commission in Q2 of 2019.

David Bale moved, in amendment, AND IT WAS RESOLVED, that the words "as amended" be added at the end of item #1 of the Recommendation.

The main motion, as amended, was put and declared CARRIED.

#### <u>ADJOURNMENT</u>

Councillor Hawkins moved, AND IT WAS RESOLVED, that the meeting adjourn.

The meeting adjourned at 5:51 p.m.	
Chairperson	Secretary

December 6, 2018

To: Members

Regina Planning Commission

Re: Discretionary Use Application (18-DU-14) Religious Institution Addition – 2110 King

Street

#### RECOMMENDATION

1. That the discretionary use application for an addition to an existing Religious Institution located at 2110 King Street, being Lots 35 - 40, Block 389, Plan DV4420, in the Cathedral Neighbourhood, be approved and that a development permit be issued subject to the following conditions:

- a) The development shall be generally consistent with the plans attached to this report as Appendix A-3.1 and A-3.5 submitted by Lane Arthur Architecture Ltd dated July 2018.
- 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 December 17, 2018 meeting of City Council for approval.

#### **CONCLUSION**

The applicant, Layne Arthur Architecture Ltd., on behalf of the owners, Reg Kenzie, Vince Yoner and Terry Wall (King's Corner Church of God), propose an addition to the existing Religious Institution at 2110 King Street through an addition to the second storey. A Religious Institution, including any substantial addition, is a discretionary use within the R1A – Residential Older Neighbourhood Detached Zone.

The proposal complies with the development standards and regulations contained in *Regina Zoning Bylaw No. 9250* (Zoning Bylaw) and is consistent with the policies in *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP). Accordingly, Administration recommends approval.

#### **BACKGROUND**

This application is being considered pursuant to the Zoning Bylaw, the OCP and *The Planning and Development Act, 2007* (the Act).

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**

The applicant, Layne Arthur Architecture Ltd., on behalf of the owners, Reg Kenzie, Vince Yoner and Terry Wall (King's Corner Church of God), propose an addition to the existing Religious Institution at 2110 King Street.

The proposed addition consists of additional second floor space. The current building is 913 square metres in area and the 367 square metres addition would bring the total building area to 1,280 square metres. The proposed addition will increase the accommodation of parishioners from 206 to 275. The second floor addition is desired as a result of an increase to the congregation, to expand classroom space for programming, and to accommodate the relocation of office space and storage areas within the building.

The land use and zoning related details are provided in the table below:

Land Use Details	Existing	Proposed
Zoning	R1A- Residential Older	R1A- Residential Older
	Neighbourhood Detached	Neighbourhood Detached
	Zone	Zone
Land Use	Religious Institution	Religious Institution
Building Area	913 m <sup>2</sup>	$1,280 \text{ m}^2$

Zoning Analysis	Required	Proposed
Number of Parking Stalls Required	17 stalls	17 stalls
Minimum Lot Area (m <sup>2</sup> )	$250 \text{ m}^2$	1,753.2 m <sup>2</sup>
Minimum Lot Frontage (m)	9 m	38.3 m
Maximum Building Height (m)	11 m	10.87 m
Maximum Floor Area Ratio	0.75	0.73
Maximum Coverage (%)	50%	50%

#### **Parking**

The Religious Institution was established on the property in 1962 under *Zoning Bylaw No. 2356*. At this time when the existing 206 seats were approved, the on-site parking requirements were nil. Although there were no requirements for on-site parking requirements, the property was developed with 15 parking stalls.

The proposed addition to the Religious Intuition will accommodate an additional 69 seats, which would require 17 parking stalls (calculated at one parking stall per four seating places). Only the addition requires parking. This would bring the total required parking on the site to 17 parking stalls (zero for the first 206 seats and 17 for the additional 69 seats).

When this development proposal was originally circulated, the applicant had proposed to leave the site as-is with the 15 established parking stalls. When feedback was received by the public concerning the parking reduction, the applicant amended the parking areas and accommodated the required 17 parking stalls on site (as shown in Appendix A-3.1).

Surrounding land uses include detached dwellings to the north, south, east and west.

#### RECOMMENDATION IMPLICATIONS

#### Financial Implications

The subject area currently receives a full range of municipal services, including water, sewer and storm drainage. Although not expected, 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 of the OCP with respect to:

#### Section D5: Land Use and Built Environment

Goal 1 – Complete Neighbourhoods: Enable the development of complete neighbourhoods.

- 7.1.4 Providing opportunities for daily lifestyle needs, such as services, convenience shopping and recreation.
- 7.1.9 Buildings which are designed and located to enhance the public realm, and contribute to a better neighbourhood experience.

#### Other Implications

None with respect to this report.

#### **Accessibility Implications**

The Zoning Bylaw requires two percent of the required 17 parking stalls to be accessible, which in this case would require zero parking stalls to be provided for persons with disabilities. The proposed development does not provide any parking stall for persons with disabilities.

#### **COMMUNICATIONS**

Communication with the public is summarized as follows:

Public notification signage posted on	September 14, 2018
Letter sent to immediate property owners	September 13, 2018
Number of public comments sheets received	6
Will be published in the Leader Post on	N/A

Administration received four letters of support for the proposed religious institution addition. There was also one letter of opposition to the proposal and one letter that would accept the proposal if a feature were different with the proposal. All concerns expressed were related to the proposed parking relaxation, which has since been retracted by the applicant. A summary of comments is provided in Appendix B.

A copy of the application was circulated to the Cathedral Area Community Association (CACA) and the community association has indicated it has no concerns with the proposal.

The applicant and other interested parties will receive a copy of the report and notification of the meeting to appear as a delegation in addition to receiving a 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,

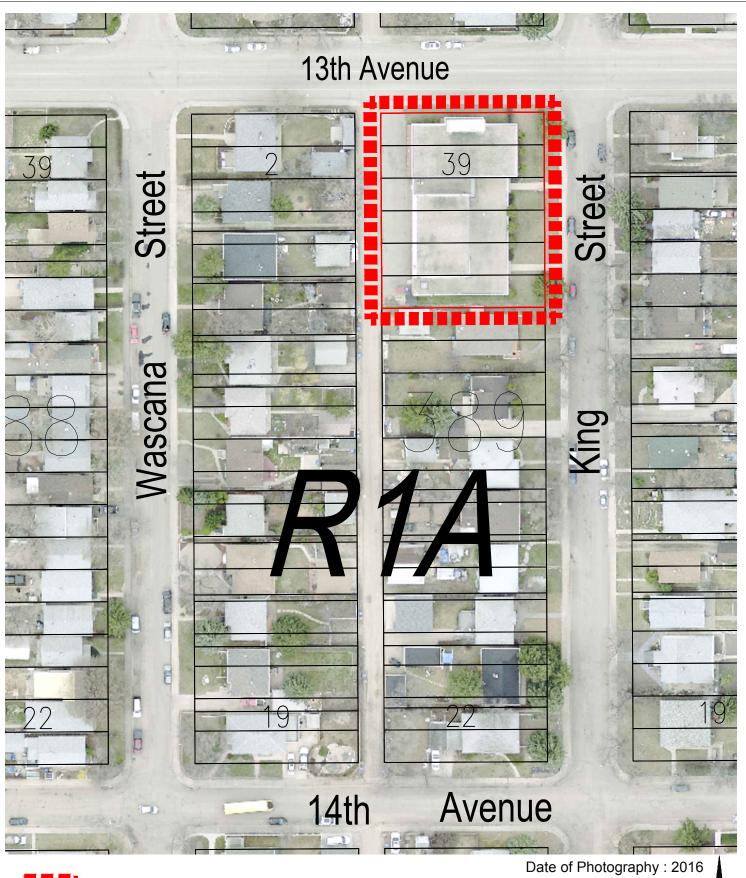
Fred Searle, A/Director Development Services

Prepared by: Christian Tinney/AD

Respectfully submitted,

Diana Hawryluk, Executive Director City Planning & Development

## Appendix A-1



Subject Property



## Appendix A-2

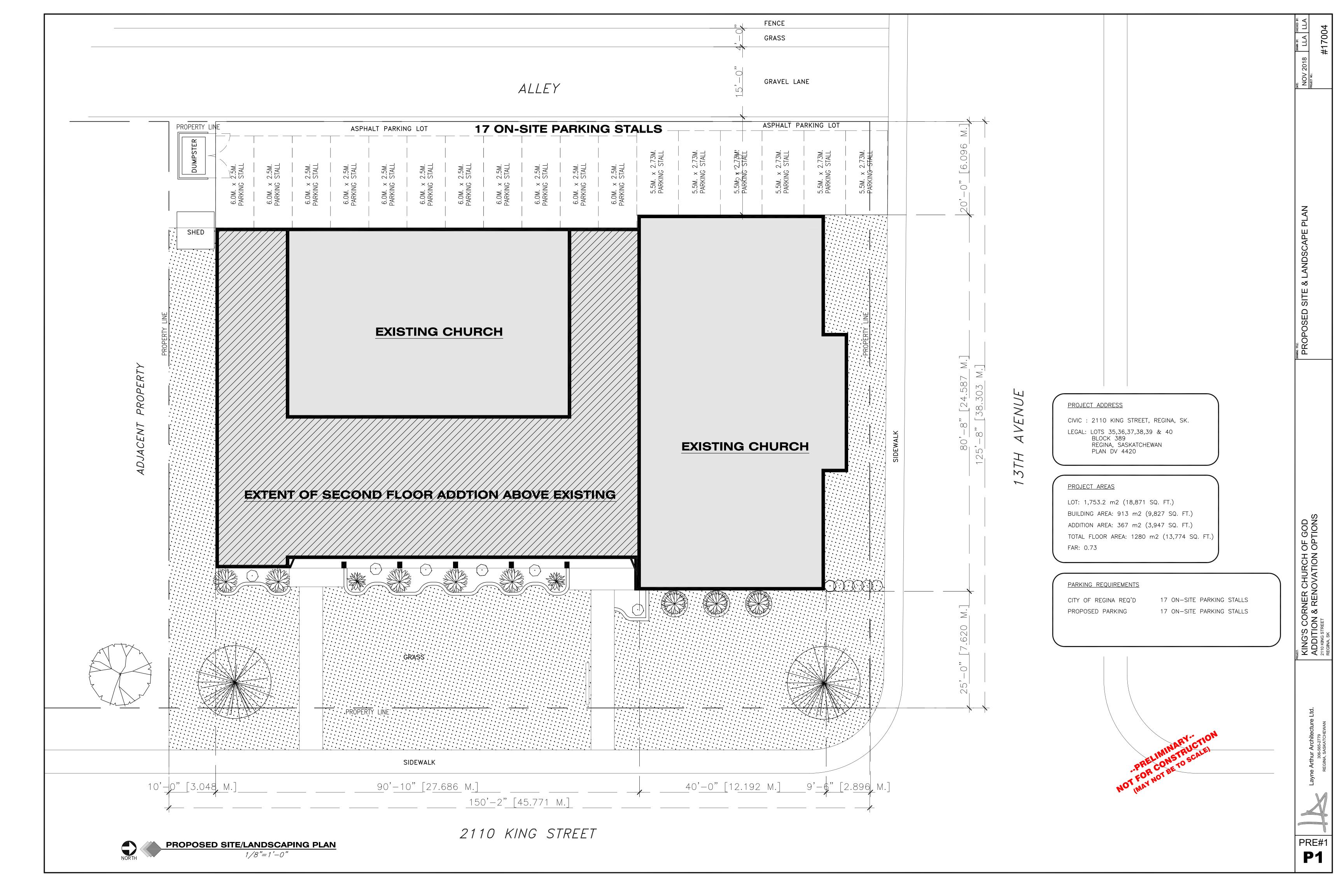


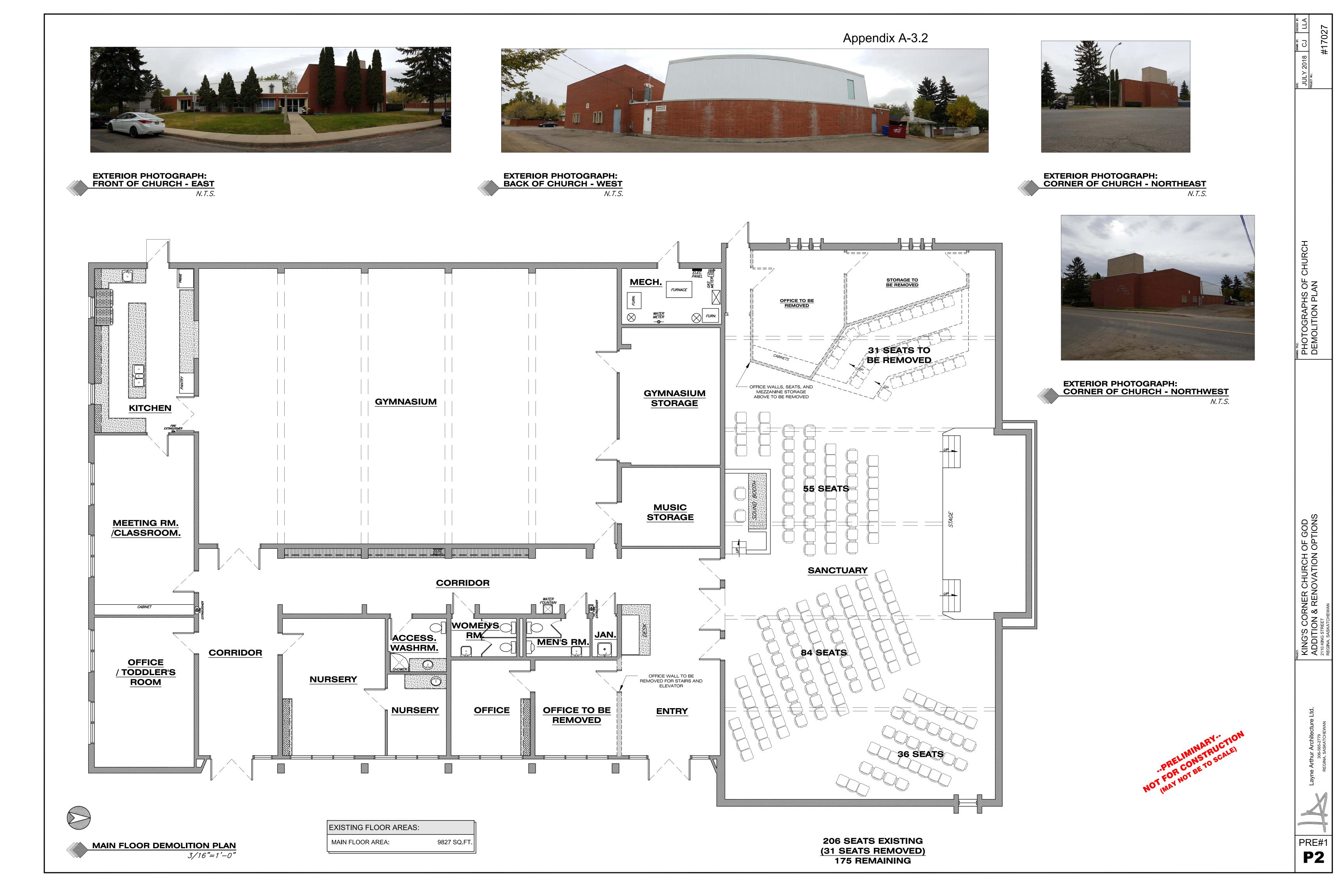


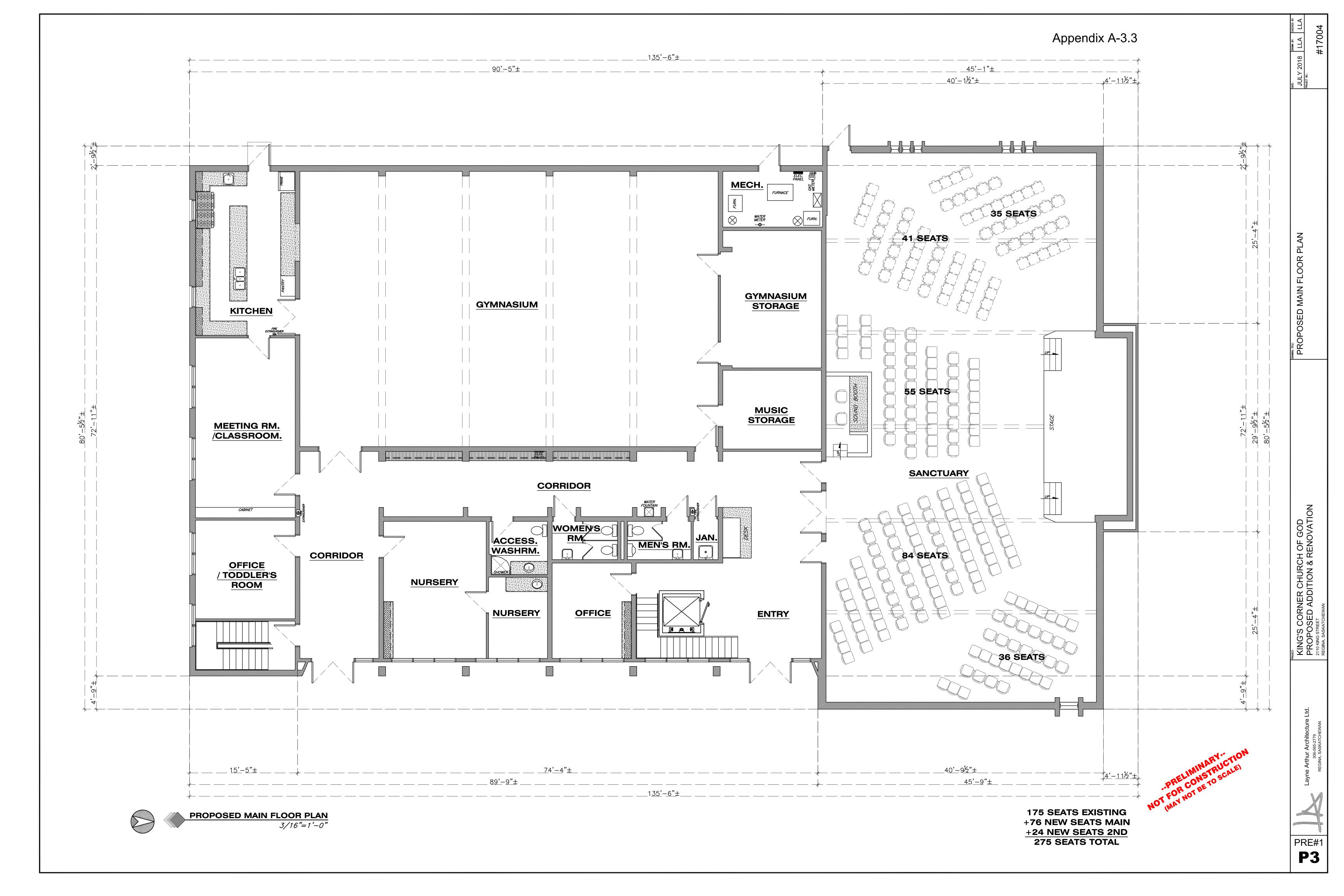
Subject Property

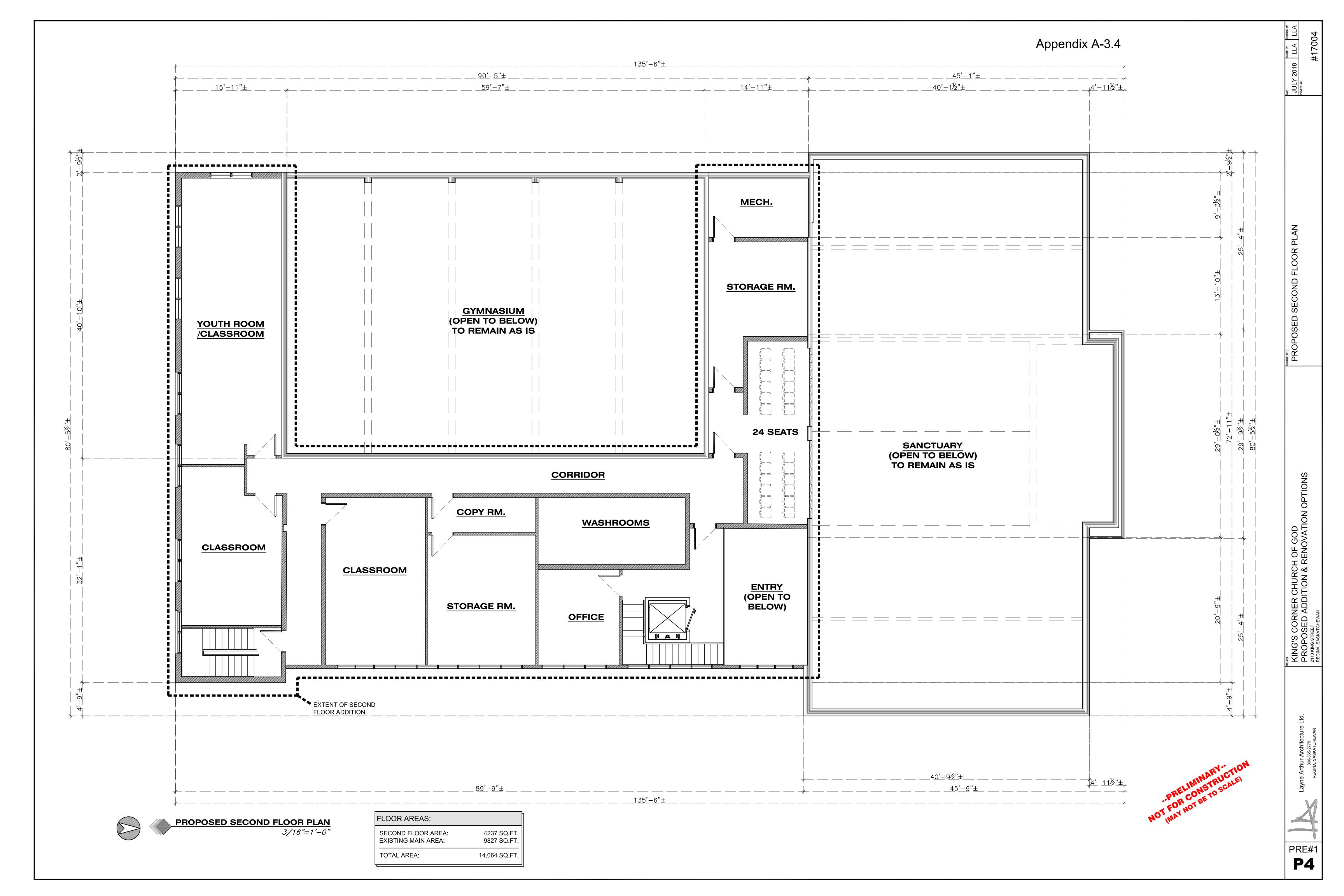
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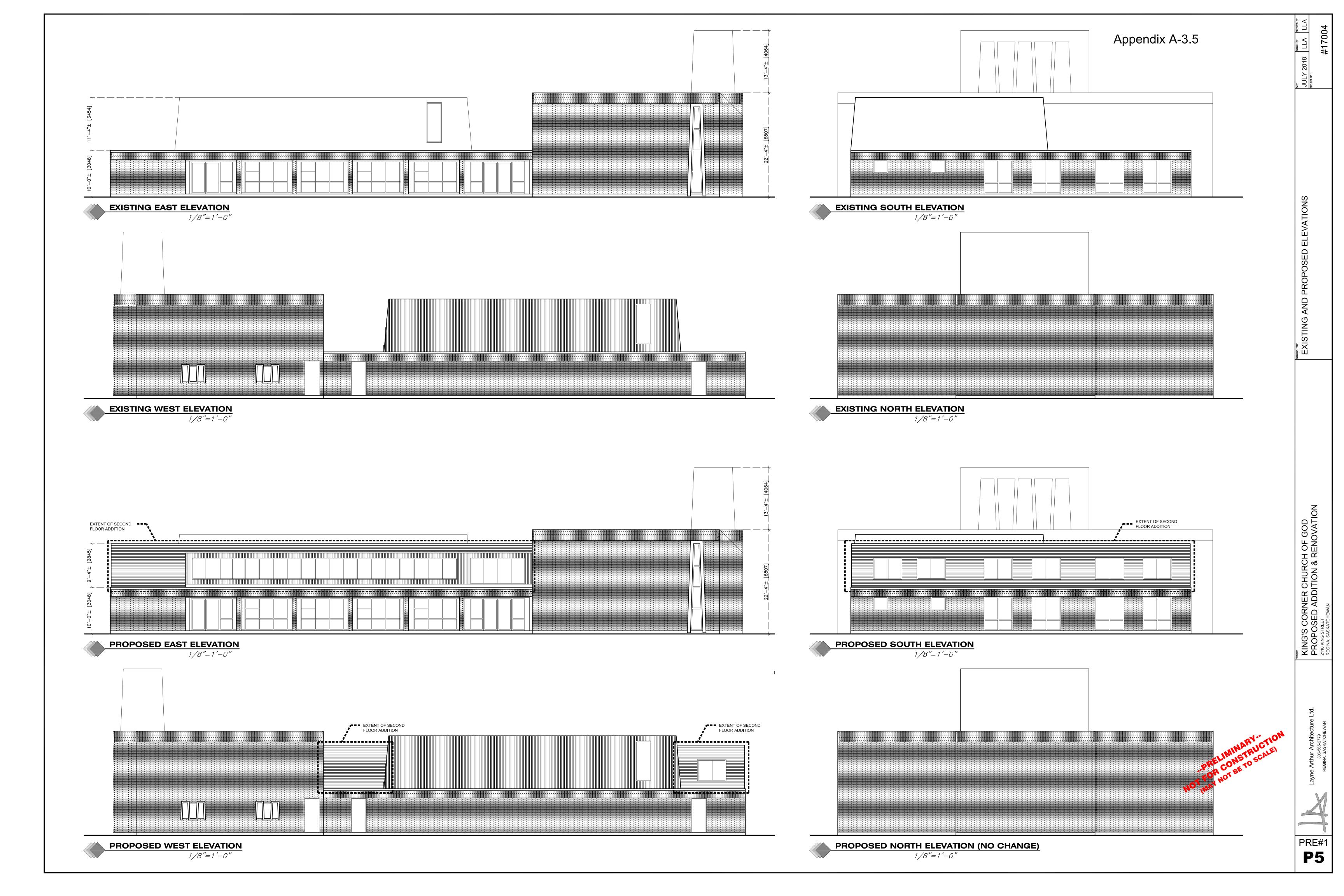












#### **Public Consultation Summary**

Response	Number of	Issues Identified
	Responses	
Completely opposed	1	Parking
Accept if many features were different	1	Parking
Accept if one or two features were different		
I support this proposal	4	

#### 1. Issue: Parking

- We already deal with on-street parking because of housing and Roughrider home games so this will have the same impact.
- While I'm happy to learn the congregation is increasing I know traffic will increase as well. Parking now is terrible on Sunday mornings. My drive-way has been partially blocked numerous times.
- It is difficult to see down 13<sup>th</sup> Avenue when trying to make left turn onto 13<sup>th</sup> as cars are parked right to the corner making visibility of oncoming traffic very difficult.
- I recommend that there is additional parking found so that all the side streets are not all used.

#### Applicant's Response:

Due to the concerns brought up through the public consultation regarding the reduced number of parking stalls we have revised our original site layout to accommodate the City's required 17 stalls along the rear alley. This was accomplished by eliminating the accessible parking stall (which was not required) and relocating the existing Loraas Disposal bin onto a new concrete pad in South-West corner of the lot.

#### Administration's Response:

In a response to the comments received by the public, the applicant was able to amend the proposed parking onsite to accommodate the requirements of the Zoning Bylaw.

#### 2. Comments of Support

- I have lived in this area for approximately 25 years and never had a problems with this area and the property is well maintained and looked after.
- It's a relatively small change. The church is a great community facility. I see people using it all hours of the day.

December 6, 2018

To: Members

Regina Planning Commission

Re: Landscape Regulations (MN18-9)

#### RECOMMENDATION

1. That Option 2 – Moderate Landscape Requirements and Enforcement Option 3 – Intensive Bylaw and Process Changes as outlined in this report be approved.

- 2. That Administration be directed to prepare a report on creating a program that supports tree planting, identifies potential sources of funding and minimizes long-term risk to Regina's urban forest.
- 3. That the City Solicitor be directed to prepare the necessary bylaw amendments to the *Regina Zoning Bylaw No. 9250* as outlined in the table entitled Landscape Option 2 Moderate Landscape Requirements, under the heading Bylaw and Process Changes.
- 4. That the City Solicitor be directed to prepare the necessary bylaw amendments to *The Regina Community Standards Bylaw No. 2016-2* as outlined in the table entitled Enforcement Option 3 Intensive Bylaw and Process Changes, under the heading Bylaw Changes.
- 5. That item MN18-9 be removed from the list of outstanding items for Regina Planning Commission and the list of outstanding items for City Council.
- 6. That this report be forwarded to the December 17, 2018 meeting of City Council for approval.

#### CONCLUSION

This report outlines Administration's recommendations respecting:

- Landscape requirements for one and two-unit dwellings.
- Enforcing landscape requirements for one and two-unit dwellings.

Administration recommends Landscape Option 2 - Moderate Landscape Requirements, which creates landscape requirements that minimize weed growth and other nuisances and provides appropriate balance and flexibility for residents, the development community and the City.

Administration recommends Enforcement Option 3 – Intensive Bylaw and Process Changes, which provides the City with tools and resources to better enforce property maintenance standards in all neighbourhoods.

The ongoing review of the *Regina Zoning Bylaw No.* 9250 (Zoning Bylaw) highlighted a potential gap in City programs that support *Design Regina: The Official Community Plan Bylaw* 2013-48, (OCP) Section D2 - Environment. Goal 2 - Urban Forest: Protect, promote and expand Regina's urban forest and street tree canopy. Administration recommends a report be prepared to assess the benefit of a program that supports tree planting, identifies potential sources of funding and minimizes long-term risk to Regina's urban forest.

#### BACKGROUND

Administration and Council have seen a shift in the number of complaints regarding weeds and nuisances in the city over the past five years. Service request trends show an increasing number of complaints in wards with newer neighbourhoods (Appendix A). On August 27, 2018, City Council directed Administration, through motion MN18-9, to prepare a report for consideration with respect to:

- The advisability of adopting regulations requiring "soft landscaping" on one and two-unit dwellings in new greenfield, infill and brownfield developments, such landscaping to apply to all front or side-yards bordering any street or public pathway;
- Details of what the landscaping regulations might contain;
- The options available for enforcing such a regulation, including the option of enforcement by private industry developers and builders; and
- Consultation with Regina and Region Home Builders' Association (RRHBA) in preparation of this report.

#### DISCUSSION

Administration compared the City of Saskatoon, City of Calgary, City of Edmonton and City of Winnipeg in preparation of this report (Appendix B). Approaches to landscape regulations range from no requirements on one and two-unit dwellings to very prescriptive requirements on one and two-unit dwellings (City of Edmonton) and a range of options that fall in between. Administration also analyzed service requests related to weed complaints and complaints related to clean property (Appendix A). This information was presented during consultation on October 25, 2018 with RRHBA. The development industry shared that some developers are already utilizing tools such as restrictive covenants or a deposit system as mechanisms to enforce landscape requirements in new developments. The outcome of that consultation supported the direction of Council's motion and resulted in a four-pronged recommended approach that includes:

- Developing landscape regulations
- Allowing developers to enhance and enforce landscape requirements for greenfield developments

- Enhancing enforcement tools
- Increasing awareness and communication of landscaping requirements and required applicable bylaw requirements (*The Weed Control Act*, etc.) and partnering with RRHBA to develop a best practice guide for landscaping in Regina that can be distributed to residents

The options illustrated below present a range of approaches from minimal to intensive landscape regulations. The options also will manage landscaping primarily on new lots in greenfield developments or lots being redeveloped. Enforcement (see enforcement options) will be required to manage existing development areas. Administration and RRHBA will work together to address the maintenance and weed issues associated with vacant or undeveloped lots.

#### Landscape Option 1 - Maintain Status Quo

Primary Intention: Minimize change and impact to the development community, residents and the Administration.

Time Requirement	No time requirement
for Plant Material	
Installation	
Plant Material	• None
Requirement	
Developer Options	Specify their own options and requirements and enforcement tools
Pros	Allows for maximum diversity in front yard landscaping
Cons	Does not create minimal and enforceable expectations for
	landscaping
	Does not proactively address landscaping or weed growth
Cost	No cost to Administration
	No cost to home owner
Bylaw and Process	• None
Changes	

#### Landscape Option 2 - Moderate Landscape Requirements (Recommended Option)

Primary Intention: Provide options that allow for a variety of landscaping and provide options for the development community to enhance landscape requirements within their developments that exceed minimum requirements. Include minimum landscape requirements that must be complied with by all one and two-unit dwellings in the Zoning Bylaw and direct developers, at the time of subdivision, to illustrate additional landscape requirements in greenfield developments through authority granted by *A Bylaw of The City of Regina to Regulate and Control the Subdivision of Land No. 7748* (Subdivision Bylaw).

Assuming Council approves this option, the City Solicitor will make the necessary bylaw amendments for approval on January 9, 2019.

Time Requirement for Plant Material Installation	Home owners must complete landscaping in all front or side yards bordering any public street or public pathway within two years of issuance of an occupancy permit
Plant Material Requirement	<ul> <li>Landscaping may consist of, but is not limited to:</li> <li>Ornamental plants, shrubs or trees;</li> <li>Turf; or</li> <li>Suitable permeable groundcover (such as aggregate, mulch, artificial turf, etc.) to prevent instability, including but not limited to the erosion of soil and/or approved by the Development Officer</li> </ul>
Developer Options	<ul> <li>Allow developers to define and set standards that exceed requirement for all greenfield development</li> <li>Allows developers to utilize tools such as restrictive covenants, a deposit system, etc. to enforce landscape standards that exceed the minimum requirements</li> </ul>
Pros	<ul> <li>Allows for greater diversity of landscape solutions ranging from grass, groundcover, artificial turf or gardens</li> <li>Creates timelines and expectations for when landscaping must be complete</li> </ul>
Cons	Requires compliance and enforcement resources
Cost	<ul><li>Minimal cost to Administration</li><li>Moderate cost to residents</li></ul>
Bylaw and Process Changes	<ul> <li>Amend Chapter 15 of the Zoning Bylaw to include landscape requirements for one and two-unit dwellings in greenfield, infill and brownfield developments</li> <li>As per authority prescribed in the Subdivision Bylaw, information related to additional requirements, such as additional landscape requirements that exceed the minimum landscape requirements outlined in the Zoning Bylaw, be incorporated into the subdivision approval process</li> </ul>

#### <u>Landscape Option 3 - Intensive Landscape Requirements</u>

Primary Intention: Provide prescriptive options for landscape requirements based on lot width and allow for the Development Community to enhance landscape requirements within their developments that exceed minimum requirements. Include landscape requirements in the Zoning Bylaw and direct developers to illustrate landscape requirements in greenfield developments through authority granted by the Subdivision Bylaw.

Time Requirement	Home owners must complete landscaping in all front or side yards bordering any public street or public pathway within two years of issuance of an occupancy permit
Plant Material	• Landscaping must consist of a set number of shrubs (>300mm

Requirement	height, >400mm sp	oread) and seed/sod or alternate groundcover (as		
•	approved by Development Officer)			
	Require developme	Require development permits to specify shrub coverage and		
	groundcover utilizi	groundcover utilizing lot width		
	Lot Width	Requirement		
	Less than 10 M	5 shrubs		
		Seed/sod (or alternate)		
	10 – 13 M	7 shrubs		
		Seed/sod (or alternate)		
	Greater than 13 M	10 shrubs		
		Seed/sod (or alternate)		
Developer Options	Allow developers t	Allow developers to define and set standards that exceed		
	requirement for all	greenfield development		
Pros	Provides greater co	Provides greater control of contents of front yard landscaping		
Cons	May create conflict	ts with utilities		
	Requires significant	t resources for review of building and		
	development permi	ts to ensure compliance with requirements		
	Requires significant	Requires significant resources to ensure builders are complying		
	with building and c	with building and development permit requirements		
	May limit variation	May limit variation in residential landscaping		
Cost		Wideface cost to the Hammistation (1 12 for feview and		
	compliance)	nesi dente		
D-1 Cl	• Increased costs for			
Bylaw Changes	-	of the Zoning Bylaw to include landscape		
	1	ne and two-unit dwellings in greenfield, infill		
	and brownfield dev	1		
	1 2 2	escribed in the Subdivision Bylaw, information I requirements, such as additional landscape		
	requirements that exceed the minimum landscape requirements outlined in the Zoning Bylaw, be incorporated into the subdivision			
	approval process	ing Dylaw, or incorporated into the subdivision		

Options for landscape regulations range in complexity from maintaining the status quo to being highly prescriptive with landscape requirements. Based on comparative analysis, service request analysis and consultation with industry and internal business areas, Administration recommends Option 2 - Moderate Landscape Requirements which provide appropriate balance and flexibility for residents, the development community and the City.

As part of any new regulation, enforcement options will need to be considered. Administration reviewed tools for supporting the enforcement of landscape regulations. Consultation with RRHBA emphasized that Administration and developers need to partner in enforcing landscape regulations in new developments. Options for enforcing landscape regulations range in complexity from maintaining the status quo for enforcement to partnering with RRHBA and enhancing requirements within the Zoning Bylaw, *The Regina Community Standards Bylaw No*.

2016-2 (Community Standards Bylaw) and the subdivision approval process. Below are options for enforcing minimum landscape requirements.

#### Enforcement Option 1 – No Bylaw Changes

Primary Intention: Enforce *The Weed Control Act* and the Community Standards Bylaw to minimize weeds and nuisances within the city of Regina.

Administration Impact	• None
Landowner Impact	No requirements to create minimum landscape requirements
Enforcement	<ul> <li>All enforcement responsibility falls to the City</li> <li>The City has several enforcement options available for violation of the Community Standards Bylaw. These include:         <ul> <li>Issuance of an order to comply</li> <li>Ticketing</li> <li>Prosecution</li> </ul> </li> <li>If a person fails to comply with an order to comply issued under the Community Standards Bylaw, <i>The Cities Act</i> permits the City to remedy the contravention and the costs of that remedy can be added to the tax roll.</li> <li>The Weed Control Act permits the City to appoint weed inspectors which are given the authority to issue orders to comply regarding noxious, prohibited or nuisance weeds as defined by the Minister. If the property owner does not comply with the order the City has the authority to complete the work and costs of that work (not exceeding \$400) can be added to the tax roll.</li> </ul>
Pros	No change to process or procedures
Cons	<ul> <li>Without increased enforcement resources (staff) and tools (ticketing system) no significant change is likely</li> <li>The Community Standards Bylaw specifies grass height and untidy or unsightly property but does not specify maintenance standards for landscaping</li> </ul>
Cost	No cost increase
Bylaw and Process Changes	• None

#### Enforcement Option 2 – Moderate Bylaw Changes

Primary Intention: Enforce *The Weed Control Act* and enhance the Community Standards Bylaw to minimize weeds and nuisances within Regina. Enhance landscape requirements for one and two-unit dwellings in the Zoning Bylaw. Provides additional enforcement resources.

Administration	Stronger tools for enforcing property maintenance standards
Impact	• Increases resources to enforce property maintenance standards
Landowner Impact	No requirements to create minimum landscape requirements
Enforcement	All enforcement responsibility falls to the City

	<ul> <li>For greenfield, infill and brownfield development:         <ul> <li>The City will require home builders to illustrate how they are meeting the minimum landscape requirements (as illustrated in the Zoning Bylaw) when submitting their development permit</li> </ul> </li> <li>Non-Compliance:         <ul> <li>The City can pursue compliance utilizing processes outlined in the Zoning Bylaw for non-compliance or the Community Standards Bylaw</li> </ul> </li> <li>The City has several enforcement options available for violation of the Community Standards Bylaw. These include:         <ul> <li>Issuance of an order to comply</li> <li>Ticketing</li> <li>Prosecution</li> </ul> </li> <li>If a person fails to comply with an order to comply issued under the Community Standards Bylaw, <i>The Cities Act</i> permits the City to remedy the contravention and the costs of that remedy can be added to the tax roll.         <ul> <li>The Weed Control Act permits the City to appoint weed inspectors which are given the authority to issue orders to comply regarding noxious, prohibited or nuisance weeds as defined by the Minister. If the property owner does not comply with the order the City has the authority to complete the work and costs of that work (not exceeding \$400) can be added to the tax roll.</li> </ul> </li> </ul>				
Pros	No change to process or procedures				
Cons	<ul> <li>Enforcement activity and costs fall directly to the City</li> </ul>				
	Without increased resources, minimal change likely				
Cost	• 2 FTEs				
	Operational Costs				
Bylaw and Process	Amend the Community Standards Bylaw to:				
Changes	<ul> <li>Expand the current requirement not to allow overgrown grass of a height greater than fifteen centimeters to include all non-woody vegetation with the exception of deliberate plantings</li> <li>Add a requirement to maintain the yard to prevent the erosion of soil</li> </ul>				

Enforcement Option 3 – Intensive Bylaw and Process Changes (Recommended Option)
Primary Intention: Enforce *The Weed Control Act*. Enforce and enhance the Community
Standards Bylaw. Enhance landscape requirements for one and two-unit dwellings in the Zoning
Bylaw. Direct developers to illustrate landscape requirements and enforcement tools for
greenfield developments through authority granted by the Subdivision Bylaw. Provide additional
resources and tools for enforcement.

Administration	Stronger tools for enforcing property maintenance standards
Impact	Increases resources to enforce property maintenance standards
Landowner Impact	<ul> <li>Developers of greenfield developments will be required to submit a plan prior to subdivision of land that illustrates additional landscape requirements and enforcement tools for one and two-unit residential properties</li> <li>Home builders will be required to submit a plan illustrating how they will meet minimum landscape requirements as part of their development permit application</li> </ul>
Enforcement	For greenfield development:
	will play no role in enforcing landscape requirements above and beyond minimum requirements adopted by City Council  The City will require home builders to illustrate how they
	are meeting the minimum landscape requirements when submitting their development permit  • For infill and brownfield development:
	<ul> <li>The City will require home builders to illustrate how they are meeting the minimum landscape requirements when submitting their building and development permit</li> </ul>
	<ul> <li>Non-Compliance:         <ul> <li>Developers can utilize tools as outlined in their plan of subdivision (security, restrictive covenant, other)</li> <li>The City can pursue compliance utilizing processes outlined in the Zoning Bylaw</li> </ul> </li> </ul>
	<ul> <li>The City has several enforcement options available for violation of the Community Standards Bylaw. These include:         <ul> <li>Issuance of an order to comply</li> <li>Ticketing</li> <li>Prosecution</li> </ul> </li> </ul>
	If a person fails to comply with an order to comply issued under the Community Standards Bylaw, <i>The Cities Act</i> permits the City to remedy the contravention and the costs of that remedy can be added to the tax roll.

	defined by the Minister. If the property owner does not comply with the order the City has the authority to complete the work and costs of that work (not exceeding \$400) can be added to the tax roll.
Pros	<ul> <li>Developers would be allowed freedom to prescribe landscape requirements that exceed minimum requirements for their developments</li> <li>Enforcement responsibilities in greenfield development are shared between the development industry and the City</li> <li>Requirements are already in place and outlined in the Zoning Bylaw for multi-family, commercial and industrial developments (albeit stricter and more detailed)</li> <li>Outlines landscape maintenance requirements for properties into the future to further reduce untidy or unkept properties, affording a mechanism to the City to ensure compliance</li> </ul>
Cons	Traditional enforcement tools afforded to the City still require time and resources
Cost	<ul> <li>2 FTEs</li> <li>Operational Costs</li> <li>Cost increases for developers will vary on the enforcement tools they choose to utilize</li> </ul>
Bylaw and Process Changes	<ul> <li>Amend the Community Standards Bylaw to:         <ul> <li>Expand the current requirement not to allow overgrown grass of a height greater than fifteen centimeters to include all non-woody vegetation with the exception of deliberate plantings</li> <li>Add a requirement to maintain the yard to prevent the erosion of soil</li> </ul> </li> <li>As per authority prescribed in the Subdivision Bylaw, information related to additional requirements, such as additional landscape requirements that exceed the minimum landscape requirements outlined in the Zoning Bylaw, and what enforcement tools are being utilized, such as restrictive covenant, deposits, etc., be incorporated into the subdivision approval process</li> </ul>

The preferred option, Enforcement Option 3 – Intensive Bylaw and Process Changes, provides the greatest flexibility for enforcing landscape requirements allowing the City to partner with developers to ensure landscaping is completed in greenfield areas and provides tools to enforce landscape maintenance requirements in established areas of the city.

#### RECOMMENDATION IMPLICATIONS

#### Financial Implications

Resources to implement the Enforcement Option 3 – Intensive Bylaw and Process Changes would need to be included as part of the 2020 budget process. Estimated total resources required include:

- 2020 (ongoing resources)
  - o 2 Full Time Equivalent Bylaw Enforcement and Support (\$146,000)
  - o Vehicle Operating Expense (\$10,000)

#### **Environmental Implications**

Ensuring landscaping is completed in a timely manner limits erosion and damage to stormwater infrastructure and minimizes the spread of nuisance or noxious weeds.

#### Policy and/or Strategic Implications

The recommendations contained within this report support policies contained within <u>Part A</u> of the OCP with respect to:

#### Section D2 – Environment

Goal 2 - Urban Forest: Protect, promote and expand Regina's urban forest and street tree canopy.

4.7 Maintain and continually expand a healthy and diverse urban tree canopy to improve air quality, increase carbon sequestration, reduce heat island effect and enhance the aesthetic character of the city.

#### Other Implications

None with respect to this report.

#### **Accessibility Implications**

None with respect to this report.

#### **COMMUNICATIONS**

As per the direction of City Council, Administration met with the RRHBA on October 25, 2018 for a consultation session. The RRHBA will receive a copy of this report and notification of the meeting to appear as a delegation in addition to receiving a written notification of City Council's decision.

Based on Council's decision, Administration will work with the Communications Department to educate residents on the new bylaw once it takes effect.

#### **DELEGATED AUTHORITY**

The recommendations contained in this report require City Council approval. Changes to the Zoning Bylaw require Council approval pursuant to Part V of *The Planning and Development Act*, 2007. Changes to the Community Standards Bylaw require Council approval pursuant to Section 8 of *The Cities Act*.

Respectfully submitted,

Fred Searle, A/Director, Development Services

Report prepared by: Ryley Slywka, Business Performance Consultant Respectfully submitted,

Diana Hawryluk, Executive Director, City Planning & Development

## Appendix A

### Comparative Analysis

City	Tools, Process, Procedures and Enforcement					
City of Saskatoon	No landscape requirements for one and two-unit residential properties.					
City of Calgary	No landscape requirements regulated by the City for greenfield					
	development on one and two-unit residential properties.					
	Landscape requirements for contextual (infill) developments:					
	Property Width Required Trees					
	Single Detached Homes >10 m					
	Single Detached Homes	<10 m	2			
	Semi-Detached Homes		2 trees per unit			
City of Education	Private industry may require landscaping in greenfield utilizing other tools such as restrictive covenants.					
City of Edmonton	Landscape requirements		esidential properties			
	outlined in the Cities Zoning Bylaw.					
	Prescriptive requirements that outline number of trees and shrubs					
	required for a property established utilizing site widths.					
	Landscaping plan is submitted as part of development permit					
	application (for new house or major renovation) and must include number, size and type of new and preserved trees and seed/sod or					
		-				
	alternate groundcover. Plant locations do not need to be shown. Hard surfacing (driveways) is regulated and requires approval.					
	Enforcement of landscape requirements is complaint driven and					
	utilizes normal procedures outlined in the Zoning Bylaw, permitted by					
	Alberta's Planning & Development Act.					
City of Winnipeg	No landscaping requirements for one and two-unit residential					
	properties administered by the City of Winnipeg.					
	Developers may administer their own landscape requirements as part of					
	their subdivision. The City is not involved in administering these					
	requirements.					

### Appendix B

### 5 Year Service Request Trends on Nuisances and Weeds

	2014	2015	2016	2017	2018	Average
Clean Property Bylaw	814	678	341	701	559	619
Weed Act	1016	1002	864	795	1132	962

### 5 Year Service Request Trends on Nuisances and Weeds per Ward

2014										
Wards	W1	W2	W3	W4	W5	W6	W7	W8	W9	W10
Clean Property	54	67	134	36	35	227	105	96	27	33
Weeds	118	69	131	44	105	241	127	86	35	60
					2015					
Wards	W1	W2	W3	W4	W5	W6	W7	W8	W9	W10
Clean Property	50	58	154	15	38	176	78	65	16	28
Weeds	106	103	95	57	111	251	110	69	50	50
	2016									
Wards	W1	W2	W3	W4	W5	W6	W7	W8	W9	W10
Clean Property	22	19	67	13	23	110	44	29	6	8
Weeds	64	135	75	62	110	191	83	60	40	44
					2017					
Wards	W1	W2	W3	W4	W5	W6	W7	W8	W9	W10
Clean Property	67	36	164	32	23	211	77	62	15	14
Weeds	40	140	71	89	60	187	53	75	40	40
2018										
Wards	W1	W2	W3	W4	W5	W6	W7	W8	W9	W10
Clean Property	26	27	147	21	20	161	53	55	24	25
Weeds	62	291	67	125	51	203	98	91	53	91

December 6, 2018

To: Members

Regina Planning Commission

Re: Review of Outstanding Items

#### RECOMMENDATION

1. That the following item be deleted from the list of outstanding items for Regina Planning Commission:

<u>Item</u>	<u>Committee</u>	<u>Subject</u>
RPC18-23	Regina Planning	Civic Naming Committee Guideline Review
	Commission	

2. That this report be forwarded to Executive Committee for information.

#### **CONCLUSION**

This report reviews the status of outstanding items that have been referred to the Administration for reports to Regina Planning Commission. Regina Planning Commission should review the items and provide instructions on the need for any changes to priorities.

#### **BACKGROUND**

Subsection 35(2) of City Council's Procedure Bylaw requires the City Clerk to provide a report to the Executive Committee annually which lists all items and the priority of the items that have been tabled or referred by City Council or one of its committees. The purpose of this report is to provide a list of the outstanding items for Regina Planning Commission as at November 30, 2018.

#### **DISCUSSION**

Lists of Outstanding Items are maintained for City Council and its main committees. Items on the list may originate from:

- a recommendation in a report which indicates that another report will be forthcoming;
- a motion adopted to refer an item back to the Administration or to request a report on a related matter;

• a motion adopted by City Council or another committee requesting the Administration to prepare a report.

The Office of the City Clerk is responsible for maintaining and updating the lists. Items remain on the list until a report or the committee recommends their removal. The lists are updated with additions and deletions, as meetings are held and after review by the Executive Committee. The last review of outstanding items as at December 31, 2017, was considered on January 17, 2018.

As most items on the list were related to the RRI or the comprehensive review of the Zoning Bylaw, with return dates not anticipated before 2019, and it was previously confirmed that MN18-9 regarding Landscaping Regulations was being considered at the December 6, 2018 meeting, it was not necessary to circulate the list to departments for further review and comments.

The outstanding items report is first circulated to the affected Committees prior to Executive Committee consideration. This process allows committees to have more detailed discussions of each item with the Administration and among themselves to determine priorities for Council consideration.

Attached to this report as Appendix "A" is a list of the outstanding items before Regina Planning Commission.

#### **RECOMMENDATION IMPLICATIONS**

#### **Financial Implications**

None with respect to this report.

#### **Environmental Implications**

None with respect to this report.

#### **Strategic Implications**

Regular review of outstanding items provides both Council and the City Administration an opportunity to review and refocus priorities and resources as required based on current initiatives, needs of the community and corporate strategy.

#### **Other Implications**

None with respect to this report.

#### **Accessibility Implications**

None with respect to this report.

#### **COMMUNICATIONS**

No specific public communication is required in relation to outstanding items. This report will be posted to the City of Regina website for public viewing.

#### **DELEGATED AUTHORITY**

Executive Committee is required to provide direction to the City Manager in relation to items on the outstanding items list for City Council or any of its committees along with directing any changes in priority.

Respectfully submitted,

Umber ackern

Amber Ackerman, A/Deputy City Clerk

Report prepared by: Elaine Gohlke, Council Officer Respectfully submitted,

Jim Nicol, City Clerk

#### **APPENDIX A**

#### REGINA PLANNING COMMISSION LIST OF OUTSTANDING ITEMS AS AT NOVEMBER 30, 2018 OPEN ITEMS

REPORT #: RPC04-16

DATE TABLED/REFERRED: March 24, 2004

SUBJECT: Regina's Old Warehouse Business Improvement District: Warehouse

District Planning Study

MOTION: This communication be referred to the Administration for review and

analysis with reports to the various standing committees within six months on the implications of implementing the various components of

the Warehouse District Planning Study.

DIVISION: City Planning and Development (Comprehensive Planning)

COMMENT: Return Date: On hold pending Regina Revitalization Initiative.

REPORT #: RPC10-5

DATE TABLED/REFERRED: February 24, 2010

SUBJECT: Cell Phone Towers

MOTION: This communication be referred to the Administration for a report on

guidelines and/or principles for cell phone towers on City of Regina

property.

DIVISION: City Planning and Development (Development Services)

COMMENT: Return Date: 2019 - Part of the Comprehensive Zoning Bylaw Review

process

REPORT #: MN11-10

DATE TABLED/REFERRED: September 19, 2011

SUBJECT: Zoning Bylaw – Contractor Yards in Residential Areas

MOTION:

1. That City Council instruct the Administration to review the

Zoning Bylaw in relation to Contractor Yards, including parking, with a view to clarifying or establishing wording in the Bylaw that clearly identifies what is permitted in residential

areas including equipment storage.

2. That the Administration be instructed to review the Land Use Development Regulations Chart to ensure it clearly identifies for the public what is and is not permissible in each zoned area.

DIVISION: City Planning and Development (Development Services)

COMMENT: Return Date: 2019 - Part of the Comprehensive Zoning Bylaw Review

process

REPORT #: MN12-1

DATE TABLED/REFERRED: January 23, 2012

SUBJECT: Sustainable Commercial and Industrial Buildings Incentive Program

MOTION: That City Council instruct the Administration to prepare a report, as part

of the Design Regina process, which:

1. considers emerging best practices

2. Incorporates any relevant legal considerations

3. Includes stakeholder input; and

provides recommendations for how the city could incent or encourage the development community to incorporate green, sustainable best practices in future commercial and industrial construction projects.

DIVISION: City Planning and Development

COMMENT: Return Date: 2019 - Part of the Comprehensive Zoning Bylaw Review

process

REPORT #: RPC12-71

DATE TABLED/REFERRED: September 13, 2012

SUBJECT: Rezoning and Discretionary use Application (12-Z-20/12-DU-24) -

Proposed Fourplex -4000 3rd Avenue, Windsor Place Subdivision

MOTION: 5. That Administration work with the Legal Department to explore

options for architectural controls and provide a report to the Regina

Planning Commission in the first quarter of 2013.

DIVISION: City Planning and Development (Development Services)

COMMENT: Return Date: 2019 - Part of the Comprehensive Zoning Bylaw Review

process

CR14-137

REPORT #:

DATE TABLED/REFERRED: November 27, 2014

SUBJECT: Lease of Road Right-of-Way

MOTION: That the Administration report back to Regina Planning Commission in

Q2 of 2015 on the criteria on permanent signs as it relates to aesthetics, revenue and statistics on the number of signs within the city limits.

DIVISION: City Planning and Development (Development Services)

COMMENT: Return Date: 2019 - Part of the Comprehensive Zoning Bylaw Review

process

REPORT #: RPC15-31

DATE TABLED/REFERRED: June 3, 2015

SUBJECT: Application for Sale of Dedicated Lands (15-SD-01)

Portion of Qu'Appelle Park - 1301 Parker Avenue

MOTION: That Administration conduct a review of the policy related to the sale of

parcels of City land for the installation of cell towers, including the size of the parcel and related setbacks, as well as any related Bylaw changes

that may be required.

DIVISION: City Planning and Development (Development Services)

COMMENT: Return Date: 2019 - Part of the Comprehensive Zoning Bylaw Review

process

REPORT #: MN18-9

MOTION:

DATE TABLED/REFERRED: August 27, 2018

SUBJECT: Councillor Bob Hawkins: Landscaping Regulations

1. City Administration prepare a report for Regina Planning Commission and subsequent consideration by City Council to be outlining regulatory options and recommendations with respect to:

 the advisability of adopting regulations requiring "soft landscaping" on one and two unit dwellings in new greenfield, infill and brownfield developments, such landscaping to apply to all front or side yards bordering any street or public

pathway;

details of what the landscaping regulations might contain; and

- the options available for enforcing such a regulation, including the option of an enforcement by private industry developers

and builders;

2. Consultation with Regina & Region Home Builders Associations (RRHBA) be undertaken in the preparation of this report; and

3. This report be made available for consideration by Regina Planning Commission and City Council no later than the end of

December 2018 in order to permit any new landscaping regulations, should they be adopted, to be in place by the end of

the second quarter of 2019.

DIVISION/DEPARTMENT: City Planning and Development

COMMENT: Return Date: December 2018

Recommendation for removal at the December 6, 2018 Regina

**Planning Commission meeting.** 

REPORT #: RPC18-23

DATE TABLED/REFERRED: September 5, 2018

SUBJECT: Civic Naming Committee Guideline Review

MOTION: • With respect to 4.9.1 of Appendix A of the

 With respect to 4.9.1 of Appendix A of the Civic Naming Committee Guideline Review which reads, "Naming Quota Requirements: Developers must ensure that 25% of street and 50% of park names within a concept plan bear a name with an indigenous connection":

- That the word "Developers" be replaced with the words, "Civic Naming Committee"; and
- That the words "25% of street and 50% of park names" be replaced with the words, "significant number of street and park names."

That this amending motion be tabled for further consideration at the November 7, 2018 Regina Planning Commission meeting.

- That a supplemental report that includes further information based on the discussion at this meeting, be prepared for the November 7, 2018 Regina Planning Commission meeting.
- That this report be tabled to the November 7, 2018 Regina Planning Commission meeting.

DIVISION: Office of the City Clerk

COMMENT: Return Date: November 7, 2018

Addressed at the November 7, 2018 meeting. Removed from list.