CITY COUNCIL

Wednesday, March 2, 2022
1:00 PM

Henry Baker Hall, Main Floor, City Hall

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Agenda
City Council
Wednesday, March 2, 2022

Please Note: Citizens wishing to address City Council on item CR22-18 respecting the Proposed Municipal Boundary Alteration report at its meeting on Wednesday, March 2, 2022, may attend the meeting in-person or via teleconference. To attend you must register by providing a written submission to clerks@regina.ca or by calling 306-777-7262 no later than 1 p.m. on Monday, February 28, 2022. If attending by teleconference you must also provide the telephone number you will be using to call into the meeting with. You will receive meeting details and instructions after you have confirmed your attendance for the meeting.

APPROVAL OF PUBLIC AGENDA

ADOPTION OF MINUTES

Minutes of the special meeting held February 11, 2022 and the meeting held February 16, 2022

PUBLIC HEARING AND PUBLIC NOTICE BYLAWS

2022-7	The Rapid Housing Initiative Saskatchewan Housing Corporation Borrowing Repeal Bylaw, 2022
2022-8	The Regina Zoning Amendment Bylaw, 2022 (No.4)
2022-9	The Regina Zoning Amendment Bylaw, 2022 (No. 5)
2022-10	Design Regina: The Official Community Plan Amendment Bylaw, 2022 (No. 2)
2022-11	The Regina Zoning Amendment Bylaw, 2022 (No. 6)

PUBLIC NOTICE REPORTS

CR22-14 Regina Minor Football Canteen License

Recommendation
That City Council:

1. Approve the City of Regina entering into an agreement for the license of a portion of the City-owned property located at Douglas Park and Leibel Field (3025 McDonald Street) as outlined on the attached Appendix A to Regina Minor Football 2000 Inc., consistent with the terms and conditions stated in this report.

2. Delegate authority to the Executive Director, Financial Strategy & Sustainability or their designate, to negotiate any other commercially relevant terms and conditions, as well as any amendments to the Agreement that do not substantially change what is described in this report and any ancillary agreements or documents required to give effect to the Agreement.

3. Authorize the City Clerk to execute the Agreement upon review and approval by the City Solicitor.

CR22-15 Regina Windy Flyers Lease – Kings Park

Recommendation
That City Council:

1. Approve the City of Regina entering into an agreement for the lease of the portion of City-owned property located at SE 13-19-19-W2M at Kings Park (identified on the attached Appendix A) to Regina Windy Flyers, consistent with the terms and conditions stated in this report.

2. Delegate authority to the Executive Director, Financial Strategy & Sustainability or their designate, to negotiate any other commercially relevant terms and conditions, as well as any amendments to the agreement that do not substantially change what is described in this report and any ancillary agreements or documents required to give effect to the agreement.

3. Authorize the City Clerk to execute the agreement upon review and approval by the City Solicitor.

DELEGATIONS AND RELATED REPORTS

DE22-26 Archibald Jephtas-Crail, Regina, SK

CP22-3 Stu Niebergall, Regina & Region Homebuilders' Association, Regina, SK

CR22-16 Drainage and Lot Grading Bylaw Amendments

Recommendation
That City Council:

1. Amend *The Wastewater and Storm Water Bylaw, 2016, Bylaw No. 2016-24* to allow for the enforcement practices and principles related to the recommendations of CR21-27 Drainage and Lot Grading Regulations that was approved by Council on February 24, 2021 as detailed in Appendix A to this report.

2. Repeal the specified sections of A Bylaw of The City of Regina Pursuant to the Provisions of *The Uniform Building and Accessibility Standards Act* and *The Cities Act, Bylaw No. 2003-7* in accordance with Appendix B to this report.

3. Repeal the specified section of *The Regina Community Standards Bylaw, Bylaw No. 2016-2* in accordance with Appendix C to this report.

4. Instruct the City Solicitor to prepare the necessary bylaw amendments to give effect to recommendations 1, 2 and 3 above which are to be brought forward to a meeting of City Council following approval of these recommendations and the required public notice.

DE22-27 Bill Babey, SCR Holdings Inc, Regina, SK

DE22-28 Blair Forster, Forster Harvard Development Corp, Regina, SK

CR22-17 Tower Crossing Financial Options for Servicing

Recommendation
That City Council:

1. Approve the City providing water servicing to lands within the Tower Crossing Plan Area as described in Option 1 of Appendix B.

2. Approve the transfer of $740,000 from the General Utility Reserve to

fund the costs of providing Water Services to lands within the Tower Crossing Plan Area.

3. Approve the City providing Sewer Services to lands within the Tower Crossing Plan Area as described in Option 1(b) of Appendix B.

4. Approve an amendment to *The Development Levy Bylaw, 2011* by revising section 7.A.1 of The Development Charges Policy to allow for the collection of an Area Servicing Agreement Fee within the Tower Crossing Plan Area to enact recommendation #3.

5. Approve the City acquiring the lands needed for the identified road right-of-way network within the Tower Crossing Plan Area as described in Option 2 of Appendix B.

6. Approve the transfer of $355,000 from the Asset Revitalization Reserve to fund the costs of acquiring the lands needed for the identified road right-of-way network within the Tower Crossing Plan Area.

7. Approve an amendment to *The Development Levy Bylaw, 2011* by revising section 7.A.1 of The Development Charges Policy to exempt the subject lands within the Tower Crossing Plan Area from the application of Greenfield Area Development Charges.

8. Instruct the City Solicitor to prepare the necessary bylaw amendments to give effect to the recommendations, to be brought forward to a meeting of City Council following approval of these recommendations and the required public notice.

9. Instruct the Administration to bring a memo to Council to report back in 2024 the total actual costs associated with recommendations 1, 2 and 3 above and to provide a statement of revenues achieved from municipal tax revenue and servicing agreement fees.

COMMITTEE REPORTS

EXECUTIVE COMMITTEE

CR22-18 Proposed Municipal Boundary Alteration

Recommendation
That City Council:

1. Direct Administration to give Public Notice of Council's intention to apply for an alteration to the City's boundaries as shown on Appendix A and notify affected parties as required pursuant to section 43 of The Cities Act; and

2. Direct Administration to endeavour to negotiate a Boundary Alteration Agreement, including tax loss compensation, with the RM of Sherwood, subject to Council approval.

CR22-19 Appointments for Regina Airport Authority

Recommendation
That City Council:

Approve the following appointments to the Regina Airport Authority for the term of office indicated below, for each vacancy and continue to hold office for the term indicated or until their successor is appointed:

Bernadette McIntyre	May 1, 2022 to April 31, 2024
Cory J. Furman	May 1, 2022 to April 31, 2024

CR22-20 NE Economic Development Project Consulting Approval

Recommendation
That City Council:

1. Approve $1,000,000 from the Land Development Reserve to fund Consulting Services for the NE Economic Development Project.

2. Authorize the Executive Director, Financial Strategy & Sustainability or designate, to initiate a public procurement process to engage consulting and professional services over $750,000 to support the serviceability study, preliminary design, detailed design and construction services related to the NE Economic Development

Project.

3. Authorize the Executive Director, Financial Strategy & Sustainability or designate, to negotiate, award, enter into an Agreement with the highest ranked proponent, to authorize any amendments to the Agreement that do not substantially change what is described in this report and to authorize any ancillary agreements or documents required to give effect to the Agreement.

4. Authorize the City Clerk to execute the necessary agreements after review and approval by the City Solicitor.

CR22-21 North East Community Centre Agreement

Recommendation
That City Council:

1. Delegate authority to the City Manager or designate to negotiate and approve:
    a. Development Agreement between the City of Regina and the Regina Public School Board and/or Catholic School Board which provides for the development of a community centre as part of the new joint-use school located at the site of Imperial School and the existing Northeast Community Centre at 160 Broad Street as further described in this report; and
    b. any amendments to the Agreement that do not substantially change what is described in this report and any ancillary agreements or documents required to give effect to the Agreement.

2. Authorize the City Clerk to execute the Agreements authorized by this report after review by the City Solicitor.

CR22-22 Heritage Building Rehabilitation Program - 1853 Hamilton Street

Recommendation
That City Council:

1. Approve a tax exemption for the property known as the Leader Building, located on Plan: 102012163 Units #1 - #4; #6 - #15 (Parcel #164697586), addressed at 1853 Hamilton Street, in an amount equal to the lesser of:
    a) 50 per cent of eligible costs for the work described in Appendix C;

or

b) An amount equivalent to the total property taxes payable for ten years.

2. Direct the City Solicitor to prepare the necessary bylaw and agreement with the following conditions:
   a) That the property possesses and retains its formal designation as a Municipal Heritage Property in accordance with *The Heritage Property Act.*
   b) That the property owner submits detailed written documentation of payments made for the actual costs incurred (i.e., itemized invoices and receipts) in the completion of the identified conservation work. If actual costs exceed the corresponding estimates by more than 10 per cent, the property owner shall provide full particulars as to the reason(s) for such cost overruns. The City of Regina may decline to approve any cost overrun, or portion thereof, if considered not to be reasonably or necessarily incurred for eligible work.
   c) That work completed and invoices submitted by September 30 each year would be eligible for tax exemption starting the following year of up to 50 per cent of the cost of approved work.
   d) That the Executive Director of City Planning & Community Development or designate be authorized under the tax exemption agreement to make all determinations regarding reimbursements of the cost incurred for work done to the property based on the City of Regina's Heritage Building Rehabilitation Program and the Conservation Plan for the property (attached as Appendix D).

3. Authorize the Executive Director of City Planning & Community Development or designate to apply to the Government of Saskatchewan on behalf of the property owner for any exemption of the education portion of the property taxes that is $25,000 or greater in any year during the term of the exemption.

CR22-23 Heritage Building Rehabilitation Program - 1839 - 51 Scarth Street

Recommendation
That City Council:

1. Approve a tax exemption for the property known as the Willoughby & Duncan Building, located on Plan: 101890739 Units #1-22 (Parcel #161609070), addressed at 1839 - 51 Scarth Street, in an amount

equal to the lesser of:

a) 50 per cent of eligible costs for the work described in Appendix C; or
b) An amount equivalent to the total property taxes payable for 10 years.

2. Instruct the City Solicitor to prepare the necessary bylaw and agreement with the following conditions to be brought forward to a future Council date once the agreement has been signed by the property owners:

   a) That the property possesses and retains its formal designation as a Municipal Heritage Property in accordance with *The Heritage Property Act*.
   b) That the property owner submits detailed written documentation of payments made for the actual costs incurred (i.e. itemized invoices and receipts) in the completion of the identified conservation work. If actual costs exceed the corresponding estimates by more than 10 per cent, the property owner shall provide full particulars as to the reason(s) for such cost overruns. The City of Regina may decline to approve any cost overrun, or portion thereof, if considered not to be reasonably or necessarily incurred for eligible work.
   c) That work completed and invoices submitted by September 30 each year would be eligible for tax exemption starting the following year of up to 50 per cent of the cost of approved work.
   d) That the Executive Director of City Planning & Community Development or designate be authorized under the tax exemption agreement to make all determinations regarding reimbursements of the cost incurred for work done to the property based on the City of Regina's Heritage Building Rehabilitation Program and the Conservation Plan for the property (Appendix D to this report).

3. Authorize the City Clerk to execute the agreement on behalf of the City after the bylaw authorizing the agreements has been passed.

4. Authorize the Executive Director of City Planning & Community Development or designate to apply to the Government of Saskatchewan on behalf of the property owner for any exemption of the education portion of the property taxes that is $25,000 or greater in any year during the term of the exemption.

CR22-24 Heritage Building Rehabilitation Program - 2201 11th Avenue

Recommendation
That City Council:

1. Approve a tax exemption for the property known as the Canada Life Assurance building, located on Plan: 00RA12095 Block: 308 Lot: 41, addressed at 2201 11th Avenue, in an amount equal to the lesser of:
    a. 50 per cent of eligible costs for the work described in Appendix C; or
    b. An amount equivalent to the total property taxes payable for ten years.

2. Instruct the City Solicitor to prepare the necessary bylaw and agreement with the following conditions to be brought forward to a future Council date once the agreement has been signed by the property owners:
    a. That the property possesses and retains its formal designation as a Provincial Heritage Property in accordance with *The Heritage Property Act*.
    b. That the property owner submits detailed written documentation of payments made for the actual costs incurred (i.e., itemized invoices and receipts) in the completion of the identified conservation work. If actual costs exceed the corresponding estimates by more than 10 per cent, the property owner shall provide full particulars as to the reason(s) for such cost overruns. The City of Regina may decline to approve any cost overrun, or portion thereof if considered not to be reasonably or necessarily incurred for eligible work.
    c. That work completed and invoices submitted by September 30 each year would be eligible for tax exemption starting the following year of up to 50 per cent of the cost of approved work.
    d. That the Executive Director of City Planning & Community Development or designate be authorized under the tax exemption agreement to make all determinations regarding reimbursements of the cost incurred for work done to the property based on the City of Regina's Heritage Building Rehabilitation Program and the Conservation Plan for the property (Appendix D to this report).

3. Authorize the City Clerk to execute the agreement on behalf of the City after the bylaw authorizing the agreement has been passed.

4. Authorize the Executive Director of City Planning & Community Development or designate to apply to the Government of Saskatchewan on behalf of the property owner for any exemption of the education portion of the property taxes that is $25,000 or greater in any year during the term of the exemption.

NOTICE OF MOTIONS

MN22-1 Regulate the Non-essential (Cosmetic) Use of Pesticides

MN22-2 Whistleblower Policy

BYLAWS AND RELATED REPORTS

2022-13 The Regina Traffic Amendment Bylaw, 2022

CITY MANAGER'S REPORT

CM22-5 COVID-19 Update

Recommendation
That City Council receive and file this report.

Adjournment

AT REGINA, SASKATCHEWAN, FRIDAY, FEBRUARY 11, 2022

AT A SPECIAL MEETING OF CITY COUNCIL

AT 1:00 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:	Mayor Sandra Masters, in the Chair Councillor Lori Bresciani (Videoconference) Councillor Bob Hawkins (Videoconference) Councillor John Findura (Videoconference) Councillor Landon Mohl (Videoconference) Councillor Jason Mancinelli (Videoconference) Councillor Terina Shaw (Videoconference) Councillor Cheryl Stadnichuk (Videoconference) Councillor Andrew Stevens (Videoconference) Councillor Shanon Zachidniak (Videoconference)
Regrets:	Councillor Dan LeBlanc
Also in Attendance:	Interim City Clerk, Amber Ackerman Council Officer, Martha Neovard Interim City Manager, Jim Nicol City Solicitor, Byron Werry Executive Director, Citizen Services, Kim Onrait A/Executive Director, City Planning & Community Dev., Autumn Dawson Exec. Director, Financial Strategy & Sustainability, Barry Lacey Executive Director, People & Transformation, Louise Folk

APPROVAL OF PUBLIC AGENDA

Councillor Cheryl Stadnichuk moved, seconded by Councillor Lori Bresciani, AND IT WAS RESOLVED, that the agenda for this meeting be approved, at the call of the Chair with the following adjustments:

- **Withdraw item DE22-12, Wade Schaffer, Regina, SK**
- **Withdraw item DE22-14, Brooklyn Hoedel, Regina, SK**

DELEGATIONS AND RELATED REPORT

CM22-3 COVID-19 Update

Recommendation
That City Council:

1. Rescind the emergency powers delegated to the City Manager by resolution of City Council on April 15, 2020, effective February 11, 2022.

2. Remove the Proof of COVID-19 Vaccination or Negative Test Requirements for City of Regina facilities, as approved at its October 25, 2021 meeting, effective February 14, 2022 at 12:01 a.m.

3. Remove the requirement to wear masks when visiting indoor City facilities or while riding Regina Transit upon the expiration of the existing *Public Health Order Mandatory Isolation and Face Covering* by the Government of Saskatchewan.

4. Return to in-person Council and Committee meetings and re-open City Hall, including Henry Baker Hall, to the public effective March 1, 2022.

The following delegations addressed City Council:

- DE22-5 - Sheila Swerid, Regina, SK
- DE22-6 - Amanda Hayward, Regina, SK
- DE22-7 - Kelcy Travis, Regina, SK
- DE22-8 - Carol Schick, Regina, SK
- DE22-9 - Kelsey Pippin, Regina, SK
- DE22-10 - Danae Le Drew, Regina, SK
- DE22-13 - Mike McCullough, Regina, SK
- DE22-15 - Sandra Keep, Punnichy, SK
- DE22-16 - Sue Deranger, Regina, SK
- DE22-17 - Elizabeth Lesko, Regina, SK
- DE22-19 - Dan Coggins, Regina, SK
- DE22-20 - Jeremy Sinclair, Regina, SK
- DE22-21 - D. Philip Cameron, Regina, SK

Delegations DE22-11, Alex Stein, Regina SK and DE22-18, Pamela Carpenter, Regina, SK did not address City Council.

Councillor Terina Shaw moved, seconded by Councillor Landon Mohl that the recommendations contained in the report be concurred in.

Councillor Bob Hawkins requested that each recommendation be voted on separately.

Amendment – Exercise Programs for Fully Vaccinated Residents

Councillor Cheryl Stadnichuk moved, in amendment, seconded by Councillor Bob Hawkins, that City Council direct administration to explore opportunities to offer exercise classes or programs at our main recreational facilities for residents who are fully vaccinated or can show negative COVID-19 test, contingent on removal of the current proof of vaccination policy at all City-owned facilities.

RECESS

Pursuant to the provisions of Section 34(13.1) of City Council's Procedure Bylaw No. 9004, a 15 minute recess was called.

City Council recessed at 2:30 p.m.

City Council reconvened at 2:45 p.m.

Councillor Lori Bresciani verbally stated she had entered her electronic vote in error, when voting on the amending motion and had clearly indicated during the debate and prior to the Clerk starting the vote that her intention was to vote against the amending motion. The correction to her vote has been captured below.

The amending motion was put and declared LOST due to a tie vote.

RESULT:	TIED [5 to 5]
MOVER:	Councillor Stadnichuk
SECONDER:	Councillor Hawkins
IN FAVOUR:	Councillors: Hawkins, Mancinelli, Stadnichuk, Stevens, Zachidniak
AGAINST:	Councillors: Bresciani, Findura, Mohl, Shaw, and Mayor Masters
ABSENT:	Councillor LeBlanc

Vote on Recommendation #1 Separately

The motion was put and declared CARRIED.

RESULT:	CARRIED [9 to 1]
MOVER:	Councillor Shaw
SECONDER:	Councillor Mohl
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, Mancinelli, Mohl, Shaw, Stadnichuk, Zachidniak, and Mayor Masters
AGAINST:	Councillor Stevens
ABSENT:	Councillor LeBlanc

Vote on Recommendation #2 Separately

The motion was put and declared CARRIED.

RESULT:	CARRIED [8 to 2]
MOVER:	Councillor Shaw
SECONDER:	Councillor Mohl
IN FAVOUR:	Councillors Bresciani, Findura, Hawkins, Mancinelli, Mohl, Stevens, Shaw, and Mayor Masters
AGAINST:	Councillors: Stadnichuk, Zachidniak
ABSENT:	Councillor LeBlanc

Vote on Recommendation #3 Separately

The motion was put and declared CARRIED.

RESULT:	CARRIED [6 to 4]
MOVER:	Councillor Shaw
SECONDER:	Councillor Mohl
IN FAVOUR:	Councillors: Bresciani, Findura, Mancinelli, Mohl, Shaw, and Mayor Masters
AGAINST:	Councillors: Hawkins, Stadnichuk, Stevens, Zachidniak
ABSENT:	Councillor LeBlanc

Vote on Recommendation #4 Separately

The motion was put and declared CARRIED.

RESULT:	CARRIED [7 to 3]
MOVER:	Councillor Shaw
SECONDER:	Councillor Mohl
IN FAVOUR:	Councillors: Bresciani, Findura, Mancinelli, Mohl, Shaw, Stevens, and Mayor Masters
AGAINST:	Councillors: Hawkins, Stadnichuk, Zachidniak
ABSENT:	Councillor LeBlanc

ADJOURNMENT

Councillor Lori Bresciani moved, seconded by Councillor Bob Hawkins, AND IT WAS RESOLVED, that the meeting adjourn.

The meeting adjourned at 3:21 p.m.

_____ _____

Chairperson Secretary

AT REGINA, SASKATCHEWAN, WEDNESDAY, FEBRUARY 16, 2022

AT A MEETING OF CITY COUNCIL

AT 1:00 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:	Mayor Sandra Masters, in the Chair Councillor Lori Bresciani (Videoconference) Councillor Bob Hawkins (Videoconference) Councillor John Findura (Videoconference) Councillor Dan LeBlanc (Videoconference) Councillor Landon Mohl (Videoconference) Councillor Jason Mancinelli (Videoconference) Councillor Terina Shaw (Videoconference) Councillor Cheryl Stadnichuk (Videoconference) Councillor Andrew Stevens (Videoconference) Councillor Shanon Zachidniak (Videoconference)
Also in Attendance:	Interim City Clerk, Amber Ackerman Council Officer, Martha Neovard Interim City Manager, Jim Nicol City Solicitor, Byron Werry Executive Director, Citizen Services, Kim Onrait A/Executive Director, City Planning & Community Dev., Autumn Dawson Exec. Director,Financial Strategy & Sustainability, Barry Lacey Executive Director, People & Transformation, Louise Folk Director, People & Organizational Culture, Shawn Chaudhary Senior City Planner, Ben Mario

APPROVAL OF PUBLIC AGENDA

Councillor Lori Bresciani moved, seconded by Councillor Bob Hawkins, AND IT WAS RESOLVED, that the agenda for this meeting be approved, at the call of the Chair, with the following additions:

- **DE22-24: Evan Hunchak, Dream Developments, Regina, SK, respecting item CR22-8: Proposed Concept Plan, Zoning Bylaw and Discretionary Use Application - Part of 2900 Anaquod Road - PL202100185, PL202100180 and PL202100172**

- **DE22-25: Gerry Fischer, REAL, Regina, SK, respecting item CR22-11: REAL Master Site Plan**

ADOPTION OF MINUTES

Councillor Cheryl Stadnichuk moved, seconded by Councillor Lori Bresciani, AND IT WAS RESOLVED, that the minutes for the meetings held on February 2 and 7, 2022 be adopted, as circulated.

PUBLIC NOTICE BYLAWS

2022-7 The Rapid Housing Initiative Saskatchewan Housing Corporation Borrowing Repeal Bylaw, 2022

First Reading

Councillor Dan LeBlanc moved, seconded by Councillor Andrew Stevens that Bylaw No. 2022-7 be introduced and read a first time.

The motion was put and declared CARRIED.

RESULT:	CARRIED [10 to 1]
MOVER:	Councillor LeBlanc
SECONDER:	Councillor Stevens
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, LeBlanc, Mancinelli, Mohl, Stadnichuk, Stevens, Zachidniak and Mayor Masters
AGAINST:	Councillor Shaw

The Bylaw was read a first time.

Second Reading

Councillor Dan LeBlanc moved, seconded by Councillor Lori Bresciani, that Bylaw No. 2022-7 be introduced and read a second time.

The motion was put and declared CARRIED.

RESULT:	CARRIED [10 to 1]
MOVER:	Councillor LeBlanc
SECONDER:	Councillor Bresciani
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, LeBlanc, Mancinelli, Mohl, Stadnichuk, Stevens, Zachidniak and Mayor Masters
AGAINST:	Councillor Shaw

The Bylaw was read a second time.

Third Reading Consent

Councillor Dan LeBlanc moved, seconded by Councillor John Findura that City Council hereby consent to Bylaw No. 2022-7 going to third and final reading at this meeting.

The motion was put and was not unanimous, as required by law.

RESULT:	NOT UNANIMOUS, as required by law [10 to 1]
MOVER:	Councillor LeBlanc
SECONDER:	Councillor Findura
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, LeBlanc, Mancinelli, Mohl, Stadnichuk, Stevens, Zachidniak and Mayor Masters
AGAINST:	Councillor Shaw

Bylaw 2022-7 is deemed to be tabled to the March 2, 2022 meeting of City Council for third reading.

DELEGATIONS, PUBLIC NOTICE AND RELATED REPORTS

CR22-7 Concept Plan Amendment & Zoning Bylaw Amendment - 1462 N Courtney Street- PL202100113

Recommendation
That City Council:

Deny the application to rezone the property located at 1462 N Courtney Street, being SE ¼ Sec 09 Twp 18 Rge 20 W2M (Proposed Parcel D), in the Rosewood Park Subdivision, from RL - Residential Low-Rise Zone to MH - Mixed High-Rise Zone and deny the application to amend the Rosewood Park Concept Plan to redesignate this subject parcel from Low or Medium Density Residential to Flex Area 2.

DE22-23 Jason Petrunia, representing Land People Planning, Toronto, ON, and Rich Threlfall and Dan Tauber, representing Troika Management Corp, Kelowna, BC, addressed City Council.

Councillor John Findura moved, seconded by Councillor Andrew Stevens that the recommendations contained in the report be concurred in.

Tabling Motion

Councillor Jason Mancinelli moved, seconded by Councillor Landon Mohl that this report be tabled to a future meeting of City Council and that a supplemental report be prepared that includes the results of further consultation with area residents, school

boards, and other stakeholders respecting the proposed amendments to this concept plan.

The tabling motion was put and declared CARRIED.

RESULT:	CARRIED [Unanimous]
MOVER:	Councillor Mancinelli
SECONDER:	Councillor Mohl
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, LeBlanc, Mancinelli, Mohl, Shaw, Stadnichuk, Stevens, Zachidniak and Mayor Masters

CR22-6 Proposed Concept Plan and Zoning Bylaw Amendment - Eastbrook Phase 4 & 5 - PL202100187 & PL202100183

Recommendation
That City Council:

1. Approve the application to amend the Towns Concept Plan by redesignating the land uses and circulation within the areas identified on Appendix A-3 and Appendix A-4 as follows:
    a. Replace a portion of the area (Block 17) identified as Medium Density Residential with Low Density Residential;
    b. Remove the proposed laneways on Blocks 14 and 20; and
    c. Remove walkways from Blocks 2 and 15.

2. Approve the application to rezone portions of lands from Eastbrook Phase 4 & 5, part of Part of SE 14-17-19-2, located within the Towns Concept Plan, as shown in Appendix A-1 and A-7 from UH - Urban Holding Zone to as follows:
    a. RU – Residential Urban Zone - Proposed Blocks 12, 16, 17 and parts of blocks 13-15 (Phase 4); and Block 21 and parts of Blocks 15, 18, 19 and 20 (Phase 5);
    b. RL - Residential Low-Rise Zone – Parts of Proposed Blocks 13, 14 (Phase 4); and Parts of Blocks 18, 19 and 20 (Phase 5);
    c. PS - Public Service Zone – Proposed MR2 – Phase 5; and
    d. LA - Lane Access Overlay Zone to block 12, parts of 13, Block 17 (Phase 4); and parts of blocks 18 and 19 (Phase 5).

3. Instruct the City Solicitor to prepare the necessary bylaw(s) to give effect to the recommendations, to be brought forward to the meeting of City Council following approval of these recommendations and the required public notice.

DE22-22 Evan Hunchak, representing Dream Developments, Regina, SK, addressed City Council.

RECESS

Pursuant to the provisions of Section 34(13.1) of City Council's Procedure Bylaw No. 9004, a 15 minute recess was called.

City Council recessed at 2:32 p.m.

City Council reconvened at 2:47 p.m.

Councillor John Findura moved, seconded by Councillor Bob Hawkins that the recommendations contained in the report be concurred in.

The motion was put and declared CARRIED.

RESULT:	CARRIED [Unanimous]
MOVER:	Councillor Findura
SECONDER:	Councillor Hawkins
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, LeBlanc, Mancinelli, Mohl, Shaw, Stadnichuk, Stevens, Zachidniak and Mayor Masters

CR22-8 Proposed Concept Plan, Zoning Bylaw and Discretionary Use Application - Part of 2900 Anaquod Road - PL202100185, PL202100180 and PL202100172

Recommendation

That City Council:

1. Approve the application to amend the Towns Concept Plan by redesignating the land use identified as High Density Residential with Medium Density Residential within the area identified on Appendix A-3.

2. Approve the application to rezone proposed parcel C1 and C2, being part of Blk/Par Z2-Plan 102278213 Ext 3 and SE 14-17-19-2 Ext 10, located within the Towns Concept Plan, from RH - Residential High-Rise Zone to RL - Residential Low-Rise Zone.

3. Conditional on approval of recommendations 1 and 2 and adoption of the necessary zoning amendment bylaw, approve the discretionary use application for the proposed development of “Building, Planned Group” and “Planned Group” located at the subject property in the Towns Subdivision, subject to compliance with the following development standards and conditions:
    a) The development shall generally be consistent with the plans attached to this report as Appendix A-6.1 to A-6.3, prepared by Northridge Development Corporation and dated September 3, 2021.

b) Except as otherwise specified in this approval, the development shall comply with all applicable standards and regulations in *The Regina Zoning Bylaw, 2019*.

4. Authorize the Development Officer to issue a development permit with respect to the application upon the applicant making payment of any applicable fees or charges and entering into a development agreement if one is required.

5. Instruct the City Solicitor to prepare the necessary bylaw(s) to give effect to the recommendations, to be brought forward to the meeting of City Council following approval of these recommendations and the required public notice.

DE22-24 Evan Hunchak, representing Dream Developments, Regina, SK, addressed City Council.

Councillor John Findura moved, seconded by Councillor Lori Bresciani that the recommendations contained in the report be concurred in.

The motion was put and declared CARRIED.

RESULT:	CARRIED [Unanimous]
MOVER:	Councillor Findura
SECONDER:	Councillor Bresciani
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, LeBlanc, Mancinelli, Mohl, Shaw, Stadnichuk, Stevens, Zachidniak and Mayor Masters

CR22-9 OCP/Concept Plan and Zoning Bylaw Amendments - Tower Crossing - PL202100219 & PL202100205

Recommendation
That City Council:

1. Approve amendments to the Tower Crossing Secondary Plan, being Part B.15 of *Design Regina: The Official Community Plan Bylaw No. 2013-48,* as outlined in Appendix A-2.

2. Approve the Tower Crossing Phase 1 Concept Plan, as shown in Appendix A-3.

3. Approve textual amendment to the MLM – Mixed Large Market Zone within *The Regina Zoning Bylaw, 2019* as shown in Appendix A-4.1.

4. Approve map amendments to *The Regina Zoning Bylaw, 2019* by rezoning:

(a) Parcels within the Tower Crossing Secondary Plan Area, legally

described below and as shown in Appendix A-4.2, from UH – Urban Holding Zone to MLM – Mixed Large Market Zone:

- Blk/Par H-Plan 97R01326 Ext 2
- Blk/Par AA-Plan 98RA11955 Ext 0
- Blk/Par F-Plan 61R01031 Ext 0
- Blk/Par E-Plan 61R01031 Ext 0
- Blk/Par C-Plan FR3848 Ext 0
- Blk/Par G-Plan FW3140 Ext 0
- Blk/Par E-Plan FP5791 Ext 0
- Blk/Par M-Plan 86R56188 Ext 0
- Blk/Par N-Plan 86R56188 Ext 0
- Blk/Par O-Plan 86R56188 Ext 0
- Blk/Par J-Plan 73R44906 Ext 0
- Blk/Par K-Plan 73R44906 Ext 0
- Blk/Par L-Plan 73R44906 Ext 0
- Blk/Par F-Plan FT3682 Ext 41

(b) Parcels within the Tower Crossing Secondary Plan Area, legally described below and as shown in Appendix A-4.2, from UH – Urban Holding Zone to MLM – Mixed Large Market Zone and (H) Holding Overlay Zone:

- Blk/Par B-Plan FS2354 Ext 0
- Blk/Par D-Plan 61R01031 Ext 0
- Blk/Par BB-Plan 101952974 Ext 0
- Blk/Par P-Plan 102207620 Ext 0
- Blk/Par M-Plan 88R42982 Ext 0

5. Instruct the City Solicitor to prepare the necessary bylaw(s) to give effect to the recommendations, to be brought forward to the meeting of City Council following approval of these recommendations and the required public notice.

Councillor John Findura moved, seconded by Councillor Shanon Zachidniak that the recommendations contained in the report be concurred in.

The motion was put and declared CARRIED.

RESULT:	CARRIED [Unanimous]
MOVER:	Councillor Findura
SECONDER:	Councillor Zachidniak
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, LeBlanc, Mancinelli, Mohl, Shaw, Stadnichuk, Stevens, Zachidniak and Mayor Masters

COMMITTEE REPORTS

EXECUTIVE COMMITTEE

CR22-10 Regina Traffic Bylaw 9900 Amendments

Recommendation
That City Council:

1. Approve the following amendments to *The Regina Traffic Bylaw, 1997,* Bylaw No. 9900 (Traffic Bylaw) as detailed in the Discussion section of this report.

2. Instruct the City Solicitor to prepare an amendment to the *Traffic Bylaw* to reflect the changes detailed in Appendix A of this report to be brought forward to the meeting of City Council following approval of the recommendations in this report by City Council.

Councillor Terina Shaw moved, seconded by Councillor Cheryl Stadnichuk that the recommendations contained in the report be concurred in.

The motion was put and declared CARRIED.

RESULT:	CARRIED [Unanimous]
MOVER:	Councillor Shaw
SECONDER:	Councillor Stadnichuk
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, LeBlanc, Mancinelli, Mohl, Shaw, Stadnichuk, Stevens, Zachidniak and Mayor Masters

CR22-11 REAL Master Site Plan

Recommendation
That City Council:

Approve the Master Site Plan and Design Guidelines for the Campus at 1700 Elphinstone Street pursuant to section 7.2 of the Campus Master Lease Agreement between the City of Regina (City) and the Regina Exhibition Association Limited (REAL).

DE22-25 Gerry Fischer, representing REAL, Regina, SK, was available to answer questions of Council.

Councillor Terina Shaw moved, seconded by Councillor Bob Hawkins that the recommendation contained in the report be concurred in.

The motion was put and declared CARRIED.

RESULT:	CARRIED [Unanimous]
MOVER:	Councillor Shaw
SECONDER:	Councillor Hawkins
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, LeBlanc, Mancinelli, Mohl, Shaw, Stadnichuk, Stevens, Zachidniak and Mayor Masters

CR22-12 Efficiency Review Implementation Plan

Recommendation
That City Council:

1. Approve a total transfer of $3,020,000 as follows:

   a. $2,700,000 from the Asset Revitalization Reserve to fund the one-time accelerated implementation of a modern Customer Relationship Management solution in 2022.

   b. $320,000 from the General Fund Reserve to fund the Transformation Office in 2022.

2. Remove item CR21-175 from the List of Outstanding items for City Council.

Councillor Terina Shaw moved, seconded by Councillor Jason Mancinelli that the recommendations contained in the report be concurred in.

The motion was put and declared CARRIED.

RESULT:	CARRIED [Unanimous]
MOVER:	Councillor Shaw
SECONDER:	Councillor Mancinelli
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, LeBlanc, Mancinelli, Mohl, Shaw, Stadnichuk, Stevens, Zachidniak and Mayor Masters

CR22-13 Residential Road Renewal Financial Model Review

Recommendation
That City Council:

Remove item CM20-29 from the List of Outstanding Items for City Council.

Councillor Terina Shaw moved, seconded by Councillor Cheryl Stadnichuk that the recommendation contained in the report be concurred in.

The motion was put and declared CARRIED.

RESULT:	CARRIED [Unanimous]
MOVER:	Councillor Shaw
SECONDER:	Councillor Stadnichuk
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, LeBlanc, Mancinelli, Mohl, Shaw, Stadnichuk, Stevens, Zachidniak and Mayor Masters

MOTIONS

MN21-16 Transparent Decision Making

Pursuant to due notice, Councillor Dan LeBlanc moved, seconded by Councillor Bob Hawkins, that City Council:

1. **Commits to more transparent decision-making, including fewer secret meetings.**

2. **Directs that the following process for Executive Committee be implemented immediately:**

    a. **All matters coming before Executive Committee shall be placed on the publicly circulated agenda. All matters will presumptively be discussed in public in keeping with s. 14(1) of the *Bylaw*.**

    b. **If Administration's view is that certain materials associated with an Executive Committee agenda item are best hidden from the public, Administration may choose to not include those materials in the agenda package provided to the public and Council.**

    c. **If Administration believes a matter should be debated in private, they may make that comment at the public Executive Committee meeting.**

    d. **If a member of Council believes a matter should be privately discussed, they may move a motion to that effect at the public Executive Committee meeting. Members will publicly debate this motion. If a majority of members present agree with the motion, Executive Committee may validly move into a private Committee of the Whole as contemplated in s. 14(2) of the *Bylaw*.**

    e. **Administration may provide additional materials to Executive Committee members during a private Committee of the Whole meeting. The general content of any additional materials discussed in private shall be summarized at the resumption of the public meeting.**

    f. **As always, no final decisions will be made in secret meetings - or in secret portions of meetings.**

Councillor Dan LeBlanc requested that each resolution contained in the motion be voted on separately.

Vote on Resolution #1 Separately

The motion was put and declared LOST.

RESULT:	LOST [5 to 6]
MOVER:	Councillor LeBlanc
SECONDER:	Councillor Hawkins
IN FAVOUR:	Councillors: Hawkins, LeBlanc, Stadnichuk, Stevens, Zachidniak
AGAINST:	Councillors: Bresciani. Findura, Mancinelli, Mohl, Shaw, and Mayor Masters

Vote on Resolution #2 Separately

The motion was put and declared LOST.

RESULT:	LOST [5 to 6]
MOVER:	Councillor LeBlanc
SECONDER:	Councillor Hawkins
IN FAVOUR:	Councillors: Hawkins, LeBlanc, Stadnichuk, Stevens, Zachidniak
AGAINST:	Councillors: Bresciani. Findura, Mancinelli, Mohl, Shaw, and Mayor Masters

RECESS

Pursuant to the provisions of Section 34(13.1) of City Council's Procedure Bylaw No. 9004, a 15 minute recess was called.

City Council recessed at 4:21 p.m.

City Council reconvened at 4:36 p.m.

BYLAWS AND RELATED REPORTS

2022-6 The Housing Incentive Program Tax Exemption Bylaw, 2022
First Reading

Councillor Dan LeBlanc moved, seconded by Councillor Andrew Stevens that Bylaw No. 2022-6 be introduced and read a first time.

The motion was put and declared CARRIED.

RESULT:	CARRIED [Unanimous]
MOVER:	Councillor LeBlanc
SECONDER:	Councillor Zachidniak
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, LeBlanc, Mancinelli, Mohl, Shaw, Stadnichuk, Stevens, Zachidniak and Mayor Masters

The Bylaw was read a first time.

Second Reading

Councillor Dan LeBlanc moved, seconded by Councillor Jason Mancinelli that Bylaw No. 2022-6 be introduced and read a second time.

The motion was put and declared CARRIED.

RESULT:	CARRIED [Unanimous]
MOVER:	Councillor LeBlanc
SECONDER:	Councillor Mancinelli
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, LeBlanc, Mancinelli, Mohl, Shaw, Stadnichuk, Stevens, Zachidniak and Mayor Masters

The Bylaw was read a second time.

Third Reading Consent

Councillor Dan LeBlanc moved, seconded by Councillor Landon Mohl that City Council hereby consent to Bylaw No. 2022-7 going to third and final reading at this meeting.

The motion was put and declared CARRIED UNANIMOUSLY as required by law.

RESULT:	CARRIED [Unanimous]
MOVER:	Councillor LeBlanc
SECONDER:	Councillor Mohl
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, LeBlanc, Mancinelli, Mohl, Shaw, Stadnichuk, Stevens, Zachidniak and Mayor Masters

Third Reading

Councillor Dan LeBlanc moved, seconded by Councillor Cheryl Stadnichuk that Bylaw No. 2022-7 be read a third time.

The motion was put and declared CARRIED.

RESULT:	CARRIED [Unanimous]
MOVER:	Councillor LeBlanc
SECONDER:	Councillor Stadnichuk
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, LeBlanc, Mancinelli, Mohl, Shaw, Stadnichuk, Stevens, Zachidniak and Mayor Masters

The Bylaw was read a third and final time.

CITY MANAGER'S REPORT

CM22-4 COVID-19 Update

Recommendation
That City Council receive and file this report.

Councillor Terina Shaw moved, seconded by Councillor Lori Bresciani that this report be received and filed.

The motion was put and declared CARRIED.

RESULT:	CARRIED [Unanimous]
MOVER:	Councillor Shaw
SECONDER:	Councillor Bresciani
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, LeBlanc, Mancinelli, Mohl, Shaw, Stadnichuk, Stevens, Zachidniak and Mayor Masters

ADJOURNMENT

Councillor Bob Hawkins moved, seconded by Councillor Cheryl Stadnichuk, AND IT WAS RESOLVED, that the meeting adjourn.

The meeting adjourned at 4:58 p.m.

_____ _____

Chairperson Secretary

BYLAW NO. 2022-7

THE RAPID HOUSING INITIATIVE SASKATCHEWAN HOUSING CORPORATION BORROWING REPEAL BYLAW, 2022

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

Purpose

1 The purpose of this Bylaw is to repeal a borrowing bylaw which authorized the City of Regina to incur debt obligations in the maximum principal sum of $783,000 plus any related interest or other costs of the debt resulting from this borrowing. The debt is no longer needed as the project is being undertaken by another entity.

Authority

2 The authority for this Bylaw is *The Cities Act* and in particular, Part IX and Divisions 5, 6, 7 and 8 of the Act.

Repeal

3 Bylaw 2021-68 being The Rapid Housing Initiative Saskatchewan Housing Corporation Borrowing Bylaw, 2021 is hereby repealed.

Coming into force

4 This Bylaw comes into force on the day of passage.

READ A FIRST TIME THIS 16th DAY OF February 2022.

READ A SECOND TIME THIS 16th DAY OF February 2022.

READ A THIRD TIME AND PASSED THIS 16th DAY OF February 2022.

Mayor

City Clerk (SEAL)

CERTIFIED A TRUE COPY

City Clerk

Approved as to form this ____ day of _____, 20__.

City Solicitor

ABSTRACT

BYLAW NO. 2022-7

THE RAPID HOUSING INITIATIVE SASKATCHEWAN HOUSING CORPORATION BORROWING REPEAL BYLAW, 2022

PURPOSE:	To repeal a bylaw which authorized the City to incur debt obligations in the principal sum of $783,000 through the Saskatchewan Co-Investment Program of the Saskatchewan Housing Corporation in relation to the City's Rapid Housing Initiative Project. The bylaw is being repealed because the City no longer requires the funds due to another entity taking over the project and receiving the funds directly.
ABSTRACT:	This bylaw repeals a bylaw which authorized a debt obligation that is no longer required.
STATUTORY AUTHORITY:	Part IX and Divisions 5, 6, 7 and 8 of *The Cities Act*.
MINISTER'S APPROVAL:	N/A
PUBLIC HEARING:	N/A
PUBLIC NOTICE:	Pursuant to sections 101 and 102 of *The Cities Act* and *The Public Notice Bylaw*, Bylaw 2020-28, public notice was issued in the Leader Post, City's public notice board and website on January 22, 2022 of intent to repeal a borrowing bylaw.
REFERENCE:	Executive Committee January 26, 2022, EX22-4 City Council, February 2, 2022, CR22-5
AMENDS/REPEALS:	Bylaw 2021-68
CLASSIFICATION:	Administrative and Executory
INITIATING DIVISION:	Financial Strategy and Sustainability
INITIATING DEPARTMENT:	Financial Services

BYLAW NO. 2022-8

THE REGINA ZONING AMENDMENT BYLAW, 2022 (No.4)

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

1 The purpose of this Bylaw is to amend *The Regina Zoning Bylaw, 2019* by re-zoning the subject lands to accommodate residential development consistent with the Towns Concept Plan.

2 The authority for this Bylaw is section 46 of *The Planning and Development Act, 2007.*

3 Schedule "A" of *The Regina Zoning Bylaw, 2019* is amended in the manner set forth in this Bylaw.

4 Chapter 9 – Zoning Maps (Map No. 3486(A) and 3486(B)) are amended by re-zoning the lands described in this section and shown as outlined on the map attached as Appendix "A" to this Bylaw as follows:

Legal Address:	**Part of SE 14-17-19-2 Ext 11**
Civic Address:	**Eastbrook Phase 4 and 5 (Part of 3300 Anaquod Road)**
Current Zoning:	**UH-Urban Holding Zone**
Proposed Zoning:	**As to proposed Blocks 12, 16, 17 and parts of Block 13-15 (Phase 4) ; and Block 21 and parts of Blocks 15, 18, 19 and 20 (Phase 5) – RU – Residential Urban Zone** **As to Parts of Proposed Blocks 13, 14 (Phase 4); and parts of Blocks 18, 19 and 20 (Phase 5) – RL – Residential Low-Rise Zone** **As to proposed MR2 (Phase 5) – PS – Public Service Zone** **As to Block 12, parts of Block 13 and 17 (Phase 4) and parts of Blocks 18 and 19 (Phase 5) – LA – Lane Access Overlay Zone**

Approved as to form this _____ day of _____, 20___.

City Solicitor

5 This Bylaw comes into force on the date of passage.

READ A FIRST TIME THIS 2nd DAY OF March 2022.

READ A SECOND TIME THIS 2nd DAY OF March 2022.

READ A THIRD TIME AND PASSED THIS 2nd DAY OF March 2022.

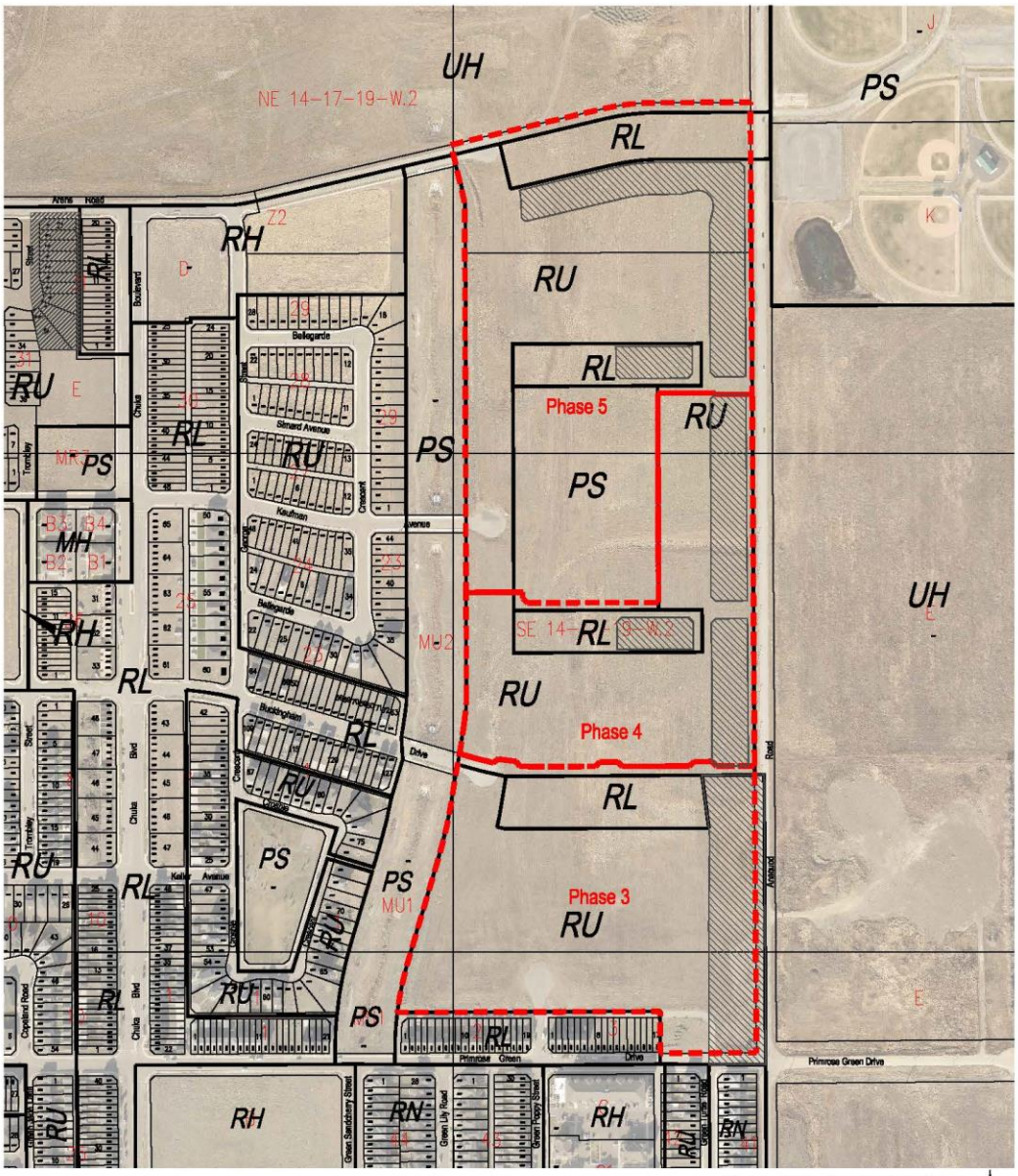
Mayor

City Clerk (SEAL)

CERTIFIED A TRUE COPY

City Clerk

APPENDIX "A"



Project PL202100183 and PL202100187

Civic Address/Subdivision 3300 Anaquod Road

ABSTRACT

BYLAW NO. 2022-8

THE REGINA ZONING AMENDMENT BYLAW, 2022 (No.4)

PURPOSE:	The purpose of this Bylaw is to amend *The Regina Zoning Bylaw, 2019* to accommodate residential development consistent with the Towns Concept Plan.
ABSTRACT:	The Bylaw re-zones the subject lands from UH – Urban Holding Zone to various residential zones consistent with the Towns Concept Plan.
STATUTORY AUTHORITY:	Section 46 of *The Planning and Development Act, 2007.*
MINISTER'S APPROVAL:	N/A
PUBLIC HEARING:	A public hearing is required between first and second reading of this Bylaw pursuant to section 10 of *The Public Notice Policy Bylaw, 2020* and in accordance with *The Procedure Bylaw.*
PUBLIC NOTICE:	Required, pursuant to section 13 of *The Public Notice Policy Bylaw, 2020.*
REFERENCE:	Regina Planning Commission, February 8, 2022, RPC22-2; City Council, February 16, 2022, CR22-6.
AMENDS/REPEALS:	Amends *The Regina Zoning Bylaw, 2019.*
CLASSIFICATION:	Regulatory
INITIATING DIVISION:	City Planning & Community Development
INITIATING DEPARTMENT:	Planning & Development Services

BYLAW NO. 2022-9

THE REGINA ZONING AMENDMENT BYLAW, 2022 (No.5)

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

1 The purpose of this Bylaw is to amend *The Regina Zoning Bylaw, 2019* by re-zoning the subject lands to accommodate proposed development of two and four plex townhome dwellings.

2 The authority for this Bylaw is section 46 of *The Planning and Development Act, 2007.*

3 Schedule "A" of *The Regina Zoning Bylaw, 2019* is amended in the manner set forth in this Bylaw.

4 Chapter 9 – Zoning Map (Map No. 3486(A)) is amended by re-zoning the lands described in this section and shown as outlined on the map attached as Appendix "A" to this Bylaw as follows:

Legal Address:	**Part of Blk/Par Z2-Plan 102278213 Ext 3, and SE 14-17-19-2 Ext 10**
Civic Address:	**Part of 2900 Anaquod Road and 2901 George Street**
Current Zoning:	**RH - Residential High-Rise Zone**
Proposed Zoning:	**RL - Residential Low-Rise Zone**

5 This Bylaw comes into force on the date of passage.

READ A FIRST TIME THIS 2nd DAY OF March 2022.

READ A SECOND TIME THIS 2nd DAY OF March 2022.

READ A THIRD TIME AND PASSED THIS 2nd DAY OF March 2022.

Mayor

City Clerk (SEAL)

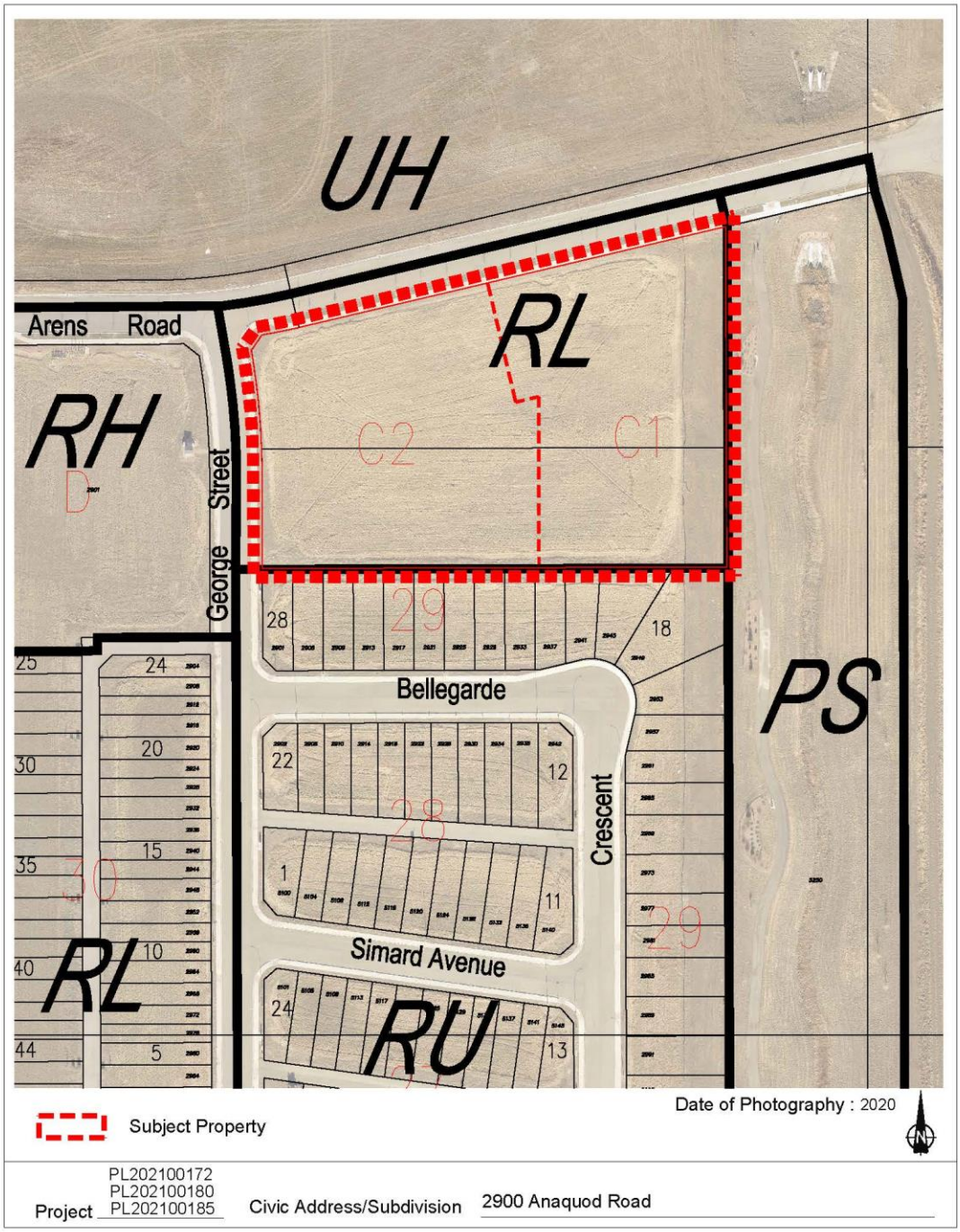
CERTIFIED A TRUE COPY

City Clerk

Approved as to form this ____ day of ____, 20__.

City Solicitor

APPENDIX "A"


UH
RL
RH
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PS
Arens Road
George Street
Bellegarde
Crescent
Simard Avenue
C2
C1
28
29
18
25
24
20
30
22
12
35
15
1
11
40
10
24
13
44
5
Subject Property
Date of Photography : 2020
Project PL202100172 PL202100180 PL202100185
Civic Address/Subdivision 2900 Anaquod Road

ABSTRACT

BYLAW NO. 2022-9

THE REGINA ZONING AMENDMENT BYLAW, 2022 (No.5)

PURPOSE:	The purpose of this Bylaw is to amend *The Regina Zoning Bylaw, 2019* to accommodate proposed development of two and four plex townhome dwellings on the subject lands.
ABSTRACT:	The Bylaw re-zones the subject lands from RH – Residential High-Rise Zone to RL – Residential Low-Rise Zone.
STATUTORY AUTHORITY:	Section 46 of *The Planning and Development Act, 2007.*
MINISTER'S APPROVAL:	N/A
PUBLIC HEARING:	A public hearing is required between first and second reading of this Bylaw pursuant to section 10 of *The Public Notice Policy Bylaw, 2020* and in accordance with *The Procedure Bylaw.*
PUBLIC NOTICE:	Required, pursuant to section 13 of *The Public Notice Policy Bylaw, 2020.*
REFERENCE:	Regina Planning Commission, February 8, 2022, RPC22-3; City Council, February 16, 2022, CR22-8.
AMENDS/REPEALS:	Amends *The Regina Zoning Bylaw, 2019.*
CLASSIFICATION:	Regulatory
INITIATING DIVISION:	City Planning & Community Development
INITIATING DEPARTMENT:	Planning & Development Services

BYLAW NO. 2022-10

DESIGN REGINA: THE OFFICIAL COMMUNITY PLAN
AMENDMENT BYLAW, 2022 (No. 2)

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

1 The purpose of this Bylaw is to amend *Design Regina: The Official Community Plan Bylaw* by revising Part B.15: Tower Crossing Secondary Plan to update the Plan to accommodate the blending of existing land uses with new commercial development within the area over time.

2 The authority for this Bylaw is Part IV, section 29(2) of *The Planning and Development Act, 2007.*

3 Schedule "A" of Bylaw No. 2013-48, being *Design Regina: The Official Community Plan Bylaw* is amended in the manner set forth in this Bylaw.

4 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, section 1.1 is repealed and the following substituted:

"**1.1 BACKGROUND**

The intent of this Secondary Plan is to provide a policy framework for directing land-use, transportation and utility servicing for lands located north of Victoria Avenue, on the east periphery of the City (Figure 1). The "Tower Crossing Secondary Plan" envisions and supports a development that includes commercial, residential and compatible light industrial land-uses.

It is expected that all subsequent concept plans, rezoning and subdivision will be in conformity with this Secondary Plan. Concept plans, which provide a detailed solution for land-use and servicing and will be prepared for each development phase. Combined, the policies of this Secondary Plan and the subsequent concept plans will help ensure that Tower Crossing evolves into a well-designed development, which is in conformity with the guiding policies of the City's Official Community Plan (OCP)."

Approved as to form this ____ day of ____, 20__.

City Solicitor

5 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, section 1.3 is repealed and the following substituted:

"**1.3 PROJECT VISION**

The Plan area will provide a collective integration of land uses (commercial, residential mixed-use and compatible light industrial) that will promote economic, social and environmental sustainability consistent with the OCP. Major commercial developments will serve as the area's economic foundation, with mixed-use and residential developments at a scale and location conducive to efficient land use, "complete neighbourhoods" and quality urban design. The development will embrace its regional function as a future transit node and regional gateway, and will facilitate the harmonious reconciliation of its core uses with the preservation of natural features, civic and cultural amenities."

6 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, section 1.5 is repealed and the following substituted:

"**1.5 OFFICIAL COMMUNITY PLAN CONFORMITY**

This Secondary Plan supports a land-use and phasing strategy that conforms to the OCP. Notably, this Secondary Plan supports commercial and compatible light industrial development, as a phasing priority, adjacent to Victoria Avenue. Commercial development will incorporate design features that support active transportation, integration with adjacent residential areas and a high quality public realm, in accordance with OCP policy. This Secondary Plan also identifies land for future residential development, and includes a strategy for ensuring that the phasing and timing of development is in accordance with the general guiding policies of Part A of the OCP relating to growth development and phasing."

7 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, subsection 3.2.1 is repealed and the following substituted:

"***3.2.1 Overview***

This Secondary Plan supports residential development in four potential scenarios: Residential Area, Mixed-Use Area, Flex Area and Commercial area where it is developed as part of an Urban Centre."

8 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, clause 3.2.2.1 is repealed.

9 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, subsection 3.2 is amended by adding a new clause immediately following clause 3.2.2.8 as follows:

"3.2.2.9 Notwithstanding any other policy of this Plan, residential development shall not be allowed in the Commercial Area unless it forms part of a master planned Urban Centre that:

- is spatially defined through an approved concept plan;
- includes an assortment of interconnected higher density development, civic space and facilities, transit service, landscaped streets and a high level of pedestrian infrastructure and interconnectivity; and
- does not include large-format retail or light industrial."

10 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, subsection 3.3.1 is repealed and the following substituted:

"***3.3.1 Overview***

At the time this Plan was adopted, the Plan area included commercial and light industrial development along the Victoria Avenue corridor that was rural highway-oriented in nature and was substantially developed at a time when the land was within the jurisdiction of the RM of Sherwood. The historic/ existing land use was developed somewhat sporadically and with only limited services. In order to recognize the changing market and servicing expectations, it is the intent of this Plan to transition the southern part of the Plan area to an orderly, well planned and full serviced commercial area, while still allowing the potential continuation of compatible light industrial land-use."

11 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, clause 3.3.2.2 is repealed and the following substituted:

"3.3.2.2 Within the identified Commercial Area, non-residential land uses may include: commercial, compatible light industrial and any other appropriate complementary land-use, as determined by the City."

12 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, subclause 3.3.2.6.II is repealed.

13 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, clause 3.4.2.1 is repealed and the following substituted:

"3.4.2.1 Institutional development (e.g. libraries, places of worship, schools, etc.) may be considered within the identified Residential Area, Mixed-use Area, Flex Area and Commercial Area."

14 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, clause 3.5.2.2 is repealed and the following substituted:

"3.5.2.2 Multi-Use pathways should be incorporated into the Plan area in accordance with an approved concept plan."

15 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, clause 3.5.2.9 is repealed and the following substituted:

"3.5.2.9 The City may require a zone level dog park within the Phase II Residential Area."

16 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, clause 4.1.2.10 is repealed and the following substituted:

"4.1.2.10 Prior to subdivision approval, the City, at its discretion, may require a Transportation Impact Assessment (TIA) for the Phase I area, which provides a solution satisfactory to the City, for internal traffic management, including safe and efficient movement of:

- vehicles, including lane configuration, intersection design, signalization and traffic control;
- pedestrians and cyclists, including traffic calming (where required), pedestrian crossings, sidewalk location and design, etc.; and
- transit, including route and stop locations, etc."

17 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, clause 4.2.2.1 is repealed and the following substituted:

"4.2.2.1 The overall water system and Phase 1 water system should be in general accordance with Figure 7: Water Servicing Concept – Total Development and Figure 8: Water Servicing Concept – Phase I, respectively; however, the City may accept an alternate solution without an amendment to this Plan being required."

18 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, clause 4.2.2.2 is repealed.

19 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, clause 4.3.2.1 is repealed and the following substituted:

"4.3.2.1 The overall wastewater system and Phase I wastewater system should be in general accordance with Figure 9 - Sanitary Servicing Concept Total Development and Figure 10 - Sanitary Servicing Concept Phase I, respectively; however, the City may accept an alternate solution without an amendment to this Plan being required."

20 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, clause 4.3.2.2 is repealed.

21 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, clause 4.4.2.1 is repealed and the following substituted:

"4.4.2.1 The overall storm water system and Phase I storm water system should be in general accordance with Figures 11-13; however, the City may accept an alternate solution without an amendment to this Plan being required."

22 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, clause 4.4.2.2 is repealed.

23 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, clause 5.1.2.2 is repealed and the following substituted:

"5.1.2.2 Pending conformity with the policies and/or growth plan of Part A of the City's OCP, respecting phasing/timing of growth, and concept plan approval, the City may consider approving residential development within the identified Residential Area, Mixed-Use Area, Flex Area and Commercial Area (see Policy 3.2.2.9), as shown on Figure 5 - General Future Land-Use Plan."

24 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, clause 5.1.2.6 is repealed and the following substituted:

"5.1.2.6 Where a property is known to have, or potentially have, contamination, the City may apply the Holding Zone in order to ensure that the contamination issue is resolved prior to development permit approval."

25 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, clauses 5.1.2.7, 5.1.2.8, 5.1.2.9 and 5.1.2.10 are repealed.

26 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, section 5.2 is repealed.

27 Part B Secondary Plans, Part B.15 – Tower Crossing Secondary Plan, section 6.1, Appendix A.1 and Appendix A.2 are repealed.

28 The amended Tower Crossing Phase 1 Concept Plan attached as Appendix "A" is approved.

29 This Bylaw comes into force on the date of approval by the Ministry of Government Relations.

READ A FIRST TIME THIS 2nd DAY OF March 2022.

READ A SECOND TIME THIS 2nd DAY OF March 2022.

READ A THIRD TIME AND PASSED THIS 2nd DAY OF March 2022.

Mayor

City Clerk (SEAL)

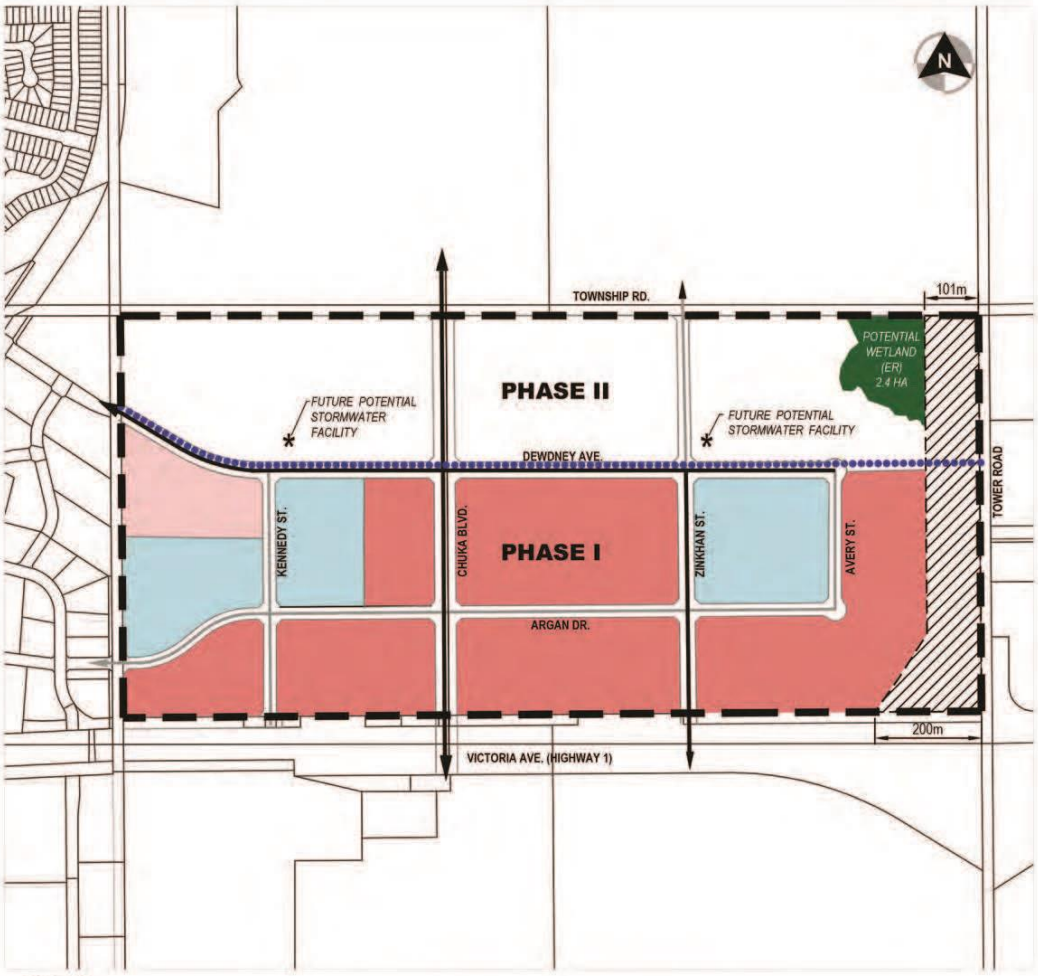
Approved by the Ministry of Government Relations
this _____ day of _____, 2022.

Ministry of Government Relations

CERTIFIED A TRUE COPY

City Clerk

APPENDIX "A"



LEGEND

- Plan Area Boundary
- Proposed Commercial
- Proposed Mixed Use
- Proposed Flex
- Proposed Arterial Road - 40m ROW
- Proposed Arterial Road - 30m ROW
- Proposed Collector Road- 24m ROW
- Proposed Phasing Boundary
- Potential Wetland (ER)
- * Future Potential Stormwater Pond
- Future Highway ROW

Phase I Land Use Composition Table

	Area in ha	% of Total Phase 1 area
Undevelopable Area		
Future Highway ROW	5.3	7.1%
Developable Area		
Commercial	46.9	63.1%
Mixed Use	3.9	5.2%
Flex	8.6	11.6%
Road ROW	9.6	12.9%
Total Area	74.3	100.0%

Scale 1 : 10,000

0 50 m 150 m 250 m

WSP

ABSTRACT

BYLAW NO. 2022-10

DESIGN REGINA: THE OFFICIAL COMMUNITY PLAN
AMENDMENT BYLAW, 2022 (No. 2)

PURPOSE:	The purpose of this Bylaw is to amend *Design Regina: The Official Community Plan Bylaw* by revising Part B.15: Tower Crossing Secondary Plan to update the Plan to accommodate the blending of existing land uses with new commercial development within the area over time.
ABSTRACT:	The proposed amendment updates the Tower Crossing Secondary Plan to accommodate the blending of existing land uses with new commercial development within the area over time.
STATUTORY AUTHORITY:	Part IV, section 29(2) of *The Planning and Development Act, 2007*.
MINISTER'S APPROVAL:	Required, pursuant to Part IV, section 39 of *The Planning and Development Act, 2007*.
PUBLIC HEARING:	A public hearing is required between first and second reading of this Bylaw pursuant to section 10 of *The Public Notice Policy Bylaw, 2020* and in accordance with *The Procedure Bylaw*.
PUBLIC NOTICE:	Required, pursuant to section 12 of *The Public Notice Policy Bylaw, 2020.*
REFERENCE:	Regina Planning Commission, February 8, 2022, RPC22-4; City Council, February 16, 2022, CR22-9.
AMENDS/REPEALS:	Amends *Design Regina: The Official Community Plan Bylaw*.
CLASSIFICATION:	Regulatory
INITIATING DIVISION:	City Planning & Community Development
INITIATING DEPARTMENT:	Planning & Development Services

BYLAW NO. 2022-11

THE REGINA ZONING AMENDMENT BYLAW, 2022 (No.6)

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

1 The purpose of this Bylaw is to amend *The Regina Zoning Bylaw, 2019* by re-zoning the subject lands to accommodate development consistent with the amended Tower Crossing Secondary Plan.

2 The authority for this Bylaw is section 46 of *The Planning and Development Act, 2007.*

3 Schedule "A" of *The Regina Zoning Bylaw, 2019* is amended in the manner set forth in this Bylaw.

4 Chapter 4, Part 4C, Table 4C.T2: PERMITTED AND DISCRETIONARY LAND USES IN THE MIXED LARGE MARKET ZONE, section (row) T2.14 is repealed and the following substituted:

"

T2.14	• Dwelling, Assisted-Living • Dwelling, Group Care • Dwelling, Unit	Permitted within: (a) a Building Stacked on a lot that contains non-Dwelling uses that are permitted or discretionary in the Mixed Large Market zone; and (b) any building type that contains non-Dwelling uses that are permitted or discretionary in the Mixed Large Market Zone	Discretionary within: (a) Building, Stacked on a lot that does not contain non-Dwelling uses that are permitted or discretionary in the Mixed Large Market zone; and (b) any building type that does not contain non-Dwelling uses that are permitted or discretionary in the Mixed Large Market zone; and (c) any building type within the area identified as Tower Crossing Commercial Area, as shown on Figure 4C.F1a	(1) Developments containing 20 or more dwelling units shall allocate a minimum of five per cent of the total area dedicated to Dwelling use to the communal amenity area. (2) Where the required communal amenity area is provided outdoors, the soft landscaping portion of such communal amenity area may be included as part of the minimum landscaping requirements listed in subpart 4C.7. (3) In addition to other requirements in this Bylaw, a discretionary use shall consider that proposed dwelling uses are integrated with a planned or existing mixed use environment.

"

5 Chapter 4, Part 4C, Table 4C.T2: PERMITTED AND DISCRETIONARY LAND USES IN THE MIXED LARGE MARKET ZONE is amended by adding the following section (row) after section (row) T2.15:

"

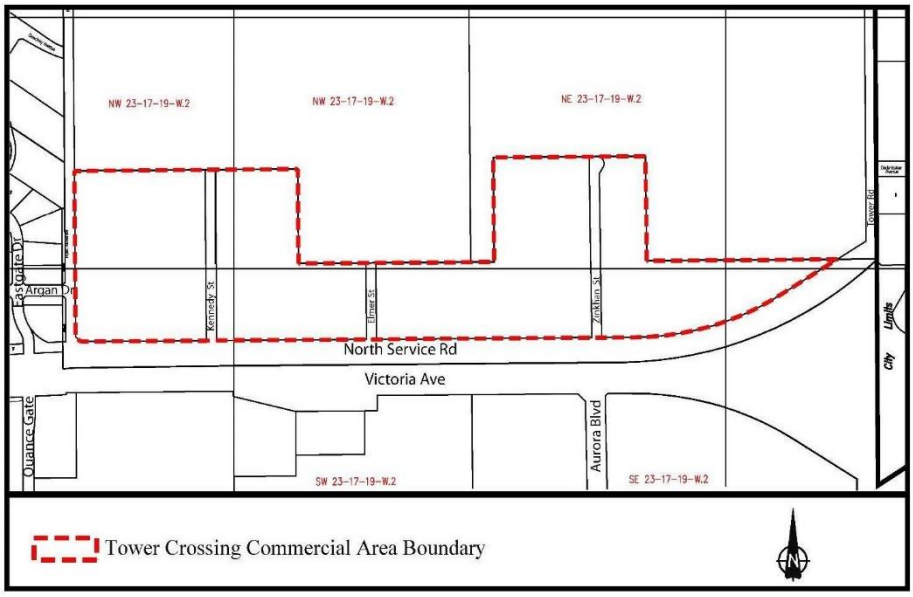
T2.16	• Industry, Heavy • Retail Trade, Motor Vehicle – Heavy • Service Trade, Motor Vehicle - Heavy • Storage, Outdoor	Permitted if: (a) additions to, or expansion within, existing buildings; or (b) accessory uses and buildings.	Discretionary if: (a) proposed new principal buildings; or (b) proposed new land use.	These land uses shall be limited to the area identified as Tower Crossing Commercial Area, as shown on Figure 4C.F1a

"

Approved as to form this ____ day of ____, 20__.

City Solicitor

6 Chapter 4, Part 4C is amended by adding the following Figure 4C.F1a immediately after Figure 4C.F1:



7 Chapter 9 – Zoning Maps (Map Nos. 3288(A), 3488(A), 3288(B) and 3488(B)) are amended by re-zoning the lands described in this section and shown as outlined on the map attached as Appendix "A" to this Bylaw as follows:

(a) **Legal Description:** **Blk/Par H-Plan 97R01326 Ext 2**
Blk/Par AA-Plan 98RA11955 Ext 0
Blk/Par F-Plan 61R01031 Ext 0
Blk/Par E-Plan 61R01031 Ext 0
Blk/Par C-Plan FR3848 Ext 0
Blk/Par G-Plan FW3140 Ext 0
Blk/Par E-Plan FP5791 Ext 0
Blk/Par M-Plan 86R56188 Ext 0
Blk/Par N-Plan 86R56188 Ext 0
Blk/Par O-Plan 86R56188 Ext 0
Blk/Par J-Plan 73R44906 Ext 0
Blk/Par K-Plan 73R44906 Ext 0
Blk/Par L-Plan 73R44906 Ext 0
Blk/Par F-Plan FT3682 Ext 41

Civic Address: **Not available**

Current Zoning: **UH – Urban Holding Zone**

	Proposed Zoning:	**MLM – Mixed Large Market Zone**
(b)	**Legal Description:**	**Blk/ Par B-Plan FS2354 Ext 0** **Blk/Par D-Plan 61R01031 Ext 0** **Blk/Par BB-Plan 101952974 Ext 0** **Blk/Par P-Plan 102207620 Ext 0** **Blk/Par M-Plan 88R42982 Ext 0**
	Civic Address:	**Not available**
	Current Zoning:	**UH – Urban Holding Zone**
	Proposed Zoning:	**MLM – Mixed Large Market and (H) – Holding Overlay**

8 This Bylaw comes into force on the date Bylaw 2022-10, *Design Regina, The Official Community Plan Amendment Bylaw, 2022 (No. 2)* is approved by the Ministry of Government Relations.

READ A FIRST TIME THIS 2nd DAY OF March 2022.

READ A SECOND TIME THIS 2nd DAY OF March 2022.

READ A THIRD TIME AND PASSED THIS 2nd DAY OF March 2022.

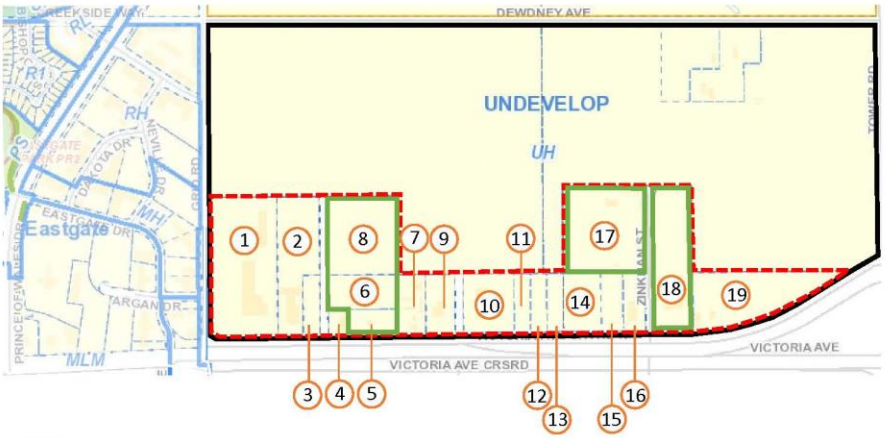
Mayor

City Clerk (SEAL)

CERTIFIED A TRUE COPY

City Clerk

APPENDIX "A"



Parcels to be rezoned to MLM – Mixed Large Market Zone

Parcels to be rezoned to MLM + (H) – Holding Overlay Zone

Tower Crossing Secondary Plan Area

(x) Lot Ref.

Lot Ref.	Legal Address	Civic Address
1	Blk/Par H-Plan 97R01326 Ext 2	4000 E Victoria Avenue
2	Blk/Par AA-Plan 98RA11955 Ext 0	4150 E Victoria Avenue
3	Blk/Par F-Plan 61R01031 Ext 0	4200 E Victoria Avenue
4	Blk/Par E-Plan 61R01031 Ext 0	4330 E Victoria Avenue
5	Blk/Par B-Plan FS2354 Ext 0	4500 E Victoria Avenue
6	Blk/Par D-Plan 61R01031 Ext 0	
7	Blk/Par C-Plan FR3848 Ext 0	
8	Blk/Par BB-Plan 101952974 Ext 0	1701 Kennedy Street
9	Blk/Par G-Plan FW3140 Ext 0	4600 E Victoria Avenue
10	Blk/Par E-Plan FP5791 Ext 0	4750 E Victoria Avenue
11	Blk/Par M-Plan 86R56188 Ext 0	
12	Blk/Par N-Plan 86R56188 Ext 0	
13	Blk/Par O-Plan 86R56188 Ext 0	
14	Blk/Par J-Plan 73R44906 Ext 0	4850 E Victoria Avenue
15	Blk/Par K-Plan 73R44906 Ext 0	
16	Blk/Par L-Plan 73R44906 Ext 0	
17	Blk/Par P-Plan 102207620 Ext 0	1700 Zinkhan Street
18	Blk/Par M-Plan 88R42982 Ext 0	5050 E Victoria Avenue
19	Blk/Par F-Plan FT3682 Ext 41	5200 E Victoria Avenue

ABSTRACT

BYLAW NO. 2022-11

THE REGINA ZONING AMENDMENT BYLAW, 2022 (No.6)

PURPOSE:	The purpose of this Bylaw is to amend *The Regina Zoning Bylaw, 2019* to accommodate development of the subject lands consistent with the amended Tower Crossing Secondary Plan.
ABSTRACT:	The Bylaw re-zones the subject lands from UH – Urban Holding Zone to MLM – Mixed Large Market Zone as to part of the lands and to MLM – Mixed Large Market Zone with H - Holding Overlay Zone as to part of the lands and makes text amendments consist with the amended Tower Crossing Secondary Plan. The Bylaw does not come into force until such time as related amendments to the Tower Crossing Secondary Plan have been approved by the Minister.
STATUTORY AUTHORITY:	Section 46 of *The Planning and Development Act, 2007.*
MINISTER'S APPROVAL:	N/A
PUBLIC HEARING:	A public hearing is required between first and second reading of this Bylaw pursuant to section 10 of *The Public Notice Policy Bylaw, 2020* and in accordance with *The Procedure Bylaw.*
PUBLIC NOTICE:	Required, pursuant to section 13 of *The Public Notice Policy Bylaw, 2020.*
REFERENCE:	Regina Planning Commission, February 8, 2022, RPC22-4; City Council, February 16, 2022, CR22-9.
AMENDS/REPEALS:	Amends *The Regina Zoning Bylaw, 2019.*
CLASSIFICATION:	Regulatory
INITIATING DIVISION:	City Planning & Community Development
INITIATING DEPARTMENT:	Planning & Development Services

Regina Minor Football Canteen License

Date	March 2, 2022
To	Mayor Masters and City Councillors
From	Executive Committee
Service Area	Land, Real Estate & Facilities
Item #	CR22-14

RECOMMENDATION

That City Council:

1. Approve the City of Regina entering into an agreement for the license of a portion of the City-owned property located at Douglas Park and Leibel Field (3025 McDonald Street) as outlined on the attached Appendix A to Regina Minor Football 2000 Inc., consistent with the terms and conditions stated in this report.

2. Delegate authority to the Executive Director, Financial Strategy & Sustainability or their designate, to negotiate any other commercially relevant terms and conditions, as well as any amendments to the Agreement that do not substantially change what is described in this report and any ancillary agreements or documents required to give effect to the Agreement.

3. Authorize the City Clerk to execute the Agreement upon review and approval by the City Solicitor.

HISTORY

At the February 23, 2022 meeting of the Executive Committee, the Committee considered the attached EX22-17 report from the Financial Strategy & Sustainability Division.

The following addressed the Committee:

- Len Antonini, representing Regina Minor Football, Regina, SK.

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

Recommendation #4 in the attached report does not require City Council approval.
.
Respectfully submitted,

EXECUTIVE COMMITTEE

Interim City Clerk

ATTACHMENTS
EX22-17 - Regina Minor Football Canteen License
Appendix A - Diagram

Regina Minor Football Canteen License

Date	February 23, 2022
To	Executive Committee
From	Financial Strategy & Sustainability
Service Area	Land, Real Estate & Facilities
Item No.	EX22-17

RECOMMENDATION

The Executive Committee recommends that City Council:

1. Approve the City of Regina entering into an agreement for the license of a portion of the City-owned property located at Douglas Park and Leibel Field (3025 McDonald Street) as outlined on the attached Appendix A to Regina Minor Football 2000 Inc., consistent with the terms and conditions stated in this report.

2. Delegate authority to the Executive Director, Financial Strategy & Sustainability or their designate, to negotiate any other commercially relevant terms and conditions, as well as any amendments to the Agreement that do not substantially change what is described in this report and any ancillary agreements or documents required to give effect to the Agreement.

3. Authorize the City Clerk to execute the Agreement upon review and approval by the City Solicitor.

4. Approve these recommendations at its meeting on March 2, 2022, following the required public notice.

ISSUE

In September 2011, the Regina Minor Football 2000 Inc. (RMF) entered into an agreement with the City of Regina (City) to construct a building at Leibel Field that was to be used for a canteen and

storage. RMF was subsequently granted a License Agreement to have the building remain on the lands so that they could operate the canteen. As this agreement expired on October 31, 2021, the RMF has requested a new 10-year license agreement to continue to utilize City property for the placement and operation of the facility.

When considering agreements that provide an interest in City-owned property, standard procedure for Administration is to ensure that the property is made publicly available and the agreement is at market value. In this case, the space is being provided without a public offering and at less than fair market value, which requires City Council approval. It is recommended that City Council approve the City entering into a license agreement with the RMF for this space.

IMPACTS

Financial Impacts

As per the original Temporary Access and Installation Agreement and subsequent license agreement, RMF retains ownership of the building on the property and is responsible for all maintenance and operational costs. As the City's only interest is in the land, the estimated market value of the property is based solely on the value of the land which would be approximately $3,000 annually. The license is being recommended at no charge as the operation of the canteen is considered complementary to the operation of Leibel Field.

Policy/Strategic Impacts

The existence of a canteen located at this location aligns with the Official Community Plan (OCP) Section D7: Parks, Recreation and Open Space by contributing to the operation of City recreation in a multifunctional park with strategically placed facilities.

Environmental Impacts

City Council set a community goal for the City of achieving net zero emissions and sourcing of net zero renewable energy by 2050. In support of this goal, City Council asked Administration to provide energy and greenhouse gas implications of recommendations so that City Council can evaluate the climate impacts of its decisions. The recommendations in this report have limited direct impacts on energy consumption and greenhouse gas emissions.

OTHER OPTIONS

Option 1

The City could choose not to provide the license to RMF at no charge and instead charge the bare land market value of $3,000 annually. This is not recommended as the licensee is a non-profit corporation that uses the proceeds from their operation of the canteen to offset operation costs.

Option 2
The City could choose to not license the operation of the canteen to the RMF. This is not recommended as the building is owned by the RMF. Should the City choose not to approve the license, RMF would be required to remove the building from the property and the City would need to look for a different option to provide this amenity to Douglas Park and Leibel Field.

COMMUNICATIONS

Public notice is required for City Council to approve the lease of City-owned property without public offering and below market value. While this agreement is referred to as a license, it meets the description of a lease and therefore such notice must be given. Notice regarding this proposal has been advertised in accordance with public notice requirements.

The RMF will be informed of any decisions of the Executive Committee and City Council.

DISCUSSION

In 2011, RMF approached the City inquiring about the possibility of building and operating a canteen building at Leibel Field. In September of the same year, RMF and the City entered into an agreement to construct the building by way of an installation and maintenance agreement. RMF was subsequently granted an initial License agreement to operate the building on City property for a term of 10 years. Once the 10-year term was up, RMF and the City discussed the possibility of extending the License agreement to operate the canteen building and both have agreed that it is a vital amenity to the operation of Leibel Field and Douglas Park and that RMF has been an exceptional operator. Should the City choose not to provide a new agreement, administration would need to find a different option to provide this amenity to Douglas Park and Leibel field resulting in additional capital costs to construct a new building.

The RMF is one of the main users of Leibel Field and regularly utilizes the field. They also invested a substantial amount of money into the facility. RMF's head office building is also located in the same area.

Administration is recommending a license for 10 years commencing on November 1, 2021. Administration also recommends that no fee be charged as the City's interest is solely in the land that the building sits on and the use of the building is seen as an auxiliary use of Leibel Field. The license is specific to the right to occupy the lands in order to use, keep and maintain the canteen building. RMF is responsible for all costs and expenses related to the building including all operation and maintenance costs. The building is only to be used as a canteen and other related purposes and storage.

DECISION HISTORY

On October 17, 2011, City Council considered item CR11-120 and approved the current license of the lands on a ten-year term that expired October 31, 2021.

Respectfully submitted,

Shauna Bzdel, Director, Land, Real Estate & Facilities 1/19/2022

Respectfully submitted,

Barry Lacey, Exec. Director, Financial Strategy & Sustainability 1/25/2022

Prepared by: Sherri Hegyi, Real Estate Officer

ATTACHMENTS

Appendix A - Diagram

Appendix A

1:1,000

REGINA
Infinite Horizons
City of Regina

Financial Strategy & Sustainability/Land & Real Estate/Real Estate

Project: Subject Land

10/7/2021 O:\RA\Real Estate\LotAdjust\McDonald St 3025 Map21 Air.mxd

Any Dimensions shown are approximate values in metres

Regina Windy Flyers Lease – Kings Park

Date	March 2, 2022
To	Mayor Masters and City Councillors
From	Executive Committee
Service Area	Land, Real Estate & Facilities
Item #	CR22-15

RECOMMENDATION

That City Council:

1. Approve the City of Regina entering into an agreement for the lease of the portion of City-owned property located at SE 13-19-19-W2M at Kings Park (identified on the attached Appendix A) to Regina Windy Flyers, consistent with the terms and conditions stated in this report.

2. Delegate authority to the Executive Director, Financial Strategy & Sustainability or their designate, to negotiate any other commercially relevant terms and conditions, as well as any amendments to the agreement that do not substantially change what is described in this report and any ancillary agreements or documents required to give effect to the agreement.

3. Authorize the City Clerk to execute the agreement upon review and approval by the City Solicitor.

HISTORY

At the February 23, 2022 meeting of the Executive Committee, the Committee considered the attached EX22-18 report from the Financial Strategy & Sustainability Division.

The following addressed the Committee:

- Terry Truelove, representing Regina Windy Flyers, Regina, SK.

The Committee adopted a resolution to concur in the recommendation contained in the report.
.
Recommendation #4 in the attached report does not require City Council approval.

Respectfully submitted,

EXECUTIVE COMMITTEE

Interim City Clerk

ATTACHMENTS
EX22-18 - Regina Windy Flyers Lease – Kings Park
Appendix A - Lease Area Map

Regina Windy Flyers Lease – Kings Park

Date	February 23, 2022
To	Executive Committee
From	Financial Strategy & Sustainability
Service Area	Land, Real Estate & Facilities
Item No.	EX22-18

RECOMMENDATION

The Executive Committee recommends that City Council:

1. Approve the City of Regina entering into an agreement for the lease of the portion of City-owned property located at SE 13-19-19-W2M at Kings Park (identified on the attached Appendix A) to Regina Windy Flyers, consistent with the terms and conditions stated in this report.

2. Delegate authority to the Executive Director, Financial Strategy & Sustainability or their designate, to negotiate any other commercially relevant terms and conditions, as well as any amendments to the agreement that do not substantially change what is described in this report and any ancillary agreements or documents required to give effect to the agreement.

3. Authorize the City Clerk to execute the agreement upon review and approval by the City Solicitor.

4. Approve these recommendations at its meeting on March 2, 2022 following the required public notice.

ISSUE

The Regina Windy Flyers are a non-profit group that have leased the subject lands, being a portion of property located at Kings Park (identified on the attached Appendix A), from the City of Regina

(City) since 1994. Their previous lease expired on December 31, 2021. The group has requested a new lease.

When considering the lease of City-owned property, standard procedure for Administration is to ensure that the property is made publicly available and leased at market value. In this lease, the land is being provided without a public offering, which requires City Council approval. It is recommended that City Council approve the City entering into a lease agreement with the Regina Windy Flyers for this space.

IMPACTS

Financial Impacts

The lease area contains infrastructure built and installed by the Regina Windy Flyers that is specific to their use. This land is not currently developable, therefore, has limited revenue opportunities. It could be utilized for hay or grazing land, with revenues from those activities estimated to be less than the proposed annual lease rate of $1,000. The proposed agreement of $1,000 annually is an increase of $325 from the Windy Flyers' previous lease rate. The lessee would also be responsible for insurance, as well as the maintenance and operations of the property including any property tax assessed by and payable to the RM.

Environmental Impacts

City Council set a community goal for the City of achieving net zero emissions and sourcing of net zero renewable energy by 2050. In support of this goal, City Council asked Administration to provide energy and greenhouse gas implications of recommendations so that City Council can evaluate the climate impacts of its decisions. The recommendations in this report have limited direct impacts on energy consumption and greenhouse gas emissions.

OTHER OPTIONS

The City could choose to not lease the property and or lease the land for hay or grazing. This is not recommended as the Regina Windy Flyers have occupied the area since 1994 and completed numerous improvements to the land that are specific to the operation of their club including the installation of a small runway to be used exclusively by radio-controlled model airplanes.

COMMUNICATIONS

Public notice is required for City Council to approve the lease of City-owned property without public

offering. Notice regarding this proposal has been advertised in accordance with *The Public Notice Policy Bylaw, 2020*.

The Regina Windy Flyers will be informed of any decisions of the Executive Committee and City Council.

DISCUSSION

The Kings Park area is home to a number of non-profit organizations including The Regina Auto Racing Club, The Regina And Area Motocross Club, The South Sask Kart Club and The Regina Windy Flyers, which have benefited from the use of City owned land located in the RM. The Regina Windy Flyers is a non-profit corporation that promotes the use of radio-controlled model airplanes. They have leased the lands from the City since 1994 and have made multiple improvements to the land to make it suitable for their use. The City has not received concerns with the operation of the property under its current use.

The Windy Flyers' most recent lease was approved by City Council in 2011 for 10 years. In 2017, a subsequent amendment was approved by City Council to expand their lease area from 30 acres to the current 35 acres in order to provide for a better flight path for the club. The proposed agreement may be cancelled by either party upon 30 days written notice to the other party.

The subject area is approximately 35 acres in size and the proposed lease is for 10 years. The proposed lease rate is $1,000 plus GST annually which is considered market value for this property. The lessee will also be responsible for all property tax assessed on the property by the RM, as well as the ongoing operation and maintenance of the lands.

Administration is recommending approval of the lease.

DECISION HISTORY

In January 2001, City Council considered and approved a new lease of the lands for a five-year term with one option to renew for an additional five years.

In September 2011, City Council considered and approved the current lease of the lands on a ten-year term that is set to expire on December 31, 2021.

In October 2017, City Council considered and approved the addendum to the current lease adding the additional 5.1 acres.

Respectfully submitted,

Shauna Bzdel, Director, Land, Real Estate & Facilities 1/19/2022

Respectfully submitted,

Barry Lacey, Exec. Director, Financial Strategy & Sustainability 1/25/2022

Prepared by: Sherri Hegyi, Real Estate Officer

ATTACHMENTS

Appendix A - Lease Area Map

Appendix A

1:4,500

Real Estate Branch, City Planning & Development Div.

Project: Leases Kings Park

Civic Address: NA - Kings Park Leased Land
Legal Description: SE 13-18-19-2 Ext 0

N

Subject Parcel

Leased Land

23 Jun 2021 O:\RA\Real Estate\LotAdjust\Kings Park Map17 Air.mxd

Any Dimensions shown are approximate values in metres

Good Morning,

My name is Archibald Jephtas-Crail. I am a homeowner living in Ward 10 with my wife.

Behind our home is a city-owned easement, where snow collects over the winter, then melts again in spring, flooding the easement. There is nowhere for the snow melt to run to, and so it runs up against our home's foundation, causing seepage, flooding, and damage. I am requesting City Council, if you could, please provide a drainage system so the water doesn't run towards our home. Our situation is not unique, and we have done all we can to fix the problem, but the solution is to fix the city-owned easement.

We have had this issue for many years and have appealed to the City to fix the problem. We have made many Service Regina requests to the 777-7000 number. City Council said engineers had come, but no changes were made to the easement, and so the water continues to damage our home. We have tried to protect our home, insulating our house with waterproof barriers, create physical barriers and adjusting grading on our property, but the flooding keeps happening due to no changes to the easement drainage system, and so the water from the snow melt continues to run into the house. We have had multiple insurance claims over the past 10 years as a result.

Despite my pleas to City Council over the years, nothing has been done to alleviate the problem of water collecting in the easement and seeping into my basement. While Mayor Fiacco was in office, my wife and I made an appointment to come see him to discuss this problem and find a solution, but he never made an appearance. Thus I beg your indulgence to allow me to speak with you and explain my request

My only request is that City Council provide a drainage system for the existing easements, and that the easement adjacent to our home be fixed to allow water to run away to the street, instead of continuing to cause damage to our home at our expense.

Thank you,

Archibald Jephtas-Crail

Regina & Region
Home Builders'
Association

100-1801 MacKay Street
Regina, Saskatchewan, S4N 6E7

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s.niebergall@reginahomebuilders.com
www.reginahomebuilders.com

February 15, 2022

City Council
City of Regina

Subject: Drainage and Lot Grading Bylaw Amendments

Dear City Council,

The Regina & Region Home Builders' Association supports the City Administration recommendations for amendments to the Drainage and Lot Grading Bylaw. It appears to hold everyone, including homeowners, more accountable to ensuring the neighbourhoods and their infrastructure works the way they were designed to.

Regina's newest neighbourhoods are designed to the highest standards for drainage which is regulated by the City of Regina Design Standards. The City of Regina Design Standards ensure good lot drainage occurs directing stormwater runoff away from properties and off to public roadways and stormwater infrastructure.

The recommendation provides a good remedy for when property owners make choices that alter the existing lot grades. Examples are choices in how they landscape and/or choices in how and where they add additional structures, which can alter the lot grades.

The additional grade points that Builders will be required to provide for the new Elevation Certificates ensures the lot grades are correct at the final inspection and occupancy of the new home.

When items arise between neighbours related to drainage, the recommendations provide the City of Regina the mechanism to address the property owners in dispute gently, yet provide resolution.

The RRHBA can align with these recommendations and work with the City Administration in three areas of focus that require communication and education:

1. Create better understanding to meet these design elevations at turnover/occupancy to new homeowners;
2. Help homeowners understand at the onset what these elevations mean and how they need to maintain these elevations in their yard; and

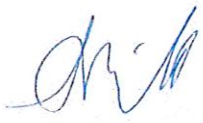
3. Educate landscapers and fence builders on the need to adhere to the grading plan and make sure that they do not change or block or modify the drainage path between homes.

As example, we are in the early stages of engaging with City of Regina Communications & Engagement on how the RRHBA can promote the City of Regina Good Neighbour Guide initiative.

What the City can add to this collaboration, which we can not, is enforcement.

We encourage you to support these recommendations.

Thank You,



Stu Niebergall
President & CEO

Drainage and Lot Grading Bylaw Amendments

Date	March 2, 2022
To	Mayor Masters and City Councillors
From	Executive Committee
Service Area	Water, Waste & Environment
Item #	CR22-16

RECOMMENDATION

That City Council:

1. Amend *The Wastewater and Storm Water Bylaw, 2016, Bylaw No. 2016-24* to allow for the enforcement practices and principles related to the recommendations of CR21-27 Drainage and Lot Grading Regulations that was approved by Council on February 24, 2021 as detailed in Appendix A to this report.

2. Repeal the specified sections of A Bylaw of The City of Regina Pursuant to the Provisions of *The Uniform Building and Accessibility Standards Act* and *The Cities Act, Bylaw No. 2003-7* in accordance with Appendix B to this report.

3. Repeal the specified section of *The Regina Community Standards Bylaw, Bylaw No. 2016-2* in accordance with Appendix C to this report.

4. Instruct the City Solicitor to prepare the necessary bylaw amendments to give effect to recommendations 1, 2 and 3 above which are to be brought forward to a meeting of City Council following approval of these recommendations and the required public notice.

HISTORY

At the February 23, 2022 meeting of the Executive Committee, the Committee considered the attached EX22-19 report from the Citizen Services Division.

The Committee adopted a resolution to concur in the recommendation contained in the report after amending recommendation #5 to read as follows:

5. Approve these recommendations at its meeting on March 2, 2022.

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Recommendation #5 does not require City Council approval.

Respectfully submitted,

EXECUTIVE COMMITTEE

Interim City Clerk

ATTACHMENTS

EX22-19 - Drainage and Lot Grading Bylaw Amendments
Appendix A - Wastewater and Storm Water Bylaw Changes
Appendix B - The Building Bylaw No. 2003-7 changes
Appendix C - Regina Community Standards Bylaw No. 2016-2

Drainage and Lot Grading Bylaw Amendments

Date	February 23, 2022
To	Executive Committee
From	Citizen Services
Service Area	Water, Waste & Environment
Item No.	EX22-19

RECOMMENDATION

The Executive Committee recommends that City Council:

1. Amend *The Wastewater and Storm Water Bylaw, 2016, Bylaw No. 2016-24* to allow for the enforcement practices and principles related to the recommendations of CR21-27 Drainage and Lot Grading Regulations that was approved by Council on February 24, 2021 as detailed in Appendix A to this report.

2. Repeal the specified sections of A Bylaw of The City of Regina Pursuant to the Provisions of *The Uniform Building and Accessibility Standards Act* and *The Cities Act, Bylaw No. 2003-7* in accordance with Appendix B to this report.

3. Repeal the specified section of *The Regina Community Standards Bylaw, Bylaw No. 2016-2* in accordance with Appendix C to this report.

4. Instruct the City Solicitor to prepare the necessary bylaw amendments to give effect to recommendations 1, 2 and 3 above which are to be brought forward to a meeting of City Council following approval of these recommendations and the required public notice.

5. Approve these recommendations at its meeting on February 16, 2022.

ISSUE

This report has been prepared to provide City of Regina (City) Council with recommendations for

amendments to the affected City bylaws as a result of item *CR21-27 Drainage and Lot Grading Regulations* (CR21-27) that was considered by City Council on February 24, 2021.

This report addresses the related recommendation that directed the Administration to create a new bylaw to allow for the protection of City-owned drainage infrastructure and for the full enforcement of new and existing lot grading regulations. The Administration reviewed the need for a new bylaw and determined that the proposed amendments to *The Regina Community Standards Bylaw Bylaw No. 2016-2 (*Community Standards Bylaw*), A Bylaw of the City of Regina Pursuant to the Provisions of The Uniform Building and Accessibility Standards Act* and *The Cities Act Bylaw No. 2003-7* (Building Bylaw), and *The Wastewater and Storm Water Bylaw, 2016 Bylaw No. 2016-24* (Wastewater and Storm Water Bylaw) would address the direction from Council.

IMPACTS

Financial Impact

City Council directed Administration to include up to $366,000 in the 2022 budget. The proposed budget included $125,000 in one-time capital expenditures to support the public awareness campaign, purchase equipment and vehicles and an operating budget of $225,000 to support the creation of two new positions to deliver the new service.

Environmental

City Council set a community goal for the City of achieving net zero emissions and sourcing of net zero renewable energy by 2050. In support of this goal, City Council asked Administration to provide energy and greenhouse gas implications of recommendations so that Council can evaluate the climate impacts of its decisions. The recommendations in this report have limited direct impacts on energy consumption and greenhouse gas emissions.

Sources of runoff such as rainwater, snowmelt and sump pump discharge water are proposed to be inclusively managed by the Wastewater and Storm Water Bylaw through these recommendations. The recommendations concerning the management of these sources will provide the legal framework for protecting the City's stormwater infrastructure. This protection will ensure that the City remains resilient to climate change by regulating enforcement of any damages to altering, blocking or disrupting our public drainage system.

The recommendations will also provide for the security of the water quality of stormwater that enters the public drainage system. It is important to ensure that our bylaw allows for the regulation and prosecution of offences that may harm the environment, as all stormwater eventually flows into the natural system.

Changes are also recommended to the section that provides clear water waste management. Clear water waste means water originating from a roof or a sump pump. This section contains information

related to splash pads for dispersing these types of water sources. The section is proposed with language to allow for alternative solutions that the Executive Director may approve.

These proposed amendments are intended to ensure that any landowners that would like to explore creative or innovative ways of managing this water could do so, as the previous language was restrictive to a concrete splash pad.

Policy/Strategic Impact

The adoption of the recommendations aligns best with delivering reliable service. The proposed recommendations would remove unenforceable provisions from the Building Bylaw. It would provide amendments to the Wastewater and Storm Water Bylaw to allow for the bylaw to support the process of regulating lot grading. The amendments reduce the ambiguity of the regulation of lot grading and support service reliability.

Risk/Legal

Sections 2.8 and 2.9 of the Building Bylaw appear to regulate lot elevations for new and existing buildings. However, these provisions are not enforceable because they are outside the provincial legislative regime that authorizes the Building Bylaw, which is *The Uniform Building and Accessibility Standards Act*. Therefore, the Government of Saskatchewan (Province) declined to approve the provisions, which resulted in the provisions being unenforceable. The transfer of modified versions of these sections to the Wastewater and Storm Water Bylaw will allow the City to enforce these requirements. This enforcement is required for the regulation of lot grades. It is also beneficial for protecting City assets in cases where drainage issues may lead to damage or unacceptable risk to the asset or City property.

In addition to the changes proposed to the Building Bylaw and the Wastewater and Stormwater Bylaw, there is a minor change to the Community Standards Bylaw related to eavestroughs. The related section will migrate to the Wastewater and Storm Water Bylaw. The Wastewater and Storm Water Bylaw is proposed with other housekeeping amendments such as, but not limited to, enforcement practices, the delegation of authority, corporate structure and protection of City assets. The changes were logged in side-by-sides found in Appendix A, B and C.

OTHER OPTIONS

If City Council has specific concerns, the report may be referred back to the Administration to be considered by Executive Committee or brought back directly to City Council. Delays to the report may impact the readiness of the program for spring of 2022.

COMMUNICATIONS

Interested parties received a copy of the report and notification of the meeting. Interested parties will receive written notice of City Council's decisions. An awareness campaign will launch after

implementation of the bylaws to educate residents on the new line of service and how to maintain proper drainage on their properties. The primary focus of the strategy is to inform and educate homeowners on the following:

- Lot grading guidelines
- Lot grading requirements
- Infill lot grading plans
- Lot grading enforcement process
- Frequently asked questions about lot grading for residential properties

In addition to the topics identified above for Regina.ca, the City will use supplementary communications tactics to inform residents of lot grading and drainage obligations, remind residents of the positive impact of property maintenance and the penalties for failing to comply.

The City will continue to work with businesses in the community, Regina & Region Homebuilders Association (RRHBA) and the Association of Regina Realtors (ARR) to share educational materials that outline best practices on lot grading and drainage to their members. The City will distribute this information via the developer and realtor for the property.

DISCUSSION

Lot Grading: Current Process

Lot drainage is any aspect of grading, constructed elements, or landscaping that directs stormwater runoff on a lot (resulting from rain, hail, or snow) to flow overland from the property. Good lot drainage directs stormwater runoff away from and off permanent structures (homes and garages) to public roadways, landscaped areas, or drainage swales. Before 1974, lot grade controls were not required by the City. Instead, owners and home builders were responsible for setting their lot grading controls on the property's front, side, and rear.

At present, in Regina, individual lots are created through the subdivision process that is governed by *The Planning and Development Act, 2007*. During this development process, the City requires that rear lot elevation plans be designed and submitted to the City for review and approval. During the construction of a new home, approved rear lot elevations are assessed to ensure that positive grading is achieved when the development project is constructed. A rear lot elevation certificate is required to complete the final occupancy of the unit through the building permit process. There are current challenges with the process for new home construction on infill lots, as rear lot elevation plans may not exist.

Due to Regina's relatively flat topography and clay soil types, existing neighbourhoods' established lot grades deteriorate over time. This degradation, along with property owner modifications that do not require a development permit, leads to lot grading issues. These issues are typically found along

common property lines between neighbouring properties. While there can be any number of property specific factors causing many grading issues, most problems are caused by three typical scenarios:

- The natural process of ground movement in Regina results in a degradation of positive lot drainage
- Utility company maintenance work conducted in easements
- Property owner altering the existing lot grades with landscaping

The City provides technical information and advice concerning lot grading when issues arise between property owners. Staff work with residents to determine and establish the original design grades to support the resolution of the problem. Under the current process, the City has no means to enforce lot grading and considers it a civil matter between neighbours. The proposed changes to the bylaws allow the City to actively enforce lot grading where there are approved lot grades.

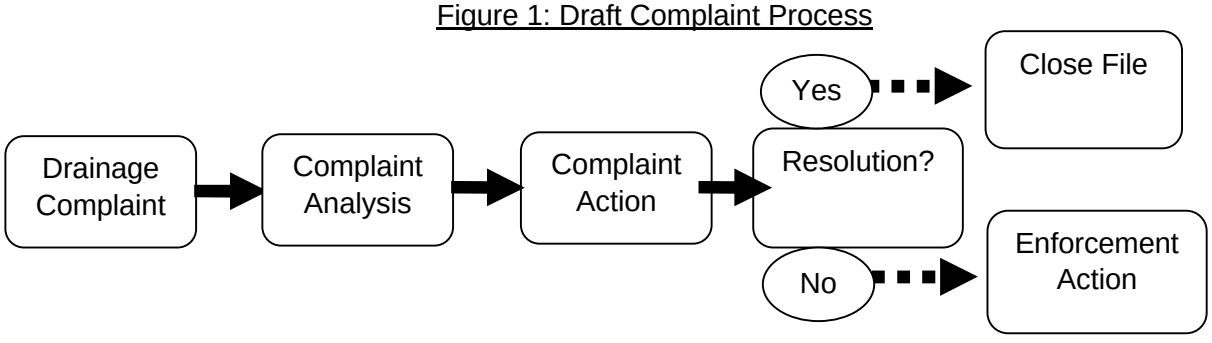
Older neighbourhoods with no approved lot grades will require the Administration to work through the specific issues for those lots. The changes also allow the City to enforce other drainage matters as per Council direction through CR21-27. This report deals specifically with amending the bylaws to enable the Administration to develop the program for enforcement. All other aspects from the direction of CR21-27 are underway in conjunction with this work.

Potential Enforcement Process

The proposed amendments to the bylaws allow the City to continue developing the drainage enforcement business practice. Council communicated during the discussion of CR21-27 that the program is oriented and focused on property owner education and support to ensure compliance where there are lot grading controls. This approach was recognized as being successfully used in the City of Saskatoon. Many of the proposed bylaw amendment elements were adopted and modified from Saskatoon for use in Regina.

The proposed process is as follows:

Figure 1: Draft Complaint Process



The approach will be recognized in the details of the first three work breakdowns shown that lead up to a resolution. Currently, drainage complaints are decentralized across the organization concerning the service request system. These service requests/complaints will be centralized to the new assigned resources as part of the new program. Once a request is received, these new resources will analyze the issue.

The intent of the approach is that administration resolves simple drainage matters over the phone, provides educational material and encourages discussion of issues between neighbouring property owners. If the property owner cannot resolve the problem, administration will arrange a property inspection. The initial property inspection will determine if a survey is required. If surveying is required, notification will be sent out to all the affected property owners. Once the survey is collected, the data is analyzed for any properties not in compliance with the approved (if existing) lot grades. Property owners who are not in compliance will be issued a notification that they must make some grading changes on their lot to bring it back in compliance. The property owner will be given reasonable time for voluntary compliance and will be encouraged to contact the City if they require additional time or support.

If compliance is still not achieved beyond the efforts described above, then the City will issue an order to remedy the contravention (if there is an actual contravention of lot grading specification).

The City will give reasonable time to the property owner to remedy the violation. If compliance is still not achieved, the City begins the prosecution process. This process would result in the City conducting the work to rectify the contravention and recover the costs by adding them to the property tax.

This report provides recommendations for amending the applicable bylaws to allow for enforcement of lot drainage specifications should this approach result in no action from the property owner.

Proposed Bylaw Amendments: Wastewater and Stormwater Bylaw

Generally, the Wastewater and Stormwater Bylaw was reviewed and updated with housekeeping amendments that allowed it to be current. Examples of this housekeeping review are removing redundancies, gender-inclusive language, spelling errors, legal updates associated with the act, and other minor formatting errors.

Definitions

Definitions changed to ensure consistency across other corporate policies, bylaws and documents. In addition, definitions that supported the regulation of drainage and lot grading were migrated from the Building Bylaw.

The introduction of the public drainage system definition allows for the language in the bylaw to apply to the entire system and not just storm sewers. For example, the City would regulate a storm drain or pipe, but a storm channel would not be regulated. This new definition required supporting definitions related to the technical components of this system.

The introduction of the definition for ground-oriented residential housing provides clarity and consistency for applying lot grading regulation. The Building Bylaw provided lot grading regulations for single-family dwellings or duplex housing but did not consider other similar housing types.

This new definition provides more comprehensive coverage of similar housing such as townhouses, duplex housing, various styles of single-detached housing, or row housing. These housing products interact similarly with the drainage system when considering lot sizing, roof area, and private driveways or parking.

Clear Water Waste

The Administration proposed changes to this section of the bylaw to support regulation around clear water waste. Clear water waste is typically water that originates from a roof or a sump pump. Many of the introduced sections were migrated from The Building Bylaw and modified to address the intent of CR21-27. Most of the regulatory context for this section is to ensure the swift removal of clear water waste from the immediacy of the building, not to cause foundation damage. It includes options for compliance with many industry-available dispersal systems. Language is also introduced that recognizes that the City does not have standards for drainage management systems such as rain gardens or infiltration systems.

The language introduced will provide landowners with an alternative dispersal solution if property owners wish to propose one.

Control of Grade Elevations

The entire premise of this section is a direct result of the instruction from CR21-27. The Administration migrated much of the section from the Building Bylaw. The section intends to allow for the regulation of all lot grading on a property where there is specified lot grading requirements. It also provides the submission standards for lot grading for ground-oriented residential housing. The Administration added the language to ensure that it is clear that no person shall cause the grading on a property to vary from the approved grade elevations without prior approval of the City.

This section also intends to ensure that it is clear that the property owners' responsibility is to maintain the property to the grade elevations on the approved lot grading plan. This section will support the practices of the new program.

Drainage into the Public Drainage System

Much of the proposed changes to this section are content migrated from The Building Bylaw. This section intends to ensure that all properties in the City are connected to the storm sewer. The section provides drainage regulations for properties that are not ground-oriented residential housing. This section typically would apply to commercial, industrial or higher density residential land uses. You see this section in action when a commercial site is constructed with a private drainage system. The property owner maintains the private drainage system. However, it connects to the public drainage system through a storm sewer or other means. The Administration added new content to this section to ensure that the public drainage system is protected from any alterations, new installations or obstructions without prior consent from the City.

In addition to these proposed changes to the Wastewater and Stormwater Bylaw, changes are also offered for the Building Bylaw and the Community Standards Bylaw. The proposed modifications to these bylaws compliment the direction of CR21-27 by repealing the impacted sections and housing the content in one bylaw. In particular, the provisions in the Building Bylaw are not enforceable because they are outside the provincial legislative regime that authorizes the Building Bylaw. This regime is the Uniform Building and Accessibility Standards Act. The Province has therefore declined to approve the provisions, which results in the provisions being unenforceable. The provision in the Community Standards Bylaw is related to the eavestrough and clear water waste and is now redundant. All proposed bylaw changes can be found in Appendix A, B and C.

Next Steps

As indicated, this report proposes changes to the bylaws to support the enforcement and overall direction of CR21-27. There is concurrent work underway as part of the direction of CR21-27. This related work will provide for lot grading guidelines, a reconfigured webpage on Regina.ca, and the review of related processes when the program is operational.

Generally, the Administration will focus most of the efforts following this report on the launch of the awareness campaign and website material. This communication and information initiative is critical to support the approach planned for enforcement.

Other immediate work is related to hiring the positions to support the delivery of the program. The program is targeted to be fully operational before spring of 2022 to ensure that drainage complaints are managed within the new program.

DECISION HISTORY

On July 29, 2019, Council supported the motion MN19-10, which directed the Administration to prepare a report for the Public Works and Infrastructure Committee by Q2 of 2020.

This report was deferred to Public Works and Infrastructure Committee to Q1 of 2021 due to the

operational impacts and revised priorities resulting from COVID-19. On August 26, 2020, Council supported the motion MN20-15.

On February 24, 2021, Council amended and supported the recommendations of CR21-27.

This report recommends the required bylaws to create a legal framework to support the new program.

Respectfully submitted,

Kurtis Dorney, A/Executive Director, Citizen Services 1/20/2022

Respectfully submitted,

Kim Onrait, Executive Director, Citizen Services 1/26/2022

Prepared by: Dustin McCall, Manager, City Projects

ATTACHMENTS

Appendix A - Wastewater and Storm Water Bylaw Changes
Appendix B - The Building Bylaw No. 2003-7 changes
Appendix C - Regina Community Standards Bylaw No. 2016-2

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	**Section Header**	**Section Reference**				
Amendments Page	Amendments Page	Amendments Page	Amend	The section provides a tabulated list of amendment dates.	A line will be added to provide for this amendment.	To provide the user with information and consistency for records of amendments.
Table of Contents	Table of Contents	Table of Contents	Amend	The existing table provides the reader with direction of content and related page numbers with respect to each section of the bylaw. There is a known reference error on the published bylaw. The published document doesn't allow for partial digital linking of pages. This means you cannot just click on the Table of contents section and go directly to that section for the entire document.	The proposed table of contents will reflect the changes made to section in the bylaw. The reference error will be fixed. The document will be made into a digital portable document format (PDF) with live links to allow for the section to be "clickable".	End users for public municipal documents expect the document to be in the best-known format for use. PDF with live links suites the end users needs of a searchable document with the ability to click on linked sections within the table of contents.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
Part I: Definitions and Interpretations	Purpose	2(a)	Amend	regulate the collection and disposal of wastewater, storm water, and a variety of materials and to levy appropriate fees and penalties in relation to those substances;	regulate the collection and disposal of wastewater, storm water, clear water waste and a variety of materials and to levy appropriate fees and penalties in relation to those substances;	The regulation of clear water waste was a clear direction from Council in report CR21-27. This provides for the regulation of sump pump discharge and roof top water.
Part I: Definitions and Interpretations	Purpose	2(b)	Amend	to protect the public sewage works and its processes from damage, obstruction, toxic upset, or loss of efficiency;	to protect the public sewage works and public drainage system and their processes from damage, obstruction, toxic upset, or loss of efficiency;	The regulation of drainage requires the new definition of public drainage system within the bylaw. This is reflective of that change.
Part I: Definitions and Interpretations	Purpose	2(d)	Amend	to control the flow and composition of releases of wastewater and substances to the public sewage works;	to control the flow and composition of releases of wastewater, storm water, clear water waste and substances to the public sewage works and public drainage system;	The changes are reflective to includes the purpose to allow for the control of storm water, clear water waste and generally all releases to the public drainage system.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
Part I: Definitions and Interpretations	Purpose	2(e)	Amend	to provide for a system of rates, fees and charges for various types of use of the public sewage works;	to provide for a system of rates, fees and charges for various types of use of the public sewage works and public drainage system;	The addition of public drainage system to allow for the potential of any rates that may be included in the future related to the regulation of public drainage.
Part I: Definitions and Interpretations	Purpose	2(f)	Amend	to provide for a system of permits or other permissions that facilitate the imposing of conditions on releases to the public sewage works.	to provide for a system of permits or other permissions that facilitate the imposing of conditions on releases to the public sewage works and public drainage system; and	To allow for the purpose of the bylaw to include, if required, any drainage or lot regulations.
Part I: Definitions and Interpretations	Purpose	2(g)	Addition	N/A	(g) to regulate the drainage of storm water and clear water waste between private properties to protect property, City infrastructure, and abate nuisances.	This is the primary intent of Council's direction with CR21-27. This will allow for the for bylaw to regulate or enforce drainage activities of private lands.
Part I: Definitions and Interpretations	Definitions	3(b)	Amend	**"adverse effect"** means impairment of, or damage to, any one or more of the following:	"**adverse effect**" means impairment of, or damage to, any one or more of the following:	This is related to the direction in CR21-27. This will allow for the

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
				(i) human health or safety; (ii) property; (iii) the environment; and (iv) the public sewage works.	(i) human health or safety; (ii) property; (iii) the storm sewer; (iv) the environment; (v) the public sewage works; and (vi) the public drainage system;	changes in the definition of adverse effect to include drainage related infrastructure or stormwater related damage.
Part I: Definitions and Interpretations	Definitions	3(c.1)	Addition & Amend	"**benchmark**" means a definite point, more or less of a permanent character, having a location and an elevation assigned by the Director of Planning and Sustainability;	"**benchmark**" means as defined in Bylaw No. 2003-07, being *The Regina Building Bylaw.*	The definition refers to the Building bylaw.
Part I: Definitions and Interpretations	Definitions	3(f)	Amend	**"Building Bylaw"** means Bylaw No. 2003-7, being A Bylaw of the City of Regina Pursuant to the Provisions of *The Uniform Building and Accessibility Standards Act*;	"**Building Bylaw**" means Bylaw No. 2003-7, being A Bylaw of the City of Regina Pursuant to the Provisions of The Uniform Building and Accessibility Standards Act and The Cities Act;	The definition was modified to reflect that the Building bylaw includes reference and section that pertain to the Cities Act.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
Part I: Definitions and Interpretations	Definitions	3(g)		"**Bylaw Enforcement Officer**" means any person employed by the City in one of the following positions: (i) Manager of Bylaw Enforcement; (ii) Senior Bylaw Enforcement Officer; (iii) Bylaw Standards Officer; and (iv) Bylaw Enforcement Officer.	"**Designated Officer**" for the purpose of this Bylaw and *The Cities Act* means any person employed by the City in one of the following positions: (i) Manager of Bylaw Enforcement; (ii) Senior Bylaw Enforcement Officer; (iii) Bylaw Standards Officer; and (iv) Bylaw Enforcement Officer; and (v) Drainage Control Inspector; or (vi) City Manager or such other person as may be appointed by the City Manager.	The new positions that were created and approved as per Council direction in CR21-27 are now reflected in the definition. This allows the positions to enforce the regulations within the related sections in the bylaw.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
Part I: Definitions and Interpretations	Definitions	3(l)	Amend	**"City Manager"** means the City Manager for the City of Regina and anyone acting under the instructions of the City Manager in carrying out the provisions of this Bylaw;	"**City Manager**" means the City Manager for the City of Regina, or designate or anyone acting under the instructions of the City Manager in carrying out the provisions of this Bylaw;	The definition was changed to include the term designate. This allows for the delegated authority from Council to be change throughout the report to the City manager. Furthermore, it allows the City manager to designate to the staff that are required to conduct this work.
Part I: Definitions and Interpretations	Definitions	3(m)	Amend	**"clear water waste"** means water originating from sources other than public sewage works or private sewage works, that meets applicable law for release into the environment, and may include, but is not limited to:	"**clear water waste**" means water originating from sources other than public sewage works or private sewage works, that meets applicable law for release into the environment or public drainage system, and	The definition was modified to recognize the new definition of public drainage system.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
				(i) water from roof; (ii) remediated groundwater; (iii) impounded storm drainage or impounded groundwater; (iv) non-contact cooling water; or (v) weeping tile discharge;	may include, but is not limited to: (i) water from roof; (ii) remediated groundwater; (iii) impounded storm drainage or impounded groundwater; (iv) non-contact cooling water; or (v) weeping tile discharge;	
Part I: Definitions and Interpretations	Definitions	3(s)	Amend	**"discharge"** means the action of transferring flow to the public sewage works, private sewage works, storm sewer, or other designated location;	"**discharge**" means the action of transferring flow to the public sewage works, private sewage works, public drainage system, private drainage system or other designated location;	The definition was modified to allow for the recognition of the new definition of public drainage system and private drainage systems.
Part I: Definitions and Interpretations	Definitions	3(s.1)	Addition	**N/A**	"**discharge dispersal system**" means splash blocks or gravel-filled trenches that serve to spread roof runoff over	The addition of this definition provides flexibility in the selection of the dispersal tool

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
					vegetated pervious areas.	available to land owners. There are a variety of pre-engineered splash blocks available for purchase through home improvement stores. The City doesn't have a risk in managing the type of system used to disperse the clear water waste flow, but is more interested in the distance it is dispersed from the building.
Part I: Definitions and Interpretations	Definitions	3(u)	Delete	**"drainage system"** means an assembly of pipes, fittings, fixtures, traps and appurtenances that is used to convey wastewater, clear water waste or storm water to a public sewer or private sewage works but does not	Repealed.	The definition was only used in section 3(kk) interceptor. Section 3(kk) was modified and updated to use consistent definitions. This definition is no longer required.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
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				include subsoil drainage pipes;		
Part I: Definitions and Interpretations	Definitions	3(v)	Amend	**"dwelling unit"** means dwelling unit as defined in Bylaw No. 9250 being *The Regina Zoning Bylaw*;	"**dwelling unit**" means dwelling unit as defined in Bylaw No. 2019-19 being The Regina Zoning Bylaw, 2019;	Updated to reflect the new zoning bylaw reference.
Part I: Definitions and Interpretations	Definitions	3(w)	Amend	**"effluent meter"** means a device installed to measure the flow of wastewater discharged to the collection system;	"**effluent meter**" means a device installed to measure the flow of wastewater discharged to the public sewage works or private sewage works;	Updated for consistency using the already defined definitions of public sewage works or private sewage works. Collection system was not previously defined.
Part I: Definitions and Interpretations	Definitions	3(w.1)	Amend	**"Executive Director" means** the Executive Director, Transportation and Utilities, or his or her designate;"	**"Executive Director"** means the Executive Director, Citizen Services or designate;"	Modified to reflect the current administrative structure and for gender neutrality.
Part I: Definitions and Interpretations	Definitions	3(x.1)	Addition	N/A	(x)"**final grade elevation** " means the surface grades and elevations to prepare the lot for landscaping;	The definition is required to successfully regulate final grades.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
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Part I: Definitions and Interpretations	Definitions	3(z.1)	Addition	"**elevation**" means the vertical distance above or below mean sea level;	"**elevation**" means as defined in Bylaw No. 2003-07, being *The Regina Building Bylaw.*	Definition from Building Bylaw.
Part I: Definitions and Interpretations	Definitions	3(bb.1)	Addition & Amend	"**grade elevation or grade line**" means the elevations of the finished ground surface at a specific point on a lot or the finished ground elevation at any point on the required slope or slopes between two specific elevations at any given location on a lot.	"**grade elevation**" means the elevations of the finished ground surface at a specific point on a lot or the finished ground elevation at any point on the required slope or slopes between two specific elevations at any given location on a lot.	Definition was migrated from the building bylaw to allow for the enforcement of lot grading. Removed the irrelevant reference to grade lines.
Part I: Definitions and Interpretations	Definitions	3(bb.2)	Addition	N/A	"**grade elevation certificate**" means a certificate issued by a land surveyor registered in Saskatchewan pursuant to The Land Surveyors and Professional Surveyors Act, S.S. 1995 C.L-3.1 for the final grade elevation for a lot.	Definition was created to reflect existing practice and standard operating procedures. This will allow for the enforcement of lot grading.
Part I: Definitions and Interpretations	Definitions	3(ee)	Amend	"**grease interceptor**" means a device for separating and	"**grease interceptor**" means a device for separating and	Definition was updated to reflect the use of septic

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				retaining waterborne FOG, FOG complexes and settable solids, prior to the wastewater entering the public sewage works collection system;	retaining waterborne FOG, FOG complexes and settable solids, prior to the wastewater entering the public sewage works or private sewage works;	holding tanks within the City of Regina specifically approved neighbourhoods.
Part I: Definitions and Interpretations	Definitions	3(ee.1)	Addition	N/A	"**ground oriented residential housing**" means a form of housing that contains a dwelling unit that has a separate exterior entrance that is directly accessible, without passing through a common lobby or corridor, from a street or open space;	Definition was created to address many forms of ground level residential housing that may required grading certificates and ultimately lot grading enforcement. This definition will remove ambiguity for housing forms that have the same impacts with respect to lot grading as a single family dwelling or duplex.
Part I: Definitions and Interpretations	Definitions	3(kk)	Amend	**"interceptor"** means a receptacle that is installed to prevent oil, grease, sand or other	"**interceptor**" means a receptacle that is installed to prevent oil, grease, sand or other materials from passing	Modified to include the new definition of public drainage system and added public

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
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				materials from passing into a drainage system;	into the public drainage system or the public sewage works;	sewage works for protection of oil and grit into either system. Deleted definition of drainage system.
Part I: Definitions and Interpretations	Definitions	3(mm.1)	Addition & Amend	"**lot**" means a piece, plot or parcel of land or an assemblage of contiguous parcels of land in one ownership having a frontage on a public street	"**lot**" means as defined in Bylaw No. 2019-19, being *The Regina Zoning Bylaw 2019.*	The definition is per the Zoning Bylaw.
Part I: Definitions and Interpretations	Definitions	3(mm.2)	Addition	N/A	"**maintenance hole**" is an opening to a confined space such as a shaft, utility vault, or large vessel that is used as an access point for public sewer service, private sewer service, public drainage system and private drainage systems;	The definition was added to support the definition of Public Drainage System.
Part I: Definitions and Interpretations	Definitions	3(zz.1)		N/A	"**public drainage system**" means any works for the collection, transmission, treatment and storage of storm water and	This definition was added to allow for the full definition of storm water infrastructure. There was no comprehensive

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
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					clear water waste and includes, but is not limited to, storm drains, maintenance holes, storm sewer, storm swales, storm ditches, storm channels, stormwater detention and retention facilities and appurtenances used for the collection, conveyance, storage or treatment of storm water and clear water waste;	definition that allowed for enforcement or regulation on much of the infrastructure that is required to provide the storm water service. Supporting definitions will be added as a result of this definition.
Part I: Definitions and Interpretations	Definitions	3(aaa)	Amend	**"public sewage works"** means any works for the collection, transmission, treatment and disposal of wastewater and includes drain, sewer pipe or conduit used for the conveyance of wastewater and includes wastewater treatment plants;	**"public sewage works"** means any works for the collection, transmission, treatment and disposal of wastewater and includes, but not limited to, maintenance holes, sewer pipe, and appurtenances used for the conveyance, storage or treatment of wastewater, wastewater treatment	The existing definition was expanded to be inclusive of all the infrastructure that involves a public sewage works. This is reflective of our existing public sewer system and infrastructure required to deliver the service.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
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					plants and pump stations;	
Part I: Definitions and Interpretations	Definitions	3(bbb)	Amend	**"private sewage works"** means a privately owned plant for the treatment and disposal of wastewater (such as a septic tank with an absorption field);	**"private sewage works"** means a privately owned and operated system for the collection, storage, treatment and disposal of wastewater;	The existing definition was updated to be inclusive of the practices of existing private systems within the City. Most of these systems are septic storage, however, certain industries may have private pre-treatment required. The updated definition reflects all of these situations.
Part I: Definitions and Interpretations	Definitions	3(ccc)	Amend	**"properly shredded garbage"** means waste from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will flow freely under conditions normally prevailing in public sewers, with no	**"properly shredded garbage"** means waste from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will flow freely under conditions normally prevailing in public sewage works, with no	The definition was amended to ensure consistency with related definitions.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
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				particles greater than one-half inch in any dimension;	particles greater than one-half inch in any dimension;	
Part I: Definitions and Interpretations	Definitions	3(eee)	Amend	"**release**" means: (i) to directly or indirectly conduct a substance to the public sewage works or a watercourse by spilling, discharging, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by other means; or (ii) a spill discharge, disposal, abandonment, deposit, leak, seep, pour, drain or emptying of a substance into the public sewage works or watercourse.	"**release**" means: (i) to directly or indirectly conduct a substance to the public sewage works, public drainage system or a watercourse by spilling, discharging, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by other means; or (ii) a spill discharge, disposal, abandonment, deposit, leak, seep, pour, drain or emptying of a substance into the public sewage works, public drainage system or watercourse.	The definition was updated to ensure that the public drainage system can be protected and enforced from damaging releases.
Part I: Definitions and Interpretations	Definitions	3(ggg)	Amend	**"sewer services"** means any services provided by the City related to the connection of premises	**"sewer services"** means any services provided by the City related to the connection of premises	The definition was updated to ensure alignment with the new definition of

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
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				to the City's public sewage works and storm sewer and the discharge of substances into either of those systems;	to the City's public sewage works or public drainage system and the discharge of substances into either of those systems;	public drainage system.
Part I: Definitions and Interpretations	Definitions	3(iii)	Amend	"**standard residential premises**" means individually water metered single family residences and single water metred premises with no more than four dwelling units;	"**standard residential premises**" means standard residential premises as defined in Bylaw No. 8941, being *The Regina Water Bylaw.*	Changed to reflect the Water Bylaw.
Part I: Definitions and Interpretations	Definitions	3(iii.1)	Addition	N/A	**"storm channel"** means a receiving stream constructed to convey stormwater and clear water waste;	The definition is required to support the definition of Public Drainage System.
Part I: Definitions and Interpretations	Definitions	3(iii.2)	Addition	N/A	**"storm ditch"** means a depression created to channel storm water and clear water waste;	The definition is required to support the definition of Public Drainage System.
Part I: Definitions and Interpretations	Definitions	3(iii.3)	Addition	N/A	**"storm drain"** means a drain engineered to serve as an entry point to the storm sewer that allows excess water from the surface to enter.	The definition is required to support the definition of Public Drainage System.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
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Part I: Definitions and Interpretations	Definitions	3(jjj)	Amend	**"storm sewer"** means a sewer designed to be used exclusively for storm water drainage;	**"storm sewer"** means a sewer designed to be used exclusively for storm water drainage and clear water waste;	The definition was modified to be inclusive of clear water waste such as roof run off or sump pump discharge.
Part I: Definitions and Interpretations	Definitions	3(jjj.1)	Addition	N/A	**"storm swale"** means an engineered depression designed to collect and convey clear water waste from one location to another location.	The definition is required to support the definition of Public Drainage System.
Part I: Definitions and Interpretations	Definitions	3(kkk.1)	Addition	N/A	**"storm water detention facility"** means a storage facility for storm water and clear waste water that does not permanently retain a portion of its storm water and clear waste water runoff;	The definition is required to support the definition of Public Drainage System.
Part I: Definitions and Interpretations	Definitions	3(kkk.2)	Addition	N/A	**"storm water retention facility"** means a storage facility for storm water and clear waste water that permanently retains a portion of its storm	The definition is required to support the definition of Public Drainage System.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
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					water and clear waste water runoff.;	
Part I: Definitions and Interpretations	Definitions	3(kkk.3)	Addition	N/A	"**street**" means street as defined in *The Cities Act*;	The definition of street was added as it is used throughout the bylaw but was not defined.
Part II: General	N/A	7	Amend	Every owner or occupant of a premise within the city limits shall ensure that the premise is connected, at all times, to the public sewage works unless the owner or occupant obtains prior written consent from the City Manager.	Every owner or occupant of a premise within the city limits shall ensure that the premise is connected, at all times, to the public sewage works unless City Council has approved the premise to operate with a private sewage works or the owner or occupant obtains prior written consent from the City Manager.	The definition was modified to recognize areas of the City, such as Chuka Creek Business Park, that are allowed to develop or exist with septic holding tanks.
Part II: General	New Construction or Expansion of ICI Activities	10(c)(iv)	Amend	the location of sampling manhole;	the location of sampling maintenance hole;	The amendment aligns with the gender neutral language that is used in the City of Regina Design Standard: Stormwater.

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Part II: General	Obligations of Owner of Private Sewage Works	16(f)	Addition	N/A	obtain any City permits related to the construction of the private sewage works;	The modification is to ensure that a private sewage works is constructed with required permitting from the City. This may be current permits such as a development permit or building permit, or it may be a future permit such a plumbing permit if the City choses to implement a plumbing bylaw.
Part II: General	Obligations of Owner of Private Sewage Works	17	Amend	The owner or occupant having a private sewage works shall, at his or her expense, operate and maintain the private sewage works in a sanitary manner, and in accordance with applicable law.	The owner or occupant having a private sewage works shall, at his or her expense, operate and maintain the private sewage works in accordance with applicable law.	The section was amended to remove subjectivity related to the term “sanitary manner”.
Part III: Disposal and Prohibitions on Disposal	Wastewater	21	Amend	No person shall release or allow the discharge of any substance into	No person shall release or allow the discharge of any substance into	The section was modified to allow for the

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
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				the storm sewer except storm water, allowable clear water waste or such other substance as the City Manager may allow.	the public drainage system except storm water, allowable clear water waste or such other substance as the City Manager may allow.	enforcement of releases into the storm sewer and all other infrastructure as defined by the Public Drainage System.
Part III: Disposal and Prohibitions on Disposal	Clear Water Waste	25	Amend	Where a storm sewer is not available to any of the ICI premises or FSE premises within the property, the owner or occupant shall, at the time of construction of a building, make provision for drainage of the roof area to the storm sewer and shall connect the building at such time as a storm sewer becomes available.	Where a public drainage system is not available to any of the ICI premises or FSE premises within the property, the owner or occupant shall, at the time of construction of a building, make provision for drainage of the roof area to the public drainage system and shall connect the building at such time as a public drainage system becomes available.	The section was modified in recognition of the new definition of public drainage system, which includes the storm sewer.
Part III: Disposal and Prohibitions on Disposal	Clear Water Waste	26	Amend	In addition to section 25 of this Bylaw, until such time as the storm sewer is available, the roof area shall be drained overland to	In addition to section 25 of this Bylaw, until such time as the storm sewer is available, the roof area shall be drained overland to	The wording has been changed due to legal requirements.

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				City streets in accordance with a drainage plan approved by the City Manager.	City streets in accordance with the owner or occupants' drainage plan that has been approved by the City Manager.	
Part III: Disposal and Prohibitions on Disposal	Clear Water Waste	28	Amend	The owner of parking areas for other than single family or duplex residential premises shall drain storm water into a storm sewer unless otherwise authorized by the City Manager, in writing.	The owner of parking areas for other than ground oriented residential housing premises shall drain storm water and clear water waste into a storm sewer unless otherwise authorized by the City Manager, in writing.	The amendment replaces the outdated definitions of single family residential and duplex residential with the new definition of ground oriented residential housing. The new definition is in alignment with our current practice and operating procedures. In addition, clear water waste was added to ensure compliance for the other potential runoff sources from an individual

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
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						residential housing lot.
Part III: Disposal and Prohibitions on Disposal	Clear Water Waste	28.1	Addition	N/A	28.1 The owner of a property shall direct that property's clear water waste that is directed to the surface or from a downspout: (a) to either the front or rear yard of the property; (b) a minimum of 1.0 meters away from any structure or building on the property; (c) a minimum of 2.0 meters inset on the lot from the rear lot property line; and (d) in such a manner to ensure the clear water waste is not discharged onto an adjacent property.	This section was an addition as a result of the Council direction in CR21-27. The addition of this section was a result of compiling section Subsection 2.9 of the Building Bylaw and Part II, C(4) of the Community Standards Bylaw. The resulting efforts will remove these sections from the respective bylaws. This section specifically will ensure that eaves, downspouts and sump discharge remain on the originating property and is directed to the lot drainage system

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						from that originating property.
Part III: Disposal and Prohibitions on Disposal	Clear Water Waste	28.2	Addition	N/A	The owner of a property shall ensure that the weeping tile discharge that is directed to the surface from the property is directed to the surface in accordance with the City's Construction Specifications as may be updated, amended and replaced from time to time.	This section was an addition as a result of the Council direction in CR21-27. The language will allow the City to regulate how the weeping tile discharge system operates in relation to the building and location of foundation.
Part III: Disposal and Prohibitions on Disposal	Clear Water Waste	28.3	Addition	N/A	28.3 In addition to any other provision in this Bylaw, the owner of a property shall ensure that the clear water waste that is directed to the surface or from a downspout is discharged directly onto: (a) a parking lot; (b) a driveway; and	This section was an addition as a result of the Council direction in CR21-27. The section was added to ensure the swift removal of clear water waste from the immediacy of the building so as to not cause foundation

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					(c) a discharge dispersion system at ground level (d) an engineered alternative approved by the Executive Director	damage. It includes options for compliance with many industry available dispersal systems. Dispersion attenuates peak flows by slowing entry of the runoff into the conveyance system, allows for some infiltration, and provides some water quality benefits. There is also a placeholder for other systems that the City doesn't currently have standards for such as Rain Gardens or infiltration systems. The allowance of an alternative engineered solution would allow a

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
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						homeowner to approach the City for approval of such a solution.
Part III: Disposal and Prohibitions on Disposal	Control of Grade Elevations	28.6	Addition & Amend	The owner of a lot is responsible for obtaining from the developer of the land the following grade elevations. (If the lot has no grades assigned, the authority having jurisdiction shall supply the grades at a cost to the applicant (Section 4 - Fees): (a) the required finished ground elevation at the front corners of the dwelling (excluding garages); (b) the finished grade elevation of both side lot lines at the midpoint of the side lot line; (c) the required finished ground elevation at each	The owner of a lot shall obtain from the developer or City the grade elevation for all ground oriented residential housing on the property as required in the City's Design Standards. ~~(a) the required finished ground elevation at the front corners of the dwelling (excluding garages);~~ ~~(b) the finished grade elevation of both side lot lines at the midpoint of the side lot line;~~ ~~(c) the required finished ground elevation at each corner of the lot along the lot lines;~~	The section was migrated and modified from the Building Bylaw as a result of the Council direction in CR21-27. The language was modified to be reflective of the new definition of ground oriented residential housing. The section for supply grades at a cost was removed so the program could be monitored first for the use of some of these services. There is a requirement to return a report to Council in 2024 that will address any further needs

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
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				corner of the lot along the rear lot line; (d) the required finished grade elevation on the flankage side of a corner lot. This elevation shall be 12m back from the front lot line; (e) All the elevations as indicated in (a) to (d) shall relate to the nearest bench mark as supplied by the Planning and Sustainability Department; and (f) Special grading situations shall be approved individually by the authority having jurisdiction. The owner of a lot is responsible for obtaining the grade elevations from the developer of the land.	~~(d) the required finished grade elevation on the flankage side of a corner lot which shall be 12 meters back from the front lot line;~~	to charge fees for services provided. Items (a) through (d) are shown here to represent the proposed language change. The content will be reflected in the City's Design Standard: Stormwater.

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Part III: Disposal and Prohibitions on Disposal	Control of Grade Elevations	28.7	Addition & Modification	All the elevations as indicated in (a) to (d) shall relate to the nearest bench mark as supplied by the Planning and Sustainability Department; and	All the elevations as indicated in section 28.6 of this Bylaw shall relate to the nearest benchmark as supplied by the City.	This language was migrated from the Building Bylaw and updated to reflect the new section and remove specific reference to an administrative structure.
Part III: Disposal and Prohibitions on Disposal	Control of Grade Elevations	28.8	Addition	N/A	In the event the property owner is unable to obtain the elevations required by section 28.6 of the Bylaw from the developer or if the lot has no grades assigned to it, then the owner of the property shall obtain the grade elevation from the City.	The section was added as a result of the Council direction in CR21-27. It is required to ensure compliance for lots that do not have an approved grading plan attached to it.
Part III: Disposal and Prohibitions on Disposal	Control of Grade Elevations	28.9	Addition		No person shall cause or permit the grading to vary from the grade elevation specified in section 28.6 or section 28.8 of the Bylaw without prior, written permission from the City.	The section was added as a result of the Council direction in CR21-27. The intent is to ensure that individual property owners do not alter grades

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						without the consent or knowledge of the City. This will support enforcement activities.
Part III: Disposal and Prohibitions on Disposal	Control of Grade Elevations	28.10	Addition & Ammend	(i) Prior to occupancy, the owner shall ensure that the rear of lot elevations are the same as the rear of lot elevations provided in clause 2.8.1(1)(c). (ii) A tolerance of the designed rear of lot elevations of no more than 75 millimetres below the designed elevation will be allowed. No tolerance will be allowed for any elevation being over the designed elevation.	Prior to occupancy, the owner shall ensure that all required finished grade elevations are no more than 75 millimetres below the designed elevation or 0 millimetres above the designed elevation, as provided in section 28.6 of the Bylaw or as provided pursuant to section 28.8 of the Bylaw unless approved by the City Manager.	The section was migrated and modified from the Building Bylaw as a result of the Council direction in CR21-27. The section provides the submission requirements for final lot elevations during new construction. This section proposes the tolerances to those grade elevations.
Part III: Disposal and Prohibitions on Disposal	Control of Grade Elevations	28.11	Addition & Amend	Prior to occupancy, the owner shall submit a certificate prepared by a registered land surveyor showing final grading elevations of	Prior to occupancy, the owner shall submit to the City a grade elevation certificate prepared by a registered land	The section was migrated and modified from the Building Bylaw as a result of the Council direction

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				the lot at the following locations: a) the left rear corner of the lot; b) the right rear corner of the lot; c) the center of the lot along the rear property line; and d) the lowest opening point on the exterior of the dwelling; with references to right and left being taken as if viewing the lot from the street looking toward the rear property line.	surveyor showing final grading elevations of the lot at the following locations: a) the left rear corner of the lot; b) the right rear corner of the lot; c) the center of the lot along the rear property line; d) the centre of the lot along the right side-yard property line; e) the centre of the lot along the left side -yard property line; f) the left front corner of the lot; g) the right front corner of the lot;	in CR21-27. The modifications were to accommodate Council's expectations of regulation of side yard and rear yard lot grading.

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					h) the lowest opening point on the exterior of the dwelling; with references to right and left being taken as if viewing the lot from the street looking toward the rear property line.	
Part III: Disposal and Prohibitions on Disposal	Control of Grade Elevations	28.12	Addition & Amend	The owner shall ensure that the grading is done in such a manner so as to maintain a continuous slope along the rear property line, allowing water to flow unobstructed from the highest to the lowest corner of the rear of the lot.	The owner shall ensure that the lot grading is constructed and maintained in such a manner so as to maintain a continuous slope along the property lines, and that allow water to flow unobstructed from the highest final grading elevation to the lowest final grading elevation.	The section was migrated and modified from the Building Bylaw as a result of the Council direction in CR21-27. The modifications were to accommodate Council's expectations of regulation of side yard and rear yard lot grading.
Part III: Disposal and Prohibitions on Disposal	Control of Grade Elevations	28.13	Addition & Amend	In a case where the owner wishes to occupy the dwelling before a rear of lot elevation certificate is issued a letter of commitment shall be	In the event owner wishes to occupy the dwelling before a grade elevation certificate is issued then:	The section was migrated and modified from the Building Bylaw as a result of the Council direction in CR21-27. Minor

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				submitted by the home owner indicating that no fence will be constructed within 0.5 m of the rear of the property until such time as the required rear lot elevation certificate has been submitted. In the case of winter construction the required certificate must be submitted prior to June 30 of the ensuing year.	(a) the property owner shall provide the City with a letter of commitment indicating that the owner will not cause or permit any fence or other structure will be constructed within 0.5 metres of the rear of the property until such time as the property owner has submitted the required grade elevation certificate to the City, and in any event no later than June 30 of the ensuing year; and (b) shall not cause or permit a fence or other structure to be constructed until such a time as the property owner has submitted the required grade elevation certificate to the City.	modifications to ensure that a fence isn't constructed until the lot grading has been satisfied.
Part III: Disposal and Prohibitions on Disposal	Control of Grade Elevations	28.14	Addition and Amend	The owner of the lot shall at all times be responsible for keeping and maintaining the	The owner of the lot shall at all times be responsible for keeping and maintaining the	The section was migrated and modified from the Building Bylaw as a

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				given grade elevations as set out in clause 2.8.1(1) and the following conditions also apply: (a) finished grade elevation around buildings shall provide continuous slopes away from foundation walls; (b) finished ground elevation along the side lot line shall not exceed the specified side lot elevation; (c) any terracing shall be approved by the authority having jurisdiction; (d) driveway, walks, terraces or retaining walls shall be so constructed so as not to interfere with surface drainage and the owner whose land is retained by a	given grade elevations as set out in section 28.6 or 28.8 of the Bylaw and, in addition, the owner shall comply with the following conditions by ensure that: (a) the finished grade elevation around buildings provides continuous slopes away from foundation walls; (b) the finished ground elevation along the side-yard lot line shall not exceed the specified side-yard lot elevation; (c) any use of terracing or retaining walls shall require a development permit approved by the City prior to their construction; (d) all driveway, walks, terraces or retaining	result of the Council direction in CR21-27. Modification and clarification was added around regulations for retaining walls and terraces. All other modifications were minor and contextual.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
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				retaining structure shall be responsible for the erection and maintenance of the retaining structure; (e) all intermediate grade elevations on the rear lot line shall be such as to provide continuous drainage; and (f) the grade elevation of the rear of lot property line shall also extend 0.5 m into the property with no obstruction to restrict the flow of water.	walls shall be constructed so as not to interfere with surface drainage; (e) all retaining walls and terraces are maintained by the owner for safety and in compliance with this Bylaw; (f) all intermediate grade elevations shall be such to provide continuous drainage; and (g) the grade elevation of the rear of lot property line extends 0.5 metres into the property with no obstruction to restrict the flow of water, clear water waste or weeping tile discharged directed to the surface.	
Part III: Disposal and Prohibitions on Disposal	Control of Grade Elevations	28.15	Addition & Amend	2.8.2 The control of grade elevations for all buildings not regulated	The control of grade elevations for all buildings not regulated	The section was migrated and modified from the

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
				by subsection 2.8.1 shall be as follows: (1) The drawings and specifications filed with the authority having jurisdiction prior to the issuing of a building permit shall, for all new construction or alterations involving new foundations, show the following: (a) the elevation of the first floor of the building; (b) the grade elevation or grade elevations at the perimeter of the building and the perimeter of the lot, where the latter abuts on a City easement or a public street or lane and the said elevations is as established by the Director of Development Engineering. The cost to the owner for the	by sections 28.6 to 28.14 of this Bylaw requires the owner of the property to ensure that the drawings and specifications filed with the City related to all new construction or alterations involving foundations, show, at minimum, the following: (a) the design elevation of the first floor of the building; (b) the grade elevations at the perimeter of the building and the perimeter of the lot, where the latter abuts on a City easement or a public street or lane and the said elevations is as established by the City Manager. (c) the permeable and impermeable areas of the lot;	Building Bylaw as a result of the Council direction in CR21-27. The section serves as submission standards for all properties that are not within the definition of ground oriented residential dwelling. Minor contextual language changes were made.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
				supplying of these elevations by the Director of Planning and Sustainability is as per Section 4; (c) the paved and grassed areas of the lot; (d) the location and rim elevations of the catch basins and the location, size, slope and invert elevations of storm and sanitary sewers required, and the point at which said sewers exit from the lot and connect to the sewer main; (e) the proposed method of draining roof areas; and (f) the grade and drainage of the lot and the drainage from roof areas all of which shall meet with the approval	(d) the location and rim elevations of the storm drains and the location, size, slope and invert elevations of storm sewer and public sewage works required, and the point at which said sewers exit from the lot and connect to the sewer main; (e) the proposed method of draining roof areas; and (f) the grade and drainage of the lot and the drainage from roof areas all of which shall meet with the approval of the City .	

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
				of the authority having jurisdiction.		
Part III: Disposal and Prohibitions on Disposal	Drainage into the Public Drainage System	28.16	Addition & Amend		Except for detached accessory buildings, the owner of any building shall ensure that the building is equipped with eaves troughs and downspouts or other systems approved by the City for handling roof runoff of clear water waste.	*For compliance of eaves and roof run off.*
Part III: Disposal and Prohibitions on Disposal	Drainage into the Public Drainage System	28.17	Addition & Amend	Where eavestroughs are used on any building, downspouts from the eavestroughs shall be installed and shall be affixed vertically to buildings. The downspouts shall be constructed so as to discharge water to ground level and the discharged water shall fall no farther than 500mm through an elbow at 45 degrees to the vertical onto either:	The owner shall ensure that where eavestroughs are used on any building, that the downspouts from the eavestroughs shall be installed and shall be affixed vertically to buildings.	The section was migrated and modified from the Building Bylaw as a result of the Council direction in CR21-27. The section intends for the proper installation of downspouts relative to the eaves.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
Part III: Disposal and Prohibitions on Disposal	Drainage into the Public Drainage System	28.18	Addition & Amend	The downspouts shall be constructed so as to discharge water to ground level and the discharged water shall fall no farther than 500mm through an elbow at 45 degrees to the vertical onto either:	The owner shall ensure that the downspouts are constructed to discharge clear water waste to meet the requirements of section 28.1 and 28.3 of this Bylaw.	The section was migrated and modified from the Building Bylaw as a result of the Council direction in CR21-27. The intention of this section is to ensure that downspouts discharge in a fashion to not cause erosion or damage due to the flow. The referenced sections regulate the distance from the building and provisions required to dissipate the energy of the water.
Part III: Disposal and Prohibitions on Disposal	Drainage into the Public Drainage System	28.19	Addition & Amend	Subject to clause 2.9.3(2), every person owning property in the City of Regina shall construct on his or her property a system for	Subject to section 28.20 of this Bylaw, every person owning property in the City shall construct on such property a system for	The section was migrated and modified from the Building Bylaw as a result of the Council direction

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
				runoff of storm water that is directly connected to a storm sewer.	runoff of storm water and clear water waste that is directly connected to a storm sewer.	in CR21-27. The intent is to ensure all properties connect their respective drainage systems to the storm sewer. Section 28.20 exempts ground oriented residential housing from this requirement.
Part III: Disposal and Prohibitions on Disposal	Drainage into the Public Drainage System	28.20	Addition & Amend	Notwithstanding clause 2.9.3(1), storm water drainage, including that from roofs and driveways, from detached and semi-detached dwelling units with lot grades controlled as described in Section 2.8 may drain onto a street or lane.	Notwithstanding section 28.19 of this Bylaw, a property owner may allow storm water drainage, including clear water waste, from ground oriented residential housing with lot grades controlled as set out in section 28.6 and 28.8 to drain onto the right-of-way or other City owned lands.	The section was migrated and modified from the Building Bylaw as a result of the Council direction in CR21-27. This section recognizes that not all City properties shall be connected to the storm sewer. The new definition of ground oriented residential housing replaces the defunct and ambiguous

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
						detached dwelling units.
Part III: Disposal and Prohibitions on Disposal	Drainage into the Public Drainage System	28.21	Addition & Amend	Storm water drainage from all other lots not described in clause 2.9.3(2), including that from buildings, driveways, parking lots and other hard surface areas must be approved by the Director of Development Engineering.	For owners of all other lots not described in section 28.20 of this bylaw, such owners shall obtain approval from the City Manager for storm water drainage and clear water waste discharge onto the right-of-way or other City owned property.	The section was migrated and modified from the Building Bylaw as a result of the Council direction in CR21-27. This ensures compliance with submission standards for all those land owners that need to connect to the storm sewer.
Part III: Disposal and Prohibitions on Disposal	Drainage into the Public Drainage System	28.22	Addition & Amend	Roof drainage may be designed and sized for controlled flow and temporary storage of storm water on the roof. Such roof drainage system shall meet the following requirements: (a) design shall be based on the maximum storm of twenty-five	The owner of a property to which section 28.21 applies, shall ensure that roof drainage from the owner's property is designed and sized for controlled flow and temporary storage of storm water on the roof and meet the requirements set forth in the City of Regina Design Standards.	The section was migrated and modified from the Building Bylaw as a result of the Council direction in CR21-27. It was determined through the Bylaw review that the details in the Building Bylaw were not required to be placed in the

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
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				(25) years or longer frequency; (b) drain-down time, after design storm cessation, shall not exceed twenty-four (24) hours; (c) the water depth on a flat roof shall not exceed 75 mm during design storm, and 75mm average depth on sloped roofs; (d) control of run-off shall be by weirs with flow rates directly proportional to the hydraulic head and protected by a dome strainer; no valves or mechanical devices shall be permitted; (e) no less than two roof drains shall be provided in areas of 1000 m2 or less, and at		bylaw itself. The conditions of roof storage were placed in the City of Regina Design Standard: Stormwater.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
				least four roof drains in areas over 1000 m2; (f) design and sizing of roof drainage piping shall prevent flooding of control weirs; (g) scuppers shall be provided in parapet walls at an invert location 10 mm above the maximum designed water level; (h) the roof structure shall be adequate for the maximum possible load resulting from accumulation of storm water. The roof design for controlled flow roof drainage shall be based on a minimum of 960 Pa loading, to provide a safety factor above the 3620 Pa represented by the 75 mm design water depth;		

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
				(i) the following data shall be included on the drawings: (i) roof area in m2, served by every drain; (ii) roof drain manufacturer, model number, and number of weirs; (iii) maximum water flow, maximum water head and drain-down time; (iv) slope of all nominally horizontal piping; (v) invert elevations on main nominally horizontal piping; and (vi) location, size and elevation of scuppers in parapet walls; (j) the roof shall be equipped with forty-five degree cuts,		

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
				installed at all walls or parapets; (k) flashing is to extend a minimum of 75 mm above the maximum designed water level; and (l) controlled-flow drainage, which is based on litres per second of flow, shall be converted to equivalent square feet of roof or paved area, on the basis of each litres per second of flow shall be equivalent to 35 m2 of area. Drains not equipped with weirs, such as area or plaza drains, may be connected to the controlled flow system provided the areas, including litres per second flow converted to area, are added together and the piping		

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
				is sized to convey the sum of all loads.		
Part III: Disposal and Prohibitions on Disposal	Access to Public Sewage Works and Public Drainage System	28.23	Addition	N/A	No person shall cause or permit: (a) an alteration or modification to the public sewage works or public drainage system; or (b) an obstruction to City infrastructure; without the prior written, consent of the City Manager to do so.	The section written as a result of Council direction in CR21-27. The intention of this section was to expand the protection of the bylaw to all infrastructure that is required to support the Public Drainage System.
Part III: Disposal and Prohibitions on Disposal	Access to Public Sewage Works and Public Drainage System	29	Amend	Where partial or total blockage of part of the sewer system is caused because a person failed to comply with the provisions of this Bylaw, the person shall, in addition to any penalty for infraction of the provisions hereof, be liable to the City for all costs of clearing such blockage.	Where partial or total blockage of part of the public sewage works or public drainage system or otherwise cause damage to the public sewage works or public drainage system is caused because a person failed to comply with the provisions of this Bylaw, the person shall, in addition to any penalty for infraction of	The section amended as a result of Council direction in CR21-27. The section was updated to ensure damages applied to the public drainage system. It was also updated to include that the person violating this Bylaw would be

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
					the provisions hereof, be liable to the City for all costs of clearing such blockage or repairing damage.	responsible for the costs of clearing the blockage, but any damage as a result of the blockage.
Part III: Disposal and Prohibitions on Disposal	Release of Substances	34	Amend	No person shall deposit or dispose of wastewater in the storm sewer, onto asphalt or onto any other area.	No person shall deposit or dispose of wastewater in the public drainage system, onto asphalt or onto any other area.	Replaced storm sewer with the broader term of public drainage system.
Part III: Disposal and Prohibitions on Disposal	Release of Substances	38	Amend	Notwithstanding anything contained in this Bylaw, no person shall discharge or cause to be discharged any ICI material into any sewer without obtaining prior written approval from the City Manager to discharge such ICI material.	Notwithstanding anything contained in this Bylaw, no person shall discharge or cause to be discharged any ICI material into any public sewage works or private sewage works without obtaining prior written approval from the City Manager to discharge such ICI material.	Replaced sewer with known definitions.
Part III: Disposal and Prohibitions on Disposal	Release of Substances	39	Amend	The City shall not grant approval to any applicant to discharge ICI material into the public sewage works until:	The City shall not grant approval to any applicant to discharge ICI material into the public sewage works until:	Replaced manhole with the updated gender neutral term already utilized in the City

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
				(a) the applicant has supplied the City with the chemical and physical analysis, quantity and discharge rate of wastewater proposed to be discharged and with all such other pertinent data that the City may require; and (b) if so ordered by the City, the applicant has, at his or her own expense, installed a suitable control manhole with monitoring equipment in the sewer connection to facilitate observation, sampling and measurement of the waste, or to deposit with the City a sufficient amount of monies to cover the cost of constructing such a test manhole	(a) the applicant has supplied the City with the chemical and physical analysis, quantity and discharge rate of wastewater proposed to be discharged and with all such other pertinent data that the City may require; and (b) if so ordered by the City, the applicant has, at his or her own expense, installed a suitable control maintenance hole with monitoring equipment in the sewer connection to facilitate observation, sampling and measurement of the waste, or to deposit with the City a sufficient amount of monies to cover the cost of constructing such a test	of Regina Design standards.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
				with monitoring equipment.	maintenance hole with monitoring equipment.	
Part III: Disposal and Prohibitions on Disposal	Connections	42	Amend	A person making, altering, disconnecting or removing, or allowing the making, alteration, disconnection or removal of a connection to the public sewage works or storm sewer shall: (a) obtain prior, written approval from the City Manager, on any terms and conditions the City Manager considers necessary, including compliance with all requirements of this Bylaw, before making, altering, disconnecting or removing the connection; and (b) not re-use a connection without obtaining prior, written approval from the City Manager.	A person making, altering, disconnecting or removing, or allowing the making, alteration, disconnection or removal of a connection to the public sewage works or public drainage system shall: (a) obtain prior, written approval from the City Manager, on any terms and conditions the City Manager considers necessary, including compliance with all requirements of this Bylaw, before making, altering, disconnecting or removing the connection; and (b) not re-use a connection without obtaining prior, written	Replaced storm sewer with Public Drainage System to allow for more comprehensive coverage of the intent.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
					approval from the City Manager.	
Part III: Disposal and Prohibitions on Disposal	Connections	43	Amend	The owner or occupant shall pay to the City all costs of the installation, alteration, disconnection or removal of the connection in section 42 of this Bylaw before proceeding with the work.	The owner or occupant shall pay to the City all costs of the installation, alteration, disconnection or removal of the connection in section 42 of this Bylaw or enter into an agreement with the City to conduct all the work at their own costs before proceeding with the work.	Updated the section to reflect current practice and procedures. New connections are typically made conducted through a Water and Sewer Connection Agreement to allow the applicant to conduct their own work with an approved contractor.
Part III: Disposal and Prohibitions on Disposal	Pre-Treatment	45	Amend	The City may require information from a qualified person that carries on, alters, or expands, or proposes to carry on or alter or expand an activity that is connected to or proposing to be connected to the storm sewer or the public sewage works.	The City may require information from a qualified person that carries on, alters, or expands, or proposes to carry on or alter or expand an activity that is connected to or proposing to be connected to the public drainage system or the public sewage works.	Replaced storm sewer with Public Drainage System to allow for more comprehensive coverage of the intent.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
Part III: Disposal and Prohibitions on Disposal	Pre-Treatment	47	Amend	No person shall discharge or release, or allow to be discharged or released into the public sewage works, storm sewers, drainage ditches or surface water any residue from a pre-treatment system.	No person shall discharge or release or allow to be discharged or released into the public sewage works, public drainage system, or surface water any residue from a pre-treatment system.	Replaced storm sewer with Public Drainage System to allow for more comprehensive coverage of the intent.
Part IV: Testing and Monitoring	Testing and Surcharges	65	Amend	The City may conduct sampling on any source of wastewater or storm water that is or may be connected to or discharged or released into or releasing into the public sewage works or the storm sewer.	The City may conduct sampling on any source of wastewater, storm water or clear water waste that is or may be connected to or discharged or released into or releasing into the public sewage works or the public drainage system.	Added clear water waste as it represents a defined source separate from that of storm water. Replaced storm sewer with Public Drainage System to allow for more comprehensive coverage of the intent.
Part IV: Testing and Monitoring	Testing and Surcharges	68(d)	Amend	take any action required to prevent a release of such wastewater to the public sewage works.	take any action required to prevent a release of such wastewater to the public sewage works or public drainage system	Added the public drainage system for any cases where this portion of the bylaw comes into effect and action is required to

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
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						prevent a release into the public drainage system. The intent of the section was not changed.
Part IV: Testing and Monitoring	Testing and Surcharges	70(e)	Amend	the analysis of these tests averaged for this period to determine the characteristics and concentrate of the wastewater being discharged into the sewer system.	the analysis of these tests averaged for this period to determine the characteristics and concentrate of the wastewater being discharged into the public sewage works.	Replaced sewer system with the known definition of public sewage works.
Part IV: Testing and Monitoring	Testing and Surcharges	71(c)	Amend	the final analysis of the test results be averaged for this period to determine the characteristics and concentration of the weighted sample being discharged into the sewer system; and	the final analysis of the test results be averaged for this period to determine the characteristics and concentration of the weighted sample being discharged into the public sewage works; and	Replaced sewer system with the known definition of public sewage works.
Part VI: Release Reporting	N/A	99	Amend	Any person who releases, or discharges, or allows a release or a discharge of a substance into the public sewage works in contravention of this	Any person who releases, or discharges, or allows a release or a discharge of a substance into the public sewage works or public drainage system	Added public drainage system to ensure that any releases of damaging or illegal substances would be enforceable.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
				Bylaw shall take all reasonable measures to immediately notify the City if there is any damage or immediate danger to any one or more of the following: (a) human health or safety; (b) property; (c) the environment; or (d) the public sewage works system.	in contravention of this Bylaw shall take all reasonable measures to immediately notify the City if there is any damage or immediate danger to any one or more of the following: (a) human health or safety; (b) property; (c) the environment; (d) the public sewage works system; or (e) the public drainage system.	
Part VII: Wastewater Charges and Surcharges	Wastewater Charge	101	Amend	Every primary customer or co-applicant shall pay the daily base charge applicable to a given meter size whether or not the primary customer or co-applicant actually discharged wastewater	Subject to Section 100, every primary customer or co-applicant shall pay the daily base charge applicable to a given meter size whether or not the primary customer or co-applicant actually discharged wastewater	Language added to ensure that the daily base charge is not applied if there is no water meter.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
				into the public sewage works.	into the public sewage works.	
Part VII: Wastewater Charges and Surcharges	Storm Sewer Charge	123	Amend	For premises where two or more persons have contracted for sewer services, each person shall pay a levy in accordance with Schedule F to this Bylaw, based on an allocated portion of the premises area as determined by the City.	For standard residential premises where two or more persons have contracted for sewer services, each person shall pay a levy in accordance with Schedule F to this Bylaw, based on an allocated portion of the premises area as determined by the City.	Standard residential added to describe premises. This reflects current practice and operating procedures.
Part VIII: Enforcement	Inspections	129	Repeal and Amend	The City Manager or Bylaw Enforcement Officer may enter all premises for the purpose of inspection, observation, measurement, sampling and testing in accordance with the requirements set out in The Cities Act.	129 (1) The inspection of property by a designated officer to determine if this Bylaw is being complied with is hereby authorized. (2) inspections under this bylaw shall be carried out in accordance with *The Cities Act.*	The language is the new wording for inspections that was recently updated in The Community Standards Bylaw.
Part VIII: Enforcement	Inspections	130	Amend	No person shall obstruct, or attempt to obstruct, in any manner, the City Manager or	No person shall obstruct, or attempt to obstruct, in any manner the Designated Officer in the exercise of their	Changed to reflect new definition.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
				Bylaw Enforcement Officer in the exercise of their powers or duties as authorized or required by this Bylaw or The Cities Act.	powers or duties as authorized or required by this Bylaw or The Cities Act	
Part VII: Wastewater Charges and Surcharges	Enforcement	131	Amend	The City Manager may do either, or both of the following: (a) take any action required to prevent a release from entering the public sewage works, including shutting off, disconnecting or sealing off the wastewater line at the premises from which the release is made; (b) continue any action taken under subsection (a) until the owner or occupant of the premises produces sufficient evidence, as may be required by the City Manager, that a release having an	Subject to the requirements of The Cities Act, in order to prevent a release from entering the public sewage works or public drainage system, a Designated Officer may: (a) shut off, disconnect or seal off the affiliated sewer service at the premises from which the release is made; or (b) continue any action taken under subsection (a) until the owner or occupant of the premises produces sufficient evidence, as may be required by the City Manager, that a release having an	Added reference to the public drainage system while keeping the intent of the section. Replaced wastewater line with a the known definition of sewer service.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
				adverse effect will not be made to the public sewage works from the premises.	adverse effect will not be made to the public sewage works or public drainage system from the premises.	
Part VII: Wastewater Charges and Surcharges	Enforcement	132	Amend	The City Manager may discontinue sewer service in accordance with the requirements in The Cities Act if any one or more of the following occurs:	The City Manager may discontinue sewer service in accordance with the requirements in section 23 of The Cities Act if any one or more of the following occurs:	Legal update.
Part VII: Wastewater Charges and Surcharges	Enforcement	133	Amend	If a person defaults on payment of an account that is due and payable based on the rates as described in this Bylaw and set out in Schedules C, D, or F of this Bylaw, or on payment of an account due and payable for anything done by the City pursuant to this Bylaw, the City Manager may enforce the collection of an account that is overdue by doing one or more of the following:	If a person defaults on payment of an account that is due and payable based on the rates as described in this Bylaw and set out in Schedules C, D, or F of this Bylaw, or on payment of an account due and payable for anything done by the City pursuant to this Bylaw, the City Manager may enforce the collection of an account that is overdue by doing one or more of the following:	Legal update.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
				(a) shutting off, disconnecting or sealing off the wastewater line to the premises to which wastewater services are provided; (b) bringing an action against the person in a court of competent jurisdiction; (c) entering the unpaid account on the tax roll of the premises, as permitted pursuant to section 333 of The Cities Act.	(a) shutting off, disconnecting or sealing off the sewer service to the premises to which wastewater services are provided; (b) take any legal action available to the City; (c) entering the unpaid account on the tax roll of the premises, as permitted pursuant to section 333 of The Cities Act.	
Part VII: Wastewater Charges and Surcharges	Offences	134	Amend	A person is guilty of an offence pursuant to this Bylaw if the person does any one or more of the following: (a) contravenes a requirement of the City Manager or Bylaw Enforcement Officer made pursuant to this Bylaw; (b) contravenes a requirement or condition of a written	A person is guilty of an offence pursuant to this Bylaw if the person does any one or more of the following: (a) contravenes or fails to comply with any provisions of this Bylaw; (b) contravenes a requirement or condition of a written approval or permit issued by the City	Legal Update.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
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				approval or permit given by the City Manager or Bylaw Enforcement Officer pursuant to this Bylaw; or, (c) contravenes a requirement or condition of an agreement entered into by the City Manager or Bylaw Enforcement Officer with the person pursuant to this Bylaw.	pursuant to this Bylaw; or, (c) contravenes a requirement or condition of an agreement entered into by the City with the person pursuant to this Bylaw.	
Part VII: Wastewater Charges and Surcharges	Offences	136	Amend	The City Manager or Bylaw Enforcement Officer may disconnect the water or sewer service to the premises to prevent the release of waters or wastes to the public sewage works until corrective actions are taken.	The City Manager or Designated Officer may disconnect the water or sewer service to the premises to prevent the release of water or wastes to the public sewage works or public drainage system until corrective actions are taken.	Added the public drainage system retaining the intent of the section. Changed to reflect definitions.
Part VII: Wastewater Charges and Surcharges	Offences	137	Amend	The City Manager, may authorize reconnection of the water or sewer service when the owner or occupant of the premises provides	The City Manager, may authorize reconnection of the water or sewer service when the owner or occupant of the premises provides	Changed to reflect new definition.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
				evidence, satisfactory to the City Manager or Bylaw Enforcement Officer, that no further violations of this Bylaw are about to occur.	evidence, satisfactory to the City Manager or Designated Officer, that no further violations of this Bylaw are about to occur.	
Part VII: Wastewater Charges and Surcharges	Penalties	140		Conviction of a person for a breach of any provision of this Bylaw does not relieve that person from compliance with the Bylaw and the convicting Justice of the Peace shall, in addition to any fine imposed, order the person to perform within the specified period, any act or work necessary for the proper observance of this Bylaw or to remedy the breach thereof.	Conviction of a person for a breach of any provision of this Bylaw does not relieve that person from compliance with the Bylaw and the convicting Justice of the Peace may, in addition to any fine imposed, order the person to perform within the specified period, any act or work necessary for the proper observance of this Bylaw or to remedy the breach thereof.	Legal change. The Cities Act in section 344 order for compliance says a judge may order the person to comply with this bylaw.
Part IX: Consequential Amendments	Bylaw No. 2003-7 Amended	143.1	Addition	N/A	Bylaw No. 2003-7, being A Bylaw of the City of Regina Pursuant to The Provisions of The Uniform Building and Accessibility Standards Act and The Cities Act,	Legal Requirement.

The Wastewater and Storm Water Bylaw			Action	Existing Language:	Proposed Language:	Rationale:
Part	Section Header	Section Reference				
					is amended in the manner set forth in this section.	
Part IX: Consequential Amendments	Bylaw No. 2003-7 Amended	143.2	Addition	N/A	Sections 2.8 and 2.9 are repealed in their entirety.	Legal Requirement.
Schedule A	Prohibited Substances	N/A	Amend	See Attached Modification	See Attached Modifications	Replaced sewer system with the public sewage works as it is already defined.
Schedule B	Restricted Substances	N/A	Amend	See Attached Modification	See Attached Modifications	Adjust table to remove old referent to years and use most current allowable concentrations.
Schedule C	WasteWater Surcharge	Surcharge Substances	Amend	See Attached Modification	See Attached Modifications	Adjust table to remove old reference to years and use most current allowable concentrations.
Schedule E	Charges For Accepted Hauled Wastewater	N/A	Amend	See Attached Modification	See Attached Modification	Removed outdated phase in tables, replacing with the current rate.

SCHEDULE A

PROHIBITED SUBSTANCES

The following substances shall not be released into the public sewage works:

(a) wastewater, liquid or vapour having a temperature greater than 65°C;
(b) an explosive substance, involving solvents or petroleum derivatives such that:

  (i) wastewater from the premises will exhibit the characteristics of a flammable liquid, or
  (ii) the explosive substance could cause or contribute to an explosion or support wastewater;

(c) garbage other than properly shredded garbage, provided however that shredded garbage shall not be discharged from a garbage disposal unit operated by a motor having a horsepower rating greater than one-third horsepower unless a permit has been obtained from the City;
(d) a solid or viscous substance in a quantity, or of such size, as to be capable of causing obstruction to the flow in a public sewage works, including ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, animals or animal parts, animal feces and blood;
(e) pesticides or herbicides;
(f) corrosive, noxious or malodorous material or substance which, either by itself or by reaction with other wastes, is capable of:

  (i) causing damage to the public sewage works ;
  (ii) creating a public nuisance or hazard; or
  (iii) preventing any person entering the public sewage works for purposes of maintenance or repair;

(g) materials which, either by itself or upon the reaction with other material becomes highly coloured;
(h) materials from oil or petroleum;
(i) wastewater having a pH rating less than 5.5 or greater than 9.0;
(j) unused or waste pharmaceuticals;
(k) radio-active substances;
(l) grit;
(m) corrosive or toxic wastewater or other wastes which could adversely affect the public sewage works system;
(n) hazardous waste or waste dangerous goods;

(o) microbiological laboratory waste; or

biomedical waste; or any other classification of biomedical waste in The Saskatchewan Biomedical Waste Management Guidelines, 2008.

SCHEDULE B

RESTRICTED SUBSTANCES

Parameters	Restricted Substances, Allowable Concentrations (mg/L)		
	~~2016~~	~~2017~~	~~2018~~
1,1,2,2-tetrachloroethane	~~-~~	~~-~~	0.06
1,2-dichlorobenzene	~~-~~	~~-~~	0.1
Aluminum	~~-~~	~~-~~	50
Arsenic	~~-~~	~~-~~	1
Benzene	~~1~~	~~1~~	0.55
Cadmium	~~4~~	~~4~~	0.7
Chloroform	~~-~~	~~-~~	0.2
Chromium (total)	~~5~~	~~5~~	2.8
Cobalt	~~-~~	~~-~~	5
Copper	~~4~~	~~4~~	2
Cyanide	~~3~~	~~3~~	1.2
Ethyl Benzene	~~1~~	~~1~~	0.12
Hexachlorobenzene	~~-~~	~~-~~	0.055

Lead	~~5~~	~~5~~	0.7
Mercury	-	-	0.01
Methyl chloride	-	-	0.1
Molybdenum	-	-	5
Nickel	~~5~~	~~5~~	2
Phenolics	~~0.1~~	~~0.1~~	0.1
PCBs	-	-	0.004
Selenium	-	-	0.8
Silver	-	-	0.4
Sulphide	~~3~~	~~3~~	3
Sulphate	-	-	1000
Tetrachloroethylene	-	-	0.06
Toluene	~~1~~	~~1~~	0.1
Trichloroethylene	-	-	0.06
Xylenes	~~1~~	~~1~~	0.4
Zinc	~~5~~	~~5~~	2

SCHEDULE C

WASTEWATER SURCHARGE
Surcharge Substances

Surcharge Substance	Limit Concentration (mg/L)		
	~~2016 (Existing)~~	~~2017 (Existing)~~	~~2018~~
BOD	~~300~~	~~300~~	300
COD	~~-~~	~~-~~	600
TSS	~~300~~	~~300~~	300
Non-Mineral Grease	~~100~~	~~100~~	100
Mineral Grease	~~15~~	~~15~~	15
Phosphorus (as	~~30~~	~~30~~	10
TKN	~~-~~	~~-~~	50

SCHEDULE E

CHARGES FOR ACCEPTED HAULED WASTEWATER

1. Monthly interest rate on overdue accounts, 1.25%

2. Monthly charge of $8.00 per .455 cubic metres of vehicle capacity:

3. Volume charge of $15.72 per cubic metre of tank capacity per disposed load.

The Building Bylaw No. 2003-7			Action	Existing Language:	Proposed Language:	Rationale:
Part	**Section Header**	**Section Reference**				
Section 1 Administrative Requirements and Statutory Authority	Subsection 1.2 Scope and Definitions	1.2.2.3	Amend	Grade Elevation or Grade Line means the elevations of the finished ground surface at a specific point on a lot or the finished ground elevation at any point on the required slope or slopes between two specific elevations at any given location on a lot.	Grade Elevation means as defined by *The Wastewater And Storm Water Bylaw, 2016.*	This was placed in the Wastewater and Storm Water Bylaw and should now refer to it.
Section 1 Administrative Requirements and Statutory Authority	Subsection 1.2 Scope and Definitions	1.2.2.3	Amend	Lot means a piece, plot or parcel of land or an assemblage of contiguous parcels of land in one ownership having a frontage on a public street.	Lot means as defined by *The Regina Zoning Bylaw 2019.*	This is defined in the Zoning Bylaw.
Section 1 Administrative Requirements and Statutory Authority	Subsection 1.2 Scope and Definitions	1.2.2.3	Amend	Street includes all or any part of a culvert or drain or a road allowance, public highway, road, lane, bridge, place, alley, square, thoroughfare or way intended for or used by the general public for the passage of vehicles or pedestrians.	Street shall have the meaning as stated in *The Cities Act*.	Changed to ensure consistency and reference to the governing Act.
Section 2 Special Requirements	Subsection 2.8 Control of Grade Elevations	2.8.1 (1)	Delete	The owner of a lot is responsible for obtaining from the developer of the land the following grade elevations. (If the lot has no grades assigned, the authority having jurisdiction shall supply the grades at a cost to the applicant (Section 4 Fees):	Repealed.	Moved to *Wastewater and Storm Water Bylaw, 2016.*

The Building Bylaw No. 2003-7			Action	Existing Language:	Proposed Language:	Rationale:
Part	**Section Header**	**Section Reference**				
				(a) the required finished ground elevation at the front corners of the dwelling (excluding garages); (b) the finished grade elevation of both side lot lines at the midpoint of the side lot line; (c) the required finished ground elevation at each corner of the lot along the rear lot line; (d) the required finished grade elevation on the flankage side of a corner lot. This elevation shall be 12m back from the front lot line; (e) All the elevations as indicated in (a) to (d) shall relate to the nearest bench mark as supplied by the Planning and Sustainability Department; and (f) Special grading situations shall be approved individually by the authority having jurisdiction. The owner of a lot is responsible for obtaining the grade elevations from the developer of the land.		
Section 2 Special Requirements	Subsection 2.8 Control of Grade Elevations	2.8.1(3)(a)	Delete	(i) Prior to occupancy, the owner shall ensure that the rear of lot elevations are the same as the rear of lot elevations provided in clause 2.8.1(1)(c). (ii) A tolerance of the designed rear of lot elevations of no more than 75 millimetres below the designed elevation will be allowed. No tolerance will be allowed for any elevation being over the designed elevation. (iii) Prior to occupancy, the owner shall submit a certificate prepared by a registered land surveyor showing final grading elevations of the lot at the following locations:	Repealed.	Moved to *Wastewater and Storm Water Bylaw, 2016.*

The Building Bylaw No. 2003-7			Action	Existing Language:	Proposed Language:	Rationale:
Part	**Section Header**	**Section Reference**				
				a) the left rear corner of the lot; b) the right rear corner of the lot; c) the center of the lot along the rear property line; and d) the lowest opening point on the exterior of the dwelling; with references to right and left being taken as if viewing the lot from the street looking toward the rear property line. (iv) The owner shall ensure that the grading is done in such a manner so as to maintain a continuous slope along the rear property line, allowing water to flow unobstructed from the highest to the lowest corner of the rear of the lot.		
Section 2 Special Requirements	Subsection 2.8 Control of Grade Elevations	2.8.1(3)(b)	Delete	In a case where the owner wishes to occupy the dwelling before a rear of lot elevation certificate is issued a letter of commitment shall be submitted by the home owner indicating that no fence will be constructed within 0.5 m of the rear of the property until such time as the required rear lot elevation certificate has been submitted. In the case of winter construction the required certificate must be submitted prior to June 30 of the ensuing year.	Repealed.	Moved to *Wastewater and Storm Water Bylaw, 2016.*
Section 2 Special Requirements	Subsection 2.8 Control of Grade Elevations	2.8.1(4)	Delete	The owner of the lot shall at all times be responsible for keeping and maintaining the given grade elevations as set out in clause 2.8.1(1) and the following conditions also apply: (a) finished grade elevation around buildings shall provide continuous slopes away from foundation walls;	Repealed.	Moved to *Wastewater and Storm Water Bylaw, 2016.*

The Building Bylaw No. 2003-7			Action	Existing Language:	Proposed Language:	Rationale:
Part	**Section Header**	**Section Reference**				
				(b) finished ground elevation along the side lot line shall not exceed the specified side lot elevation; (c) any terracing shall be approved by the authority having jurisdiction; (d) driveway, walks, terraces or retaining walls shall be so constructed so as not to interfere with surface drainage and the owner whose land is retained by a retaining structure shall be responsible for the erection and maintenance of the retaining structure; (e) all intermediate grade elevations on the rear lot line shall be such as to provide continuous drainage; and (f) the grade elevation of the rear of lot property line shall also extend 0.5 m into the property with no obstruction to restrict the flow of water.		
Section 2 Special Requirements	Subsection 2.8 Control of Grade Elevations	2.8.2	Delete	The control of grade elevations for all buildings not regulated by subsection 2.8.1 shall be as follows: (1) The drawings and specifications filed with the authority having jurisdiction prior to the issuing of a building permit shall, for all new construction or alterations involving new foundations, show the following: (a) the elevation of the first floor of the building; (b) the grade elevation or grade elevations at the perimeter of the building and the perimeter of the lot, where the latter abuts on a City easement or a public street or lane and the said elevations is as established by the Director of Development Engineering. The cost to the	Repealed.	Moved to *Wastewater and Storm Water Bylaw, 2016.*

The Building Bylaw No. 2003-7			Action	Existing Language:	Proposed Language:	Rationale:
Part	**Section Header**	**Section Reference**				
				owner for the supplying of these elevations by the Director of Planning and Sustainability is as per Section 4; (c) the paved and grassed areas of the lot; (d) the location and rim elevations of the catch basins and the location, size, slope and invert elevations of storm and sanitary sewers required, and the point at which said sewers exit from the lot and connect to the sewer main; (e) the proposed method of draining roof areas; and (f) the grade and drainage of the lot and the drainage from roof areas all of which shall meet with the approval of the authority having jurisdiction.		
Section 2 Special Requirements	Subsection 2.9 Drainage into Storm Sewers	2.9.1	Delete	The owner of any building shall ensure that the building is equipped with eavestroughs and downspouts or other systems approved by the authority having jurisdiction for handling roof runoff of water. This requirement does not apply to detached accessory buildings.	Repealed.	Moved to *Wastewater and Storm Water Bylaw, 2016.*
Section 2 Special Requirements	Subsection 2.9 Drainage into Storm Sewers	2.9.2	Delete	Where eavestroughs are used on any building, downspouts from the eavestroughs shall be installed and shall be affixed vertically to buildings. The downspouts shall be constructed so as to discharge water to ground level and the discharged water shall fall no farther than 500mm through an elbow at 45 degrees to the vertical onto either: (a) a paved parking lot or driveway; or (b) a splash pad at ground level which directs water to either a front or rear yard, and which discharges water no less than 1 meter from the building.	Repealed.	Moved to *Wastewater and Storm Water Bylaw, 2016.*

The Building Bylaw No. 2003-7			Action	Existing Language:	Proposed Language:	Rationale:
Part	**Section Header**	**Section Reference**				
Section 2 Special Requirements	Subsection 2.9 Drainage into Storm Sewers	2.9.3		(1) Subject to clause 2.9.3(2), every person owning property in the City of Regina shall construct on his or her property a system for runoff of storm water that is directly connected to a storm sewer. (2) Notwithstanding clause 2.9.3(1), storm water drainage, including that from roofs and driveways, from detached and semi detached dwelling units with lot grades controlled as described in Section 2.8 may drain onto a street or lane. (3) Storm water drainage from all other lots not described in clause 2.9.3(2), including that from buildings, driveways, parking lots and other hard surface areas must be approved by the Director of Development Engineering.	Repealed.	Moved to *Wastewater and Storm Water Bylaw, 2016.*
Section 2 Special Requirements	Subsection 2.9 Drainage into Storm Sewers	2.9.4	Delete	Roof drainage may be designed and sized for controlled flow and temporary storage of storm water on the roof. Such roof drainage system shall meet the following requirements: (a) design shall be based on the maximum storm of twenty five (25) years or longer frequency; (b) drain down time, after design storm cessation, shall not exceed twenty four (24) hours; (c) the water depth on a flat roof shall not exceed 75 mm during design storm, and 75mm average depth on sloped roofs; (d) control of run off shall be by weirs with flow rates directly proportional to the hydraulic head and protected by a dome strainer; no valves or mechanical devices shall be permitted;	Repealed	Moved to *Wastewater and Storm Water Bylaw, 2016.*

The Building Bylaw No. 2003-7			Action	Existing Language:	Proposed Language:	Rationale:
Part	**Section Header**	**Section Reference**				
				(e) no less than two roof drains shall be provided in areas of 1000 m2 or less, and at least four roof drains in areas over 1000 m2; (f) design and sizing of roof drainage piping shall prevent flooding of control weirs; (g) scuppers shall be provided in parapet walls at an invert location 10 mm above the maximum designed water level; (h) the roof structure shall be adequate for the maximum possible load resulting from accumulation of storm water. The roof design for controlled flow roof drainage shall be based on a minimum of 960 Pa loading, to provide a safety factor above the 3620 Pa represented by the 75 mm design water depth; (i) the following data shall be included on the drawings: (i) roof area in m2, served by every drain; (ii) roof drain manufacturer, model number, and number of weirs; (iii) maximum water flow, maximum water head and drain down time; (iv) slope of all nominally horizontal piping; (v) invert elevations on main nominally horizontal piping; and (vi) location, size and elevation of scuppers in parapet walls;		

The Building Bylaw No. 2003-7			Action	Existing Language:	Proposed Language:	Rationale:
Part	**Section Header**	**Section Reference**				
				(j) the roof shall be equipped with forty five degree cuts, installed at all walls or parapets; (k) flashing is to extend a minimum of 75 mm above the maximum designed water level; and (l) controlled flow drainage, which is based on litres per second of flow, shall be converted to equivalent square feet of roof or paved area, on the basis of each litres per second of flow shall be equivalent to 35 m2 of area. Drains not equipped with weirs, such as area or plaza drains, may be connected to the controlled flow system provided the areas, including litres per second flow converted to area, are added together and the piping is sized to convey the sum of all loads.		
Section 4 Fees	Subsection 4.5 Grades	N/A	Delete	The fees for issuing finished grade elevations as required by subsection 2.8 shall be as follows:	Repealed.	No longer required. Council directed this to be a fully funded service. A return report in 2024 will provide any proposed fees for cost recovery.

The Building Bylaw No. 2003-7			Action	Existing Language:			Proposed Language:	Rationale:
Part	**Section Header**	**Section Reference**						
Section 4 Fees	Subsection 4.5 Grades	4.5.1	Delete	4.5.1	For the supply of finished grade elevations as required by Subsection 2.8.1 (1) in City owned subdivisions.	Nil	Repealed.	No longer required. Council directed this to be a fully funded service. A return report in 2024 will provide any proposed fees for cost recovery.
Section 4 Fees	Subsection 4.5 Grades	4.5.2	Delete	4.5.2	For the supply of finished grade elevations as required under Subsection 2.8.1. (1) in private subdivisions where the developer has by agreement with the City provided the required grades for each site.	Nil	Repealed	No longer required. Council directed this to be a fully funded service. A return report in 2024 will provide any proposed fees for cost recovery.

The Building Bylaw No. 2003-7			Action	Existing Language:	Proposed Language:	Rationale:
Part	**Section Header**	**Section Reference**				
Section 4 Fees	Subsection 4.5 Grades	4.5.3	Delete	4.5.3 For the supply of finished grade elevations as required under subsection 2.8.1 in all other instances. $109.00 + GST (#2005-92, s. 9, 2005; #2006-88, s. 9, 2006; #2009-74, s. 9, 2009; #2011-6, s. 10, 2011)	Repealed.	No longer required. Council directed this to be a fully funded service. A return report in 2024 will provide any proposed fees for cost recovery.
Section 4 Fees	Subsection 4.5 Grades	4.5.4	Delete	4.5.4 For the supply of finished grade elevations as required under clause 2.8.2(1)(b). $129.42 + GST (#2004-21, s. 7 and 8, 2004, #2004-106, s. 9 and 10, 2004, #2005-92, s. 10, 2005; #2006-88, s. 10, 2006; #2007-92, s. 10, 2007; #2009-74, s. 10, 2009; #2011-6, s. 11, 2011)	Repealed.	No longer required. Council directed this to be a fully funded service. A return report in 2024 will provide any proposed fees for cost recovery.

The Regina Community Standards Bylaw No. 2016-2			Action	Existing Language:	Proposed Language:	Rationale:
Part	**Section Header**	**Section Reference**				
Schedule "A" Part II – Building Exteriors	C Roofs, Roof-Mounted Structures and Eavestroughs	C.4	Delete	All downspouts shall direct drainage a minimum of 1.0 metre away from the foundation and to the front or rear of the lot.	Repealed.	The direction and location of downspouts is provided for in the *Wastewater and Storm Water Bylaw, 2016*.

Good Afternoon,

My name is Bill Babey and I am representing SCR Holdings Inc. I have no formal presentation to Council, but I am available to answer any questions of Council.

Thank you.

FORSTER HARVARD DEVELOPMENT CORP

200 – 2100 Dewdney Avenue
Regina, SK S4R 1H2
ForsterHarvard.ca

Date: February 24, 2022

Attention: Office of the City Clerk, City of Regina

Via: email: clerks@regina.ca

RE: Request to appear as a Delegation to March 2, 2022 City Council Meeting Regarding EX22-13 Tower Crossing Financial Options for Servicing

Your Worship and members of City Council, my name is Blair Forster and I am the President of Forster Harvard Development Corp. and I am here representing our various real estate projects throughout the city. Firstly, I want to be clear that I fully support the city providing a full slate of municipal services to the operating businesses within the annexed lands referred to as Tower Crossing. These businesses are now paying full property taxes and should have access to the services required to operate and expand their operations. Where I see a flaw in administration's recommendation in the report is the allocation of the area specific SAF rate. The structure the city is recommending has the potential of creating an unintended competitive advantage for these lands over other development sites in the city. In an extreme example, the day after the city expends the funds to service the lands, the existing business could relocate, develop the parcel for an unrelated commercial use, and pay a hectarage rate of $50,000.00 per hectare as opposed to the current SAF rate of approximately $300,000.00 per acre. I am sure it is not the intention of council to have the taxpayers of the city subsidize a landowner to profit in this redevelopment scenario.

I do not want to hold up the process of delivering the services to the operating businesses and as such, council should approve the funding to complete this work. I am asking however that council refer the SAF rate back to administration to ensure that at the time of development of any existing vacant land within the catchment area or at the time of subdivision or sale of land for a wholesale redevelopment the then current city-wide SAF rate is collected from the development. This compromise maintains the integrity of the SAF model while also honouring the promises the business owners feel were made to them at the time of annexation.

Thank you for your time and I am happy to answer any questions you may have.

Yours truly,

FORSTER HARVARD DEVELOPMENT CORP.

Blair Forster
President

Tower Crossing Financial Options for Servicing

Date	March 2, 2022
To	Mayor Masters and City Councillors
From	Executive Committee
Service Area	Planning & Development Services
Item #	CR22-17

RECOMMENDATION

That City Council:

1. Approve the City providing water servicing to lands within the Tower Crossing Plan Area as described in Option 1 of Appendix B.

2. Approve the transfer of $740,000 from the General Utility Reserve to fund the costs of providing Water Services to lands within the Tower Crossing Plan Area.

3. Approve the City providing Sewer Services to lands within the Tower Crossing Plan Area as described in Option 1(b) of Appendix B.

4. Approve an amendment to *The Development Levy Bylaw, 2011* by revising section 7.A.1 of The Development Charges Policy to allow for the collection of an Area Servicing Agreement Fee within the Tower Crossing Plan Area to enact recommendation #3.

5. Approve the City acquiring the lands needed for the identified road right-of-way network within the Tower Crossing Plan Area as described in Option 2 of Appendix B.

6. Approve the transfer of $355,000 from the Asset Revitalization Reserve to fund the costs of acquiring the lands needed for the identified road right-of-way network within the Tower Crossing Plan Area.

7. Approve an amendment to *The Development Levy Bylaw, 2011* by revising section 7.A.1 of

The Development Charges Policy to exempt the subject lands within the Tower Crossing Plan Area from the application of Greenfield Area Development Charges.

8. Instruct the City Solicitor to prepare the necessary bylaw amendments to give effect to the recommendations, to be brought forward to a meeting of City Council following approval of these recommendations and the required public notice.

9. Instruct the Administration to bring a memo to Council to report back in 2024 the total actual costs associated with recommendations 1, 2 and 3 above and to provide a statement of revenues achieved from municipal tax revenue and servicing agreement fees.

HISTORY

At the February 23, 2022 meeting of the Executive Committee, the Committee considered the attached EX22-13 report from the City Planning & Community Development Division.

The following addressed the Committee:

- Stu Niebergall, representing Regina & Region Home Builders' Association, Regina, SK; and
- Bill Babey, representing SCR Holding Inc., Regina, SK.

The Committee adopted a resolution to concur in the recommendation contained in the report.
.
Recommendation #10 in the attached report does not require City Council approval.

Respectfully submitted,

EXECUTIVE COMMITTEE

Amber Ackerman

Interim City Clerk

ATTACHMENTS
EX22-13 - Tower Crossing Financial Options for Servicing
Appendix A - Subject Lands
Appendix B - Options Evaluation

Tower Crossing Financial Options for Servicing

Date	February 23, 2022
To	Executive Committee
From	City Planning & Community Development
Service Area	Planning & Development Services
Item No.	EX22-13

RECOMMENDATION

The Executive Committee recommends that City Council:

1. Approve the City providing water servicing to lands within the Tower Crossing Plan Area as described in Option 1 of Appendix B.

2. Approve the transfer of $740,000 from the General Utility Reserve to fund the costs of providing Water Services to lands within the Tower Crossing Plan Area.

3. Approve the City providing Sewer Services to lands within the Tower Crossing Plan Area as described in Option 1(b) of Appendix B.

4. Approve an amendment to *The Development Levy Bylaw, 2011* by revising section 7.A.1 of The Development Charges Policy to allow for the collection of an Area Servicing Agreement Fee within the Tower Crossing Plan Area to enact recommendation #3.

5. Approve the City acquiring the lands needed for the identified road right-of-way network within the Tower Crossing Plan Area as described in Option 2 of Appendix B.

6. Approve the transfer of $355,000 from the Asset Revitalization Reserve to fund the costs of acquiring the lands needed for the identified road right-of-way network within the Tower Crossing Plan Area.

7. Approve an amendment to *The Development Levy Bylaw, 2011* by revising section 7.A.1 of

The Development Charges Policy to exempt the subject lands within the Tower Crossing Plan Area from the application of Greenfield Area Development Charges.

8. Instruct the City Solicitor to prepare the necessary bylaw amendments to give effect to the recommendations, to be brought forward to a meeting of City Council following approval of these recommendations and the required public notice.

9. Instruct the Administration to bring a memo to Council to report back in 2024 the total actual costs associated with recommendations 1, 2 and 3 above and to provide a statement of revenues achieved from municipal tax revenue and servicing agreement fees.

10. Approve these recommendations at its meeting on March 2, 2022.

ISSUE

This report has been prepared to recommend financial options for advancing the installation of servicing infrastructure required to support the full development potential of the existing business district (Subject Lands), as represented in Appendix A within the Tower Crossing Plan Area (area subject to the policies of the Tower Crossing Secondary Plan – OCP Part B.15).

The report provides a unique servicing strategy that recognizes the Subject Lands were incorporated into the City during the 2014 boundary alteration and have access to all City services with the exception of sanitary sewer. As part of the boundary alteration (CM13-15), future work and requirements were identified. The recommendations addressed through this report will conclude the remaining work required for these lands to be fully integrated into the City.

The landowners in the Tower Crossing Plan Area have expressed concerns related to the existing policies of the Secondary Plan and the plan for services delivery as there are barriers to due to the complexity of including an existing business district and as well as the coordination and timing of development and cost-sharing among so many different landowners. Current growth policies require a developer to pay for the necessary infrastructure to develop, and although the City is not legally obligated to provide services to support growth, the recommendations of this report recognize the Subject Lands are unique as they were developed as an established business district before becoming part of city lands and suggest an alternative approach to support service delivery.

IMPACTS

Financial Impact

The estimated probable costs and funding sources for each of the recommendations are provided in this section of the report.

Costs and Funding Sources

Water Service

The costs associated with the water service recommendation, Option 1 outlined in the water section of Appendix B, are described in Table 1. There is no expected direct recovery of these costs. These costs are proposed to be funded through the General Utility Reserve (GUR).

Table 1: Water Services Financial

Funding Source	Description	2022 $	2023 $	Two-Year Total
General Utility Reserve	Payment of Endeavour to Assist	$300,000		
General Utility Reserve	Engineering	$45,000		
General Utility Reserve	Construction		$395,000	
Total		**$345,000**	**$395,000**	**$740,000**

Sewer Services

The Sewer Services recommendation is to proceed with Option 1(b) outlined in the sewer service section of Appendix B. The probable costs associated with this option are provided for in Table 2. As such, this recommendation seeks approval for up to $6.8 million in engineering and construction costs. These costs are proposed to be funded by the City's cash account with a direct recovery of these costs through a Servicing Agreement Fee (SAF) Area Rate, which is approximated at $59,000 per hectare. The charge would apply when development occurs on any vacant sites within the Tower Crossing Neighbourhood.

Table 2: Sewer Services – Financial

Funding Source	Description	2022 $	2023 $	Two-Year Total
SAF Area Rate	Engineering	$780,000		
SAF Area Rate	Construction		$6,020,000	
Total		**$780,000**	**$6,020,000**	**$6,800,000**

There is an opportunity to achieve economies of scale for the construction of the sewer services and reduce the costs associated with this option if the construction can be conducted with the first phase of development for the Tower Crossing Neighbourhood.

Roads

The acquisition of road right-of-way recommendation is to proceed with Option 2 outlined in the roads section of Appendix B. The probable costs associated with this option are provided in Table 3.

These costs are proposed to be funded through the Asset Revitalization Reserve as they are a pressing need.

Table 3: Land Acquisition – Financial

Funding Source	Description	2022 $	Total
Asset Revitalization Reserve	ROW Purchases	$355,000	
Total		**$355,000**	**$355,000**

Impacts of Service Delivery

The Development Charges recommendation is to proceed with Option 2 as outlined in the development charges section of Appendix B. In this option, the Subject Lands would form part of the established area and be exempt from greenfield servicing agreement fees pursuant to The Development Charges Policy. The impact is an estimated increase to the Greenfield SAF rate (2022 model) of approximately $1,373 per hectare.

The uncommitted balance of the Asset Revitalization Reserve at the end of 2022 is $10.0 million. Approval of these recommendations would lower the uncommitted balance of the Asset Revitalization Reserve to $9.6 million. The uncommitted balance of the General Utility Reserve at the end of 2022 is $81.0 million. Approval of these recommendations would result in lowering the uncommitted balance of the General Utility Reserve to $80.3 million.

Although the City plans to use funding from the Asset Revitalization Reserve to fund part of an Indoor Aquatics Center in the coming years, the report recognizes the use of this reserve as a pressing need for the Tower Crossing development and the Administration will have time to strategize funding for future commitments to the Indoor Aquatics Center.

The SAF Area Rate for the construction of the sanitary sewer infrastructure will be collected over time as the Tower Crossing Neighbourhood grows. The SAF Area Rate will have a negative balance as the costs of providing this infrastructure will be paid upfront but repaid over time as the area develops. The negative balance reduces the City's cash account. Reduction to the cash account reduce the average size of the City's investment funds which reduce investment earnings. The cost to the City would be up to $224,000 per year in opportunity investments. This opportunity cost will decrease as the SAF Area Rate is paid back by subsequent development. This is noted as investment income is a funding source utilized within the City's annual budget.

The opportunity cost related to the SAF Area Rate being in a negative position is of equal financial impact as financing this expenditure by drawing from reserves. Funding capital expenditure from reserves also lowers the City's cash balance, resulting in decrease investment returns of the same magnitude as the impact outlined in this report.

Environmental

City Council set a community goal for Regina to achieve net-zero emissions and sourcing net-zero renewable energy by 2050. In support of this goal, City Council asked Administration to provide energy and greenhouse gas (GHG) implications of recommendations so that Council can evaluate the climate impacts of its decisions.

This report facilitates redevelopment of the subject lands as a mixed commercial and light industrial area. Considering the location and types of commercial typical for this context, it is expected that the primary travel mode will be the automobile; although, transit will be incorporated over time, in accordance with the City standards regarding the provision of transit services. The recommendations in this report have limited direct impacts on energy consumption and greenhouse gas (GHG) emissions.

The recommendations support the redevelopment of the Subject Lands, some of which have environmental site contamination. The redevelopment will require contamination be remediated as part of the development application process. The recommendations in the report would most likely result in an expedition of this cleanup as the lands will become more favorable for redevelopment.

The recommendations will allow the City to remove the existing private water system and create a more efficient site-to-site service for the private water connections. The waterline removal will reduce water loss through leakage in the private system. The recommendations will also provide an opportunity for the subject lands to have a connection to the City sewer service which will result in the decommissioning of private septic storage systems, reducing the likelihood of further environmental contamination.

Policy/Strategic Impact

The recommendations allow for alignment in a few key areas within the OCP. The recommendations allow for the City to maximize existing infrastructure for a built area, support the development of an identified Urban Centre and meet the planning objectives of the approved Tower Crossing Secondary Plan.

Specifically, the recommendations align with the following OCP statements:

Section C, Goal 2 – Efficient Servicing, 2.4: Make use of residual capacity of infrastructure in existing urban areas.

The Subject Lands within the Tower Crossing Secondary Plan have access to an existing water main, transportation network and drainage system and only lacks a sanitary sewer service. The recommendations will support the redevelopment of the Subject Lands that will in turn increase investment and thus municipal taxes. It will also promote connection to the City's water system, allowing for the decommissioning of a higher risk private system and better recovery of City operating costs through utility fee collection.

Section D10, Goal 1 – Economic Vitality and Competitiveness, 12.2: Minimize regulatory barriers to economic growth to the greatest possible extent while balancing the needs and aspirations of all Regina residents, fee-and-tax-payers, and the sustainability of the city.

The recommendations propose to create a specific SAF area rate for the Tower Crossing Plan Area and allow for the investment in infrastructure that will ultimately result in the redevelopment of the area.

It is also important to recognize that the identified Subject Lands may proceed through the typical development process on a case-by-case basis per policy Section E, Goal 5 – Phasing and Financing of Growth 14.20A. The recommendations further support this section.

"The phasing of development, and the provision of associated municipal services, within lands identified on Map 1 – Growth Plan and Map 1b – Phasing of New Neighbourhoods as URBAN CORRIDORS, URBAN CENTRES AND NEW EMPLOYMENT AREAS, shall be considered for approval by the City, on a case-by-case basis for employment uses (i.e. commercial, industrial and major institutional)."

The recommendations also has impacts and relates to the section of the OCP related to "growth pays for growth". Section B, Goal 4 – Ensure Revenue Growth and Sustainability, 1.16: Ensure growth pays for growth by…

This section indicates that the administration should "review the areas to which Servicing Agreement Fees apply, including the possibility of fees varying with location, density and use as necessary …".

The review of the fees for the Subject Lands is this section in practice. It is recommended that the collection of fees for the Subject Lands be waived in recognition that these lands were already developed before coming within the City's jurisdiction.

It is recognized that Administration should develop criteria to provide indicators for success and return on the City's investment in this infrastructure. Some considerations may be revenue based such as municipal tax or utility fee collections. Other indicators could be job generation or traffic

growth.

Risk/Legal
There are legal implications related to the recommendations, primarily concerning the area rate SAFs and an amendment to *The Development Levy Bylaw, 2011* to support this. The amendment to the bylaw would be required to support the sewer service Option 1(b) and the development charges Option 2 as outlined in Appendix B.

OTHER OPTIONS

There are many other variations of options presented in Appendix B of this report for Council to consider as alternative actions to the recommendations. Additionally, if Council has specific concerns, the report may also be referred back to Administration to be considered by Executive Committee or brought back directly to City Council.

COMMUNICATIONS

Interested parties received a copy of the report and notification of the meeting. Interested parties will receive written notice of City Council's decisions.

On July 29, 2021, the Mayor's office organized a meeting between the City and many of the Tower Crossing neighbourhood landowner representatives to discuss their respective lands, expectations, and concerns related to the approved Tower Crossing Neighbourhood plan.

Administration met with the landowner stakeholder group September 28, 2021 and October 22, 2021 and focused on listening to the issues and providing options or explanations to address the issues. Options related to land use were presented on October 22, 2021, and Administration met or communicated individually thereafter. These individualized meetings were intended to ensure that each landowner in the neighbourhood plan had an opportunity to ask specific questions related to land use or any other related matters that may be specific to their property.

A final group meeting was held on December 10, 2021. The meeting resulted in agreement from those in attendance with the recommendations that are presented in this report.

DISCUSSION

On January 1, 2014, the City carried out a municipal boundary alteration that resulted in the Tower Crossing Plan Area, including the Subject Lands being brought within the City's boundaries from the RM of Sherwood No. 159 (RM). There was a formal agreement that accompanied the boundary alteration; however, the agreement did not deal with these lands specifically or make

representations on how they would be managed after the boundary alteration.

The boundary alteration recognized the subject lands as a "Commercial Corridor." These lands were considered within the "imminent development area," which resulted in a five-year phase-in from the RM tax levels to the City's tax levels.

As part of the Boundary Alteration Implementation (CM13-15), recognition of future work was made in relation to the interim policies and definitions pertaining to the Subject Lands. The work related to the boundary alteration specifically identified that development should be further defined.

On August 31, 2015, the Tower Crossing Secondary Plan was approved by Council, which included the Phase 1 Concept Plan. The plan identified the subject lands as "Built Features" in section 2.3. The area of land considered as a built feature or brownfield development is provided in Table 4:

Table 4: Brownfield Development – Tower Crossing Concept Plan

Total Greenfield Hectares	**Total Brownfield Hectares**	**Total Hectares**
80.662	34.661	115.323

The Subject Lands or "brownfield" lands, with their pre-existing uses, were considered the imminent development area. The lands that provided for agricultural use were considered greenfield. The Subject Lands are identified in Appendix A. It is important to note that the landowners throughout these past reports, submitted statements and letters of support. These letters and statements conflicted with the City's interpretations of how the Subject Lands were to be provided services. The Financial section of the Tower Crossing Secondary Plan report, the City states:

"All projects internal to the plan area will be funded entirely by the developer and will not receive any reimbursement from the City from servicing agreement fee funds or City contributions."

Generally, the stakeholders representing the Subject Lands supported the overall strategy. However, there was an evident misunderstanding on the financial aspects for payment of infrastructure for the provision of services to the subject lands.

On September 5, 2017, owners representing seven properties within the Subject Lands approached Council to formally request a tax mitigation program change. Council denied the request and indicated that the phased-in tax program outlined in CR14-57 Boundary Alteration – 2014 Property Tax Exemptions and CM17-4 Boundary Alteration – 2017 Property Tax exemptions would remain in place.

Within this tax report, the City further recognized that the subject lands qualified for imminent development. Imminent development was further defined in the tax report as *the development of*

these lands that would not be restricted by the Design Regina Growth Plan and may proceed on a case-by-case basis as proposals come forth. This interpretation on phasing of the Subject lands was also expressed in the approved Secondary Plan with the rationale that these lands were identified as Urban Corridor and potential future Urban Centre within the OCP. The tax report further explains the Subject Lands were already developed and receive municipal services in accordance with existing City of Regina policies, however it was recognized that the Subject Lands do not receive City wastewater (sewer) services.

Under the existing policy, the expectations are that the City would require any developer of the Tower Crossing Plan Area to finance the development at their cost. Furthermore, any infrastructure investments as defined in the Secondary Plan or Concept Plan would be the developer's responsibility to install. This policy would apply consistently for both the greenfield area and the subject lands. The existing policy is clearly interpreted when applied to greenfield lands but requires further analysis and clarification regarding development in the Subject Lands. Problems arise when considering development applications in the Subject Lands as the zoning and conditions of the existing infrastructure are barriers to redevelopment or expansion.

When meeting with landowners, the City heard matters related to the amount of taxation in relation to services, boundary alteration, limited services, lack of reliable infrastructure, and limited ability to develop, sell or expand the subject lands and associated businesses. The meetings kicked off work with the landowner group to find creative options for the Subject Lands, in recognition that they are in a unique development scenario. The recommended servicing options will provide infrastructure services while still recognizing the concepts identified in the Neighbourhood Plan and Concept Plan approved by Council.

Three perceived issues have become clear through stakeholder engagement with the Tower Crossing Landowners.

1. There is an expectation of the provision of City services, including reliable water and sewer services in recognition of these lands as unique.
2. There is an expectation that the subject lands are considered brownfield and as such, should be considered as part of the Established Area development charges policy.
3. Under the current land-use policies and infrastructure plans there is difficulty expanding existing business operations on the subject lands. This difficulty is a result of the connection of these existing business to a greenfield development plan. Development plans in other areas of the city do not have the complexity of including an existing business district. Thus, the difficulty resides in the coordination of timing of development and costs sharing among so many different landowners.

The first two issues are discussed in detail below with respective options to bring a resolution for consideration. The third item was addressed in a separate zoning report that will propose a land

use solution for the existing business district.

City Services

Water Services
The City currently provides water to the Subject Lands through a public water main located under old Dewdney Avenue's east west grid road alignment. The Subject Lands have access to a previously installed network of private water infrastructure that can provide limited services. Properties are metered and billed individually through the City's utility billing system, however, the network of pipes providing water up to each private water meter is owned by the private landowner group. A structured private network of pipes is common for a commercial bare land condominium where there is one ownership group responsible for the maintenance of the pipes. The private system that exists in Tower Crossing would not be allowed under the City's current standards as separate service connections to the water main are required for each lot with a distinct certificate of title.

There are many long-term liability issues in terms of water quality and water pressure related to the supply of water through this private system. The water quality cannot be guaranteed in the private system. Systems like this are common outside of the City and the City manages the risks through specific water supply agreements. The private system that supplies water to the existing utility accounts owners in the Tower Crossing Plan Area is not subject to any documented water supply agreements on record. The lack of a formal contract poses a risk to the City that would be mitigated if the subject lands were required to disconnect from this system and connect to an upgraded service that meets current City standards.

There are also concerns related to fire protection with the current private system. The Subject Lands are underserviced for fire hydrants. Generally, fire protection would require more hydrants to be installed adjacent to the operating business along the service road. The private system would also struggle to meet the current minimum commercial standards related to National Fire Code and Building Code because of inadequate pressure or volume of water.

In 2019, the Aurora development directly south of the Tower Crossing lands constructed a new water main adjacent to the north Victoria Avenue service road. This water main is available to use upon endeavour to assist payments being made in accordance with The Development Charges Policy. It is recommended that Council approve option 1 of the water servicing options presented in Appendix B.

In this option, the City would construct the remaining portion of the water main to allow the subject lands to connect to the new infrastructure and require the private system from the Dewdney main be decommissioned. The City would fund the construction and endeavour to assist payments to

purchase the excess capacity in the line from the Aurora Developer by transferring up to $740,000 from the GUR to this Water Services project. The City would also pay for re-establishing water service connections for existing rate payers. The premise for the use of the GUR would be that the City would be reconnecting all existing properties with a utility bill for water service to the new water main. Any new service connections as a requirement of development within the subject lands would be required to be constructed at the developers' cost.

The recommendation would solve both described issues and meet the expectations of the stakeholder group.

Sewer Services
There is currently no public sewer system to provide sanitary sewer service for the subject lands. All existing businesses currently operate with a septic storage system that requires a waste hauling contract to dispose of the wastewater. The Tower Crossing Secondary Plan contemplates the sewer service to include a sanitary pump station. It also indicates that the sanitary pump station may be required to be decommissioned when the downstream upgrades eventually allow for gravity conveyance. Administration has recently re-evaluated the servicing options and the downstream conditions have been confirmed to allow for a gravity conveyance system. The gravity conveyance solution consists of a trunk sewer main and storage system constructed in the service road right-of-way adjacent Victoria Avenue. It is recommended that Council approve option 1(b) of the sewer servicing options presented in Appendix B.

In this option, the City would utilize up to $6,800,000 from the cash balance to construct a new trunk sewer main with storage. Although the use of cash balance would result in a lost opportunity cost from investment, this lost opportunity cost would reduce as the City receives repayment through an area servicing agreement fee. The City would impose an area specific SAF that would be reflective of the actual costs to construct the infrastructure. The City would take the total costs related to the construction of this new sewer trunk and divided these costs amongst the benefiting lands. The result would be imposition of an area specific SAF charge assessed against future development to offset the costs of the construction of the new sewer trunk. This area rate is estimated at approximately $59,000 per hectare of land. This area rate would allow for the City to recover costs associated with the construction of this sewer main as development occurs.

Any greenfield development or development of vacant lots within the subject lands would be required to pay the SAF area rate. The existing developments within the subject lands would be given the opportunity to connect to the new sewer and defer the payment of the SAF area rate. The deferral would delay the required payment of the area rate charges until the existing business is redeveloped or subdivided. Redevelopment would not include expansion or major renovation of the same business operation. This would allow existing businesses within the subject lands to have sewer services provided to them without the initial costs associated with the area SAF. The Subject

Lands that do not have an existing business would be required to connect and pay the area SAF fee when their sites develop. In addition to the area SAF costs, the developer would also be responsible for the service connection to the main, as this is our established practice.

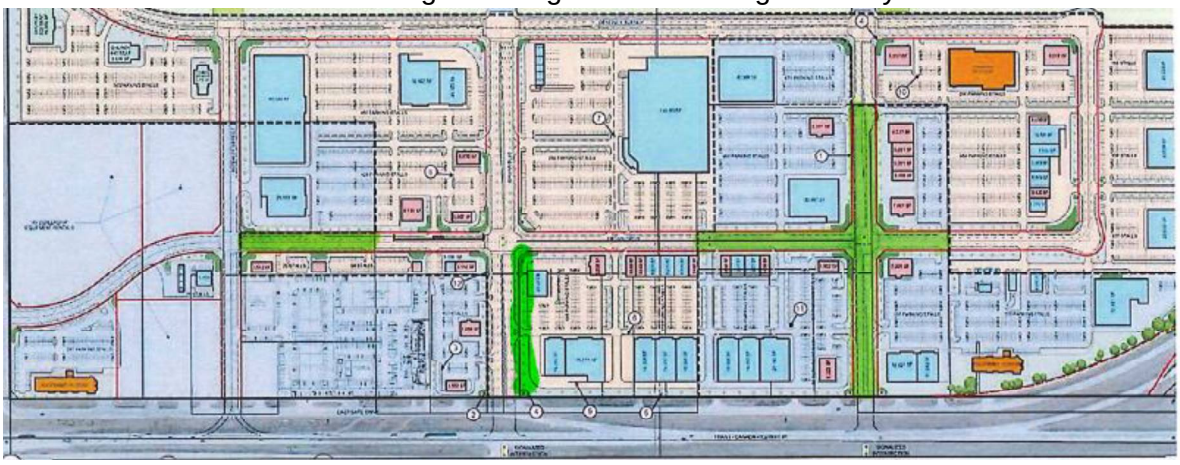
This recommendation would allow for and potentially accelerate the full potential of redevelopment within the subject lands, which is important as the City would gain the most municipal tax benefits from commercial developments that typically require a connection to the sewer main. The stakeholder group supports this recommendation.

Roads

The approved Secondary Plan provides for the proposed road network required to service the fully built out Plan Area. Within the subject lands, some of the road right-of-way has already been dedicated and other future right-of-way is expected to be dedicated at the time of subdivision. The existing Secondary Plan currently places the responsibility on the Developer to dedicate or negotiate with adjacent landowners for the acquisition of this right-of-way. During traditional greenfield development, road right-of-way is typically always dedicated as part of the subdivision process. However, the brownfield lands within the Tower Crossing Plan Area are already subdivided into parcel sizes that potentially benefit the market and future land use, and as such, a risk exists for the dedication of right-of-way on these lands. The risk is specifically related to a development application potentially obstructing or limiting the future road right-of-way with a building or private infrastructure.

The figure below shows the planned road right-of-ways that are required through the existing brownfield lands.

Figure 1: High Risk Road Right-of-Way



It is recommended that Council approve option 2 of the roads options presented in Appendix B. In this option, the City would utilize $355,000 in Asset Revitalization Reserve funding to purchase undeveloped right-of-way within the subject lands to ensure that development does not conflict with the planned roads.

The funding would support the purchase of land, and it would remain the developer's responsibility to construct the infrastructure required for the road. The high-risk road right-of-way is shown in Figure 1 as the green highlighted areas. The purchase price would be based on raw land value prior to the rezoning of the lands.

There would be two kinds of right-of-way acquisitions, road widening and new road right-of-way. The road widening rights-of-way pertain to Chuka Boulevard and Zinkhan Street. These widenings would be the priority road rights-of-way to secure. New undeveloped road right-of-way through these lands is in relation to the extension of Argan Drive. Argan Drive would be purchased and dedicated through a planned subdivision. None of the roads would be constructed but held as undeveloped road right-of-way until required by the triggering development. This is the recommended option as it allows for the control of a future risk.

Development Charges

The Subject Lands are recognized as previously developed lands in all previous reports. The Tower Crossing Secondary Plan acknowledges the Subject Lands as a built form but does not address the collection or application of Development Charges for the neighbourhood. The 2017 taxation report further identifies these subject lands as fully serviced except for sanitary sewer. These acknowledgements provide for risk in the interpretation of the collection of development charges.

It is recommended that Council approve option 2 of the development charges options presented in Appendix B. In this option, the Subject Lands would form part of the established area and be exempt from greenfield servicing agreement fees pursuant to The Development Charges Policy. The City would recognize that the RM developed the existing business corridor in Tower Crossing before the boundary alteration. The City will identify these existing sites as brownfield lands and exempt them from the collection of Greenfield Servicing Agreement Fees. Removal of these lands from the model would result in an increase of approximately $1,373 per hectare for the Greenfield SAF rate.

This option is recommended as it is the lowest risk to the City regarding legal, reputational, financial and administrative risk. The removal of the subject lands from the Development Charges Financial model aligns with the narrative in the previously presented reports that the subject lands receive full services from the City. In other words, these subject lands could be considered infill development outside the intensification boundary. Thus, no levies would be applied upon these principals.

Conclusion

All the recommendations within this discussion consider the context that the subject lands included in the boundary alteration in 2014 are a unique scenario. There are no similar municipal boundary alterations that have included an entire business district within the larger Cities within Saskatchewan. It is probable that without some recognition of this uniqueness, the Subject Lands within Tower Crossing area will struggle to achieve their full potential as described in the approved Secondary Plan. This low development potential will result in a very low tax growth for the subject lands that already receive most of the City services.

Furthermore, the Subject Lands cause considerable additional risk to greenfield developers in the area regarding the infrastructure cost and right-of-way acquisition. Under the current conditions, it will be difficult for a greenfield developer to obtain construction financing as there is much risk associated with the subject lands. These recommendations are important to consider achieving the overall development of these lands and vision of the Secondary Plan.

DECISION HISTORY

On November 6, 2013, Council supported the motion adopting resolutions related to a municipal boundary alteration come into effect on January 1, 2014. These included the Tower Crossing lands (CM13-14).

On August 31, 2015, Council supported the recommendations of Proposed Tower Crossing Secondary Plan and Phase I Concept Plan (CR15-85).

Respectfully submitted,

Dustin McCall, Manager, City Projects 2/4/2022

Respectfully submitted,

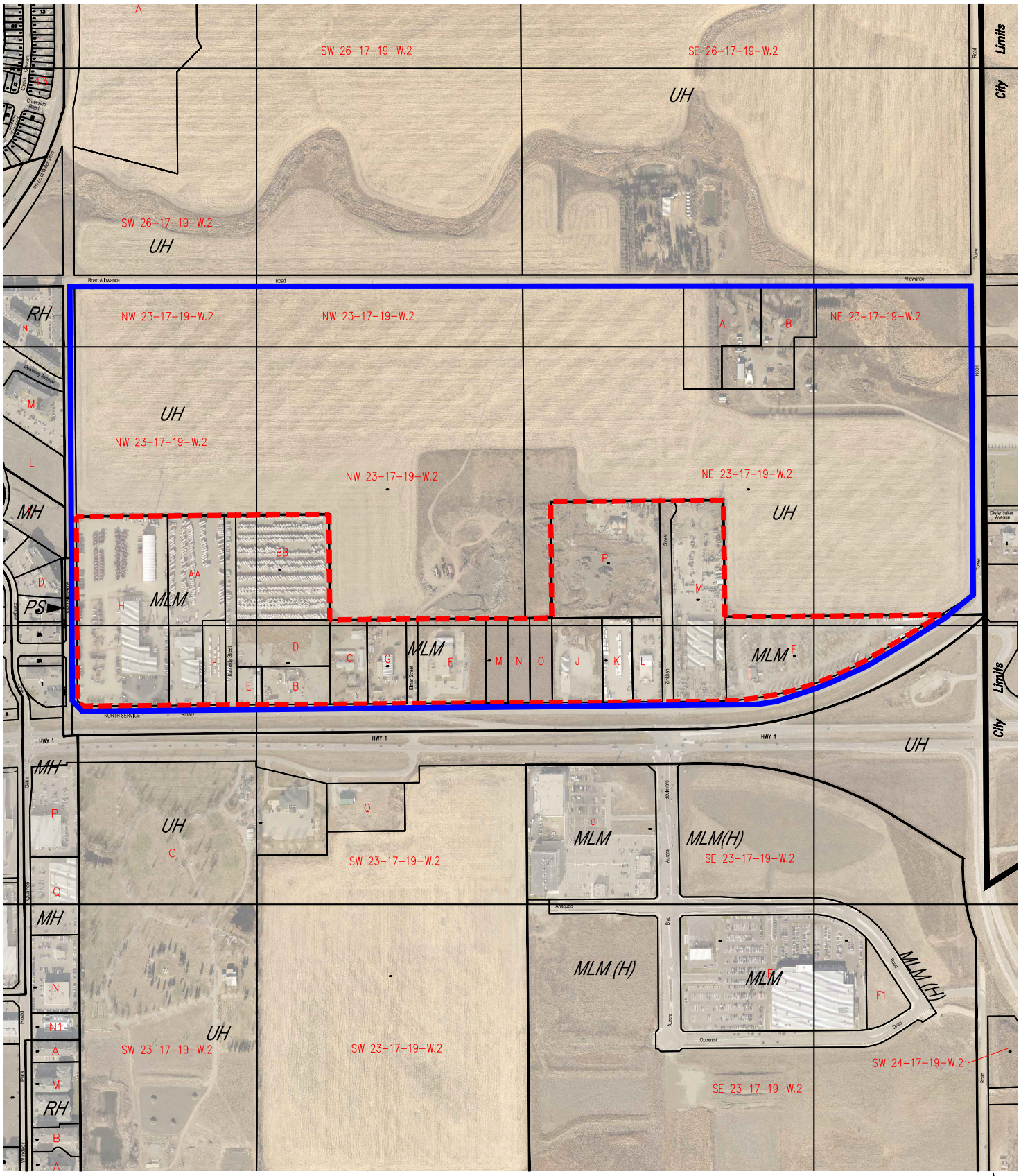
Au[illegible]n Dawson, A/Executive Director 2/10/2022

Prepared by: Dustin McCall, Manager, City Projects

ATTACHMENTS

Appendix A - Subject Lands
Appendix B - Options Evaluation

Appendix A



Date of Photography : 2020

Subject Lands

Tower Crossing Secondary Plan Area

Project PL202100205

Civic Address/Subdivision Zoning Bylaw amendment on portions of NW 23-Twp17-Rge19-W2M and NE 23-Twp17-Rge19-W2M

Appendix B: Tower Crossing Options Evaluation

Water Servicing Options

Option 1: Provide Water Service Using General Utility Reserve (GUR)

In this option, the City would construct the remaining portion of the water main to allow the subject lands to connect to the new infrastructure and require the private system from the Dewdney main be decommissioned. The City would fund the construction and endeavour to assist payments to purchase the excess capacity in the line from the Aurora Developer by transferring $740,000 from the GUR to this Water Services project. The City would also pay for re-establishing water service connections for existing rate payers. The premise for the use of the GUR would be that the City would be reconnecting all subject lands with a utility bill for water service to the new water main. Any new service connections as a requirement of development within the subject lands would be required to be constructed at the developers' cost. Opinion of probable costs are indicated in Table 1:

Table 1: Water Services

Description	Costs ($)
Aurora Endeavour to Assist (Construction & Engineering)	$300,000
Capital Costs Trunk Main Extension	$45,000
Capital Costs of Service Connections	$395,000
Total Water Costs	$740,000

Risks:

- There is no direct cost recovery associated with this option.
- The return in the investment to the GUR would depend on the rate of development for these lands.
- The use of the GUR would cause other capital projects to be bumped in terms of priority.

Benefits:

- Operational risks to the Dewdney Avenue water main would be reduced, including the risk of private water leaks and ownership of the private system.
- Increased level of service to the subject lands concerning water pressure and volume
- Increased potential for redevelopment into activities that align with the approved Concept Plan
- Fire Hydrants and Fire flows would meet operational needs for the subject lands.
- The City would reconnect existing Water Users with a reliable water service.
- Endeavour to Assist Payment would remove financial risk for Aurora Development.

This option is recommended. The subject lands have access to a previously installed network of private water infrastructure that can provide limited services. Properties are metered and billed individually through the City's utility billing system, however, the network of pipes providing water up to each private water meter is presumably jointly owned by the private landowner group. A structured private network of pipes is common for a commercial bare land condominium where there is one ownership group responsible for the maintenance of the pipes. The private system that exists in Tower Crossing would not be allowed under the City's current standards as separate service connections to the water main are required for each lot with a distinct certificate of title.

There are many long-term liability issues in terms of water quality and water pressure related to the supply of water through this private system. The water quality cannot be guaranteed in the private system. Systems like this are common outside of the City and the City manages the risks through specific water supply agreements. The private system that supplies water to the existing utility accounts owners in the Tower Crossing Plan Area is not subject to any documented water supply agreements on record. The lack of a formal contract poses a risk to the City that would be mitigated if the subject lands were required to disconnect from this system and connect to an upgraded service that meets current standards.

There also concerns related to fire protection with the current private system. The subject lands are underserviced for fire hydrants. Generally, fire protection would require more hydrants to be installed adjacent to the operating business along the service road. The private system would also struggle to meet the current minimum commercial standards related to National Fire Code and Building Code because of inadequate pressure or volume of water.

The recommendation would solve both issues and meet the expectations of the stakeholder group.

Option 2: Provide Water Service with a Cost Recovery Connection Fee

In this option, the City would front end the costs of the infrastructure. The City would utilize the funding to construct the remaining portion of the water main and pay the endeavour to assist payment to secure the capacity to ensure that the subject lands have access to the water main. These opinions of probably costs are outlined in Table 2 below:

Table 2: Water Connection Cost Recovery Fee

Description	**Costs ($)**
Aurora Endeavour to Assist (Construction & Engineering)	$300,000
Capital Costs Trunk Main Extension	$45,000
Total Water Costs	$345,000

The subject lands would be responsible for the capital costs of the service connection. When a property connects to the water service, they will pay a hectarage rate for the service. The rate would be applied to both the greenfield and the subject lands. The rate is listed in Table 3.

Table 3: Water Service Hectarage Rate

	Total Estimated Cost	Per Hectare Cost
Tower Crossing - Water Main	$345,000.00	$2,948.24

Risks:

- The return on the investment would depend on the rate of development
- Allowing service from both the Dewdney water main and the Aurora water main would increase the operational risks to both water mains.
- The City would be required to bump projects from the source of the capital funding
- Water Quality risk to the area would remain as not all properties would be serviced from the Aurora water main.
- Leak risks for the area would remain as the private system would be in place to service properties that chose not to connect to the Aurora water main.
- Requires an amendment to the Development Levy Bylaw

Benefits:

- Provides for a full cost recovery finance model.
- Increased potential for redevelopment into activities that align with the approved Concept Plan
- Increased level of service to the subject lands concerning water pressure and volume due to connecting to the Aurora water main. Some fire hydrants would meet operational needs.
- Endeavour to Assist Payment would remove financial risk for the Aurora Development.

This option is not recommended as it effectively increases the City's risk by allowing two water systems to exist to service the area. The option does not manage risk consistently or predictably over the Tower Crossing neighbourhood. This option was not supported by the landowners.

Sewer Servicing Options

Option 1(a): Provide Sewer Service Using General Fund Reserve (GFR) with Area Servicing Agreement Fees (SAF) Recovery and allow Septic Holding Tanks

In this option, the City would utilize up to $6,800,000 in GFR funding to construct a new trunk sewer main with storage. The City would take the total costs related to the construction of this new sewer trunk and divided these costs amongst the benefiting lands. The result would be imposition of an area specific servicing agreement fee charge assessed against future development to offset the costs of the construction of the new sewer trunk. This area rate is estimated at approximately $59,000 per hectare of land. This rate would allow for the City to recover costs associated with the construction of this sewer main as development occurs. The area SAF is estimated in Table 4:

Table 4: Area SAF – Sewer Services

	Total Estimated Cost	**Per Hectare Cost**
Tower Crossing - Sanitary Main	$6,800,000.00	$58,964.82

This option would not require the subject lands to pay the Area SAF Rate immediately. Existing businesses may be allowed to maintain a septic holding tank without connecting to the sewer service.

Risks:

- Greenfield lands would indirectly benefit from the construction of the sanitary infrastructure in terms of construction financing. This would benefit would contradict our current Development Charges Policy.
- The return in the investment to the GFR would depend on the rate of development for these lands.
- The use of the GFR would cause other capital projects to be bumped in terms of priority.
- If the City provides the design and project management services for the project, this will require in-house resources to deliver.
- A project manager is required for this project. There is a risk related to the capacity to project manage and deliver a project like this as other project schedules may be impacted.
- Requires an amendment to the Development Levy Bylaw.

Benefits:

- The provision of servicing would meet the stakeholders' expectations and lower the political risk.
- Increased potential for redevelopment into an activity that aligns with the approved Concept Plan.

- Allows for the highest return on investment by promoting land use activities that utilize sewer and water services.
- Allows for collection of a full Utility Bill from the connected landowners.

This option is not recommended because it still requires a significant capital investment for the subject lands to connect to the infrastructure. It also has a negative impact on the General Fund Reserve.

Option 1(b): Provide Sewer Service Using the Cash Account with Area Servicing Agreement Fees (SAF) Recovery and allow deferral of payment for existing businesses.

This option utilizes the City's cash account to fund the construction of the infrastructure. The SAF Area Rate for the construction of the sanitary sewer infrastructure will be collected over time as the Tower Crossing Neighbourhood grows. The SAF Area Rate will have a negative balance as the costs of providing this infrastructure will be paid upfront but repaid over time as the area develops. The negative balance reduces the City's cash account. Reduction to the cash account reduce the average size of the City's investment funds which reduce investment earnings. The City expects the long-term average return on investments of 3.3 per cent. The opportunity costs of a negative SAF Area Rate would be 3.3 per cent on up to $6.8 million, or a maximum of $224,000 per year. This opportunity cost will decrease as the SAF Area Rate is paid by subsequent development. Investment income is a funding source utilized within the City's annual budget. This opportunity cost will require up to $224,000 per year in revenues from other sources to replace reduced investment earnings.

The existing developments within the subject lands would be given the opportunity to connect to the new sewer and defer the payment of the Area SAF Rate. The deferral would delay the required payment of the area rate charges until the existing business is redeveloped or subdivided. Redevelopment would not include expansion or major renovation of the same business operation. This would allow existing businesses within the subject lands to have sewer services provided to them without the initial costs associated with the area servicing agreement fees. Subject lands that do not have an existing business would be required to connect and pay the area SAF fee when their sites develop. In addition to the area SAF costs, the developer would also be responsible for the service connection to the main, as this is our established practice. The risks and benefits are listed below:

Risks:

- Greenfield lands would indirectly benefit from the construction of the sanitary infrastructure in terms of construction financing. This would benefit would contradict our current Development Charges Policy.
- The return in the investment to the cash account would depend on the rate of development for these lands.
- If the City provides the design and project management services for the project, this will require in-house resources to deliver.
- A project manager is required for this project. There is a risk related to the capacity to project manage and deliver a project like this as other project schedules may be impacted.

- Requires an amendment to the Development Levy Bylaw.
- A registration on title or some other legal mechanism would be required if an existing business defers the collection of payment of the area servicing agreement fees.
- The existing businesses would be required to connect to the sewer as per the applicable bylaw.

Benefits:

- The option would result in a quicker return on investment as new development would require connecting to the sewer system.
- It allows for the subject lands to eliminate the septic holding tanks for a sewer service.
- It allows for the subject lands to expand their business with access to a sewer service.
- Allows for the collection of Utility billing related to sewer services
- Would allow for the maximum use of land without significant initial capital investment versus those that may only require septic holding tanks.

This is the recommended option as it allows for the most reasonable cost option for the subject lands to connect to a sewer service. It also provides a financing tool for the City to recover the costs associated with the construction of the infrastructure as the Tower Crossing Neighbourhood develops into the vision within the neighbourhood plan.

Option 2: Provide Sewer Service Using General Fund Reserve (GFR) With Greenfield Area Servicing Agreement Fees (SAF) Rate

In this option, the City would pay for the construction of the new infrastructure as indicated in Option 1. The City would apply an Area SAF rate to recover the costs from only the greenfield lands. The City would not require the subject lands to pay the Area SAF Rate as the City would fund this portion of costs. The related Area SAF Rate is indicated in Table 5:

Table 5: Area SAF Rate – Sewer Services

	Estimated Cost	**Per Hectare Cost**
Greenfield SAF Area Costs	$4,756,220.00	$58,964.82
City Costs (Non-Recoverable)	$2,043,780.00	$58,964.82
Total Costs	$6,800,000	$58,964.82

In this option, the subject lands would be required to connect to the public sewer service per the *Wastewater and Stormwater Bylaw, 2016-24* requirement. Septic storage or private sewer services for the area would be required to be decommissioned.

Risks:

- Greenfield lands would indirectly benefit from the construction of this sewer service in terms of construction financing.

- The return in the investment to the GFR would depend on the rate of development.
- The City would set precedence for similar cases where the City would build infrastructure with no capital recovery.
- The use of the GFR would cause other capital projects to be bumped in terms of priority.
- Requires an amendment to the *Development Levy Bylaw.*

Benefits:

- Increased potential for redevelopment into an activity that aligns with the approved Concept Plan
- Allows for the highest return on investment by promoting land use activities that utilize sewer and water services.

This option is not recommended as it sets a precedence for the City to provide services that did not exist without recourse for recovery of the Capital expenditures.

Roads

There are a few options to manage the right-of-way concerns within the subject lands, these are presented below:

Option 1: Status Quo

The City would rely on the Developer to negotiate the required road right-of-way in the subject lands for the related subdivision that requires the new road or widened road.

Risks:

- The subject lands have competing interests and may not agree on the sale or dedication of right-of-way.
- Greenfield lands that require right-of-way in the subject lands for the planned road network may not be able to secure the right-of-way.
- The City may have to expropriate land to acquire the right-of-way
- Subject Lands with future right-of-way interests may require a holding overlay on the zone to protect the City's interests.
- Dedication of right-of-way within the subject lands may be perceived as unfair as not all landowners would be required to dedicate the right-of-way.

Benefits:

- It places the responsibility of the acquisition of the right-of-way on the greenfield developers
- There is a higher potential to achieve the planned road network according to the approved neighbourhood plan.

Option 2: Negotiate and Purchase the high risk Right of Way using the Asset Revitalization Reserve (ARR)

In this option, the City would utilize up to $355,000 in ARR funding to purchase undeveloped right-of-way within the subject lands to ensure that development does not conflict with the planned roads. These costs would be for the purchase of land, and it would remain the developer's responsibility to construct the infrastructure required for the road. The high-risk road right-of-way is shown in Figure 1 of the report as the green highlighted areas. The purchase price would be based on raw land value prior to the rezoning of the lands.

There would be two kinds of right-of-way acquisitions, road widening and new road right-of-way. The road widening rights-of-way pertain to Chuka Boulevard and Zinkhan Street. These widenings would be the priority road rights-of-way to secure. New undeveloped road right-of-way through these lands is in relation to the extension of Argan Drive. Argan Drive would be purchased and dedicated through a planned subdivision. None of the roads would be constructed but held as undeveloped road right-of-way until required by the triggering development. The opinion of probable cost for this option is shown in the Table 6 showing the required right-of-way purchases:

Table 6: ROW Land Acquisition Costs

Road Segment	Land Area Required (Ha)	Estimated Purchase Price
New Argan Drive at 1701 Kennedy Street	0.4032	$80,856
New Argan Drive at 1700 Zinkhan Street	0.4704	$94,332
New Argan Drive at 5050 E Victoria Avenue	0.2328	$46,685
Widening Zinkhan Street at Victoria Avenue Intersection	0.3600	$72,193
Widening Chuka Boulevard at Victoria Avenue Intersection	0.304	$60,963
Total Estimated Costs		$355,029

The assumed average raw land value is estimated at $200,536 per hectare based on an assessment done in 2016 for the Tower Crossing Neighbourhood by in Brunsdon Lawrek & Associates.

Risks:

- Funding would be required from the ARR to pay for the right-of-way required.
- ARR funding will be used to fund part of the Indoor Aquatics Centre, any expenditures from this reserve will require alternative funding for to support the Indoor Aquatics Centre.
- May set precedence for future boundary alterations

Benefits:

- Right-of-way that is required in the subject lands would be secured and future acquisition complications would be removed.

This is the recommended option as it allows for the control of a future risk. The right-of-way is proposed to be purchased at raw land value and secured for future use for the area.

Development Charges

Option 1: Apply the Current Development Charges Policy

The City would treat the entire area no different than other areas of the City. If subdivision occurs, the City will apply the Greenfield Servicing Agreement Fees (SAF). The current greenfield SAF rate is $296,543 per hectare.

Risks:

- The rate would only apply upon subdivision of land. Landowners could choose not to subdivide to circumvent the rate.
- Subdivision has already occurred on the subject lands, potentially having this area collected upon for development charges.
- The subject lands are already serviced with water, drainage and transportation infrastructure, and development has previously occurred on the sites.
- The City may end up with an unfunded gap in the SAF model as subdivisions would potentially be deterred in these lands, preventing SAF collection.

Benefits:

- There would be no perceived political risk from other land developers.
- The Development Charges model would not require an adjustment.

This option is the existing condition and would require a decision to change it. The area has existing water, stormwater, and transportation services that are already impacted by the subject lands. These services provide evidence to support that this area already impacts our related infrastructure.

Option 2: Exempt the Subject Lands from the collection of Greenfield Development Charges

The subject lands would be exempt from the collection of greenfield servicing agreement fees or development levies. In this option, the subject lands would form part of the established area and be exempt from greenfield servicing agreement fees pursuant to The Development Charges Policy. The City would recognize that the RM developed the subject lands in Tower Crossing before the boundary alteration. The City will identify these subject lands as infill lands and exempt them from the collection of Greenfield Servicing Agreement Fees. Removal of these lands from the model would result in the approximate change in the development charges rate as shown in Table 7:

Table 7: Development Charges Rate – Revised

Development Charge	Calculated Original Fee	Calculated Proposed Fee	Change in Fee
Greenfield Servicing Agreement Fees	$296,543 per Hectare	$297,916 per Hectare	$1,373 per Hectare

The difference in the Greenfield SAF rate would be an increase of $1,373 per hectare.

Risks:

- This would set precedence for a more detailed approach to Neighbourhood Planning in consideration of existing built form.
- Requires an amendment to the *Development Levy Bylaw*

Benefits:

- There would be no funding gap in the Development Charges financial model.
- The Tower Crossing Stakeholder group supports this option.
- Would remove a perceived barrier for development of the subject lands.
- SAF's would still apply on the greenfield lands

This option is recommended as it is the lowest risk to the City regarding legal, reputational, financial and administrative risk. The removal of these subject lands from the Development Charges Financial model aligns with the narrative in the previously presented reports that these lands received full services from the City. In other words, these subject lands could be considered infill development outside the intensification boundary. Thus, no levies would be applied upon these principals.

Proposed Municipal Boundary Alteration

Date	March 2, 2022
To	Mayor Masters and City Councillors
From	Executive Committee
Service Area	Financial Strategy & Sustainability
Item #	CR22-18

RECOMMENDATION

That City Council:

1. Direct Administration to give Public Notice of Council's intention to apply for an alteration to the City's boundaries as shown on Appendix A and notify affected parties as required pursuant to section 43 of The Cities Act; and

2. Direct Administration to endeavour to negotiate a Boundary Alteration Agreement, including tax loss compensation, with the RM of Sherwood, subject to Council approval.

HISTORY

At the February 23, 2022 meeting of the Executive Committee, the Committee considered in **private** session, the attached E22-4 report from the Financial Strategy & Sustainability Division.

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

Recommendation #3 in the attached report does not require City Council approval.

Respectfully submitted,

EXECUTIVE COMMITTEE

Amber Ackerman, Interim City Clerk 2/25/2022

ATTACHMENTS
E22-4 Proposed Municipal Boundary Alteration
Appendix A - Proposed Municipal Boundary Alteration
Appendix B - Proposed Municipal Boundary Alteration
Appendix C - Proposed Municipal Boundary Alteration

Proposed Municipal Boundary Alteration

Date	February 23, 2022
To	Executive Committee
From	Financial Strategy & Sustainability
Service Area	Financial Strategy & Sustainability
Item No.	E22-4

RECOMMENDATION

The Executive Committee recommends that City Council:

1. Direct Administration to give Public Notice of Council's intention to apply for an alteration to the City's boundaries as shown on Appendix A and notify affected parties as required pursuant to section 43 of The Cities Act;

2. Direct Administration to endeavour to negotiate a Boundary Alteration Agreement, including tax loss compensation, with the RM of Sherwood, subject to Council approval; and

3. Approve this report, at a future meeting of Council.

ISSUE

This report is further to the April 12, 2021 City Council report CM21-6 authorizing Administration to enter into an agreement granting an option to purchase City of Regina (City) owned lands.

The Administration has been in discussion with the RM of Sherwood (RM) to bring the optioned lands as well as surrounding City owned lands all totaling approximately 1,188 acres shown in white in Appendix A – Proposed Boundary Alteration (the "Lands"), into the City through a boundary alteration application.

Viterra, the optionee of land within the Lands, is pursuing the development of a canola crushing facility which is expected to generate significant economic activity in the Capital Region. The proposed canola crushing facility is a sophisticated industrial facility that requires urban services.

The reason for the proposed boundary alteration is to accommodate immediate and long-term industrial growth demands consistent with imminent development proposals and specific land-owner requests for annexation and supply of City services to the Lands.

IMPACTS

Financial Impact

There are no direct financial implications associated with the recommendations of this report. However, as the boundary alteration proceeds, the financial implications will include tax loss compensation to the RM, costs associated with the provision of municipal services to this new area, and tax and fee revenues derived from the lands.

Economic Impact

The development of the lands by the optionee is estimated to bring approximately:

- 1,000 construction jobs during commissioning and support 1,835 jobs indirectly, resulting in a labour income during construction valued at $93 million. The capital spend to construct the facility remains confidential.
- Once operational the plant will generate approx. $1.3 billion in revenues, drive regional GDP of $500 million and provide a labour income impact of $73 million annually (direct and indirect salaries).

The City will be required to extend services to the proposed lands in order for any large-scale development to occur.

Policy/Strategic Impact

A boundary alteration of the Lands by the City aligns with both the RM and City growth plans. The Lands border the existing City boundary and are shown as a future growth area for the City of Regina (~400K+) on the RM of Sherwood – City of Regina Growth Intentions map which was agreed to and incorporated into each municipality's Official Community Plan ("OCP"). Policy exists in both the RM and City OCPs to react to opportunities that benefit the Capital Regions. The specific policies are City of Regina OCP *3.10 " The RM and the City acknowledge the current future growth intentions of each other as shown on Map 1a- RM of Sherwood – City of Regina Growth intentions and agree to manage their municipal development in a way that is consistent and respects such intention unless it is agreed that regional interests require revision of those intentions"*, and RM OCP *4.3.5 " The RM acknowledges the growth intentions area as shown in Schedule O of this Plan and respects these intention but will not unduly limit suitable private /*

public sector initiatives and planned development with the Capital Region. It is also acknowledged that the respective "growth areas" may need to be revised to accommodate a market need and adjust to regional interest."

The growth intentions map was developed through a collaborative planning process between the RM and City. Major industrial developments requiring City services were not anticipated during the 2013 boundary alteration, and as such the projected timing for altering the boundary of the Lands was the 400,000 growth population. Boundary alteration of the Lands is proposed earlier than anticipated to respond to this unique economic development opportunity, but the proposed boundary alteration aligns with agreed upon growth intentions and existing planning documents that acknowledge that these lands would ultimately be brought within city limits.

The proposed development of a canola crushing plant by Viterra requires the construction of a spur rail line to the facility. Viterra and the City are collaborating on a rail route that allows the Viterra spur line to eventually be utilized as a section of the future main line proposed in the City rail relocation plan to remove at grade rail crossings from the Ring Road.

The development of these lands aligns with many of the Economic Development policies noted in the OCP and Regina's 2030 Economic Growth Plan. Specifically, goals addressing the economic development potential of the city and supporting economic generators.

Environmental
None with respect to this report.

OTHER OPTIONS

Option 1 – Do not proceed with Boundary Alteration

Not proceeding with a Boundary Alteration will jeopardize the economic opportunity presented by Viterra. As development would occur outside the City's boundary and no property taxes would be collected by the City, recovery of any City services provided to Viterra and any other costs incurred by the City related to the development would need to be recovered through extra municipal surcharges or other charge structures which would likely serve as a deterrent to Viterra locating in the Capital Region.

COMMUNICATIONS

The notice of intent to alter municipal boundaries will be advertised in the Leader-Post for two consecutive weeks. Notices will also be distributed to the RM of Sherwood and affected School Boards pursuant to the public notification requirements of *The Cities Act*. In addition, information will

be posted on the City website. A public meeting is required to be held if objections are received in response to the initial notice of intent.

DISCUSSION

A boundary alteration, consistent with the City's future growth plans, is proposed to support previously unforeseen but imminent development opportunities that require City services in order to proceed.

The Lands included in the proposed boundary alteration are currently owned by the City of Regina, are undeveloped and are leased for agricultural purposes. The Lands are currently identified in the City's Official Community Plan as future City of Regina lands (Appendix B – RM Sherwood – City of Regina Growth Intentions).

The boundary alteration application of 2013 brought lands into the City required for residential, office, retail and small industrial growth up to the 400,000 population target based on and in connection with the adoption of the new OCP. At that time, imminent development of this area was not identified by either the City or the RM. Accordingly, the selection of land in this area for development of canola crushing plants was unforeseeable by either the City or RM during previous boundary alteration negotiations.

The proposed alteration is to accommodate large-scale economic development projects which will benefit the Capital Region as a whole, but which also require the support of significant services which the City is in the best position to provide. Development of the Lands requires City services as the RM does not have servicing capacity required to meet developer requirements, though potable water may be provided by the RM by utilizing existing water infrastructure. Development of the Lands is unlikely to occur should the boundary alteration not be achieved.

The City's current land base does not include lands that can adequately accommodate the needs of the proposed development. Boundary alteration of the Lands will provide the City with the necessary certainty and flexibility to properly plan and accommodate the extension of services to this area to support recent development demands as well as anticipated new demands that will be created as a result. It will also allow the City to support newly realized development objectives by providing market certainty and improving the affordability of development. If Lands remain outside the City's jurisdiction there will likely be less capacity and resources for servicing such development in a financially efficient and rationalized manner.

The City is committed to working collaboratively with the RM to alleviate any impact of the proposed boundary alteration in an effort to obtain the RM's consent to the application through a complimentary resolution. Discussions on boundary alteration with the RM began in 2021. The City

and the RM have met regularly and exchanged correspondence on the matter. The process of boundary alteration can be lengthy. Administration recommends commencing the first formal step of the boundary alteration process which is providing notice of Council's intention to apply for an alteration to the City's boundaries and to notify affected parties as required pursuant to section 43 of *The Cities Act*. Appendix C – Guide for Municipal Boundary Alterations further outlines the process.

Administration proposes to continue negotiations with the RM regarding a boundary alteration using the Province of Saskatchewan's *Principles for Financial Settlements between Municipalities for Boundary Alterations*. Administration will provide Council with regular updates regarding discussions with the RM as we determine a fair compensation package.

DECISION HISTORY

On April 12, 2021, through report CM21-6, City Council approved entering into an agreement granting an option to purchase City owned lands NE 08-18-19-2 Ext, SE 08-18-19-2 Ext 0, NW 09-18-19-2 Ext 2 and SW 09-18-19-2 Ext 0.

Respectfully submitted,

Chad Jedlic, Director, Economic & Business Development

Respectfully submitted,

Barry Lacey, Executive Director, Financial Strategy & Sustainability

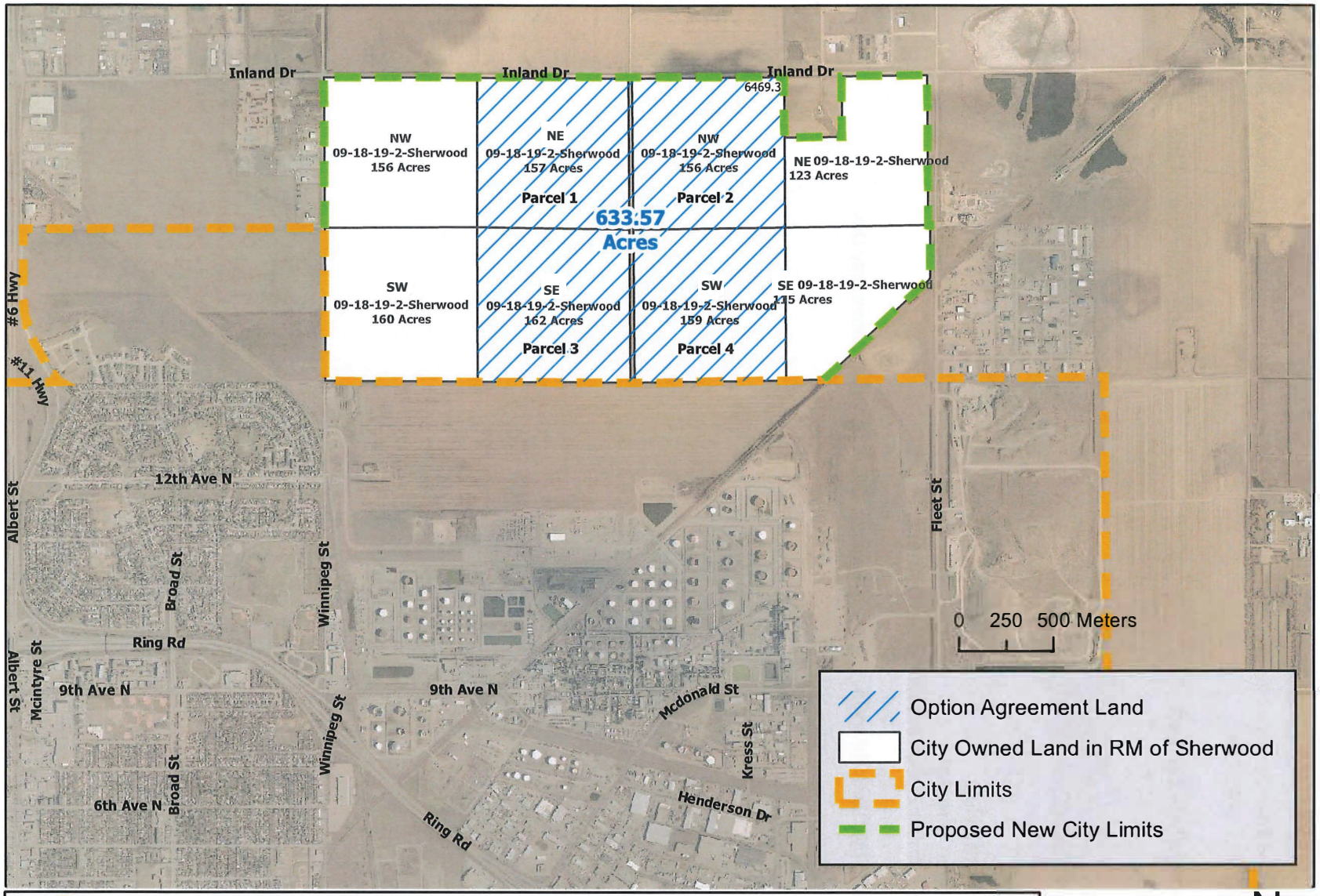
Prepared by: Chad Jedlic, Director, Economic & Business Development

Attachments

Appendix A - Proposed Municipal Boundary Alteration
Appendix B - Proposed Municipal Boundary Alteration
Appendix C - Proposed Municipal Boundary Alteration

Appendix A

1:30,000



REGINA
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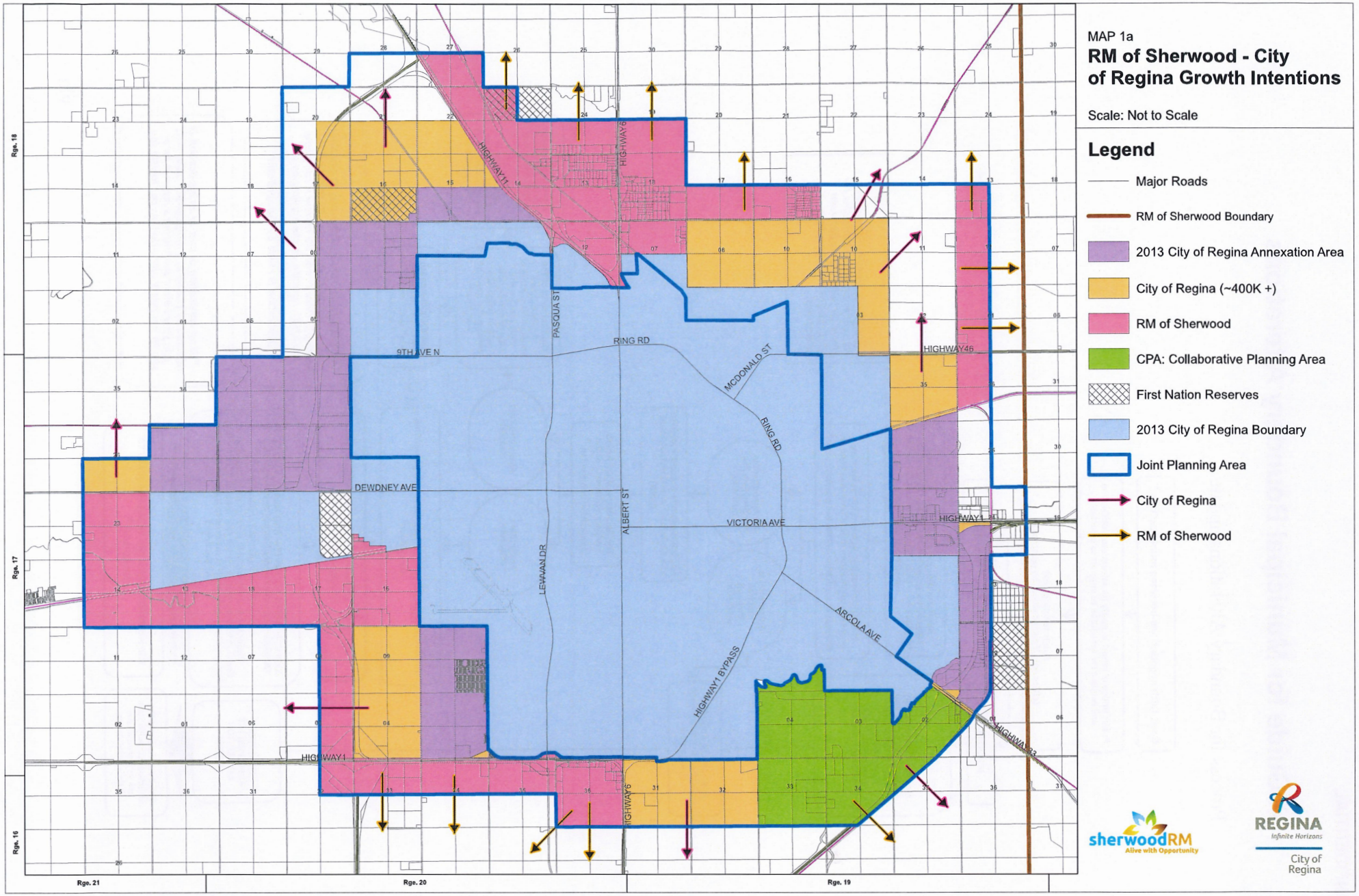
City of Regina

Option Lands	
NE 08-18-19-2 Ext 2 ("**Parcel 1**")	NW 09-18-19-2 Ext 2 ("**Parcel 2**")
SE 08-18-19-2 Ext 0 ("**Parcel 3**")	SW 09-18-19-2 Ext 0 ("**Parcel 4**")

Any Dimensions shown are approximate values in metres

Appendix B


MAP 1a
RM of Sherwood - City of Regina Growth Intentions
Scale: Not to Scale
Legend
Major Roads
RM of Sherwood Boundary
2013 City of Regina Annexation Area
City of Regina (~400K +)
RM of Sherwood
CPA: Collaborative Planning Area
First Nation Reserves
2013 City of Regina Boundary
Joint Planning Area
City of Regina
RM of Sherwood
HIGHWAY 11
HIGHWAY 6
PASQUA ST
RING RD
9TH AVE N
MCDONALD ST
HIGHWAY 46
DEWDNEY AVE
ALBERT ST
VICTORIA AVE
HIGHWAY 1
LEWVAN DR
ARCOLA AVE
HIGHWAY 1 BYPASS
HIGHWAY 23
Rge. 18
Rge. 17
Rge. 16
Rge. 21
Rge. 20
Rge. 19
sherwoodRM
Alive with Opportunity
REGINA
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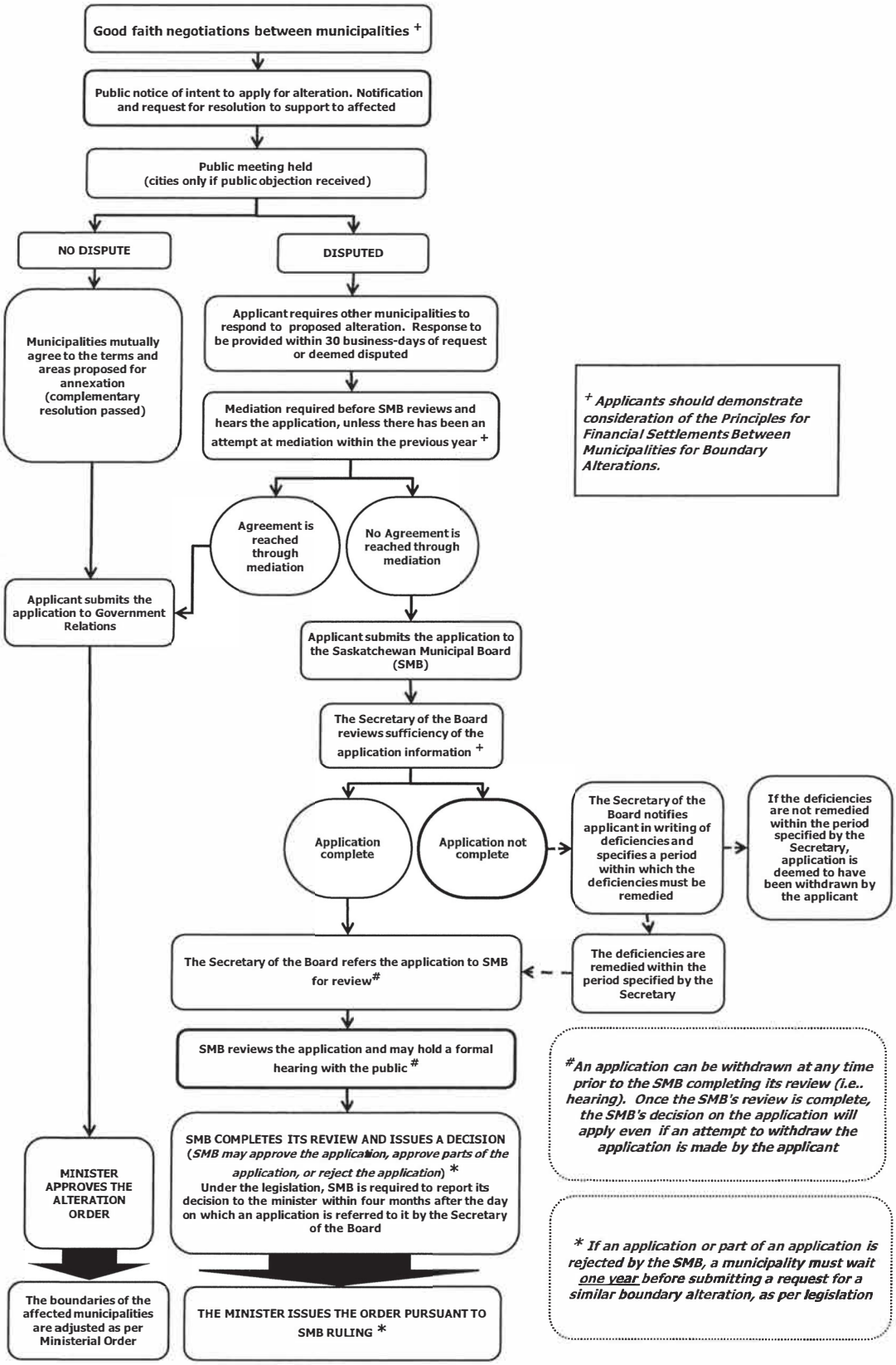
City of Regina

Appendix C

A Guide for Municipal Boundary Alterations

Process for Boundary Alterations update



Appointments for Regina Airport Authority

Date	March 2, 2022
To	Mayor Masters and City Councillors
From	Executive Committee
Service Area	Office of the City Clerk
Item #	CR22-19

RECOMMENDATION

That City Council:

Approve the following appointments to the Regina Airport Authority for the term of office indicated below, for each vacancy and continue to hold office for the term indicated or until their successor is appointed:

Bernadette McIntyre	May 1, 2022 to April 31, 2024
Cory J. Furman	May 1, 2022 to April 31, 2024

HISTORY

At the February 23, 2022 meeting of the Executive Committee, the Committee considered in **private** session, the attached E22-3 report from the Office of the City Clerk.

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

Recommendation #2 in the attached report does not require City Council approval.

Respectfully submitted,

EXECUTIVE COMMITTEE

Amber Ackerman, Interim City Clerk 2/25/2022

ATTACHMENTS
E22-3 Appointments for Regina Airport Authority

Appointments for Regina Airport Authority

Date	February 23, 2022
To	Executive Committee
From	City Clerk's Office
Service Area	Office of the City Clerk
Item No.	E22-3

RECOMMENDATION

The Executive Committee recommends that City Council:

1. Approve the following appointments to the Regina Airport Authority for the term of office indicated below, for each vacancy and continue to hold office for the term indicated or until their successor is appointed:

Bernadette McIntyre	May 1, 2022 to April 31, 2024
Cory J. Furman	May 1, 2022 to April 31, 2024

2. Approve this report at its meeting on March 2, 2022.

ISSUE

To facilitate the appointment of citizen representatives to the Regina Airport Authority (RAA) for terms specified in the report.

IMPACTS

Policy Impacts

In accordance with City Council's policy statement to Strengthening Eligibility and Diversity Requirements for board and committee representation:

"City Council values and seeks to further enhance the inclusive nature of Regina through living the values of respect and trust, celebrating the strength that comes from diversity and inviting participation from all in decision making. Nominees will have been recruited through an inclusive, transparent and equitable process and appointments made by City Council will reflect these objectives.

Representative citizen members provide a varied and valued perspective, reflecting and honouring the diversity of our community and bring experience, skills and expertise that contribute to good governance and informed decision making."

The annual advertisement placed in the Leader Post and on the City website, highlighted the policy statement to strengthen eligibility and diversity representation on all Boards, Commissions and Committees.

There are no accessibility, environmental, financial, legal/risk or other impacts.

OTHER OPTIONS

There are none with respect to this report.

COMMUNICATIONS

Advertisements inviting interested citizens to apply for a position on the Regina Airport Authority were published on social media, Regina.ca and in the Leader Post for three consecutive weekends beginning January 15, 2022. The deadline for applications was February 4, 2022.

An email notification was sent to the citizen representatives with expiring terms of office. These individuals were advised that their terms were expiring on April 30, 2022 and were invited to reapply, by completing an application on the City of Regina website.

After City Council has finalized the appointments, all applicants will be notified in writing of the outcome of their applications.

DISCUSSION

Executive Committee is required to nominate individuals for City Council consideration on the RAA. The following information is provided on activities that have been carried out in preparation for the appointments:

The appointment process was initiated in January to facilitate the appointment of individuals where current terms expire April 30, 2022 on the RAA.

Individuals nominated may not be Elected Officials or employed by any level of government.

In accordance with section 3.4 (3) of the *Regina Airport Authority Inc. Bylaw No. 1* The City of Regina may nominate six (6) Members to the Regina Airport Authority. As such, the Executive Committee is required to nominate individuals for City Council consideration. City Council will put forward the nominations of two individuals to be the City's representative on the Regina Airport Authority. There are two positions requiring appointments.

In accordance with section 3.6 (1) of the *Regina Airport Authority Inc. Bylaw No. 1*, all terms of office for appointed members to the authority must be for a three-year term.

Section 3.6(2) of *the bylaw* states that a member, if qualified in accordance with the By-laws, is eligible for reappointment, provided that no person may serve as a Member for more than nine (9) years.

The following two citizens members of the Authority have terms expiring on April 30, 2022:

- Trent Fraser (served nine consecutive years)
- Bernadette McIntyre (served three consecutive years)

The following four citizen members of the Authority with terms continuing are as follows:

- Renu Kapoor (term expires April 30, 2023)
- Gillis Lavalley (term expires April 30, 2023)
- Pat McGinn (term expires April 30, 2023)
- Juliana Wong (term expires April 30, 2024)

DECISION HISTORY

On August 26, 2019, City Council considered Strengthening Eligibility and Diversity report

(CM19-12) and approved the Strengthening Eligibility and Diversity Policy.

Respectfully submitted,

Prepared by: Amber Ackerman, Interim City Clerk

NE Economic Development Project Consulting Approval

Date	March 2, 2022
To	Mayor Masters and City Councillors
From	Executive Committee
Service Area	Financial Strategy & Sustainability
Item #	CR22-20

RECOMMENDATION

That City Council:

1. Approve $1,000,000 from the Land Development Reserve to fund Consulting Services for the NE Economic Development Project.

2. Authorize the Executive Director, Financial Strategy & Sustainability or designate, to initiate a public procurement process to engage consulting and professional services over $750,000 to support the serviceability study, preliminary design, detailed design and construction services related to the NE Economic Development Project.

3. Authorize the Executive Director, Financial Strategy & Sustainability or designate, to negotiate, award, enter into an Agreement with the highest ranked proponent, to authorize any amendments to the Agreement that do not substantially change what is described in this report and to authorize any ancillary agreements or documents required to give effect to the Agreement.

4. Authorize the City Clerk to execute the necessary agreements after review and approval by the City Solicitor.

HISTORY

At the February 23, 2022 meeting of the Executive Committee, the Committee considered the attached EX22-11 report from the Financial Strategy & Sustainability Division.

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

Respectfully submitted,

EXECUTIVE COMMITTEE

Amber Ackerman, Interim City Clerk 02/25/22

ATTACHMENTS
EX22-11 - NE Economic Development Project Consulting Approval

NE Economic Development Project Consulting Approval

Date	February 23, 2022
To	Executive Committee
From	Financial Strategy & Sustainability
Service Area	Financial Strategy & Sustainability
Item No.	EX22-11

RECOMMENDATION

The Executive Committee recommends that City Council:

1. Approve $1,000,000 from the Land Development Reserve to fund Consulting Services for the NE Economic Development Project.

2. Authorize the Executive Director, Financial Strategy & Sustainability or designate, to initiate a public procurement process to engage consulting and professional services over $750,000 to support the serviceability study, preliminary design, detailed design and construction services related to the NE Economic Development Project.

3. Authorize the Executive Director, Financial Strategy & Sustainability or designate, to negotiate, award, enter into an Agreement with the highest ranked proponent, to authorize any amendments to the Agreement that do not substantially change what is described in this report and to authorize any ancillary agreements or documents required to give effect to the Agreement.

4. Authorize the City Clerk to execute the necessary agreements after review and approval by the City Solicitor.

5. Approve these recommendations at its meeting on March 2, 2022.

ISSUE

Administration recommends the issuance and award of a Negotiated Request for Proposal (NRFP) for engineering consulting and professional services for the NE Economic Development Project (Project). Council approval is required as per *The Regina Administration Bylaw No. 2003-69*, Schedule D, Section 7 to issue and award the NRFP, as the consultant's fees are expected to exceed $750,000.

Under the proposed scope of work, Administration will hire a consultant to prepare wastewater and potable water serviceability strategies for the NE and advance preliminary design for the NE Economic Development Project (the "Initial Work"). Should either the proposed Viterra or FCL/AGT developments proceed then the same consultant would be engaged to complete detailed design, tender and construction services for required system improvements (the "Subsequent Work"). The Initial Work is anticipated to be less than the $750,000 threshold requiring City Council approval, however, to maintain continuity in the design; to meet project deadlines; and in keeping with recommendations in the Efficiency Review, Administration is requesting approval of the full amount so that should the Viterra or FCL/AGT projects proceed, that Administration may engage the same consultant to move into the Subsequent Work phase of the project.

IMPACTS

Financial Impact

Funding for serviceability studies and design services to support new economic growth opportunities were not included in previous budgets. Administration has determined a need to advance this work in support of emerging opportunities. As the economic development activity is projected to occur on lands owned by the City and optioned to Viterra and FCL for the purpose of economic development, that the funding needed to advance the work be funded from the Land Development Reserve. Should the land purchase option agreements be exercised by Viterra and FCL, the Land Development Reserve will receive approximately $9.4 million from the sale of the lands.

Policy/Strategic Impact

This proposal is consistent with the policies contained within *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP) (as amended), which provides the framework to guide the development of the City's infrastructure to accommodate long-term growth and economic development.

Environmental Impact
Council set a community goal for the City of achieving net zero emissions and sourcing of net zero renewable energy by 2050. In support of this goal, Council asked Administration to provide energy and greenhouse gas implications of recommendations so that Council can evaluate the climate impacts of its decisions. The recommendations in this report have limited direct impacts on energy consumption and greenhouse gas emissions. The servicing for the northeast area will support the future carbon capture initiative announced by Federated Cooperators Limited on October 21, 2021.

OTHER OPTIONS

Deferral
Deferral of the serviceability study and preliminary design would lead to a continued gap in understanding of servicing strategies for the northwest and northeast of the City and will lead to an un-achievable deadline for provision of services to Viterra.

In-House Design
Internal resources are fully allocated to other initiatives, ongoing reactive maintenance work and capital projects. Other projects would have to be delayed to advance this project using in-house resources.

COMMUNICATIONS

None with respect to this report.

DISCUSSION

Engineering consultants are required to determine servicing solutions for wastewater and potable water for the NE Economic Development Project (Project). The catchment area for the Project includes land north of the refinery and east of Winnipeg Street and specifically services to Viterra and FCL/AGT. The Project catchment area also includes the land west of Winnipeg Street, remaining developments within City limits including McCarthy North, Skywood, Torkin Industrial, portions of Hawkstone, Hawkstone Industrial, portions of Kensington Greens, Somerset and Kensington Greens/Somerset Industrial. These areas include a mix of residential, industrial and commercial uses.

Previously, northwest and northeast serviceability studies were completed in 2008 and 2012, respectively. These studies did not contemplate the significant and specific needs of the proposed Viterra and FCL/AGT projects. Updates to these studies are required to accommodate servicing requirements and will incorporate changes that have occurred in the water and wastewater systems.

The Project will advance required existing system improvements and system expansion of the Northwest Wastewater Trunk catchment area and associated water network to ensure service is ready and available where and when it is needed.

Through this project serviceability strategies will be developed and predesign options and solutions will be identified for near-term servicing needs. With predesign options identified, the City may transition to detailed design, tender and construction of the recommended infrastructure for the service area expansion dependent on consultant performance and budget availability.

Prioritization of near-term servicing needs, such as requirements from Viterra for wastewater service by Fall 2024, will help direct the focus of this project, however a global view will be maintained by ensuring the servicing strategies address the needs for the entire north of the City.

The next step toward the implementation of the project is to engage an engineering consultant and leverage their expertise for completion of the serviceability study and preliminary design, then if required, proceed into detailed design, tender and construction services.

DECISION HISTORY

The recommendations contained within this report require City Council approval.

Respectfully submitted,

Chad Jedlic, Director, Economic & Business Development 2/10/2022

Respectfully submitted,

Barry Lacey, Exec. Director, Financial Strategy & Sustainability 2/10/2022

Prepared by: Jonathan Wiens, Manager, Divisional Business Support

North East Community Centre Agreement

Date	March 2, 2022
To	Mayor Masters and City Councillors
From	Executive Committee
Service Area	Parks, Recreation & Cultural Services
Item #	CR22-21

RECOMMENDATION

That City Council:

1. Delegate authority to the City Manager or designate to negotiate and approve:
    a. Development Agreement between the City of Regina and the Regina Public School Board and/or Catholic School Board which provides for the development of a community centre as part of the new joint-use school located at the site of Imperial School and the existing Northeast Community Centre at 160 Broad Street as further described in this report; and
    b. any amendments to the Agreement that do not substantially change what is described in this report and any ancillary agreements or documents required to give effect to the Agreement.

2. Authorize the City Clerk to execute the Agreements authorized by this report after review by the City Solicitor.

HISTORY

At the February 23, 2022 meeting of the Executive Committee, the Committee considered the attached EX22-12 report from the City Planning & Community Development Division.

The following addressed the Committee:

- Doug Sears, representing Regina Catholic School Division, Regina, SK;
- James Holtom, representing JPH Consulting Ltd., Regina, SK; and
- Delaine Clyne, representing Regina Public Schools, Regina, SK.

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

Respectfully submitted,

EXECUTIVE COMMITTEE

Amber Ackerman

Interim City Clerk

ATTACHMENTS
EX22-12 - NECC Agreement
Appendix A - Map of Impacted Schools and Site

North East Community Centre Agreement

Date	February 23, 2022
To	Executive Committee
From	City Planning & Community Development
Service Area	Parks, Recreation & Cultural Services
Item No.	EX22-12

RECOMMENDATION

The Executive Committee recommends that City Council:

1. Delegate authority to the City Manager or designate to negotiate and approve:
    a. Development Agreement between the City of Regina and the Regina Public School Board and/or Catholic School Board which provides for the development of a community centre as part of the new joint-use school located at the site of Imperial School and the existing Northeast Community Centre at 160 Broad Street as further described in this report; and
    b. any amendments to the Agreement that do not substantially change what is described in this report and any ancillary agreements or documents required to give effect to the Agreement.

2. Authorize the City Clerk to execute the Agreements authorized by this report after review by the City Solicitor.

3. Approve these recommendations at its meeting on March 2, 2022.

ISSUE

The Public and Catholic School Boards (School Boards) are moving forward with the design of a new joint-use school at the site of the current Imperial School at 160 Broad Street. This new school will replace Imperial, McDermid, St. Peter and St. Michael Schools (Appendix A). The City of Regina

(City) has had a lease with the Public School Board since 1994 for a portion of Imperial School, which houses the North East Community Centre. This centre is a community operated neighbourhood centre and, as such, is operated by the North East Community Centre Board.

Funding was approved as part of the Recreation and Cultural Capital Plan in the 2022 capital budget, to design and construct a replacement community centre as part of the development of the new joint school. In order for the community centre to be included as part of the new joint school project, approval is required to delegate authority to negotiate and approve an agreement with either one or both of the School Boards to allow the City's funding to be used toward the development of a community centre at the new joint-use school.

IMPACTS

Financial Impact

Capital funding in the amount of $3.5 million was approved as part of the Recreation and Cultural Capital Plan in the 2022 capital budget to support this work. This funding is split over two years:

- $1,065,000 – 2022
- $2,450,000 – 2023

This funding will be utilized to cover the City's contribution towards the project and establishing the community centre space including design and consulting costs, construction and furnishings and equipment for the space. A portion of the 2022 funding would be allocated to the design and consulting costs associated with completing the design work. The remaining funding would be allocated to the consulting, construction and furnishings and equipment to complete the development of the community centre space.

Discussions are ongoing with the School Boards with respect to the operating model for the facility and the details around how the new joint-use facility can most effectively be operated and meet the needs of the facility partners. The City currently provides $12,180 as an operating grant to the North East Community Operated Centre (NECOC) to help offset operating costs. The operating grant is determined using a square footage calculation that considers the day-to-day operating and level of maintenance outlined in the community centre's operating agreement. Depending on the square footage of the new centre and the agreement with the School Boards this amount may vary slightly; however, it's not expected to be a significant change. Currently utilities are absorbed by the Public School; however, it is expected based on more current agreements with the School Boards, the City may be expected to pay the utility costs. These are anticipated to be approximately $10,000.

The estimated annual capital costs are $65,000. The operating and capital renewal costs will be confirmed through the design and construction process and will be considered through the 2025 budget process presented to City Council.

Policy Impacts
The Recreation Master Plan recognizes the benefit of existing community centres, and that modernization of those spaces will be required. It also recommends that the City work with partners to integrate neighbourhood activity spaces into other public spaces such as schools. The replacement of the North East Community Centre is required to maintain an existing level of service within an area that has been identified as a high needs community based on the socioeconomic factors considered within the Community Association Phase Funding model. The opportunity to partner with the School Boards allows opportunity for increased collaboration and for the replacement to be cost effective compared to building a standalone facility. In addition, by being located on the site of a joint-use school, the community centre will have the ability to serve a population of youth that had previously been disbursed in four different sites.

This initiative is also aligned with the Community Safety and Well-being Plan, which places recreation and social programs for children and youth within the 'prevention' pillar. Specifically, it is aligned with the Safety Priority in the plan, under the action "support and expand prevention strategies for youth including recreation, peer led programming and job opportunities". By offering welcoming, safe, and inclusive recreation spaces, youth are provided an opportunity to belong within the space in a positive, pro social atmosphere.

Accessibility Impacts
The existing North East Community Centre space within Imperial School was constructed in 1950 and although it has received minor improvements over the years, it is not reflective of the accessibility and inclusive standards of today. Through engagement and the design process, Administration will ensure that the new space is aligned with best practices and standards in accessibility and inclusivity.

Environmental Impacts
City Council set a community goal for the City of achieving net zero emissions and sourcing of net zero renewable energy by 2050. In support of this goal, City Council asked Administration to provide energy and greenhouse gas implications of recommendations so that Council can evaluate the climate impacts of its decisions.

Although difficult to quantify at this stage, the construction of any new building or facility contributes to additional greenhouse gas (GHG) emissions in two ways. First, the production of building materials and the construction process itself are both energy intensive and generate emissions. Second, there are GHG emissions associated with the lifecycle of the new facility.

The design and construction of the new community centre space will consider the community goal for the City of achieving net zero emissions and sourcing of net zero renewable energy by 2050 and will be aligned with the Energy and Sustainability Framework.

OTHER OPTIONS

Although City Council has approved capital funding to move forward with this project, a decision could be made to not move forward, however this is not recommended. This centre has provided valuable space for the delivery of programs and services to the community for several years and the centre serves a priority high needs neighbourhood in terms of socioeconomic profile.

Another option, although also not recommended, is to only proceed with an agreement related to the design phase of the project. There is a significant investment of human and financial resources required to complete the design and consulting work related to the community centre space. These costs are estimated to be between $300,000 and $350,000. This level of investment is not recommended to be made without a commitment to proceed with the project in its entirety.

COMMUNICATIONS

The City, the School Boards and consulting teams will be working together to ensure engagement and communication about the project is shared widely within the impacted community. Administration and the consulting team will work closely with the affected community association, the community centre board, and other stakeholders in identifying the programming needs and subsequent space requirements for the community. In addition, the community will also be surveyed to assist in identifying program needs to inform the final design of the facility.

DISCUSSION

The School Boards have begun the process to engage the community on the design of a new joint-use school to replace St. Michael, St. Peter, Imperial, and McDermid Schools. The new school will be located at the site of Imperial School where the City has a long-term lease for space attached to the school for a local community centre. The North East Community Centre, located at 160 Broad Street, is operated by the community and provides space for the North East Community Association (NECA) and others to deliver valuable programs and services to the community. The community centre space currently contains office space for the NECA and North East Community Operated Centre (NECOC). In addition, there is a reception area, washrooms, three smaller programming rooms and a larger multi-purpose room.

In order to proceed with the project, Administration is seeking approval to negotiate and enter into an agreement with one or both School Boards for the development of the community centre space, as

part of the larger joint-use school project. Through the planning and design process, it will be determined how much space will be constructed and how the school and community centre will be situated on the land. A key component of the design process will include engagement with the community, Coronation Park Community Association, North Zone Board, NECA, the NECOC and other stakeholders to determine current and future program needs. This information will help inform the design of the community space that is constructed as part of the joint-use facility.

Upon approval of the recommendations, Administration will negotiate the final terms of the Agreement. The key terms the City intends to include are:

- Provide up to $3.5 million in capital funding that has been approved through the Recreation and Cultural Capital program to one or both School Boards to be used towards the design, consulting, and construction of a new community centre as part of the future joint-use school development located on the Imperial School site.
- The School Boards will be responsible for the procurement of any design, consulting and construction required throughout the project and to complete the development. The agreements resulting from these procurements will be with the School Board(s) representing the City's interests. All parties will be required to provide approval to proceed at key milestones through the design, tender award and construction phases. The City will make payments to one or both School Boards as the project progresses for work completed towards the development of the community centre.
- The City will have ultimate authority over how City funding will be allocated towards the development of the community centre and ensuring the design for the community space meets the City's needs, including:
    - Flexible, multi-purpose spaces;
    - Welcoming, inclusive, and accessible spaces;
    - Developed space driven by a functional program created based on engagements and past data;
    - Consistent with the Crime Prevention through Environmental Design (CPTED) concept of place gatherings to support natural surveillance and access control; and
    - Alignment with the Energy and Sustainability Framework, including design and construction initiatives contributing towards the Renewable Regina 2050 goals.

The planning and design work has been initiated by the School Boards for their facilities, with design projected to be complete at the end of this year. The facility construction is anticipated to be complete in 2025 with the joint-use school and community centre opening in the fall of 2025. It is imperative the City enter into an agreement with the School Boards in an expedient manner to allow the planning and design work for the community centre space to be done in parallel with the rest of the facility. The City and School Boards have not yet determined if the City will own or lease the community centre space as the amount of space and orientation of the site has yet to be determined. It is the intention of the City and School Boards that the City's interest will be protected through either a long-

term lease or ownership interest in the facility. As the design work is finalized Administration and the School Boards will also better understand what may be required in terms of an operating agreement. Administration will bring forward any further reports to City Council as required pertaining to ownership or long-term lease of the community centre.

DECISION HISTORY

On December 16, 2021, funding for the design and construction of this project was approved through the budget (CM21-23).

Respectfully submitted,

Laurie Shalley, Director, Parks, Recreation & Cultural Services 2/7/2022

Respectfully submitted,

Autumn Dawson, A/Executive Director 2/9/2022

Prepared by: Janine Daradich, Manager, Planning & Partnerships

ATTACHMENTS

Appendix A - Map of Impacted Schools and Site

Appendix A – Map of Impacted Schools and Site

Heritage Building Rehabilitation Program - 1853 Hamilton Street

Date	March 2, 2022
To	Mayor Masters and City Councillors
From	Executive Committee
Service Area	Parks, Recreation & Cultural Services
Item #	CR22-22

RECOMMENDATION

That City Council:

1. Approve a tax exemption for the property known as the Leader Building, located on Plan: 102012163 Units #1 - #4; #6 - #15 (Parcel #164697586), addressed at 1853 Hamilton Street, in an amount equal to the lesser of:
    a) 50 per cent of eligible costs for the work described in Appendix C; or
    b) An amount equivalent to the total property taxes payable for ten years.

2. Direct the City Solicitor to prepare the necessary bylaw and agreement with the following conditions:
    a) That the property possesses and retains its formal designation as a Municipal Heritage Property in accordance with *The Heritage Property Act.*
    b) That the property owner submits detailed written documentation of payments made for the actual costs incurred (i.e., itemized invoices and receipts) in the completion of the identified conservation work. If actual costs exceed the corresponding estimates by more than 10 per cent, the property owner shall provide full particulars as to the reason(s) for such cost overruns. The City of Regina may decline to approve any cost overrun, or portion thereof, if considered not to be reasonably or necessarily incurred for eligible work.

c) That work completed and invoices submitted by September 30 each year would be eligible for tax exemption starting the following year of up to 50 per cent of the cost of approved work.
d) That the Executive Director of City Planning & Community Development or designate be authorized under the tax exemption agreement to make all determinations regarding reimbursements of the cost incurred for work done to the property based on the City of Regina's Heritage Building Rehabilitation Program and the Conservation Plan for the property (attached as Appendix D).

3. Authorize the Executive Director of City Planning & Community Development or designate to apply to the Government of Saskatchewan on behalf of the property owner for any exemption of the education portion of the property taxes that is $25,000 or greater in any year during the term of the exemption.

HISTORY

At the February 23, 2022 meeting of the Executive Committee, the Committee considered the attached EX22-14 report from the City Planning & Community Development Division.

The following addressed the Committee:

- Steve Pinel, representing Nicor Group, Regina, SK.

The Committee adopted a resolution to concur in the recommendation contained in the report.
.
Recommendation #4 in the attached report does not require City Council approval.

Respectfully submitted,

EXECUTIVE COMMITTEE

Amber Ackerman
Interim City Clerk

ATTACHMENTS
EX22-14 - Heritage Building Rehabilitation Program - 1853 Hamilton Street
Appendix A - Context Map
Appendix B - Location Map
Appendix C - Cost

Appendix D - Conservation Plan
Appendix E - Bylaw No. 8385
Appendix F - CR14-100
Appendix G - Bylaw No. 2007-74

Heritage Building Rehabilitation Program - 1853 Hamilton Street

Date	February 23, 2022
To	Executive Committee
From	City Planning & Community Development
Service Area	Parks, Recreation & Cultural Services
Item No.	EX22-14

RECOMMENDATION

The Executive Committee recommends that City Council:

1. Approve a tax exemption for the property known as the Leader Building, located on Plan: 102012163 Units #1 - #4; #6 - #15 (Parcel #164697586), addressed at 1853 Hamilton Street, in an amount equal to the lesser of:
    a) 50 per cent of eligible costs for the work described in Appendix C; or
    b) An amount equivalent to the total property taxes payable for ten years.

2. Direct the City Solicitor to prepare the necessary bylaw and agreement with the following conditions:
    a) That the property possesses and retains its formal designation as a Municipal Heritage Property in accordance with *The Heritage Property Act.*
    b) That the property owner submits detailed written documentation of payments made for the actual costs incurred (i.e., itemized invoices and receipts) in the completion of the identified conservation work. If actual costs exceed the corresponding estimates by more than 10 per cent, the property owner shall provide full particulars as to the reason(s) for such cost overruns. The City of Regina may decline to approve any cost overrun, or portion thereof, if considered not to be reasonably or necessarily incurred for eligible work.

c) That work completed and invoices submitted by September 30 each year would be eligible for tax exemption starting the following year of up to 50 per cent of the cost of approved work.
d) That the Executive Director of City Planning & Community Development or designate be authorized under the tax exemption agreement to make all determinations regarding reimbursements of the cost incurred for work done to the property based on the City of Regina's Heritage Building Rehabilitation Program and the Conservation Plan for the property (attached as Appendix D).

3. Authorize the Executive Director of City Planning & Community Development or designate to apply to the Government of Saskatchewan on behalf of the property owner for any exemption of the education portion of the property taxes that is $25,000 or greater in any year during the term of the exemption.

4. Approve these recommendations at its meeting on March 2, 2022.

ISSUE

The applicant, Nicor Developments Inc., on behalf of the unit owners and the condominium corporation, Leader Building Condominium Corporation, has requested a property tax exemption under the Heritage Building Rehabilitation Program to assist in recovering costs associated with conserving the building. The proposed conservation work will ensure the continued existence of a designated Municipal Heritage Property.

The Administration has determined that the conservation work proposed is eligible for assistance under the Heritage Building Rehabilitation Program. A property tax agreement between the City of Regina (City) and the property owners will secure the City's interests in ensuring the building is properly conserved and maintained.

IMPACTS

Financial Impacts

Section 262(4) of *The Cities Act* limits the term of a tax exemption agreement to not more than five years. However, Section 28(a) of *The Heritage Property Act* enables City Council to provide tax relief to any person, organization, agency, association, or institution with respect to heritage property notwithstanding any provisions of *The Cities Act*. The Heritage Incentive Policy approved by City Council in August 2014 established a tax exemption for a maximum of 10 years.

Financial assistance can be provided through a tax exemption equivalent to the lesser of:

- Fifty per cent of eligible work costs which is $236,217.84 ($ 472,735.68 Eligible Costs x 50 per cent); or

- The total property taxes that would otherwise be payable in the 10 years immediately following the approval of the tax exemption by the City Council is estimated at $1,066,502.31 inflated by three per cent a year over the next 10 years. This amount is based on 2021's property taxes of $ 90,321.88 (Municipal portion: $ 54,655.85; Education portion: $ 30,744.96; Library portion: $ 4,921.07)

Given the analysis above, the recommended financial assistance is 50 per cent of eligible work costs which is valued at approximately $236,217.84. Since the exemption value is more than $200,000, the applicant has submitted a development pro forma that provides detailed costs, budget, and cash flow.

Environmental Impacts

City Council set a community goal for the city of Regina of achieving net zero emissions and sourcing of net zero renewable energy by 2050. In support of this goal, City Council asked Administration to provide energy and greenhouse gas implications of recommendations so that Council can evaluate the climate impacts of its decisions.

Restoring and preserving heritage buildings can prevent greenhouse gas (GHG) emissions resulting from demolition of the existing structure and construction of a new building. For example, the retention of an existing building prevents the generation of construction waste and demolition waste that would have been disposed at the landfill. Some of the materials disposed at the landfill would also generate GHG emissions.

Policy Impacts

Conservation of the Leader Building meets the following policies outlined in Part A of *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP):

Section D8: Culture

Goal 1 – Support Cultural Development and Cultural Heritage: Enhance quality of life and strengthen community identity and cohesion through supporting cultural development and cultural heritage.

10.1 Build partnerships and work collaboratively with community groups, other levels of government, and the private and voluntary sectors to encourage cultural development opportunities and conserve historic places.

10.4 Protect, conserve and maintain historic places in accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada* and any other guidelines adopted by City Council.

10.5 Encourage owners to protect historic places through good stewardship and voluntarily designating their property for listing on the Heritage Property Register.

10.6 Leverage and expand funding, financial incentive programs and other means of support to advance cultural development, cultural resources and conservation of historic places.

The proposal is also consistent with the vision and objectives of *Regina's Cultural Plan* respecting:

Goal 7.3 – Commemorate and Celebrate the City's Cultural Heritage
Objectives:

- Demonstrate Leadership through the Management of the Heritage Conservation Program.
- Conserve Cultural Heritage Resources.
- Ensure New Development contributes to Sense of Place.

There is no accessibility, risk/legal, or other impacts.

OTHER OPTIONS

If Council decides that the property does not require the funding for conservation, Council may reject the application and provide reasons for the decision.

COMMUNICATIONS

The property owners and Heritage Regina have received a copy of this report for information. The owner and any interested parties will receive written notice of City Council's decision.

DISCUSSION

City Council approved Bylaw No. 8385 attached as Appendix E, designating 1853 Hamilton Street as a Municipal Heritage Property, on February 16, 1987. The Leader Building, built in 1912, commemorates the development of media communications in Regina. It was constructed as the fourth location of the Leader Newspaper and served for 25 years as the headquarters of the Leader-Post Newspaper. Designed by the noted firm of Brown and Vallance Architects, the Leader Building is a six storey, terra-cotta-faced office complex built in the Chicago School style.

Conservation Work and Eligible Costs

The owner plans to undergo specific conservation work on the building as detailed in the Conservation Plan attached as Appendix D. Under the *Standards and Guidelines for the Conservation of Historic Places in Canada*, the work proposed for the Leader Building includes aspects of preservation, rehabilitation, and restoration. The general strategy for the Leader Building

is to restore and preserve the exterior façade and rehabilitate the interior. The proposal is to maintain the heritage elements of the building in three phases. The requested incentive is to cover the cost of West Cornice and Parapet work specified under Phase 1.

Phase 1: Currently Critical

- Foundation
- Masonry Repointing and Repair
- West Cornice and Parapet

Phase 2: Potentially Critical – Requires Further Investigation

- East Windows
- Roof and Parapet

Phase 3: Recommended

- Façade Paint Removal

The Administration has determined that all the above proposed work is eligible for assistance under the policy as this work is required to conserve the character-defining elements of the building's exterior.

The Leader Building was previously approved for tax exemptions between 2008 and 2015. Approval of an additional tax exemption ensures continued conservation of an important heritage building in the downtown. This incentive leverages the investment of the building owner and may also result in increased property taxes over time.

DECISION HISTORY

The Heritage Building Rehabilitation Program (CR 14-100) attached as Appendix F of this report was adopted by City Council on August 25, 2014. The Heritage Incentive Policy approved through this program allows the City to provide tax exemption for eligible conservation work performed for the maintenance of a Municipal Heritage Designated Property. The conservation work must be performed in accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada.*

Bylaw 2007-74 (Appendix G) was approved by the Council in 2007 for a tax exemption of $228,994.23 for the property between 2008 - 2015.

Respectfully submitted,

Laurie Shalley, Director, Parks, Recreation & Cultural Services 1/31/2022

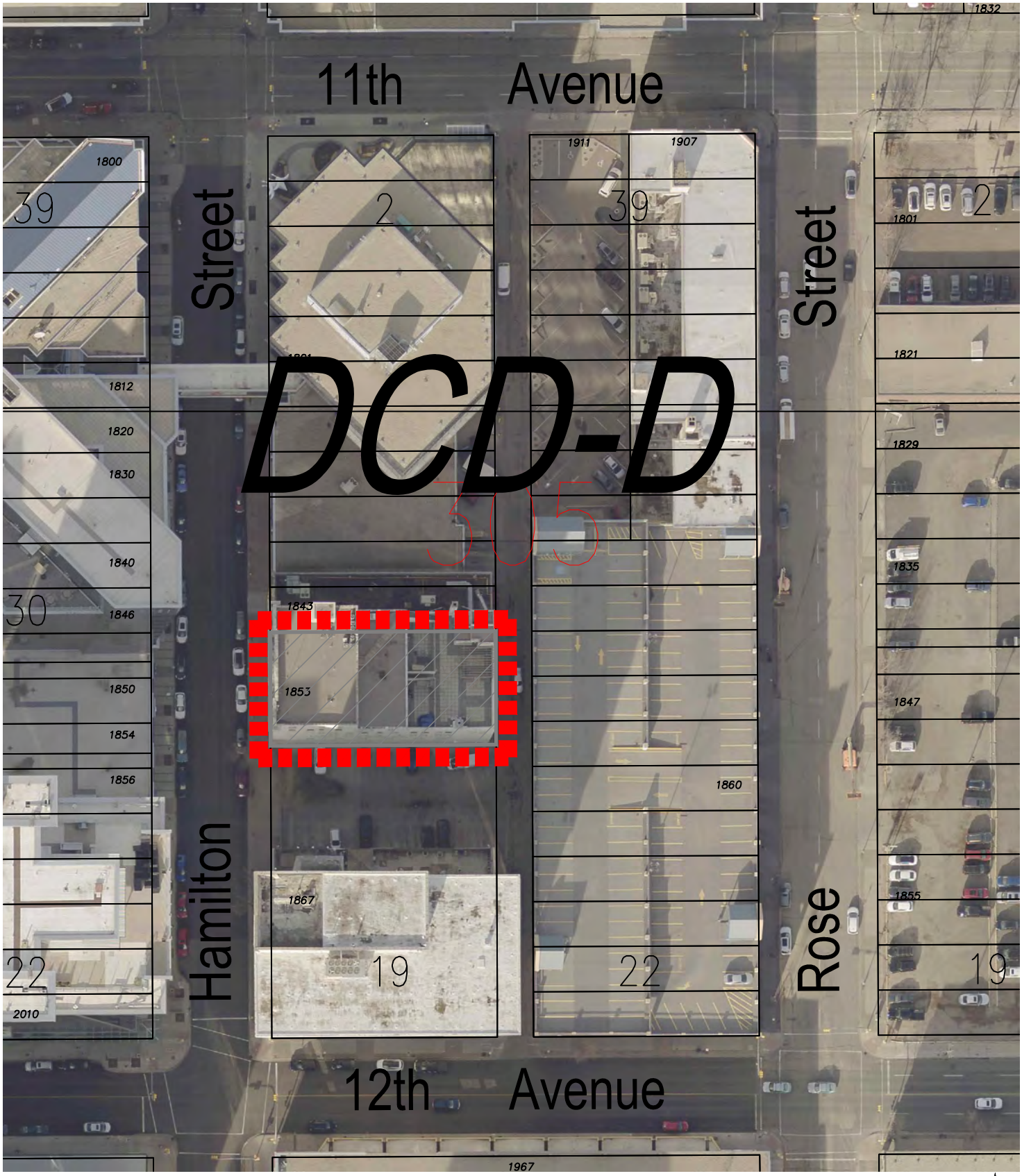
Respectfully submitted,

Autumn Dawson, A/Executive Director 2/5/2022

Prepared by: Aastha Shrestha, City Planner II

ATTACHMENTS

Appendix A - Context Map
Appendix B - Location Map
Appendix C - Cost
Appendix D - Conservation Plan
Appendix E - Bylaw No. 8385
Appendix F - CR14-100
Appendix G - Bylaw No. 2007-74



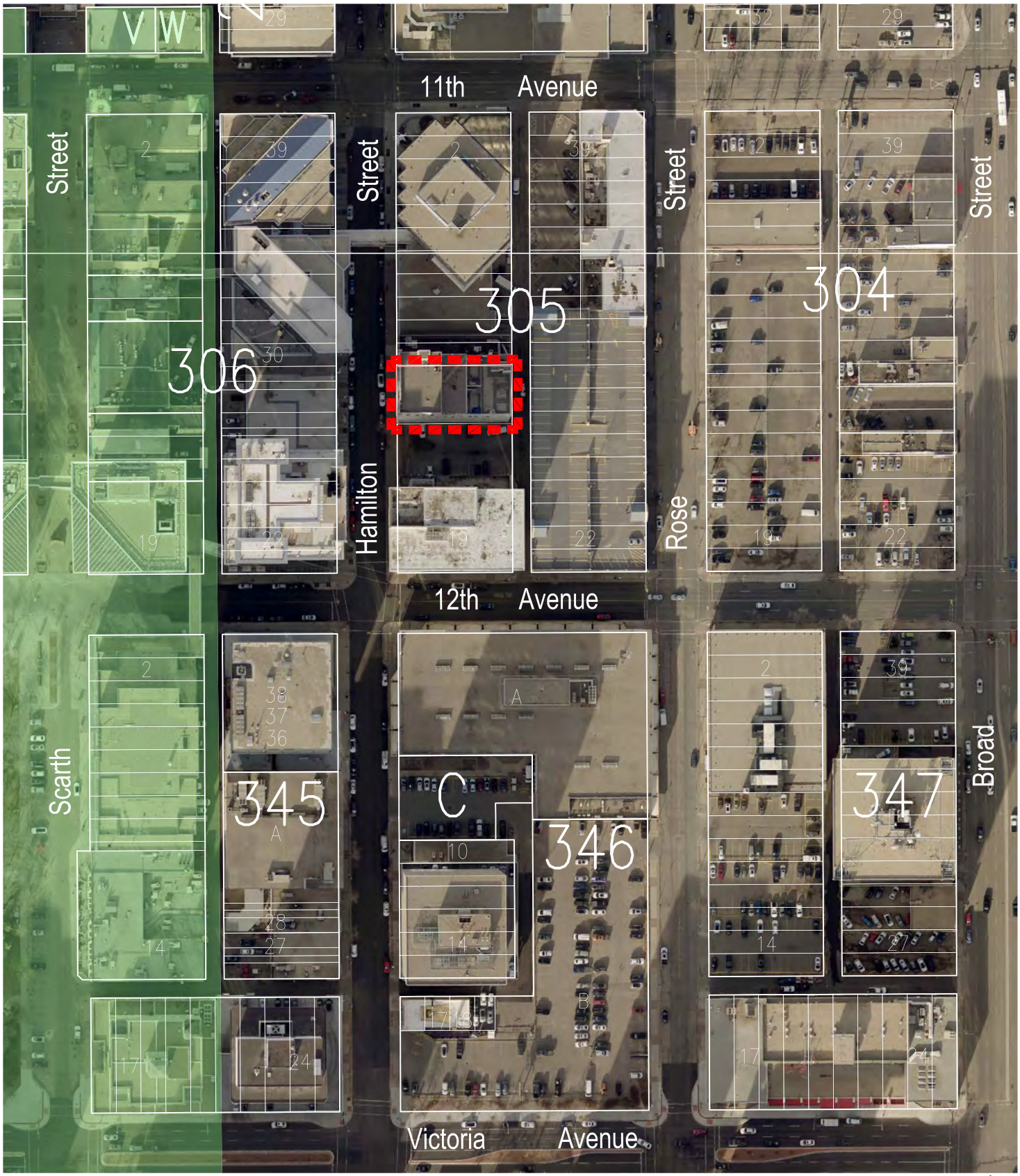
Subject Property

Heritage

Date of Photography : 2018

Project Heritage Building Rehabilitation Program - 1853 Hamilton Street

Civic Address 1853 Hamilton Street



Date of Photography: 2018

Subject Property

Victoria Park Heritage Conservation District

Project Heritage Building Rehabilitation Program - 1853 Hamilton Street

Civic Address 1853 Hamilton Street

Location Map

ELIGIBLE WORK ITEMS 1853 HAMILTON STREET	ESTIMATED COST
Southwest Cornice and Parapet Reconstruction	
1. Tools	
1.1.Cornice Netting	$6,800.00
1.2.Scaffold	
i. Setup	$7,400.00
ii. Tear down	$7,400.00
iii. Monthly	$11,000.00
1.3.Equipment and Truck	$12,000.00
Subtotal	**$44,600.00**
2. Labour	
2.1. Superintendent	$70,400.00
2.2. Bricklayer	$66,400.00
2.3. Labourer	$24,320.00
Subtotal	**$161,120.00**
Contingency (15%)	**$24,168.00**
3. Materials	
1.1. Heat and Hoarding	$10,000.00
1.2. Demolition	$2,500.00
1.3. Repair of Structural Steel	$25,000.00
1.4. Repair of Terra Cotta	$80,000.00
1.5. Reconstruction of Cornice and Parapet	$15,000.00
1.6. Roofing	$10,000.00
Subtotal	**$142,500.00**
Contingency (20%)	**$28,500.00**
4. Other	
1.7. Engineering Services	$25,000.00
Subtotal	**$25,000.00**
Total	$425,888.00
Estimated GST and PST (includes Contingency)	$46,847.68
TOTAL ESTIMATE OF ELIGIBLE COSTS	**$472,735.68**

LEADER BUILDING

1853 HAMILTON STREET, REGINA, SK

CONSERVATION PLAN

MAY 2021

P3A

DONALD LUXTON AND ASSOCIATES INC

Cover: View of the Leader Building from Hamilton Street - Looking South. (Province of Saskatchewan Archives - R_LP237)

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Leader Building (Province of Saskatchewan Archives R_A23087)

Section 1.0 — Description of the Resource

1.1 Introduction

Heritage Resource Name:	The Leader Building
Civic Address:	1853 Hamilton Street, Regina, SK
Legal Description:	Lots 12-14, Block 305, Old Plan No. 33
Years of Construction:	1911 / 1940 / 1981 / 2000s
Original Owner:	The Leader Publishing Company Ltd.
Original Tenant:	The Leader Publishing Company Ltd.
Architects:	Sharon and Darrach
Builders:	Parsons Construction Company

The Leader Building is located in downtown Regina at 1853 Hamilton Street. The building was originally constructed in 1911/12. The main building went through extensive renovations in 1981 after being under threat of demolition. As the interior was in poor condition, it was gutted and went through an extensive rehabilitation.

The proposed interventions of the overall project is to repair and stabilize the historic terra cotta cornice and parapet of the Leader Building. This conservation plan outlines the overall conservation strategy for the building.

This Heritage Conservation Plan should be referenced when preparing a design for the building. This document is based on Park's Canada's *Standards and Guidelines for the Conservation of Historic Places in Canada*. The following document outlines preservation, restoration, and rehabilitation interventions proposed for the redevelopment.

Preservation is described in the *Standards and Guidelines* as the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of a historic place or of an individual component, while protecting its heritage value.

Restoration is the action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

Finally, ***Rehabilitation*** is described as the action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, through repair, alterations, and/or additions, while protecting its heritage value.

Section 2.0 — Historical Information

The Leader-Post

The Leader-Post, known as "The Leader" at the time, was founded in 1883 by Nicholas Flood Davin, a lawyer and journalist from Ontario. Many large events in Saskatchewan's history were covered by the newspaper before it became a province, possibly most known is the hanging of Louis Riel. Since its establishment, the Leader-Post has covered every major story in the province for the past 138 years. This has given people a historic account on some very important events throughout Saskatchewan's history.

The Leader Building

The Leader Building, nicknamed the "Old Grey Lady of Hamilton Street," was originally constructed as a new home for the Morning Leader newpaper. It was the newspaper's fourth office location after its previous locations on Hamiltion Street and Victoria Avenue. At that time, the Sifton family had purchased and managed the Leader.

After its construction, the Leader Building was the tallest building in Regina at six storeys, and the tallest building for a newspaper company west of Winnipeg. On April 7, 1930 it also marked the transtion of the newspaper's name from the Morning Leader to "The Leader-Post."

The building was also home to the first radio station in Saskatchewan: CKCK Radio. Hundreds of people would gather in front of the building to hear important or exciting world events, such as the World Series or a provincial election before the days of television. The radio station was located on the top floor, with transmitters and its towers, lined with lights, on the roof. Each tower had special platforms at the top, on which string searchlights were mounted. One one particular occasion, the searchlights reached far enough to illuminate the entrance to the Regina Exhibition Grounds in 1933, becoming the first sight for many travelling to Regina. The lights were removed in the 1940s, after the transmitters were relocated to Victoria Plains (Boggy Creek) in 1937.

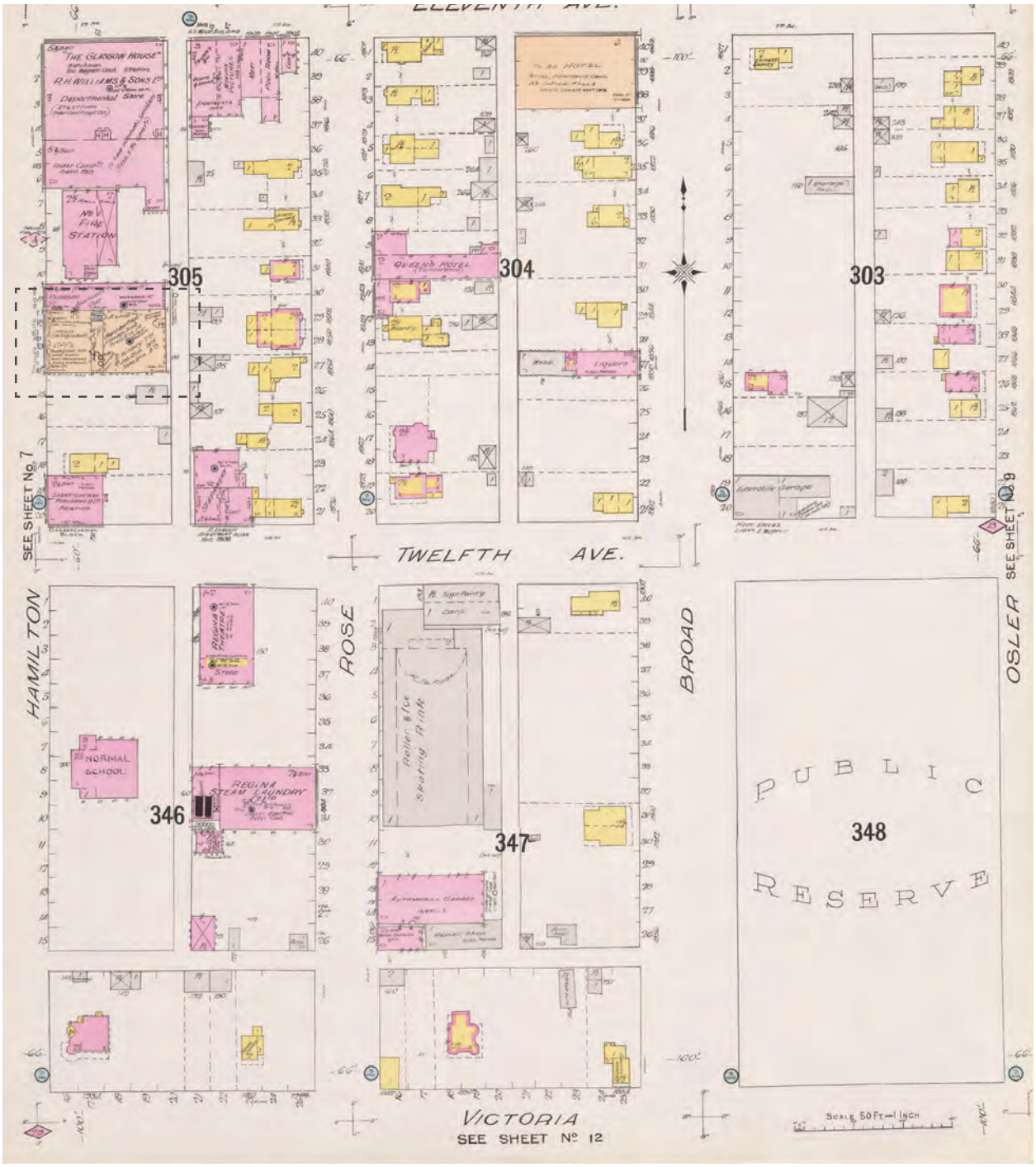
In 1964, the Leader-Post moved out of the building and into their present location on Park Street. The building was then used for offices and retail spaces, which dramatically changed the interior of the building.

It was unfortunately left vacant for several years and became theatened by demolition until its designation as a Municpal Heritage Property in 1987.

After the development of the Leader Building by TGS Properties, Nicor and Harvard Developments took over and revived the building into what we see today. Due to its status as a heritage property, the federal government's Canadian Commercial Heritage Incentive Program was utilized to grant the project $700,000 toward its revitilization.

Nicholas Flood Davin, Editor, The Leader, (Standing in front top hat & cane) - 1885 - in front of the first Leader building (City of Regina Archives. CORA-F-0805)

Leader Building on the corner of Hamilton Street and 11th Avenue, looking west, 1910 (City of Regina Archives. CORA-RPL-B-0446)



Portion of Sheet 8 of a 1913 fire insurance plan for Regina showing the Leader Building (Insurance Plan of Regine, Canada: Chas, E. Goad, September 1913, Sheet 8 - Library and Archives Canada)

Neil R. Darrach

Neil R. Darrach was born in Southwold Township, Ontario in 1850. He was first immersed in the construction world in the early 1870's as he worked on railways. He went on to design many buildings, five of which are in Regina. This includes the Westminster United Church and the south wing of the Regina General Hospital. Darrach was not formally trained as an achitect and learned through trade books and experience. Darrach eventually became the mentor of Maurice William Sharon, who eventually went on to become Saskatchewan's first Chief Provincial Architect.

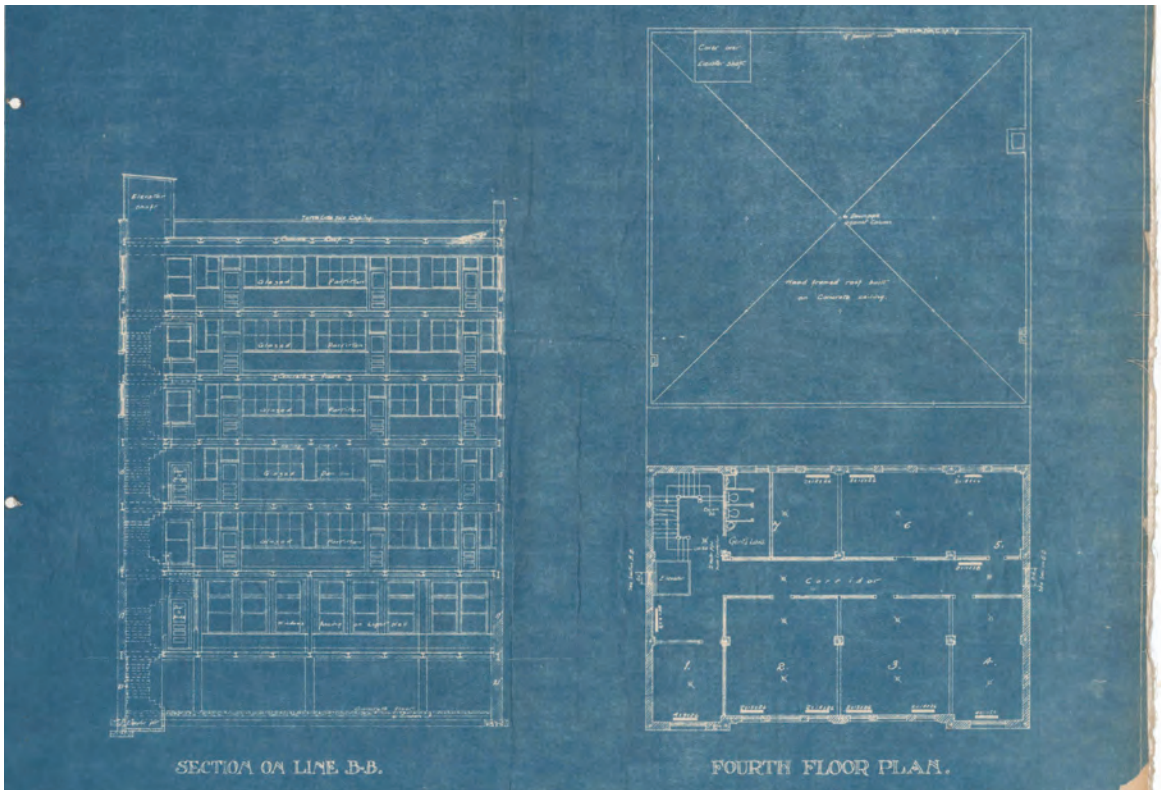
Maurice William Sharon

Maurice William Sharon was born in Yarmouth Township, Ontario in 1875. After living in Toronto and going to the School of Practical Science, Sharon worked as a draftsperson for Neil R. Darrach, who was the leading architect in St. Thomas, near Sharon's hometown. Sharon moved to Regina in 1905 for a position in the Mapping and Cartography Department in the Saskatchewan Provincial Department of Public works, which was new at the time. Sharon was a talented architect and designer early in his career, winning a competition for the new design of a public hospital in Regina in 1908. Local architects objected to this as Sharon was a civil servant, therefore the project was carried out by Meyer J. Strum and Storey and Van Egmond. After leaving the department in 1909, Sharon practiced as an architect in Regina.

Sharon and Darrach

The Leader Building was one of the few buildings that Sharon and Darrach designed in their short partnership from 1911 to 1912. Sharon has been the reason for Darrach's move to Regina in 1911, sparking their partnership. After a couple of years working together on various buildings like the R.H. Williams and Songs building (the previous home to the Leader), or the Victoria Public School, Sharon applied and became the Assistant Architect for the provincial Department of Public Works in 1914. In 1917, Sharon became the Chief Provincial Architect of Saskatchewan and designed various courthouse buildings, police headquarters, hospitals, and schools over the thirteen years he held the position. Darrach moved back to Ontario after working in Regina and practiced until 1923.

Leader Building on Hamilton Street (Provincial Archives of Saskatchewan R_LP237)



Leader Post Floor Plans - Front Building Section and Fourth Floor Plan, 1911 (City of Regina Archives CRP-02-0589)

Leader Post Floor Plans - Rear Building Elevations, 1911. (City of Regina Archives CRP-02-0589)

Section 3.0 — Statement of Significance

Description from the Canadian Register of Historic Places:

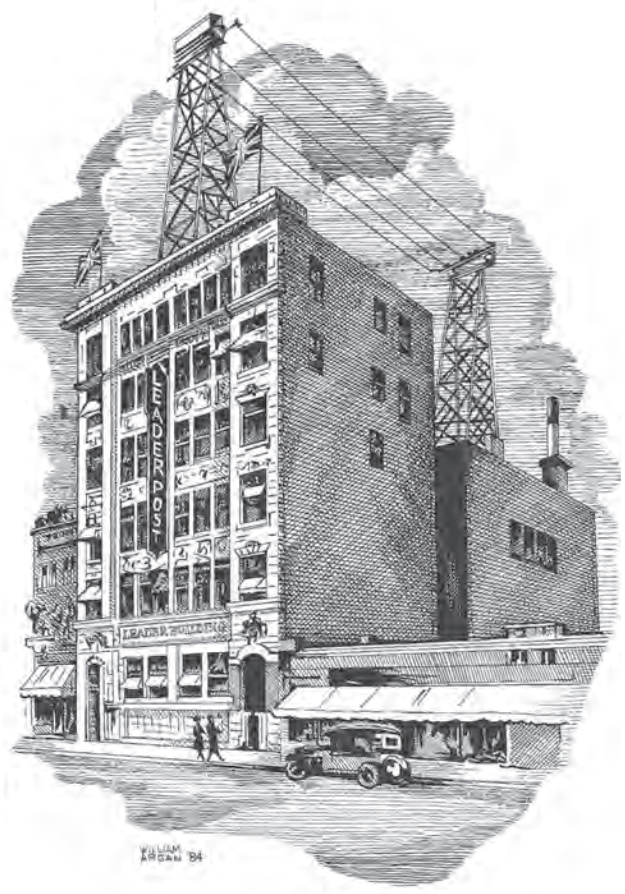
Description of Historic Place
The Leader Building is a Municipal Heritage Property comprised of two and half city lots in Regina's downtown area. The property features a 6 storey, terra-cotta faced office building constructed in 1912.

Heritage Value
The Leader Building commemorates the development of media communications in Regina. Purpose built for the Leader Publishing Company, the building was the office and publishing facility for Regina's largest daily newspaper, The Leader-Post, as well as other newspapers and book publications for over fifty years. Also, from 1922 to 1964, the building was home to CKCK radio, Saskatchewan's first commercial radio station. As a media production centre, the building was a recognized landmark in the community and gathering place for media events.

The building exemplifies the unbounded optimism of Regina's post 1900 building boom which expanded the historic downtown core. The tallest and most expensive office building in the city at the time of its completion in 1912, the Leader Building was one of Regina's most prestigious office locations. Built of brick, reinforced concrete and steel, the building is an excellent example of an office complex built in the Chicago School style. The white terra-cotta façade, decorated with ornate carvings and geometric shapes, enhanced the prominence of the structure.

Character-Defining Elements
The heritage value of the Leader Building resides in the following character-defining elements:

- The ornate terra-cotta façade
- Those elements which reflect the Chicago School style of architecture including the regular pattern of rectangular windows, projecting piers and pilasters and dominant cornice.
- Those elements which reflect the prestigious nature of the original office building, including the tile floor on the ground floor, fixtures and ceilings
- Those elements which relate the building's role as a media facility, including signage, equipment and fixtures



Perspective Drawing of the Leader Building by William Argan, 1984.

Section 4.0 — Conservation Guidelines

4.1 Standards and Guidelines

The Leader Building is a municipally designated building included on the City of Regina Register of Heritage Properties. Under the Standards and Guidelines, the work proposed for the Leader Building includes aspects of preservation, rehabilitation, and restoration.

Preservation: the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of a historic place or of an individual component, while protecting its heritage value.

Restoration: the action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

Rehabilitation: the action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, through repair, alterations, and/or additions, while protecting its heritage value.

General Standards for Preservation, Rehabilitation and Restoration

1. Conserve the heritage value of an historic place. Do not remove, replace or substantially alter its intact or repairable character-defining elements. Do not move a part of an historic place if its current location is a character-defining element.

2. Conserve changes to an historic place that, over time, have become character-defining elements in their own right.

3. Conserve heritage value by adopting an approach calling for minimal intervention.

4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties, or by combining features of the same property that never coexisted.

5. Find a use for an historic place that requires minimal or no change to its character-defining elements.

6. Protect and, if necessary, stabilize an historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.

7. Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.

Leader Building Under Construction, 1911 (Provincial Archives of Saskatchewan R_LP231)

8. Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.

9. Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable on close inspection. Document any intervention for future reference.

Additional Standards Relating to Rehabilitation

10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.

11. Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.

12. Create any new additions or related new construction so that the essential form and integrity of an historic place will not be impaired if the new work is removed in the future.

Additional Standards Relating to Restoration

13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.

14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence

4.2 Conservation References

The proposed work entails the conservation of the exterior of the Leader Building. The following conservation resources should be referred to:

Standards and Guidelines for the Conservation of Historic Places in Canada, Parks Canada, 2010.
http://www.historicplaces.ca/en/pages/standardsnormes/document.aspx

National Park Service, Technical Preservation Services. Preservation Briefs:

Preservation Brief no. 3: Conserving Energy in Historic Buildings.

Preservation Brief 7: The Preservation of Historic Glazed Architectural Terra-Cotta

Preservation Brief 11: Rehabilitating Historic Storefronts

Preservation Brief no. 17: Architectural Character: Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving Their Character.

Preservation Brief no. 18: Rehabilitating Interiors in Historic Buildings—Identifying Character-Defining Elements

Preservation Brief no. 24: Heating, Ventilating, and Cooling Historic Buildings—Problems and Recommended Approaches

Preservation Brief no. 27: The Maintenance and Repair of Architectural Cast Iron

Preservation Brief no.32: Making Historic Properties Accessible.

Preservation Brief no. 35: Understanding Old Buildings: The Process of Architectural Investigation.

Preservation Brief no. 39: Holding the Line: Controlling Unwanted Moisture in Historic Buildings.

4.3 General Conservation Strategy

The general conservation strategy for the Leader Building is to restore and preserve the exterior façade and rehabilitate the interior. The exterior needs to retain the remaining elements of the original building. As many of the areas have already been modified, it is important to maintain the heritage elements that remain.

Phase 1: Currently Critical
Phase 2: Potentially Critical - Requires Further Investigation
Phase 3: Recommended

4.3.1 Phase 1: Currently Critical

Foundation

The existing northwest brick foundation walls are deteriorating due to water infiltration from the sidewalk above. It is critical to remediate and replace the deteriorated elements to prevent further damage to the structural integrity of the building.

Masonry Repointing and Repair

Several bricks and terra cotta units are cracked, spalled, or have failing mortar joints. A thorough review should be carried out of the masonry, with a full repoint of each facade and repair or replacement of damaged masonry units. However, there is an option to partially repoint the most crtitical areas if budget does not allow for a full repoint. Additionally, there should be consideration of weepholes and the vertical and horizontal control joints for compartmentalization of the brick façades.

West Cornice and Parapet

The west cornice has a significant overhang and is showing signs of water infiltration. The structure of the cornice needs to be stabilized with complete reconstruction if necessary.

4.3.2 Phase 2: Potentially Critical - Requires Further Investigation

East Windows

The window sills at the east façade are discoloured which means there is possible water infiltration occuring. This should be investigated further to determine if a full window replacement is required.

Roof and Parapet

The roof drainage should be reviewed as it currently appears that there is insufficient drainage.

The parapets at the east roof patio should be investigated for potential water infiltration. The existing wall construction on the interior could potentially be trapping moisture between it and the parapet. Overall, the roofs are in fair condition but should be monitored for any failure.

4.3.3 Phase 3: Recommended

Façade Paint Removal

The paint on the north, east, and south brick façades should be removed the next time work is to be done on these façades to be more appropriately representative of its original appearance.

4.4 Alternative Compliance

As a designated building included on the City of Regina Register of Heritage Properties, the Leader Building may be eligible for heritage variances that will enable a higher degree of heritage conservation and retention of original material, including considerations available under the following provincial legislation: *The Heritage Property Act*, Section 11(1)(a).

4.5 Site Protection

The Leader Building is currently occupied by different businesses, as well as residents. It is the responsibility of the property owner to ensure the heritage resource is protected from damage at all times. Should the building become vacant, it should be secured against unauthorized access, vandalism, or damage through the use of appropriate fencing and security measures. Additional measures to be taken include:

- Smoke and fire detectors in working order.
- Wall openings are boarded up or made secure and exterior doors are securely fastened, if the building is vacant.
- Elements which could cause damage to the building are removed from the interior such as: trash; hazardous materials such as inflammable liquids, poisons, and paints; and canned goods that could freeze and burst.

Section 5.0 — Conservation Strategies

5.1 Site

The Leader Building is located at 1853 Hamilton Street and is a part of block 305 in Plan Old 33 in the city of Regina. It spans lots 12-14, with a frontage of 62 feet. The building covers the entire site, with a depth of approximately 120 feet that extends to the back alley to the east.

The building shares a party wall with a brick apartment and commercial building and has a parking lot located to its immediate south.

The Leader Building has been surrounded by various shops and businesses throughout its lifetime. As it is a symbol of an optimistic Regina, it has contributed to the vibrant and thriving community in downtown Regina.

Conservation Strategy: *Preservation*

- Maintain frontage onto Hamilton Street
- Any drainage issues should be addressed through the provision of adequate site drainage measures

Left - Aerial Image of Regina showing location of the Leader Building (Google Earth).

5.2 Form, Scale and Massing

At the time of opening, the Leader Building was the tallest in Regina. It was divided into two buildings with a 10 foot deep lightwell in between. The front building is six-storeys and lands on Hamilton Street with the four-storey 'rear' building to the immediate east. The two buildings were connected with a bridge spanning the lightwell. The building was constructed using a modern concrete encased steel frame structural system. It included developments in fire safety, including a fully enclosed elevator and fireproof doors.

The front and rear buildings each had a flatline roof shape respectively. The front building has an ornamented parapet with a small overhang to tie into the rest of the decorated facade. Additionally, the roof of the front building had a small penthouse for the elevator shaft.

Over time, the lightwell between the front and rear buildings has been infilled to make the building one continuous building mass.

In the 2000s renovation, an underground parking garage was incorporated into the building in order to keep the integrity of its historic exterior while meeting modern parking requirements.

Conservation Strategy: *Preservation & Restoration*

- Preserve the extant form and scale of the building. Any adjacent additions or new development should strive to be subordinate and sympathetic to the historic resource.

5.3 Exterior Facade

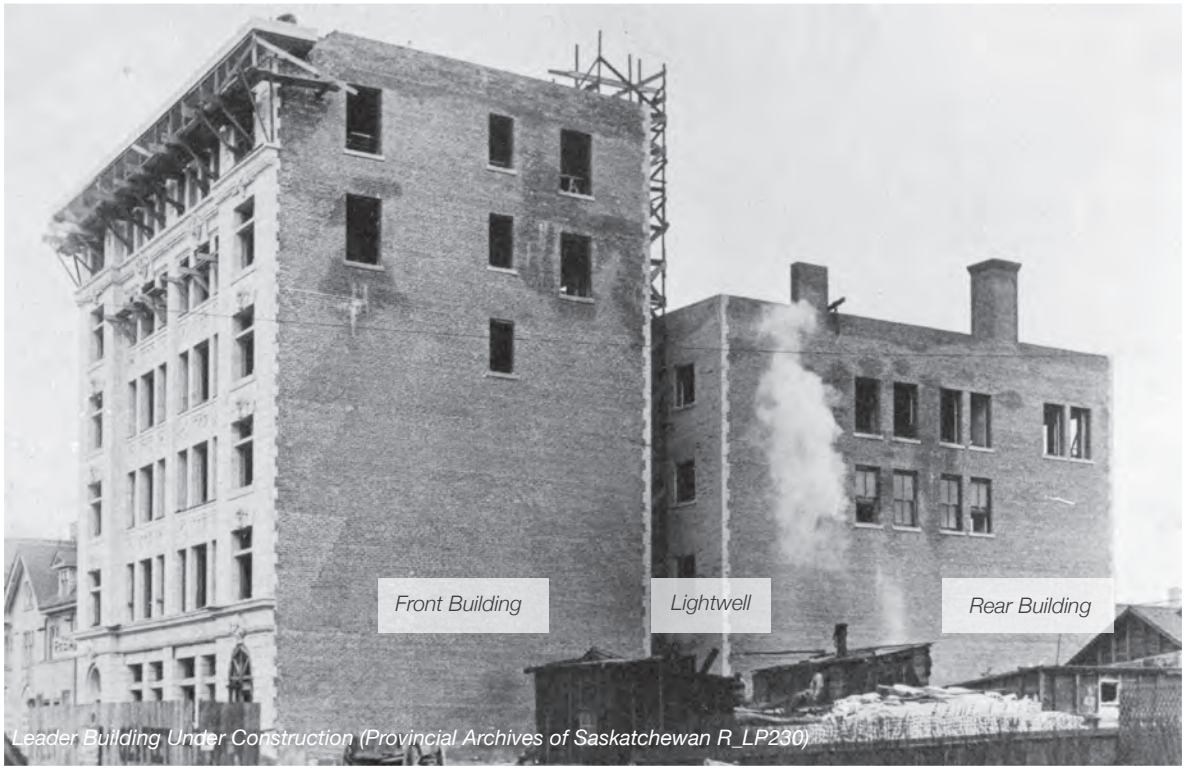
The building's façade consists of Atlantic cream-coloured pre-cast terra cotta from New York state. This is present on the west facade of the Leader Building. The remaining facades are constructed with brick.
The front façade possesses grand ornamentation from the ground floor up to the sixth floor. The terra cotta is carved in organic and geometric shaped elements, attributing greatly to the building's grandeur.
Today, the storefront of the Leader building has two larger windows in lieu of the original four.

Additionally, the arched front entrances have been altered to have a flat top. The partially restored storefront is presumably constructed with terra cotta cladding. This area is in poor to fair condition, with several instances of mortar deterioration (*figures 5.3.1 & 5.3.3*).

The terra cotta appears to be in fair condition, with a few units cracking and some mortar joints requiring repointing (*figures 5.3.1, 5.3.2 & 5.2.5*). Currently, the exterior bricks are painted white. The brick façade appears to be in overall poor condition, with several instances of step cracking and mortar deterioration. Additionally, The brick walls appear to stagger vertically in areas of the south and east façades. The brick masonry should be inspected in further detail, as the current paint on the façade could potentially be obscuring some of its condition. Special consideration should be given to the implementation of weepholes in addition to vertical and horizontal control joints for compartmentalization to control water and air movement within the wall system.

Conservation Strategy: *Preservation*

- Review terra cotta condition and preserve any units possible.
- Review brick masonry condition and repoint the brick façades
- Repairs to the terra cotta façade should only utilize materials specifically designed for terra cotta repairs. It is important that any material with greater compressive strength than terra cotta not be used for repairs.
- Should there be any terra cotta blocks that are irrepairable, a replicated terra cotta block with the same cream coloured glazing, identical molding and profile should be used to replace the existing block. Terra cotta repairs should be undertaken by skilled masons with knowledge of terra cotta conservation.
- The terra cotta and brick should never be sandblasted.
- Anchoring of equipment in the masonry is highly discouraged. Mortar joints may be utilized for anchoring if it does not damage the masonry unit.
- Any cleaning or re-pointing of the exterior facade must receive approval from the department in charge of heritage properties before any work is done.
- Weepholes in addition to vertical and horizontal control joints to be implemented.
- Remove paint off brick masonry at earliest possible opportunity using gentlest means possible.



Leader Building Under Construction (Provincial Archives of Saskatchewan R_LP230)

Figure 5.3.1 Mortar missing in numerous masonry unit joints

Figure 5.3.2 West terra cotta façade; outlining spalled and chipped terra cotta units.

Figure 5.3.3 Cracked masonry unit to be repaired or replaced.

Figure 5.3.4 West terra cotta façade; outlining spalling, stained masonry, gaps and cracks in mortar

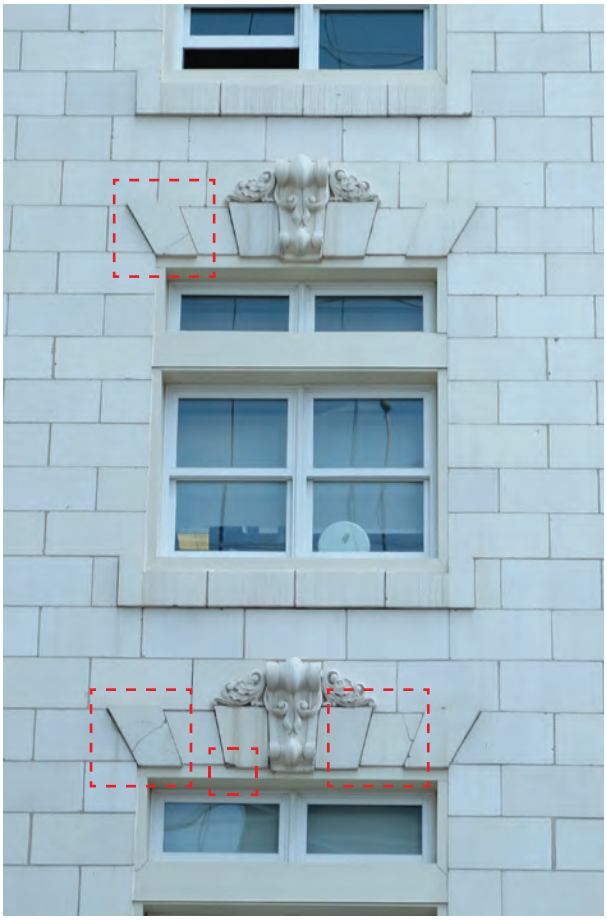


Figure 5.3.5 West terra cotta façade; outlining cracked and spalled terra cotta units

Figure 5.3.5 West terra cotta façade; outlining cracked and spalled terra cotta units

Figure 5.3.5 Mortar and brick cracking on south façade, particularly at the previously infilled portion (not limited to the areas outlines in red)

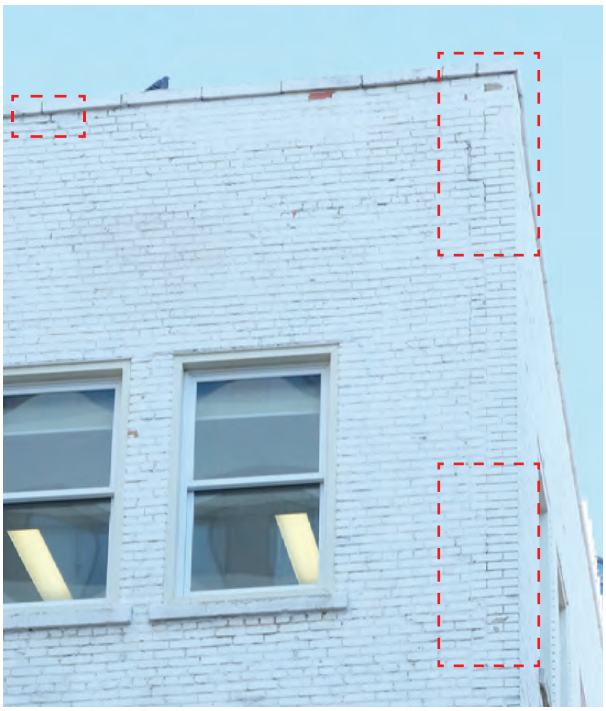


Figure 5.3.6 South façade; outlining instances of step cracking, spalling and mortar deterioration.

Figure 5.3.7 Discolouration and deteroration of brick masonry at the ground level.

Figure 5.3.8 South brick façade, outlining areas of the façade where brick staggers vertically. Brick above windows at the southeast corner appears to be bowing and pulling away fro the structure (right dashed outline)

Foundation Walls

The foundation walls are constructed of infill brick masonry. More recently installed structural steel columns in addition to existing cast-in-place concrete columns and slabs, appear to make up the primary support. The sidewalk at the northwest entry has cracked and allowed water penetration at the building's foundation. The northwest foundation wall has deteriorated significantly and is in need of replacement. There are several loose bricks, structural steel rusting, and instances of staining caused by the water infiltration from above.

Figure 5.3.9 Cracking sidewalk at southwest entrance.

Figure 5.3.11 Cracking sidewalk at northwest entrance.

5.3.10 Concrete crumbling off of rusted steel beam

Figure 5.3.12 Membrane has peeled off of concrete slab, rusted steel beam exposed

Figure 5.3.13 Loose bricks at foundation wall (looking west), discolouration and deteriotation due to water infiltration.

5.4 Roof

Both the rear and front buildings of the Leading Building had flat roofs with an ornamented parapet at the front facade. The front building had flagpoles mounted at the front northwest and southwest corners of the roof. Additionally, the building(s) once had a transmission tower for broadcasting for the radio station, with searchlights at the top of each platform. There is a also small penthouse to house the elevator shaft at the north end of the front building, that remains today.

The Leader Building currently has three levels of flat roofs since the enclosure of the lightwell. The west and middle roofs are an SBS SBS Modified Bitumen Roofing System, and the east roof is a raised patioblock over presumably an SBS system. The elevator shaft penthouse remains on the front building, with its east, south, and west façades cladded in aluminum siding. Overall, the general roofing system is in fair condition. That being said, the roof appears to have an insufficient drainage system, and should be monitored for any failure throughout its remaining lifespan (approximately 5-10 years).

The east portion of the roof is now a patio for the residents of the building, with an exterior wood stair leading to the top storey of the front building via the centre portion of the roof. The general concrete parapets (figure 5.4.2) around the building are in fair condition, with a bit of surface staining. The east patio has an additional wall construction that is in poor condition and shoud be investigated and potentially redesigned as it could potentially be trapping water between it and the existing parapet.

Conservation Strategy: *Preservation & Rehabilitation*

- Do not alter the building's original roofline, except to remove elements added in periods other than the original construction.
- Assess condition of the roof and replace if required. Rehabilitation of the roof is acceptable to mitigate any concerns of snowmelt and water infiltration, as long as there is minimal impact to the historical fabric of the penthouse and parapet.
- If it is necessary to implement systems onto the roof, they should be done so that they are not visible from the main street view.
- Preserve the flagpoles at the front of the roof.

West Parapet and Cornice

The parapet and cornice of the Leader Building features highly ornamented terra cotta masonry constructed with steel that remains existing today. The remaining parapets are constructed with concrete (*figure 5.4.1*).

Currently, the west cornice is in poor condition as there is evidence of water infiltration through significant staining along the width, which also indicates its structural integrity could be compromised. The plan to remediate this is to remove and reconstruct the cornice as it is critical to stabilize its structure. The terra cotta on the parapet and cornice must be replicated and restored in the structural remediation to maintain the character-defining element of the building. The cornice is currently wrapped with mesh to prevent loose material from falling.

Conservation Strategy: *Restoration & Rehabilitation*

- Stabilize the deteriorated structure until the repair work is undertaken.
- Once scaffolding is erected, inspect the condition of masonry. Fully document the existing cornice and parapet and use the existing physical elements to accurately reproduce them.
- Create mock-ups of any recreated masonry elements prior to installation.
- Determine the cause of water infiltration.
- Improve any faulty details of roof elements that may be causing the water infiltration.
- Protect adjacent terra cotta elements from any accidental damage during repair work.

Figure 5.4.1 Ornamented cornice showing signs of water penetration

Figure 5.4.2 Painted concrete parapet

Figure 5.4.3 West SBS Modified Bitumen Roofing System

Figure 5.4.4 Wall construction of the interior face of the parapet on the east side of the building

Figure 5.4.5 Roof drain is not located in the center of the roof which makes drainage less efficient. Ponding appears like it might be possible with ridges noticed in the top layer of the roofing.

Figure 5.4.6 Cornice has been wrapped in netting as a preventative measure

Figure 5.4.7 West parapet anchored onto roof

West Elevation of the Leader Building, 2020.

Morning Leader News Article, Showing Plans for a New Building for the Leader, 1911 (Leader-Post Archives)

South Elevation of the Leader Building, 2020.

5.5 Fenestration

5.5.1 Windows

The original west façade of the Leader Building featured a regulated window pattern with double hung wood windows up the six floors of the building. A single, larger window, was at the end north and south bays. Six windows were in the centre two bays of floors 2-5, with eight smaller windows at the top. The main floor had four windows for its storefront.

The south façade of both the front and rear building had fewer and less regulated windows. With the second and third floors having no windows at all. The elevations of the front and rear buildings facing the lightwell were in a regulated pattern going up each floor for more daylighting in the offices and newsroom.

Today, the front façade retains its regulated window pattern, with new windows replaced to resemble the original windows with similar sash and lite arrangements. The main floor possesses the largest change with its four windows being replaced with two large windows. Additionally, more windows have been punched into the south façade, potentially as the building began its new use as condominiums. Windows on the south façade have also been replaced over time in a compatible manner to the historic building. The current windows appear to be in good condition.

The lightwell windows no longer exists as it was infilled over time. On the east façade (the back of the building), several windows have been infilled with brick.

Conservation Strategy: *Preservation & Rehabilitation*

- Windows should be maintained to keep them functioning as well as possible.
- Any new windows should be fabricated per the original.
- Avoid mirrored glass with high reflectivity as a replacement material.
- If painted, the colour should match the original windows.
- Review condition and conduct inventory of windows.

Street view of the Leader Post Building, 2020. (City of Regina Archives - CORA-E-5.219)

Front Façade of the Leader Building, 2020.

Figure 5.5.1 East elevation at the sixth level showing wood frame windows.

Figure 5.5.2 West elevation windows; levels 2-4. The majority of windows appear to be PVC (Polyvinyl Chloride) and should be replaced with wood windows when replacement is required.

Figure 5.5.3 Some joints at the window sills on the upper east façade have been caulked over. Could mean that window replacement is required.

Figure 5.5.5 Potential water infiltration at the east elevation windows is evident from the discolouration at the concrete window sills.

Figure 5.5.4 Storefront windows appear to be in good condition.

5.5.2 Doors

The Leader Building originally had two entrances off Hamilton Street--one entered into an office while the other served as the main entrance of the building. In an alteration made in the 1940s, the southwest entrance was removed, making the northwest door the only entrance off Hamilton Street. The doors were originally made of wood and glazing, with an arched transom above. Over time, the arches over each door have been removed.

The rear building had a separate entrance at its northeast corner, as well as a garage door introduced in a 1920 alteration.

In the rehabilitation by Nicor, the southwest entrance was re-introduced. Both doors are now fully glazed and are differentiable from the historic building.

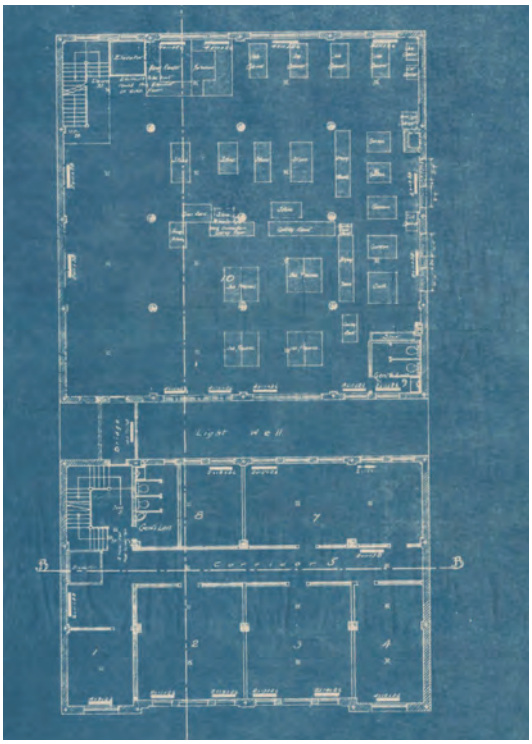
Conservation Strategy: *Restoration & Preservation*

- If restoration is possible, the doors, arched transoms, and their arched entries should be replicated to match the original design. If documentary evidence is not available, doors appropriate to the heritage style and era of the building should be installed.
- Retain door openings on the west elevation in their original location.

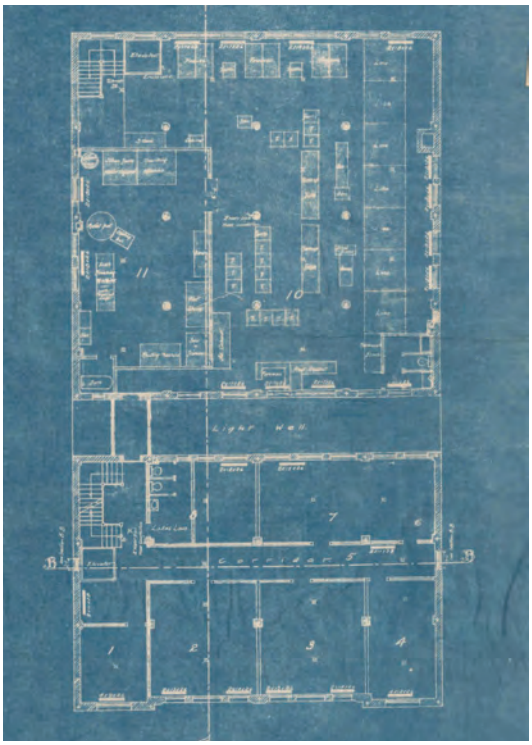
5.6 Interior

The interior of the Leader Building was generally laid out for office use and its function as a newsroom. The basement was utilized for the news press and storage. The main floor consisted of a business office, the cashier and the wickets for people placing classified ads in the newspaper. The second floor was home to CKCK radio, which had been established in 1922. The studio consisted of “state of the art” construction, featuring floors, ceiling and walls built on springs for acoustic considerations. The third floor was the newsroom, photographed on the following page.

Materials on the interior consisted of wood and marble. The original staircase was once comprised of steel and slate.
The building has since undergone several



Second Floor - Architectural Plans for the Leader Post Building, 1911. (City of Regina Archives CRP-02-0589)



Third Floor (Newsroom) - Architectural Plans for the Leader Post Building, 1911. (City of Regina Archives CRP-02-0589)

major interior rehabilitations to implement new mechanical and electrical systems, as well as the evolving of its function since it was the home to the Leader-Post. After the building was sold and the Leader moved to its current location on Park Street, it was renovated and renamed 'Torwest Towers.' At this time, the building was primarily used for commercial retail, with main stores occupying the building. By the late 1990s, the building was left vacant. The building was revived after Nicor Developments purchased the building in 2005. In this rehabilitation, the main stairwell was restored.

Today, the interior of the Leader Building consists of condominiums, offices and retail space on the main floor. The building no longer possesses *original* heritage elements on the interior due to its significant alterations. If an interior rehabilitation should take place, it should be redesigned in a compatible manner to the original time period of the building.

Conservation Strategy: Rehabilitation

- Make any alterations compactible and sympathetic to the historic building.
- Use an appropriate colour scheme when painting the interior.
- If any restoration is done, have evidence to base it upon (i.e. original floor plans or photographs).

Newsroom Circa 1957, *Oct. 1963. Leader Post Archives.*

5.7 Signage

The Leader Building once had a fair amount of signage incorporated into its exterior. The north facade was used for a large painted advertisement of the Leader-Post newspaper. The north facade painted signage has since been painted over with white paint.

The front facade once hosted a large neon sign by Western Claude: Neon Lights from Winnipeg.

The building also has an engraving of the 'Leader Building' in the horizontal band of stone at the top of the main level.

Any signage, lights, alarms, security cameras, etc. to be affixed to the building or installed on the property must be approved by the department responsible for Provincial Heritage Properties. Any fasteners that must be drilled into the exterior should be put into the mortar joints, not into the masonry. When mounting fixtures or signs to the exterior terra cotta cladding, use existing anchor holes and existing bolt lugs wherever possible. Individual letters of signs should be mounted on a complimentary backing to minimize anchorage defacement of the terra cotta.

The proposed signage should complement and be consistent with the heritage character of the building. Special care should be taken to ensure that signage, materials, lettering style and method of lighting give the impression that the signage is from the same historical period as the heritage building.

Sign lettering painted or adhered to the windows is quite acceptable, which can already be seen at the storefront of NWL.

Conservation Strategy: *Preservation & Rehabilitation*

- Projecting canopies are discouraged.
- New signage should be sympathetic to the building and not be intrusive.
- Do not penetrate terra cotta with signage – consider attaching to the mortar.
- Preserve the "Leader Building" lettering on the horizontal banding above the main floor.

Elevations of Proposed Neon Sign by Western Claude, 1911. (City of Regina Archives CRP-02-0589)

Leader Post Article. Jan 21, 1984 (Provincial Archives of Saskatchewan R_LP235)

Section 6.0 — Preliminary Opinion of Probable Rehabilitation Costs

6.1 Phase 1: 1-2 Years		
6.1.1(A)	**Full Masonry Repoint and Repair** North Brick Masonry (~400m² / 4304ft²) East Brick Masonry (~317m² / 3411ft²) South Brick Masonry (~638m² / 6865ft²) West Terra Cotta (~240m² / 2561ft²)	 $142,030 $112,560 $226,610 $89,635
6.1.1(B)	**15-25% Spot Repoint and Repair** North Brick Masonry (~80m² / 861ft²) East Brick Masonry (~63m² / 682ft²) South Brick Masonry (~128m² / 1373ft²) West Terra Cotta (~48m² / 512ft²)	 $31,855 $25,235 $50,800 $20,490
6.1.2	**West Foundation Wall Repair**	$50,000
6.1.3	**Southwest Cornice and Parapet Reconstruction** Pricing from Brxton/JCK Engineering	$475,000
	Option A (Full Repoint) Option B (Partial Repoint)	$1,145,835 $653,80

6.2 Phase 2: 5 to 10 Years		
6.2.1	**Wood Window Replacement** East (~62m² / 665ft²) South (~811m² / 8730ft²) West (~107m² / 1152ft²)	 $51,320 $62,450 $88,705
6.2.2	Roof Replacement (~687m² / 7176 ft²)	$287,060
		$489,580

6.3 Phase 3: Recommended		
6.3.1	Brick Façade Paint Removal* North (~400m² / 4304ft²) East Brick Masonry (~317m²/ 3411ft²) South Brick Masonry (~638m² / 6865ft²)	 $68,865 $54,575 $109,840
		$233,280

**Recommended to execute at the same time as Phase 1 for lower cost*

Taxes are not included in the above prices

Section 7.0 — Maintenance Plan

7.1 Maintenance Guidelines

Per the Standards and Guidelines, "Maintenance is an important part of the preservation process. Regular maintenance will preserve character defining elements and extend the service life of functional components" (p9, 12).

Where the building requires repairs or modification to its existing elements, written approval from the department responsible for Provincial Heritage Properties is required prior to proceed. The best treatment must be discussed in order to protect the heritage character of the building. Regular building maintenance does not require approval.

7.2 Permitting

Repair activities, such as simple in-kind repair of material, or repainting in the same colour, should be exempt from requiring city permits. Other more intensive activities will require the issuance of a Heritage Alteration Permit.

7.3 Routine, Cyclical, and Non-Destructive Cleaning

Use gentlest means possible when cleaning heritage elements of the building. Use non-destructive methods when undertaking any cleaning procedures.

7.4 Repairs and Replacement of Deteriorated Materials

Interventions such as repairs and replacements must conform to the Standards and Guidelines for the Conservation of Historic Places in Canada. The building's character-defining elements must be conserved, referencing the follow principals to guide interventions:

- Approach of minimal intervention must be adopted. Meaning any interventions on the building should be carried out in the least obtrusive way possible.
- Repair rather than replace character-defining elements.
- Make any interventions physically compatible with the historic place.

7.5 Inspections

Inspections are a key element in the maintenance plan, and should be carried out by a qualified person or firm, preferably with experience in the assessment of heritage buildings. These inspections should be conducted on a regular and timely schedule. The inspection should address all aspects of the building including exterior, interior and site conditions. It makes good sense to inspect a building in wet weather, as well as in dry, in order to see how water runs off – or through – a building. From this inspection, an inspection report should be compiled that will include notes, sketches and observations. It is helpful for the inspector to have copies of the building's elevation drawings on which to mark areas of concern such as cracks, staining and rot. These observations can then be included in the report. The report need not be overly complicated or formal, but must be thorough, clear and concise. Issues of concern, taken from the report should then be entered in a log book so that corrective action can be documented and tracked. Major issues of concern should be extracted from the report by the property manager.

An appropriate schedule for regular, periodic inspections would be twice a year, preferably during spring and fall. The spring inspection should be more rigorous since in spring moisture-related deterioration is most visible, and because needed work, such as painting, can be completed during the good weather in summer. The fall inspection should focus on seasonal issues such as weather sealants, mechanical (heating) systems and drainage issues. Comprehensive inspections should occur at five-year periods, comparing records from previous inspections and the original work, particularly in monitoring structural movement and durability of utilities. Inspections should also occur after major storms.

7.5.1 Maintenance Programme

Inspection Cycle

Daily

- Observations noted during cleaning (cracks; damp, dripping pipes; malfunctioning hardware; etc.) to be noted in log book or building file.

Semi-Annually

- Semi-annual inspection and report with special focus on seasonal issues.
- Thorough cleaning of drainage system to cope with winter rains and summer storms.
- Check condition of weather sealants (Fall).
- Clean the exterior using a soft bristle broom brush.

Annually (Spring)

- Inspect concrete for cracks, deterioration.
- Inspect metal elements, especially in areas that may trap water.
- Inspect windows for paint and glazing compound failure, corrosion and wood decay and proper operation.
- Complete annual inspection and report.
- Clean out of all perimeter drains and rainwater systems.
- Touch up worn paint on the building's exterior.
- Check for plant, insect or animal infestation.
- Routine cleaning, as required.

Five-Year Cycle

- A full inspection report should be undertaken every five years comparing records from previous inspections and the original work particularly monitoring structural movement and durability of utilities.
- Repaint windows every five to fifteen years.

Ten-Year Cycle

- Check condition of roof every ten years after last replacement.

Twenty-Year Cycle

- Confirm condition of roof and estimate effective lifespan. Replace when required.

Major Maintenance Work (As Required)

- Thorough repainting, downspout and drain replacement; replacement of deteriorated building materials; etc.

7.6 Information File

The building should have its own information file where an inspection report can be filed. This file should also contain the log book that itemizes problems and corrective action. Additionally, this file should contain building plans, building permits, heritage reports, photographs and other relevant documentation so that a complete understanding of the building and its evolution is readily available, which will aid in determining appropriate interventions when needed. The file should also contain a list outlining the finishes and materials used, and information detailing where they are available (store, supplier). The building owner should keep on hand a stock of spare materials for minor repairs.

7.6.1 Logbook

The maintenance log book is an important maintenance tool that should be kept to record all maintenance activities, recurring problems and building observations and will assist in the overall maintenance planning of the building. Routine maintenance work should be noted in the maintenance log to keep track of past and plan future activities. All items noted on the maintenance log should indicate the date, problem, type of repair, location and all other observations and information pertaining to each specific maintenance activity.

Each log should include the full list of recommended maintenance and inspection areas noted in this Maintenance Plan, to ensure a record of all activities is maintained. A full record of these activities will help in planning future repairs and provide valuable building information for all parties involved in the overall maintenance and operation of the building, and will provide essential information for long term programming and determining of future budgets.
It will also serve as a reminder to amend the maintenance and inspection activities should new issues be discovered or previous recommendations prove inaccurate.
The log book will also indicate unexpectedly

repeated repairs, which may help in solving more serious problems that may arise in the historic building. The log book is a living document that will require constant adding to, and should be kept in the information file along with other documentation noted in section **6.6 Information File.**

7.7 Exterior Maintenance

Water, in all its forms and sources (rain, snow, frost, rising ground water, leaking pipes, back-splash, etc.) is the single most damaging element to historic buildings.

The most common place for water to enter a building is through the roof. Keeping roofs repaired or renewed is the most cost-effective maintenance option. Evidence of a small interior leak should be viewed as a warning for a much larger and worrisome water damage problem elsewhere and should be fixed immediately.

7.7.1 Inspection Checklist

The following checklist considers a wide range of potential problems specific to the different masonry of the building, such as water/moisture penetration, material deterioration and structural deterioration. This does not include interior inspections.

Site

□ Is the lot well drained? Is there pooling of water?
□ Does water drain away from the foundation?

Foundation

□ Does pointing need repair?
□ Paint peeling? Cracking?
□ Is bedding mortar sound?
□ Moisture: Is rising damp present?
□ Is there back splashing from ground to structure?
□ Is any moisture problem general or local?
□ Is spalling from freezing present? (Flakes or powder?)
□ Is efflorescence present?
□ Is spalling from sub-fluorescence present?
□ Is damp proof course present?
□ Are there shrinkage cracks in the foundation?
□ Are there movement cracks in the foundation?
□ Is crack monitoring required?
□ Is uneven foundation settlement evident?
□ Are foundation crawl space vents clear and working?
□ Do foundation openings (doors and windows) show: rust; rot; insect attack; paint failure; soil build-up;
□ Deflection of lintels?

Masonry

□ Are moisture problems present? (Rising damp, rain penetration, condensation, water run-off from roof, sills, or ledges?)
□ Is spalling from freezing present? Location?
□ Is efflorescence present? Location?
□ Is spalling from sub-florescence present? Location?
□ Need for pointing repair? Condition of existing pointing and re-pointing?
□ Is bedding mortar sound?
□ Are weep holes present and open?
□ Are there cracks due to shrinking and expansion?
□ Are there cracks due to structural movement?
□ Are there unexplained cracks?
□ Do cracks require continued monitoring?
□ Are there signs of steel or iron corrosion?
□ Are there stains present? Rust, copper, organic, paints,oils / tars? Cause?
□ Does the surface need cleaning?

Windows

□ Is there glass cracked or missing?
□ Are the seals of double glazed units effective?
□ If the glazing is puttied has it gone brittle and cracked? Fallen out? Painted to shed water?
□ If the glass is secured by beading, are the beads in good condition?
□ Is there condensation or water damage to the paint?
□ Are the sashes easy to operate? If hinged, do they swing freely?
□ Is the frame free from distortion?
□ Do sills show weathering or deterioration?
□ Are drip mouldings/flashing above the windows properly shedding water?
□ Is the caulking between the frame and the cladding in good condition?

Doors

□ Do the doors create a good seal when closed?

□ Do metal doors show signs of corrosion?
□ Is metal door sprung from excessive heat?
□ Are the hinges sprung? In need of lubrication?
□ Do locks and latches work freely?
□ If glazed, is the glass in good condition? Does the putty need repair?
□ Are door frames wicking up water? Where? Why?
□ Are door frames caulked at the cladding? Is the caulking in good condition?
□ What is the condition of the sill?

Gutters and Downspouts

□ Are downspouts leaking? Clogged? Are there holes or corrosion? (Water against structure)
□ Are downspouts complete without any missing sections? Are they properly connected?
□ Is the water being effectively carried away from the down spout by a drainage system?
□ Do downspouts drain completely away?

Roof

□ Are there water blockage points?
□ Is the leading edge of the roof wet?
□ Is there evidence of biological attack? (Fungus, moss,birds, insects)
□ Are wood shingles wind damaged or severely weathered? Are they cupped or split or lifting?
□ Are the nails sound? Are there loose or missing shingles?
□ Are flashings well seated?
□ Are metal joints and seams sound?
□ If there is a lightening protection system are the cables properly connected and grounded?
□ Does the soffit show any signs of water damage? Insect or bird infestation?
□ Is there rubbish buildup on the roof?
□ Are there blisters or slits in the membrane?
□ Are the drain pipes plugged or standing proud?
□ Is water ponding present?

Section 8.0 — Appendix A: Research Summary

Sources

Argan, William with Pam Cowen and Gorden W. Staeson. “Regina: the First 100 Years, Regina’s Cornerstones, the History of Regina Told Through its Buildings and Monuments,” October 2002, Regina, pub. By the Leader-Post Carrier Foundation Inc

“Darrach, Neil. R.” Biographical Dictionary of Architects in Canada.

“Darrach, Neil. R.” Wikipedia. *Accessed January 3, 2021.*

“Sharon, Maurice William.” Biographical Dictionary of Architects in Canada.

Thomas, H. Lewis. “Saskatchewan History,” Winter 1953, Regina. Pub. by The Saskatchewan Archives Board. Vol 6, number 1.

Newspaper Articles

Baird, Craig. “Preserving history amid changing times.” *The Leader-Post* (Regina, SK), June 2, 2017.

“Contract Let for New Leader Building; Will Cost in the Neighborhood of $160 000.” *The Leader* (Regina, SK), September 2, 1911.

“Landmark Makeover” *Regina Leader-Post* (Regina, SK), August 28, 2010.

“Leader Building Now Under Construction.” *The Leader* (Regina, SK), September 25, 1911.

“Follow the Leader” *Regina Leader-Post* (Regina, SK), December 18, 2010.

“Regina building, man honored.” *The Leader-Post* (Regina, SK), February 17, 1987.

BYLAW NO. 8385

A BYLAW TO DESIGNATE 1853 HAMILTON STREET
AS BEING OF ARCHITECTURAL AND HISTORICAL VALUE

WHEREAS, The Heritage Property Act, S.S. 1980, c. H-2.2. Part III, authorizes the Council of a Municipality to enact bylaws to designate real property, including all buildings and structures thereon, to be of architectural, historical or natural value or interest;

AND WHEREAS the Council of the Corporation of the City of Regina has caused to be served on Dr. A. E. Eistetter, as owner of the land legally described as Lots Twelve (12) and Thirteen (13) and the most northerly Thirteen (13) feet Two (2) inches in width throughout of Lot Fourteen (14), in Block Three Hundred and Five (305), in the City of Regina, in the Province of Saskatchewan, in the Dominion of Canada, according to a Plan of Record in the Land Titles Office for the Regina Land Registration District as Old No. 33, a Notice of Intention to so designate the aforesaid real property and has caused such Notice of Intention to be published in at least two issues of a newspaper with general circulation in the Municipality with the first publication at least Twenty-one (21) days prior to the date of consideration of the Bylaw and with the last publication at least Seven (7) days prior to the date of that consideration;

AND WHEREAS no Notice of Objection to the proposed designation has been served on the Clerk of the Corporation of the City of Regina;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

1. There is designated as being of Architectural and Historical value and interest the real property known as 1853 Hamilton Street, excluding all interior portions of said building, being:

   Lots Twelve (12) and Thirteen (13) and the most northerly Thirteen (13) feet Two (2) inches in width throughout of Lot Fourteen (14), in Block Three Hundred and Five (305), in the City of Regina, in the Province of Saskatchewan, in the Dominion of Canada, according to a Plan of Record in the Land Titles Office for the Regina Land Registration District as Old No. 33.

   The significance of the site is as follows:

   1. The Leader Building is one of only two terra cotta faced office buildings remaining in Regina, designed in the Chicago school of architecture style.

   2. The building is one of only four buildings in Regina to be designed by the noted firm of Brown and Vallance Architects.

3. The building was constructed as the fourth location of the Leader Newspaper and served for twenty-five years as the headquarters of the Leader Post Newspaper.

2. The City Solicitor is hereby authorized to cause a certified copy of this Bylaw to be registered against the property described above in the Land Titles Office for the Regina Land Registration District.

3. The City Clerk is hereby authorized to cause a copy of this Bylaw to be served on the owner of the aforesaid property and on the Minister to whom the administration of The Heritage Property Act is assigned.

READ A FIRST TIME THE 16th DAY OF February A.D. 1987;

READ A SECOND TIME THE 16th DAY OF February A.D. 1987;

READ A THIRD TIME AND PASSED THE 16th DAY OF February, A.D. 1987.

_____

Mayor City Clerk

To: His Worship the Mayor
and Members of City Council

Re: City of Regina Heritage Building Rehabilitation Program

RECOMMENDATION OF THE FINANCE AND ADMINISTRATION COMMITTEE - AUGUST 5, 2014

1. RECEIVE and FILE the consultant's report entitled "Incentives for Heritage Building Upgrades in Regina" (Appendix A).
2. APPROVE the Heritage Incentive Policy in the form set out in Appendix C to replace the Municipal Incentive Policy for the Preservation of Heritage Properties and direct the Administration to report back on a Bonus Density policy by Q4 of 2015.
3. REMOVE items CR01-254 and FA03-31 from the Finance and Administration Committee's list of outstanding items.
4. That the City of Regina Heritage Building Rehabilitation Program be reviewed prior to 2020, or unless required at an earlier date.

FINANCE AND ADMINISTRATION COMMITTEE – AUGUST 5, 2014

The following addressed the Committee:

- Ray Plosker, representing himself;
- Roger Mitchell, representing Viterra;
- Joe Ralko, representing himself;
- Ross Keith, representing Nicor Developments Inc.; and
- Bill Brennan, representing Heritage Regina

The Committee adopted a resolution to concur in the recommendations contained in the report after adding a recommendation #4 as follows:

4. That the City of Regina Heritage Building Rehabilitation Program be reviewed prior to 2020, or unless required at an earlier date.

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

The Finance and Administration Committee, at its meeting held on August 5, 2014, considered the following report from the Administration:

RECOMMENDATION

1. RECEIVE and FILE the consultant's report entitled "Incentives for Heritage Building Upgrades in Regina" (Appendix A).
2. APPROVE the Heritage Incentive Policy in the form set out in Appendix C to replace the Municipal Incentive Policy for the Preservation of Heritage Properties and direct the Administration to report back on a Bonus Density policy by Q4 of 2015.
3. REMOVE items CR01-254 and FA03-31 from the Finance and Administration Committee's list of outstanding items.

CONCLUSION

The City of Regina has established a broad program of regulatory tools and financial incentives to promote the rehabilitation of its significant collection of heritage buildings in the city. Nonetheless, there were an increasing number of reports from the development industry that escalating land and construction costs were rendering rehabilitation projects uneconomic, despite the provision of incentives.

In 2011, the City commissioned Coriolis Consulting Limited to undertake an investigation of the current development costs for heritage building rehabilitation in Regina, and to analyze the effectiveness of the City's existing financial incentive program.

The study concludes that incentives provided under the current heritage incentive policy are not in alignment with current market conditions. Increasing construction costs and escalating land values in the current market are making it challenging to achieve a competitive rate of return without an incentive, which threatens buildings that are considered to have heritage value.

Therefore, the Administration is recommending an amendment to the Municipal Incentive Policy for the Preservation of Heritage Properties (Appendix C) including most notably a ten-year property tax exemption. It is also recommended that a Bonus Density policy be brought before Council as tax exemption is not always enough of an incentive to counteract the pressure of property assembly in the Downtown. Protection of our built heritage is in alignment with policy direction to build complete communities in *Design Regina: The Official Community Plan Bylaw No. 2013-48.*

This report is provided in response to the original motion and the referral. As such, CR01-254 and FA03-31 may be removed from the list of outstanding items.

BACKGROUND

The Municipal Incentive Policy for the Preservation of Heritage Properties was established by City Council in 1991 and last amended in 2001. In 2001, Council passed a motion to amend the policy but only as it applies to property tax exemption for downtown properties. Council also passed referral motion (CR01-254) requesting the Administration prepare a report to Finance and Administration and Municipal Heritage Advisory Committees on another policy amendment to address increasing construction costs for properties outside of the downtown area.

In 2003, the Administration reported on the increase in construction costs. While it was not recommended that increases in property tax exemption outside the downtown area be tied to increases in construction costs, the recommended policy amendment to increase the property tax exemption was further delayed through motion (FA03-31) calling for the completion of an update to the *Heritage Holding Bylaw*[1]. The motion was passed due to a concern that an update to the Bylaw would result in listing several hundred properties with designation potential. If designated, a significant number of properties would then be eligible for property tax exemption with unknown economic and budgetary impacts to the City.

In 2007, Council amended the *Heritage Holding Bylaw* to add fifteen properties to those listed under this bylaw (CR07-95). However, this did not resolve the original motions (CR01-254 and FA03-31). The report to Finance and Administration remained a lower priority item as resources were dedicated to other initiatives including the Regina Downtown Neighbourhood Plan and *Design Regina: The Official Community Plan Bylaw No. 2013-48*. This report responds to these two motions and concerns about the financial viability of heritage building rehabilitation and the City's own financial sustainability.

As market conditions had changed since 2001, the City engaged Coriolis Consulting in 2011 to investigate current development costs for rehabilitation and the effectiveness of the existing Heritage Building Rehabilitation Program. Coriolis is a Vancouver consulting firm specializing in real estate analysis, urban planning and policy, development approvals and processes and financial modelling. The comprehensive review of the Program was initiated in view of the factors affecting heritage building rehabilitation projects. Reports from the development industry had shown that changing market conditions in Regina were making these projects less financially attractive, which poses a threat to the city's stock of buildings with heritage value. Increasing construction costs and escalating land values were increasing the challenges.

The report entitled "Incentives for Heritage Building Upgrades in Regina" (Appendix A) is the culmination of a year-long project to evaluate issues facing rehabilitation and to research and develop recommendations to address these issues. A cross-section of the Administration and a stakeholder group, including developers, a commercial real estate advisor, architects and property owners were involved in preparing the report. The report outlines the planning context for rehabilitation, a financial analysis of heritage building upgrades, and several recommendations to positively impact the viability of rehabilitation. The following report is meant to address outstanding items (CR01-254) and (FA03-31) and provide the Committee and Council with recommendations on financial policies for heritage building rehabilitation.

DISCUSSION

The Administration analyzed the consultant's report (Appendix A) and provided a summary of the analysis in Appendix B. The summary in Appendix B outlines the consultant's recommendations and the Administration's response along with an action plan and timing indicating when implementation or further analysis will occur. The Administration's analysis led to the amended Heritage Incentive Policy that is provided in Appendix C. The recommended amendments to the policy are described below.

[1] "A Bylaw of the City of Regina To Deny a permit for the Alteration or Demolition of Properties that the Council of the City of Regina may wish to Designate as Municipal Heritage Properties" – Bylaw No. 8912

RECOMMENDATION #1 – Increase the length of property tax exemption to ten years

The current Heritage Building Rehabilitation Program provides property tax exemption to designated properties up to a maximum of fifty per cent of the eligible project costs, or for a certain number of years (eight years downtown and five years elsewhere), or to a cap ($250,000 downtown and $150,000 elsewhere); whichever is least.

Eligible project costs have included the rehabilitation of architecturally significant exteriors, structural stabilization, improvements required to meet the National Building Code or City of Regina bylaws including the repair and upgrade of mechanical and electrical systems, improvements to energy efficiency, rehabilitation of architecturally significant interiors (non-cosmetic), and professional architectural or engineering services. All work is evaluated on the basis of its importance to the rehabilitation of key character-defining elements and its ability to meet national standards for heritage conservation practice.

As shown in the table below, the recommended amendment to the Municipal Incentive Policy for the Preservation of Heritage Properties would increase the length of the exemption to ten years and remove the limitation on its monetary value. While *The Cities Act, 2002* only allows exemptions for five years, *The Heritage Property Act* enables a City to exceed the exemption limits under *The Cities Act, 2002* for designated heritage properties only.

	Current*	Proposed *
Outside of the Downtown		
# of years	5 years or	10 years
maximum value	$150,000	n/a
Inside the Downtown		
# of years	8 years or	10 years
maximum value	$250,000	n/a

* The property tax exemption is limited to 50% of eligible project costs

The consultant conducted a pro forma analysis of three case studies and concluded that rehabilitation projects are attractive with an exemption, but it is necessary to increase the length of the exemption to ten years to ensure the projects remain viable. Rehabilitation is economically viable but only if improvements allow the building to achieve a higher return on investment assisted by an exemption. Without an increased incentive, increasing construction costs and land values are making it challenging for these projects to achieve a competitive rate of return. Rehabilitation projects are different than new construction in that they need to meet the requirements of the National Building Code and City of Regina bylaws as well as the national *Standards and Guidelines for the Conservation of Historic Places in Canada.*

Heritage Properties located outside of the downtown:

The current 5-year period of exemption for properties has not changed since the Program started in 1991 despite inflation and escalating construction costs. Based on the consultant's pro forma analysis of projects involving a warehouse and an apartment, ten years of exemption is recommended in order to encourage projects that will materially improve the quality, lifetime, marketability, and value of a building. It will ensure a larger project results in the same rate of return as a smaller project. The current $150,000 cap can also be removed as most 10-year

exemptions would be less than or close to $150,000 and most of the 5-year exemptions under the current policy were already significantly less than $150,000. The exemption would remain limited to 50 per cent of total project costs and these costs are further limited to building size.

Heritage Properties located within the downtown:

The current eight year exemption has not changed since 2001. The consultant conducted a pro forma analysis using a commercial building as a typical representation of the sixteen downtown heritage buildings that remain to be upgraded. Similarly, a 10 year exemption is recommended to encourage larger rehabilitation projects and ensure a similar rate of return. The current cap of $250,000 can also be removed as the 10 year exemption would be approximately $250,000 for most of the sixteen aforementioned buildings. The 10 year exemption would remain limited to 50 per cent of total project costs and these costs are further limited to building size.

Two of the sixteen buildings would generate larger exemptions due to their size, which is larger than the average size of 32,000 square feet. The Administration expects to receive an application from the owner of one of these buildings, the former Saskatchewan Wheat Pool building, in 2014. Viterra Inc. is currently occupying the building and they are anxious to proceed. Based on the 2014 property taxes and assuming a five per cent increase year over year for ten years the total taxes would be approximately $1,200,000 of which the City's share is $680,000.

Financial Analysis:

The financial analysis indicates that the City can achieve a net fiscal gain over the long term by forgoing short term tax revenue as a means of incentivizing retention and rehabilitation. In the last five years, the City's portion of the total taxes exempted under the Heritage Building Rehabilitation Program has been approximately $77,000 each year. The policy amendment is anticipated to result in twice as many exemptions to a cost of approximately $150,000 each year.

The Administration expects the City will award twice as many exemptions to a total up to four exemptions each year (i.e. $150,000 each year). This is twice the number of annual exemptions that have been awarded by the City since 1991 but less than the annual national average of six. In five years, the Administration expects the exemptions to return the annual average of two.

Correspondingly, the City has designated two heritage buildings each year on average since 1991. As mentioned earlier, a building must be designated as heritage in order to become eligible for an exemption. In recent years, each designation has been directly due to the availability of an exemption under this Program. Therefore, with each exemption more buildings will be retained and designated, which positions the City to facilitate demolition alternatives.

The total estimated cost implication for the first ten years would be approximately $1,100,000-$1,500,000. However, the revenue is only foregone temporarily.

Rehabilitation with an exemption leads to higher rents than rents without the exemption. The projects result in higher property values and therefore higher property tax revenues (after the period of exemption) that will exceed the initial cost of the exemption. The Assessment, Taxation and Real Estate Department conducted an analysis which estimates that 10 years of exemption would be paid back to the City in less than 20 years.

RECOMMENDATION #2 – Increase Cash Grants to $50,000

The current Program also grants up to $25,000 for rehabilitation projects. Cash grants differ from tax exemption in that they are only awarded to non tax-paying organizations (e.g. churches). Similar to the tax exemption, the property must be designated as heritage. The recommendation is to increase the cash value of the grant to a maximum of $50,000 per year as the value has not changed since 1991 despite inflation and escalating construction costs. As the increase only benefits non tax-paying organizations, only 10-15 heritage buildings would be eligible.

The City has only awarded three grants to a total of $43,000 since 1991. By comparison, the national annual average of a heritage grant program is approximately $56,000. In the last four years, two applications submitted by churches were not brought forward to the Finance and Administration Committee because a budget had not been allocated. While the Finance and Administration Committee receives a budget earmarked for Other Economic & Promotional Initiatives, it is not intended to be used for the heritage grants. A budget for these grants had not been established under the Community Investments Grant Program. Ongoing funding for the grants will be requested through the budget process. If the funding is not allocated, then the Administration will bring forward an amendment to remove reference to grants in the policy.

RECOMMENDATION #3 – Establish a Bonus Density Policy

A bonus density policy will be developed as part of the comprehensive Zoning Bylaw update in order to address the increasing challenges with rehabilitation in the downtown area. Challenges occur when a heritage property becomes more valuable for redevelopment than for rehabilitation, especially if the property can be included in an assembly. Many of the larger heritage buildings have been rehabilitated leaving a number of smaller heritage buildings with assembly potential as part of a larger redevelopment site. In order to address this issue the City has two options:

1. On-Site Bonus Density:
   If the heritage building is designated[2] and its property assembled with an adjacent vacant property, then the heritage building's unused density (under existing zoning) would be incorporated into the new part of the development, allowing the retention of the building without loss of development potential. This is akin to transferring "air rights" from one part of an assembled site to another and would be at the developer's discretion. The property might retain its value if (a) it is assembled, (b) the unused density can be physically accommodated within the overall project or (c) the financial performance of the overall project is attractive. However, it is possible that the value of the property is reduced if assembly and redevelopment including retention of the building is not as attractive to the developer as redevelopment without the building. Note also that this approach to retaining property value (inclusion in an assembly and redevelopment) will not apply to properties for which assembly is not possible.

2. Transferable Bonus Density:
   If the heritage property is not assembled with an adjacent property, the City could grant transferable bonus density. The transferable density would be transferred to a development site in the downtown in exchange for an amenity contribution. The developer of new

[2] The City has the legal power to designate a property as Municipal Heritage Property without compensation for any loss in value. The owner might object to such designation, but it is allowed under the legislation.

construction buys unused density from the owner of the heritage building, as long the owner of the heritage building enters an agreement with the City of Regina to upgrade the building. In this option the heritage property would be too small to allow both new development and retention of the heritage building. The bonus would only be useful if it is transferrable from the heritage property to another property. Unfortunately, as described in the consultant's report, this option isn't as viable as on-site bonus density as it would be challenging to sell transferrable density to sites elsewhere in downtown.

RECOMMENDATION #4 – Program improvements

Several improvements to the Heritage Building Rehabilitation Program will be introduced including an application fee, requirement of a Conservation Plan and financial evidence indicating the need for the incentive, and a minimum $20,000 project value. The Program changes will be announced by contacting the owners of all heritage properties.

RECOMMENDATION IMPLICATIONS

Financial Implications

The City's share of foregone revenue from heritage property exemptions currently equates to approximately $77,000 per year. If the policy is amended and ten years of property tax exemption is provided, then the Administration anticipates an increase in property tax exemption applications from two to four per year. The City's share of foregone revenue from heritage property exemptions would then equate to approximately $150,000 per year. In five years, it is expected that the number of applications may return back to the average of two per year.

The revenue is only foregone temporarily. Upon completion of the 10 year exemption, the City would regain its lost revenue in less than 20 years. Upgrading heritage buildings with an exemption leads to higher rents than rents without the exemption. This results in higher property values and therefore higher property tax revenues that exceed the initial cost of the exemption.

The City Planning and Development Division plans to request an ongoing budget allocation to establish a source of funding for the cash grants provided under the Heritage Building Rehabilitation Program.

Environmental Implications

None with respect to this report.

Policy and/or Strategic Implications

The updated Program will ensure the implementation of policy in *Design Regina: The Official Community Plan No. 2013-48* as it pertains to the development of complete neighbourhoods and the rehabilitation of heritage buildings.

The Program has already resulted in increased property tax revenues from upgraded heritage buildings, increased revenue for owners, the conversion of vacant and underutilized buildings and the non-fiscal benefits of heritage rehabilitation. The updated Program is expected to result

in twice the number of heritage designations and heritage building rehabilitation projects on an annual basis and these projects will follow national standards for rehabilitation without placing an onerous commitment on the owners.

The updated Program will also be aligned with the Cultural Heritage Management Strategy, which is currently in its final draft.

Policy 10.5 of *Design Regina: The Official Community Plan No. 2013-48* provides direction to "encourage owners to protect historic places through good stewardship and by voluntarily designating their property as a Municipal Heritage Property." A historic place is defined in *Design Regina* as a building that has been recognized by City Council for its heritage value. Policy direction is also provided in section D8 Culture, policy 10.4 of *Design Regina* to protect, conserve and maintain historic places and to leverage and expand funding, financial incentives and other means of support to advance the conservation of historic places.

The Program addresses two Community Priorities of the Corporate Strategic Plan 2014-2017 by developing complete neighbourhoods and embracing built heritage. In keeping with the Strategic Directions of effectively managing growth and improving financial viability, the City can achieve a net fiscal gain over the long term by forgoing short term tax revenue as a means of incentivizing the retention and upgrade of heritage buildings.

Other Implications

None with respect to this report.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

As directed by the motion of referral from FA03-31, this report will be forwarded to the Municipal Heritage Advisory Committee for consideration. A copy of this report with Administration's recommendations will be provided to stakeholders as part of the City's typical process of distributing a Finance and Administration report. If Council concurs with the recommendations of this report, a communications plan will be developed to encourage owners of heritage properties to apply under the new program.

DELEGATED AUTHORITY

This report is provided in response to the Finance and Administration Committee's motion of referral from FA03-31 and Council's original motion from CR01-254. In 2001, Council passed a motion (CR01-254) requesting a report on changes to the Municipal Incentive Policy for the Preservation of Heritage Properties in order to address the challenges facing heritage buildings outside of the downtown.

If Council concurs with the recommendations of this report, then CR01-254 and FA03-31 may be removed from the list of outstanding items.

The disposition of this report requires City Council approval.

Respectfully submitted,

FINANCE AND ADMINISTRATION COMMITTEE

Ashley Thompson, Secretary

REGINA Infinite Horizons | City of Regina

Appendix C

HERITAGE INCENTIVE POLICY (Approved August 25, 2014)

Formerly known as the *Municipal Heritage Incentives for the Preservation of Heritage Properties*.

Authority: Property tax exemption is permitted under Section 28 (a) of The Heritage Property Act.

An application fee will be required for projects that seek an exemption worth $200,000 or more.

1.0 Purpose

The objectives of the incentives provided under this policy are:

- To encourage the full upgrading of designated heritage properties to ensure their long-term conservation, extend their effective life and/or to ensure their structural integrity.
- To stimulate the economic development of the Downtown through the rehabilitation of commercial facades in the Victoria Park Heritage Conservation District.
- To encourage the development of an attractive city that contributes to a better quality of life.

2.0 Scope

Stakeholders involved with the conservation of designated property including property owners, non-profit organizations, and developers.

3.0 Definitions

Conservation: All actions or processes that are aimed at safeguarding the character-defining elements of a historic place so as to retain its heritage value and extend its physical life. This may involve "Rehabilitation," "Preservation," "Restoration" or as a combination of these actions or processes in accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada*.

Character-Defining Elements: The materials, forms, location, spatial configurations, uses and cultural associations or meanings that contribute to the heritage value of an historic place, which must be retained in order to conserve its heritage value.

Conservation Plan: A plan describing the proposed methods used to conserve the heritage values and character-defining elements. A Conservation Plan should also indicate the overall condition of the historic place and longer term plan to maintain it in a sound and attractive state.

Eligible Work Costs: The expenses incurred to conserve the character-defining elements of a building, structure or landscape.

Designated Property: Any Municipal Heritage Property, any pre-1965 property within the Victoria Park Heritage Conservation District, or any Provincial Heritage Property.

Executive Director: Executive Director, City Planning and Development.

Heritage Alteration Permit: A permit authorizing the alteration of a designated property.

Current Planning
City Planning and Development
Queen Elizabeth II Court | 2476 Victoria Avenue
PO Box 1790 | REGINA SK S4P 3C8
P: 306-777-7551 | F: 306777-6823
Regina.ca

Heritage Value: The aesthetic, historic, scientific, cultural, social or spiritual importance or significance for past, present and future generations. The heritage value of a historic place is embodied in its character-defining elements.

Historic Place: A structure, building, or landscape that has been formally recognized for its heritage value by City Council.

Statement of Significance: A statement that identifies the description, heritage value and character-defining elements of a historic place. A Statement of Significance is required in order for an historic place to be considered for designation by the Council of the City of Regina.

Maintenance: Routine, cyclical, non-destructive actions necessary to slow the deterioration of an historic place. It entails periodic inspection; routine, cyclical, non-destructive cleaning; minor repair and refinishing operations; replacement of damaged or deteriorated materials that are impractical to save.

4.0 Transition Provisions

Owners of properties with Exemption Agreements established under the former Municipal Incentive Policy for the Preservation of Heritage Properties (last amended October 22, 2001) that provide for an exemption in 2015 will be required to reapply under this new Policy no later than October 31, 2015. Otherwise, the existing Exemption Agreement will not be amended.

5.0 Incentives Policy

A property tax exemption may be provided for properties that meet the policy criteria as outlined below.

5.1 General Eligibility Requirements

The application of this policy is limited to buildings, structures or landscapes that have been formally recognized by City Council as designated property pursuant to Section 11(1) of *The Heritage Property Act*.

Only those designated properties in the Victoria Park Heritage Conservation District that were built before 1965, according to the dates provided in the Assessment and Taxation records.

In general, eligible work costs must be based on the assessment of a qualified architect or professional engineer.

Properties that have property taxes or other charges past due to the City of Regina are not eligible.

5.2 Calculation of Exemption

Property tax exemption may be provided to the owner(s) of taxable property for a period of up to 10 years to a maximum value equivalent to 50 percent of eligible conservation work costs; whichever is less.

Subject to the availability of funds, a cash grant of up to $50,000 may be provided for tax exempt properties but limited to a maximum of 50 percent of eligible conservation work costs.

The amount of the property tax exemption, including calculation of any percentage or portion and the determination of any use or cost, shall be conclusively determined by the City Assessor. The amount shall only apply to the portion of the property containing the building, structure or landscape with heritage value pursuant to Section 11(1) of *The Heritage Property Act*.

The tax exemption does not apply to local improvement fees, business improvement fees, and the non-exempt portion of taxes (i.e. laneway improvements) and other charges to tax accounts; these must be paid during the term of the agreement in the year in which they are due. No abatement of outstanding or current taxes will be negotiated.

5.3 Exemption Agreement

The property tax exemption will be subject to an agreement between the City of Regina and the property owner(s). The term of the agreement will be dictated by the number of years it will take to complete the work in addition to the term of the exemption.

The expiry date for the exemption agreement may be extended by one year at the sole discretion of the Executive Director to accommodate unanticipated construction delays.

The applicant is required to notify the Current Planning Branch of the City of Regina when the project work is complete. A representative of the Branch will inspect the project to verify its completion.

The total cumulative tax exemption will be equal to either (a) 50% of the eligible conservation work costs, or (b) ten years of tax exemptions, whichever is less.

The agreement may be assigned to a new owner at the sole discretion of the Executive Director. An assignment agreement will be required.

Where a development is also eligible for tax exemption under the Housing Incentives Policy, the full benefit under both policies may be provided. The Heritage Incentives Policy will be provided first unless otherwise approved by the Executive Director.

Incentives provided under this policy may be stacked with incentives provided through programs offered by the Municipal, Provincial and Federal Governments.

5.4 Eligible Work

Eligible conservation work must be specifically aimed at extending the life and increasing the value of designated property. The conservation work must also be in accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada.* The following work is eligible:

- Qualified architectural or professional engineering services not related to the preparation of the application.
- Conservation of exterior character-defining elements or significant landscape elements.
- Façade-only conservation in the Victoria Park Heritage Conservation District.
- Structural stabilization.
- Improvements required to meet National Building Code (NBC) or City of Regina bylaw requirements, including the repair or upgrading of mechanical and electrical systems.
- Improvements to energy efficiency (e.g. insulation, windows, furnace). Such work will be evaluated on the basis of its importance to the conservation of the character-defining elements of the building.
- Conservation of significant or rare character-defining interiors or interior elements.

The conservation of exterior character-defining elements may include the cleaning of surfaces, removal of unsympathetic materials, and painting associated with the replacement of these elements.

Cosmetic improvements, painting, repairs, regular maintenance, tenant improvements and new additions are NOT eligible.

5.5 Application Requirements

Applications must include:

(a) a completed application form
(b) current colour photographs
(c) archival photographs and historical documentation

in cases where the value of the exemption is greater than $200,000:

- the application must include a Heritage Alteration Permit application with an architect's drawings in addition to the architect's report that provides the following: a description of the proposed development highlighting new repairs and conservation work, the Conservation Plan, a construction schedule and, where applicable, an engineer's report on the structural improvements and costs.

- the application must include some financial evidence indicating why the tax exemption is needed in the form of a development pro forma that provides detailed costs, overall budget breakdown and cash flow. The pro forma should include financing details, two estimates for all materials and labour, leasing specifications, project soft costs (e.g. labour), project hard costs (e.g. materials), operating statement, and an explanation of how the tax incentives will affect the economic viability of the project.

OR in cases where the value is less than $200,000:

- the application must include a Heritage Alteration Permit application with an architect's drawings in addition to the architect's report that provides the following: a description of the proposed development highlighting new repairs and conservation work, the Conservation Plan, a construction schedule and, where applicable, an engineer's report on the structural improvements and costs.

- the application must also include two estimates for all work to be done or project costs based on the assessment of a qualified architect or professional engineer or qualified quantity surveyor. The total project costs must be a minimum of $20,000.

In addition to these requirements, the City may require additional historic research, engineering, or other studies in support of the application. All Conservation Plans and architectural drawings are to be carried out by an architect, engineer or equivalent professional, each having substantive experience and expertise in heritage conservation.

The costs of preparing and submitting an application, including any consultant fees, are the sole responsibility of the applicant. The application may apply to recover such costs as part of the incentives; however the City will only approve such recovery for successful applications.

5.6 Application Process

A complete application under the Heritage Incentives Policy, including details and costs of conservation work to be undertaken, must be submitted to the City of Regina in writing, before commencement of any work or development that is intended to qualify for an incentive.

A Heritage Alteration Permit application will also be required for the project. The timing of this Heritage Alteration Permit in relation to this application should be discussed with staff. The Heritage Alteration Permit application may require Council approval unless the authority has been delegated to the Administration.

Applications for an incentive must be made before issuance of a heritage alteration, building or development permit. Exception of this requirement is at the discretion of the Executive Director where Council has delegated authority to the Administration to approve the alteration of a designated property. The approval must be provided in writing by the Executive Director before any project work begins.

If the property is not designated, an application for designation and an application for an incentive may be submitted at the same time, but the application for an incentive may not be formally considered until after the property has been designated by City Council.

Upon completion of the Administration's review, the application for an incentive will be considered by the City's Finance and Administration Committee which, in turn, will make a recommendation to City Council.

If approved by City Council, the incentive will be provided in accordance with a formal agreement between the City and the subject property owner(s), which will be authorized by City Council's passage of an enabling bylaw.

For further information or assistance, please contact:

Current Planning Branch
City Planning and Development
9th Floor, City Hall
P.O. Box 1790
Regina SK S4P 3C8

Phone: 306-777-7551
Fax: 306-777-6823

City of Regina
Bylaw #2007-74

Disclaimer:

This information has been provided solely for research convenience. Official bylaws are available from the Office of the City Clerk and must be consulted for purposes of interpretation and application of the law.

BYLAW NO 2007-74

THE HERITAGE PROPERTY TAX EXEMPTION FOR THE
LEADER BUILDING LOCATED AT 1853 HAMILTON STREET BYLAW, 2007

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

Purpose

1 The purpose of this Bylaw is to provide a heritage property tax exemption to the owners of property located at 1853 Hamilton Street pursuant to the City of Regina's *Municipal Incentives Policy for the Preservation of Heritage Properties.*

Authority

2 The authority for this Bylaw is section 28(a) of *The Heritage Property Act.*

Exemption

3 An exemption for taxation pursuant to the City's *Municipal Incentives Policy for the Preservation of Heritage Properties* is granted for the real property owned by 101062196 Saskatchewan Ltd., located at 1853 Hamilton Street, and legally described as:

Surface Parcel #107048077, with a Reference Land Description of:
Lot 12, Block 305, Plan No. Old 33, Extension 0
As described on Certificate of Title 98RA07741

And

Surface Parcel #107048066, with a Reference Land Description of:
Lot 13, Block 305, Plan No. Old 33, Extension 0
As described on Certificate of Title 98RA07741

Agreement

4 The exemption in section 3 shall be governed by the attached Agreement marked as Schedule A.

5 The City Clerk is authorized to sign and seal the Agreement in section 4, on behalf of the City of Regina.

Approved as to form this ____ day of ____, 200__.

City Solicitor

6 The General Manager, Community and Leisure Services Department, is authorized to determine whether the work done to the property is Eligible Work, within the meaning of the Agreement, and the cost of the Eligible Work.

Coming into Force

7 This Bylaw comes into force on the day of passage or on the date the Agreement is executed, whichever is later.

READ A FIRST TIME THIS 5TH DAY OF NOVEMBER 2007.

READ A SECOND TIME THIS 5TH DAY OF NOVEMBER 2007.

READ A THIRD TIME AND PASSED THIS 5TH DAY OF NOVEMBER 2007.

D.W. MURRAY
Acting Deputy Mayor

R.M. MARKEWICH
City Clerk (SEAL)

CERTIFIED A TRUE COPY

City Clerk

Schedule "A"

PRESERVATION OF HERITAGE PROPERTIES
TAX EXEMPTION AGREEMENT – *"Street Address"*

Agreement dated October _____, 2007

Between:

THE CITY OF REGINA
(the "City")

- and -

***"FULL NAME OF OWNER"*.**
(the "Owners")

The Parties agree as follows:

Definitions

1. In this Bylaw:

"**Building Permit**" means the permit issued by the Building Division of the Community Services Department to the Owners or the Owners' agent, to re-develop the Property.

"**Eligible Work**" means the work on the improvement as determined by the Manager to be eligible for consideration pursuant to the City's *Municipal Incentive Policy for the Preservation of Heritage Properties*, which work is generally described in Schedule A.

"**Property**" means the real property owned by the Owners located at *"Street Address*, Regina, and legally described as:

"Insert Legal Description"

"**Manager**" means the person occupying the position of General Manager, Community and Leisure Services Department of the City.

Tax Exemption

2. Pursuant to section 28(a) of *The Heritage Property Act*, and subject to the terms of this Agreement, the City shall exempt from taxation, or provide a partial exemption for, the Property in an amount equal to the lesser of:

(a) 50 percent of the actual cost incurred by, or on behalf of, the Owners in completing the Eligible Work;

(b) $250,000; or

City Solicitor

(c) an amount equivalent to the total property taxes on the Property payable for the years *"Year"* to *"Year"*, inclusive.

3. Notwithstanding section 2 of this Agreement, the term of this Agreement shall not exceed *"Date and Year"*.

Owners' Covenants

4. The Owners shall promptly:

(a) notify the City of any occurrences which would, pursuant to this Agreement, discontinue or terminate the tax exemption;

(b) provide the City Assessor with any information or documentation requested by the City Assessor to complete and check the assessment of the Property;

(c) provide the Manager with any information, documentation, or access to the Property requested by the Manager to check the progress of construction for the purposes of this Agreement.

5. The Owners shall ensure all work undertaken to the improvement, including replacement materials used and finishing treatments applied, shall correspond with, or be of a comparable nature to existing materials and finishes.

6. The Owners shall ensure the Property retains its formal heritage designation as Municipal Heritage Property, in accordance with *The Heritage Property Act*; and advise the City if the heritage designation is discontinued, for whatever reason.

7.(1) Upon completion of the Eligible Work, or in the alternative, upon completion of an item of the Eligible Work, the Owners shall submit to the Manager detailed written documentation of payments made for actual costs incurred (i.e. itemized invoices and receipts) in the completion of identified eligible work items. In the event that actual costs exceed the corresponding estimates by more than 10 percent, the Owners shall provide full particulars as to the reason(s) for such overruns. It is understood that the City may decline to approve any cost overrun, or portion thereof, if considered not to be reasonably or necessarily incurred for eligible work;

(2) The tax exemption will not be granted unless and until the Manager receives the documentation in subsection (1), and has confirmed the authenticity of the same; and

(3) The Manager will conclusively determine the cost of Eligible Work in Schedule A after he has viewed the estimates and received information pursuant to section 7.

8. Upon completion of the Eligible Work, or portion thereof, the Manager:

(a) shall review the documentation submitted pursuant to section 7;

(b) may inspect the improvement to confirm the completion of the Eligible Work, or portion thereof; and

(c) shall certify the amount of the tax exemption to be conferred pursuant to this Agreement.

9. Once the Manager has certified the amount(s) of the exemption to be granted to the Owners, the Manager shall provide the particulars of the amount(s) to the City Assessor.

10. The tax exemption shall be applied in the year following completion of the Eligible Work items or any portion thereof, or in the current year for any work items completed and confirmed by the City prior to *"Date and Year"* and shall be limited to 50 percent of eligible expenditures.

Termination

11.(1) The tax exemption shall continue only for so long as the Owners comply with the terms of this Agreement.

(2) Where the Owners have not complied with a term of the Agreement, the City may terminate the Agreement by notice to the Owners.

12.(1) The tax exemption shall cease if the Owners:

(a) becomes bankrupt or insolvent or is so adjudged; or

(b) makes a general assignment for the benefit of creditors.

13. If the City terminates the Agreement pursuant to section 11, or if the tax exemption ceases pursuant to section 12, the Property shall be taxable on a pro-rated basis for that portion of the year during which the exemption granted no longer continues.

Notices

14.(1) Any notice required or permitted to be given to either Party pursuant to this Agreement shall be in writing and may be delivered to the Party in person, or to its authorized agent, or by sending it by mail, addressed:

To the City at:	**To the Owners at**:
City Clerk City of Regina 2476 Victoria Avenue	*"Name and Address"*

P.O. Box 1790
Regina, SK S4P 3C8

or to such alternate address as either Party may, from time to time, by notice advise.

(2) If a notice is mailed pursuant to subsection (1), it is deemed to be given on the third business day after the date of such mailing.

(3) If postal service is interrupted or substantially delayed, any notice shall be hand-delivered.

General

15. The scope of the tax exemption, including calculation of any percentage or proportion and the determination of any use or cost, shall be conclusively determined by the City Assessor, subject to any statutory right of appeal against the assessment of the Property.

16. The amount of the assessment is subject to change in future years.

17. The tax exemption granted pursuant to this Agreement does not include special taxes, local improvement levies, utility charges, development fees or other such charges or fees properly imposed by the City or other taxing authority.

18. This Agreement will be void if the taxes on the Property are not current as of *"Date and Year"*.

19. This Agreement is not assignable without the prior written consent of the City.

20. In the event that this Agreement or any part of it is found to be invalid or ultra vires of Council, then the City shall not be liable to the Owners for any amount of the invalid or unlawful exemption which would otherwise have been granted to the Owners.

21. The City may register this Agreement by caveat on the Property at the Land Titles Registry, Saskatchewan Land Registration District.

22. This Agreement shall not become effective until adopted by bylaw of the Council of the City and fully executed by the parties to the Agreement.

23. This Agreement may be executed by the parties in separate counterparts each of which when so executed and delivered to all of the parties shall be deemed to be and shall be read as a single agreement among the parties.

The Parties have executed the Agreement on the date first written above.

THE CITY OF REGINA

_____ (seal)
City Clerk

"Full Name of Owner"

Per:_____ (seal)

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SCHEDULE A

ELIGIBLE WORK ITEMS **1853 Hamilton Street, Regina**	**ESTIMATED COST**
A. Façade restoration/exterior repairs	$173,000.00
B. Mechanical/electrical/sewer system upgrades	36,000.00
C. Fire and Safety Code enhancements	291,650.00
D. Professional fees	16,250.00
TOTAL ESTIMATE OF ELIGIBLE COSTS	**$516,900.00**

AFFIDAVIT OF CORPORATE SIGNING AUTHORITY

CANADA
SASKATCHEWAN

I, _____ of _____, _____,
Print Full Name of Signing Authority — City — Province

MAKE OATH/AFFIRM AS FOLLOWS:

1. I am an _____ (insert position) of *"Full Name of Owner"* named in the Agreement to which this Affidavit is attached.

2. I am authorized by *"Full Name of Owner"* to execute the Agreement without affixing the Corporate Seal of *"Full Name of Owner".*

Sworn/Affirmed before me at _____, _____
on _____ _____ , 2007
Month — Date

_____
A Commissioner for Oaths in and for the Province of Saskatchewan.
Being a lawyer —or—
My commission expires:

_____
Signature of Signing Authority

ABSTRACT

BYLAW NO. 2007-74

THE HERITAGE PROPERTY TAX EXEMPTION FOR THE
LEADER BUILDING LOCATED AT 1853 HAMILTON STREET BYLAW, 2007

PURPOSE:	To provide a heritage property tax exemption to the owners of the property located at 1853 Hamilton Street.
ABSTRACT:	The owners of the Leader Building will receive a heritage property tax exemption for the property located at 1853 Hamilton Street. The tax exemption is governed by a tax exemption agreement between the parties.
STATUTORY AUTHORITY:	Section 28(a) of *The Heritage Property Act.*
MINISTER'S APPROVAL:	N/A
PUBLIC HEARING:	N/A
PUBLIC NOTICE:	N/A
REFERENCE:	Finance and Administration Committee, October 2, 2007, FA07-43
AMENDS/REPEALS:	N/A
CLASSIFICATION:	Executory
ORIGINATING DEPARTMENT:	Community and Protective Services Division

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Heritage Building Rehabilitation Program - 1839 - 51 Scarth Street

Date	March 2, 2022
To	Mayor Masters and City Councillors
From	Executive Committee
Service Area	Parks, Recreation & Cultural Services
Item #	CR22-23

RECOMMENDATION

That City Council:

1. Approve a tax exemption for the property known as the Willoughby & Duncan Building, located on Plan: 101890739 Units #1-22 (Parcel #161609070), addressed at 1839 - 51 Scarth Street, in an amount equal to the lesser of:

   a) 50 per cent of eligible costs for the work described in Appendix C; or
   b) An amount equivalent to the total property taxes payable for 10 years.

2. Instruct the City Solicitor to prepare the necessary bylaw and agreement with the following conditions to be brought forward to a future Council date once the agreement has been signed by the property owners:

   a) That the property possesses and retains its formal designation as a Municipal Heritage Property in accordance with *The Heritage Property Act*.
   b) That the property owner submits detailed written documentation of payments made for the actual costs incurred (i.e. itemized invoices and receipts) in the completion of the identified conservation work. If actual costs exceed the corresponding estimates by more than 10 per cent, the property owner shall provide full particulars as to the reason(s) for such cost overruns. The City of Regina may decline to approve any cost overrun, or portion thereof, if considered not to be reasonably or necessarily incurred for eligible work.

c) That work completed and invoices submitted by September 30 each year would be eligible for tax exemption starting the following year of up to 50 per cent of the cost of approved work.
d) That the Executive Director of City Planning & Community Development or designate be authorized under the tax exemption agreement to make all determinations regarding reimbursements of the cost incurred for work done to the property based on the City of Regina's Heritage Building Rehabilitation Program and the Conservation Plan for the property (Appendix D to this report).

3. Authorize the City Clerk to execute the agreement on behalf of the City after the bylaw authorizing the agreements has been passed.

4. Authorize the Executive Director of City Planning & Community Development or designate to apply to the Government of Saskatchewan on behalf of the property owner for any exemption of the education portion of the property taxes that is $25,000 or greater in any year during the term of the exemption.

HISTORY

At the February 23, 2022 meeting of the Executive Committee, the Committee considered the attached EX22-15 report from the City Planning & Community Development Division.

The following addressed the Committee:

- Steve Pinel, representing Nicor Group, Regina, SK.

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

Respectfully submitted,

EXECUTIVE COMMITTEE

Amber Ackerman

Interim City Clerk

ATTACHMENTS
EX22-15 - Heritage Building Rehabilitation Program - 1839 - 51 Scarth Street
Appendix A - Context Map

Appendix B - Location Map
Appendix C - Cost
Appendix D - Conservation Plan
Appendix E - Bylaw 10081
Appendix F - CR14-100
Appendix G - Bylaw No. 10097
Appendix H - Bylaw No. 2009 - 19

Heritage Building Rehabilitation Program - 1839 - 51 Scarth Street

Date	February 23, 2022
To	Executive Committee
From	City Planning & Community Development
Service Area	Parks, Recreation & Cultural Services
Item No.	EX22-15

RECOMMENDATION

The Executive Committee recommends that City Council:

1. Approve a tax exemption for the property known as the Willoughby & Duncan Building, located on Plan: 101890739 Units #1-22 (Parcel #161609070), addressed at 1839 - 51 Scarth Street, in an amount equal to the lesser of:

    a) 50 per cent of eligible costs for the work described in Appendix C; or
    b) An amount equivalent to the total property taxes payable for 10 years.

2. Instruct the City Solicitor to prepare the necessary bylaw and agreement with the following conditions to be brought forward to a future Council date once the agreement has been signed by the property owners:

    a) That the property possesses and retains its formal designation as a Municipal Heritage Property in accordance with *The Heritage Property Act*.
    b) That the property owner submits detailed written documentation of payments made for the actual costs incurred (i.e. itemized invoices and receipts) in the completion of the identified conservation work. If actual costs exceed the corresponding estimates by more than 10 per cent, the property owner shall provide full particulars as to the reason(s) for such cost overruns. The City of Regina may decline to approve any cost overrun, or portion thereof, if considered not to be reasonably or necessarily incurred for eligible work.

c) That work completed and invoices submitted by September 30 each year would be eligible for tax exemption starting the following year of up to 50 per cent of the cost of approved work.
d) That the Executive Director of City Planning & Community Development or designate be authorized under the tax exemption agreement to make all determinations regarding reimbursements of the cost incurred for work done to the property based on the City of Regina's Heritage Building Rehabilitation Program and the Conservation Plan for the property (Appendix D to this report).

3. Authorize the City Clerk to execute the agreement on behalf of the City after the bylaw authorizing the agreements has been passed.

4. Authorize the Executive Director of City Planning & Community Development or designate to apply to the Government of Saskatchewan on behalf of the property owner for any exemption of the education portion of the property taxes that is $25,000 or greater in any year during the term of the exemption.

5. Approve these recommendations at its meeting on March 2, 2022.

ISSUE

The applicant, Nicor Developments Inc., on behalf of the unit owners and the Willoughby Condominium Corporation, has requested a property tax exemption under the Heritage Building Rehabilitation Program to assist in recovering costs associated with conserving the building.

The proposed conservation work will ensure the continued existence of a designated Municipal Heritage Property.

Administration has determined that the conservation work proposed is eligible for assistance under the Heritage Building Rehabilitation Program. A property tax agreement between the City of Regina (City) and the property owner will secure the City's interests in ensuring the building is properly conserved and maintained.

IMPACTS

Financial Impacts

Section 262(4) of *The Cities Act* limits the term of a tax exemption agreement to not more than five years. However, Section 28(a) of *The Heritage Property Act* enables City Council to provide tax relief to any person, organization, agency, association or institution with respect to heritage property notwithstanding any provisions of *The Cities Act*. The Heritage Incentive Policy approved by City Council in August 2014 established a tax exemption for a maximum of 10 years.

Financial assistance can be provided through a tax exemption equivalent to the lesser of:

- Fifty per cent of eligible work costs which is $27,120.63 ($54,241.26 Eligible Costs x 50 per cent); or
- The total property taxes that would otherwise be payable in the 10 years immediately following the approval of the tax exemption by City Council, which is estimated at $641,378.33 inflated by three per cent a year over the next 10 years. This amount is based on 2021's property taxes of $54,318.21 (Municipal portion: $33,404.27; Education portion: $17,906.37; Library portion: $3,007.57)

Given the analysis above, the recommended financial assistance is 50 per cent of eligible work costs, which is $27,120.63.

Environmental Impacts
City Council set a community goal for the city of Regina of achieving net zero emissions and sourcing of net zero renewable energy by 2050. In support of this goal, City Council asked Administration to provide energy and greenhouse gas implications of recommendations so that Council can evaluate the climate impacts of its decisions.

Restoring and preserving heritage buildings can prevent greenhouse gas (GHG) emissions resulting from demolition of the existing structure and construction of a new building. For example, the retention of an existing building prevents the generation of construction waste and demolition waste that would have been disposed at the landfill. Some of the materials disposed at the landfill would also generate GHG gas emissions.

Policy Impacts
Conservation of the Willoughby & Duncan Building meets the following policies outlined in Part A of *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP):

Section D5: Land Use and Built Environment
Goal 6 - Built Form and Urban Design: Build a beautiful Regina through quality design of its neighbourhoods, public spaces and buildings.

7.38 Consider impacts of alterations, development, and/or public realm improvements on or adjacent to an historic place to ensure its heritage value is conserved.

Section D8: Culture
Goal 1 – Support Cultural Development and Cultural Heritage: Enhance quality of life and strengthen community identity and cohesion through supporting cultural development and cultural heritage.

10.1 Build partnerships and work collaboratively with community groups, other levels of government, and the private and voluntary sectors to encourage cultural development opportunities and conserve historic places.

10.4 Protect, conserve and maintain historic places in accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada* and any other guidelines adopted by City Council.

10.5 Encourage owners to protect historic places through good stewardship and voluntarily designating their property for listing on the Heritage Property Register.

10.11 Leverage and expand funding, financial incentive programs and other means of support to advance cultural development, cultural resources and conservation of historic places.

The proposal is also consistent with the vision and objectives of *Regina's Cultural Plan* respecting:

Goal 7.3 – Commemorate and Celebrate the City's Cultural Heritage
Objectives:

- Demonstrate Leadership through the Management of the Heritage Conservation Program.
- Conserve Cultural Heritage Resources.
- Ensure New Development contributes to Sense of Place.

There is no accessibility, risk/legal, or other impacts.

OTHER OPTIONS

If Council determines that the property does not require the funding for conservation, Council may reject the application and provide reasons for the decision.

COMMUNICATIONS

The property owners and Heritage Regina have received a copy of this report for information.

DISCUSSION

City Council approved Bylaw No. 10081 (Appendix E), designating 1839 - 51 Scarth Street as a Municipal Heritage Property, on March 8, 1999. The Willoughby and Duncan Building is located within the Victoria Park Heritage Conservation District and was first designated as part of the District. At the owners' request, that designation was removed, and Municipal Heritage Property status was granted so that the property could be eligible for incentives.

Municipal Heritage Property status also means the property's character defining elements are

specifically identified in its own bylaw.

The building was designed by F. Chapman Clemesha in 1909. Originally designed in the Chateau style with decorative end pavilions, the façade was "modernized" in the post Second World War era. Benefiting from a comprehensive façade enhancement program undertaken between 1994 and 1996, the building makes a significant contribution to the heritage character of the Frederick W. Hill Mall.

The heritage value of the property also lies in the building's association with Charles H. Willoughby, William H. Duncan, and Dr. Frances G. McGill. The building was constructed for Messrs. Willoughby & Duncan, successful businessmen and the founder of the Beaver Lumber Company. The pair maintained an office for their contracting firm on the property until 1922. Dr. Frances G. McGill resided on the second floor of the building in apartment 206 from 1918 – 1930. She was a noted pathologist and bacteriologist, director of the provincial laboratory for 20 years, and the first woman to be recognized as a member of the Royal Canadian Mounted Police.

Conservation Work and Eligible Costs

The owner plans to undergo specific conservation work on the building as detailed in the Conservation Plan attached as Appendix D. Under the Standard and Guidelines, the work proposed for the Willoughby & Duncan Building includes aspects of rehabilitation and preservation. The proposed work includes following:

- Exterior Trim Preparation
- Installation of blue skin seal on bricks
- Preparation of Engineering report and documentation

Administration has determined that all the above proposed work is eligible for assistance under the Policy as this work is required to conserve the character-defining elements of the building's exterior.

The Willoughby & Duncan Building was previously approved for tax exemptions from 1999 to 2006, and 2009 to 2013. Approval of an additional tax exemption ensures continued conservation of an important heritage building in the downtown. This incentive leverages the investment of the building owner and may also result in increased property taxes over time.

DECISION HISTORY

On August 25, 2014, City Council adopted the Heritage Building Rehabilitation Program, attached as Appendix F of this report (CR 14-100). The Heritage Incentive Policy approved through this program allows the City to provide a tax exemption for eligible conservation work performed for the maintenance of a Municipal Heritage Designated Property. The conservation work must be performed in accordance with *the Standards and Guidelines for the Conservation of Historic Places*

in Canada.

- Bylaw 10097 amended by Bylaw 2001 - 95 (Appendix G), was approved by the Council under the Preservation of Heritage Properties Policy in 1999 and 2001, for a tax exemption of $236,204.92 in total for the property between 1999 – 2006. The work approved under this exemption was to cover the cost of:
    - Repairs carried out on floor 2 and 4 (fire blocking, soundproofing, lights)
    - Plumbing, Heating, and Air Conditioning
    - Electrical Main service
    - Sprinklers
    - Elevator upgrade
    - Upgrade of fire barrier
    - Permits
    - Architectural fee

- Bylaw 2009 - 19 (Appendix H) was approved by the Council under the Downtown Residential Incentives Policy (DRIP) program for a tax exemption of $164,768.72 for the property between 2009 – 2013.

Respectfully submitted,

Laurie Shalley, Director, Parks, Recreation & Cultural Services 2/5/2022

Respectfully submitted,

Autumn Dawson, A/Executive Director 2/9/2022

Prepared by: Aastha Shrestha, City Planner II

ATTACHMENTS

Appendix A - Context Map
Appendix B - Location Map
Appendix C - Cost
Appendix D - Conservation Plan
Appendix E - Bylaw 10081
Appendix F - CR14-100
Appendix G - Bylaw No. 10097
Appendix H - Bylaw No. 2009 - 19

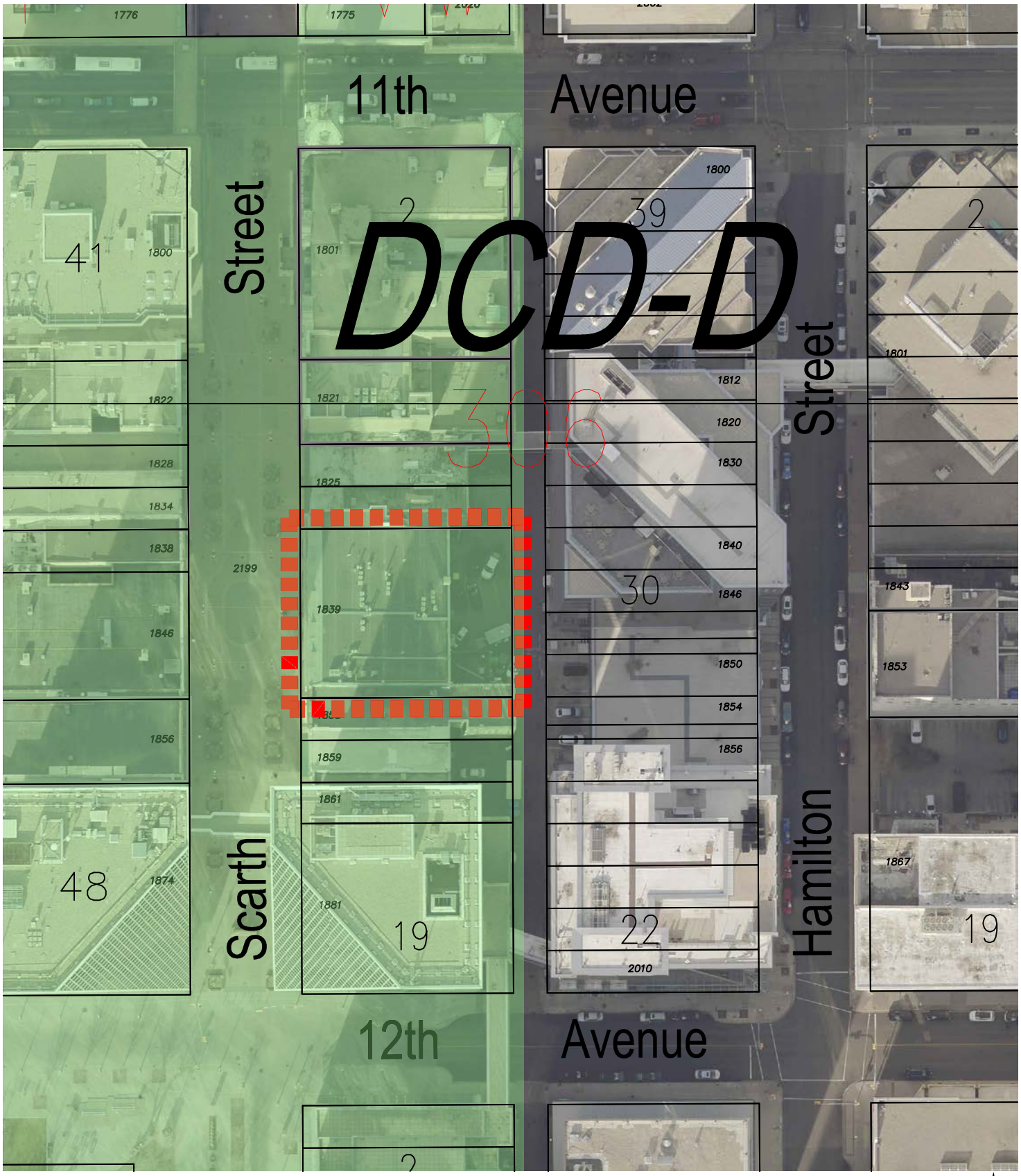
Date of Photography: 2018

Subject Property

Victoria Park Heritage Conservation District

Project Heritage Building Rehabilitation Program - 1839 Scarth Street

Civic Address 1839 Scarth Street



Subject Property

Victoria Park Heritage Conservation District

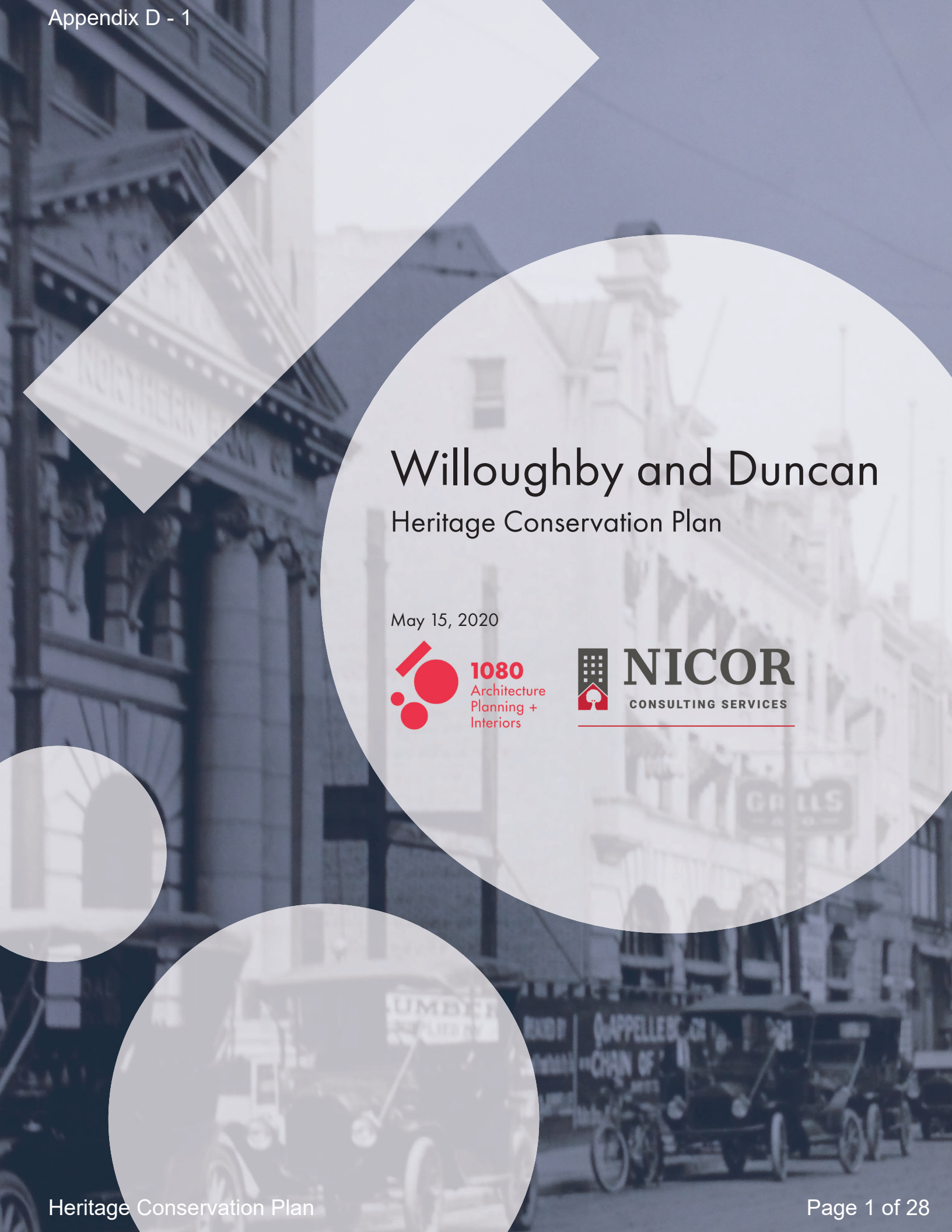
Date of Photography : 2018

Project Heritage Conservation District - 1839 Scarth Street

Civic Address 1839 Scarth Street

Appendix C

ELIGIBLE WORK ITEMS 1839 Scarth Street	ESTIMATED COST
1. Exterior Trim Prep a. Pressure wash, scrape problematic areas, prime and topcoat sealant 2. Install blue skin seal on bricks a. Install engineered anchor supports and metal cladding to solidify integrity 3. Engineering report and documentation	
	$48,866.00
Tax (11% of Total)	$5,375.26
TOTAL ESTIMATE OF ELIGIBLE COSTS	**$54,241.26**



Willoughby and Duncan

Heritage Conservation Plan

May 15, 2020

1080 Architecture Planning + Interiors

NICOR CONSULTING SERVICES

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THE HISTORIC PLACE

1.0 UNDERSTANDING THE HISTORIC PLACE

The Willoughby and Duncan Building is a municipally designated heritage building consisting of main floor retail spaces, and residential units on the upper floors.

1.1 GENERAL CHARACTERISTICS OF The WILLOUGHBY AND DUNCAN BUILDING

1.1.1 Site Boundaries

The Willoughby and Duncan Building is located at 1839 Scarth Street in the Downtown Business District of Regina, Saskatchewan. The site is located on the east side of Scarth street with the main facade facing west. The building is bordered to the north and south by two other buildings, and to the east by a laneway.

1.1.2 Legal Description

Legal Address: 1839 Scarth Street
Legal Description: Plan: 101890739

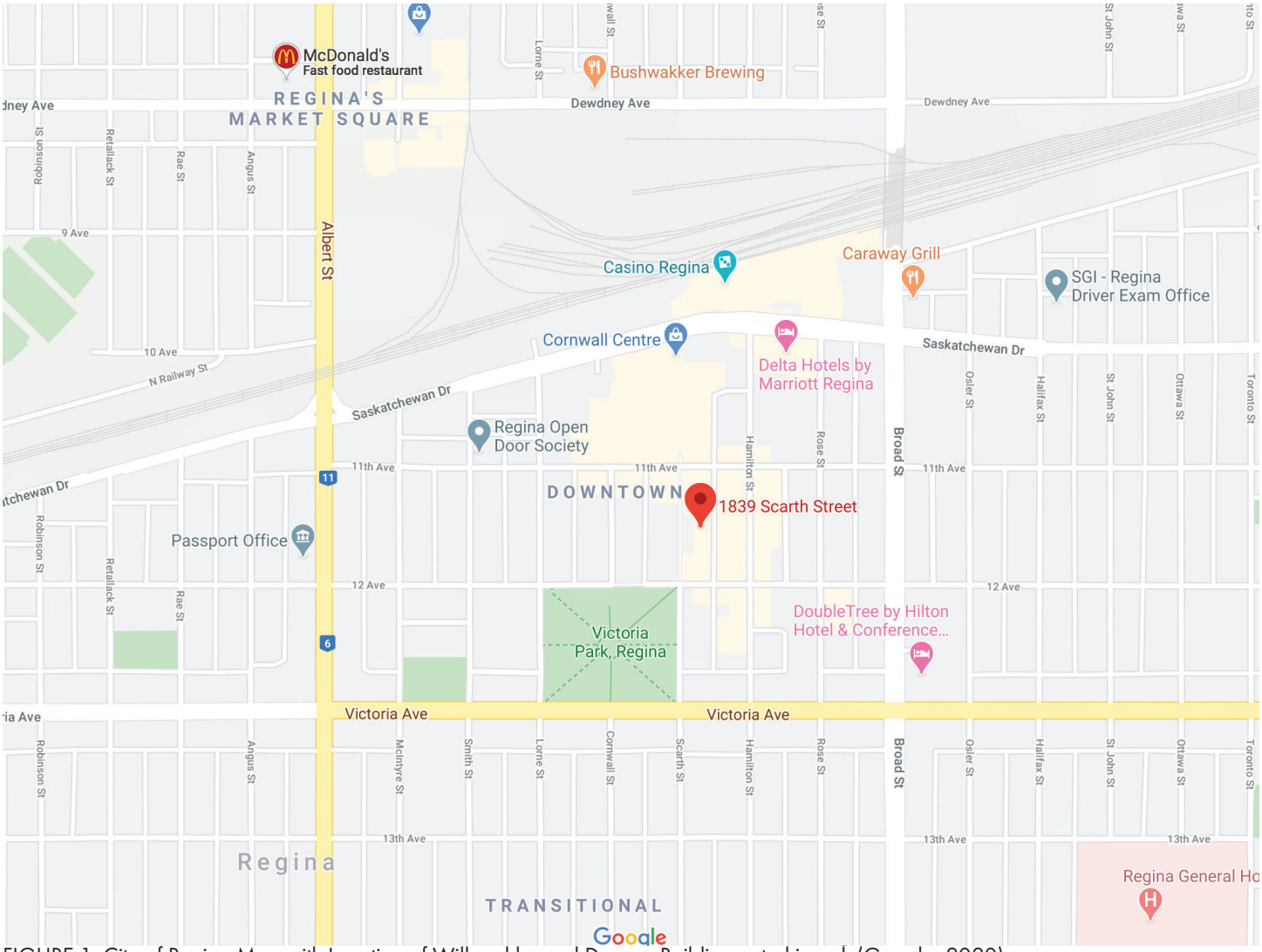


FIGURE 1: City of Regina Map with Location of Willoughby and Duncan Building noted in red. (Google, 2020)

1.2 SITE HISTORY

Below are a list of tenants and the years that they occupied the Willoughby and Duncan Building

- 1909
  - Willoughby and Duncan Building constructed
- 1910
  - Allan Gordon & Bryant Barristers
  - Reilly Dawson & Reilly Architects & Surveyors
  - Meek Dr. EE Phys & Surgeon
  - Imperial Life Assurance Co.
  - Canadian Teachers Agency
  - Wildun Lodge Boarding House
- 1911
  - Willoughby and Duncan Office
  - Waite-Fullerton Co Ltd Builder's Supply
  - Norfolk Agencies Real Estate
  - Coles RW Phys
  - Central Can Pub Co
  - Saturday Mirror
  - Allan Gordon & Bryant Barristers
  - Reilly Dawson & Reilly Architects & Surveyors
  - Meek Dr. EE Phys & Surgeon
  - Imperial Life Assurance Co.
  - Canadian Teachers Agency
  - Wildun Lodge Boarding House
  - Western Agencies Ltd.
- 1912
  - Construction Company Ltd
  - Haultain Hon F NG
  - Willoughby and Duncan Office
  - Allan Gordon & Bryant Barristers
  - Reilly Dawson & Reilly Architects & Surveyors
  - Western Agencies Ltd.
  - Imperial Life Assurance Co.
  - Meek Dr. EE Phys & Surgeon
  - Canadian Teachers Agency
  - Wildun Lodge Boarding House
- 1913
  - Information Unavailable for this time frame.
- 1914
  - Wildun Lodge
- 1915
  - Willoughby and Duncan Office
  - Wildun Lodge
- 1916
  - Willoughby and Duncan Office
  - Wildun Lodge
- 1917
  - Named the Willoughby & Duncan Block
  - Willoughby & Duncan office
  - Wildun Lodge
- 1918 - 1919
  - Information Unavailable for this time frame.
- 1920 - 1933
  - Wildun Lodge
- 1934 - 1949
  - Wildun Lodge
  - Mid West Window Cleaning Co.
- 1950 - 1951
  - Wildun Lodge
- 1952 - 1956
  - Dominion Income Tax
- 1957 - 1958
  - Vacant
- 1959 - 1963
  - Saskatchewan Power Corpn (Admin Office)
- 1964 - 1965
  - Vacant
- 1966 - Present
  - Variety of Businesses and tenants

EVALUATE SIGNIFICANCE

2.0 EVALUATE SIGNIFICANCE

2.1 HERITAGE VALUE

The Willoughby and Duncan building is an important fixture of the Scarth Street pedestrian mall in Downtown Regina, Saskatchewan. Constructed in 1909, the Willoughby Duncan building was designed by Architect F. Chapman Clemesha and is one of the oldest remaining commercial buildings in Regina. The Willoughby and Duncan building continues to contribute to the historic integrity of the 1800 block of Scarth Street and the heritage character of the Downtown core. Today the Willoughby and Duncan building remains an important part of the F.W. Hill Mall.

Designed in the Chateau style with decorative end pavilions, the facade was later modified after the Second World War to a more simplified style and the decorative end pavilions were removed. The facade was subsequently renovated from 1994-1996 and elements of the original Chateau style were re-introduced.

The heritage value of the building also lies in its association with a number of important figures in Regina's history. Charles H. Willoughby, and William H. Duncan were both successful businessmen who founded the Beaver Lumber Company. They were responsible for constructing the Willoughby and Duncan Building and maintained their contracting firm office on the property until 1922. Dr. Frances G. McGill was also an important resident of the building. She was a noted pathologist and bacteriologist, director of the Provincial Laboratory for 20 years, and was the first woman to be recognized as a member of the Royal Canadian Mounted Police. Dr. Frances G. McGill resided in apartment 206 from 1918-1930.

2.2 CHARACTER DEFINING ELEMENTS

The heritage value of Willoughby and Duncan Building resides in the following Character Defining Elements:

- Those elements which reflect the original Chateau style architecture as designed by F. Chapman Clemesha, such as the dormer windows and sloped metal roof.
- Those elements which relate to H. Willoughby and William H. Duncan, including the signage on the building.
- Those buildings continued location on Scarth street and its relation to the F.W. Hill Mall.

ASSESS POTENTIAL IMPACTS

3.0 ASSESS POTENTIAL IMPACTS

3.1 CURRENT BUILDING CONDITIONS

3.1.1 Exterior Tyndall Stone

The exterior tyndall stone on the main floor of the building is a part of the original building. Original photographic documentation shows that a number of renovations have occurred on the main floor. One image shows a simplified main floor with large storefront glazing with inset doors and fabric awnings. Above the awnings a large glazed spandrel panel with leaded glass was installed. Another image shows the Willoughby and Duncan building with the tyndall stone arches. Rather than awnings above the storefronts, large arched windows were installed.

The existing tyndall stone facade is consistent with the photographic evidence and appears to be from approximately 1930 to 1940. The main floor tyndall stone is in average to below average condition for its age. All tyndall stones showed weathering of the face of the stone, while some showed spalling and cracking of the face of the stone. Stone damage was noted as being worse at the ground level, likely due to snow removal and machinery. Many of the stones had patches that were a poor colour match for the existing tyndall stone. An area of graffiti damage was also noted on the south side.

Figure 2: Weathering at the tyndall stone at ground level

Figure 3: Tyndall stone patch

Figure 4: Spalling of the tyndall stone

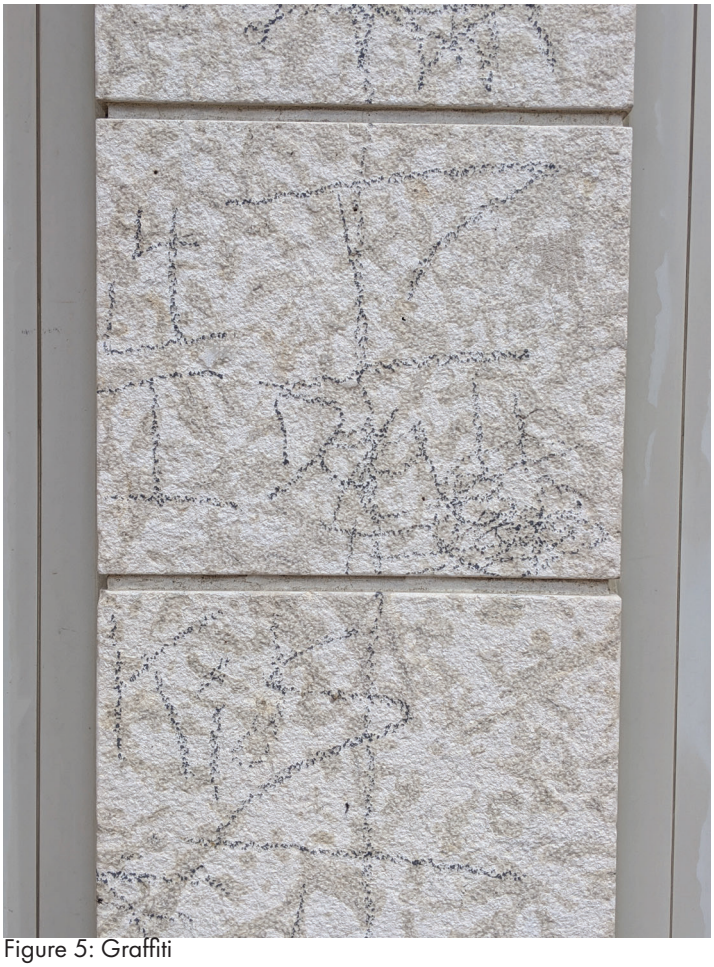


Figure 5: Graffiti

Figure 6: General weathering of stone on facade

Figure 7: Patch in tyndall stone cracking

3.1.2 Exterior Stucco

The second and third floors are clad in stucco, which was partially added in the 1960's, and later renovated with acrylic stucco in the 1990's. The stucco is in average to good condition with the average level of cracking and wear noted. One area on the north pilaster was noted as having cracks and the stucco appears to have buckled outwards and away from the wall beneath.

Figure 8: Stucco buckling and cracking

Figure 9: Minor stucco cracking

Figure 10: General stucco condition

Figure 11: Overall stucco condition

3.1.3 Exterior Brick Masonry

The exterior brick on all facades are in below average condition, with the brick on the east and west facades painted. The north and south facades are showing substantial deterioration of both brick and mortar, as these facades are located at roof level are prone to substantial weathering and wind damage. Water permeation and damage on the north masonry wall was noted from previous years. The water permeation was remediated in approximately 2013 and no further water permeation has been noted since. In order to prevent further water infiltration and to help prevent further damage to the brick and mortar, insulated metal panelling has been installed over a portion of the existing brick wall to the north. The metal utilized has a similar profile to the original metal roofing and appears to be in good condition. The remaining uncovered brick on the north wall is in poor condition with heavy brick and mortar degradation.

The exterior brick masonry on the west facade is in below average condition on the face of the brick and shows substantial weathering. The west facade brick has been painted, and further degradation is not expected to occur.

The east facade is in below average condition with substantial weathering and wear noted on the main floor. The brick on this facade was painted throughout its entirety and in many locations this paint appears to have efflorescence below and is causing the paint and brick to separate. The brick below the paint is sandy and scrapes away easily. The upper floors show differential cracking and some brick movement and displacement above many of the windows. In some areas the mortar appears to be degrading in a similar fashion to the brick, while in other areas the mortar appears to be much stronger than the brick. In the areas where the mortar appears to be stronger than the brick it is likely that the mortar was from a later repointing and is a much stronger mortar than the original.

Figure 12: Overall brick condition on east wall

Figure 13: Differential cracking and brick movement

Figure 14: Painted brick with efflorescence

Figure 15: Brick weathering and severe degradation

Figure 16: Example of mortar that is stronger than the brick

Figure 17: Mortar degradation and parapet repair.

Figure 18: Brick on west facade painted

Figure 19: brick condition at base of east facade

Figure 20: Heavy degradation and pitting of brick over 1.5" deep

Figure 21: Brick degradation and damage at upper floors.

3.1.4 Metal Roof

The metal roof is in average condition for a metal roof of comparable approximate age. A number of metal patches have been conducted over the years and the metal appears to have been painted. The overall metal roofing condition is adequate, but will require replacement in the future. The parapet has had a number of patches over the years with multiple areas showing substantial degradation and gaps.

The remainder of the roof area is a low slope built up roof type, and is in average condition for its approximate age, though the parapet flashing and caulking are in poor condition. The dormer roofs are asphalt shingles and are in average condition for their age. Previous engineering reports have indicated that the built up SBS roof system should be replaced in the next few years in order to ensure that further water penetration does not occur. It was also indicated in a 1915 engineering report by RMIS Engineering that an ice and snow guard should be installed at the base of the metal roof on the west side of the roof in order to prevent falling ice and snow from potentially damaging the building or hitting pedestrians below.

Figure 22: Metal roof and paint degradation

Figure 23: Overall condition as visible from main floor

Figure 24: Roof images from 2013 inspection by Pattison MGM

Figure 25: Parapet conditions in 2013 from Pattison MGM

Figure 26: metal patches from 2013 inspection by Pattison MGM

Figure 27: Dormer roof condition, image from Pattison MGM

3.1.5 Storefronts

The existing storefronts are from approximately the 1990's are in good condition for their age and comparable uses. Due to the interior pedestrian walk, the storefront has been modified to move the doorways flush with the storefront windows. Each door is flanked by two storefront windows with display cabinets behind them. Below the storefront windows are tiled spandrel panels. The tile is in good to average condition for it's age, but the material is not consistent with heritage materials.

The large awnings that overhang all the doors are in good to average condition for their age, with little overall wear and tear.

Figure 28: Existing storefronts

3.1.6 Second, Third and Dormer Windows

The second, third and dormer windows on the west facade are double glazed, aluminum clad casement windows with decorative internal grilles. The aluminum clad wood frames are gold in colour, while the internal grilles are white in colour. The windows on the north and south pediments are fixed windows with the top window having a semi-circular window above. All windows on the west facade are in good to average condition for their age. Existing photographic documentation shows that the original windows on the west facade were of a double hung window typology. Both the upper and lower windows were constructed of multiple panes of glass with intermediary muntins. Refer to figure 31 for photographic documentation of the original window typology.

The second, third and fourth floor windows on the east facade are of a double hung typology and appear to be pvc frames. All windows are in average condition for their age and type. There is no photogaphic documentation of the east facade, but it is likely that the windows were of a double hung typology similar to the west facade.

Figure 29: Existing windows on west facade

Figure 30: Photograph of original facade (Saskatchewan Archives, 2020)

Figure 31: Photograph of the Willoughby Duncan Facade (Saskatchewan Archives, 2020)

CONSERVATION HERITAGE REPORT

4.0 CONSERVATION HERITAGE REPORT

4.1 RECOMMENDED AND PROPOSED INTERVENTIONS

4.1.1 Exterior Tyndall Stone

The exterior tyndall stone on the west facade is in average to below average condition, and shows weathering and physical damage due to snow removal equipment and graffiti. The tyndall stone does not require immediate repair, but as the tyndall stone degrades it will require repair. In order to repair the tyndall stone it is recommended that a colour matched stone patch be utilized. Existing discoloured patches should be removed by hand tooling and repaired correctly with a colour matched patch. Spalling of the face of the tyndall stone should be monitored and assessed on a regular basis.

All tyndall stone elements appeared to be stable upon inspection. If destabalization occurs the tyndall stone elements shall be re-anchored with appropriate anchors and methods as determined by a structural engineer. Where re-anchoring and repair of the tyndall stone elements are not possible due to extensive damage a new tyndall stone element may be utilized. The new tyndall stone shall match the existing in colour, shape, size and profile. Full documentation of the original tyndall stone piece will be required at the time of removal in order to ensure the new tyndall stone conforms with the existing tyndall stone and facade.

Where and when necessary, repointing of the mortar is to be conducted. An appropriate and matching mortar is to be utilized for construction based upon the results of the mortar assessment. The new mortar shall match the original in strength, colour and tooling. All deteriorated and incorrect mortar types will be removed by hand raking, and a test panel will be completed by the contractor in order to demonstrate all aspects of the repair procedure for the repointing of the tyndall stone pediment.

Cleaning of the tyndall stone elements to remove dirt and graffiti are to be undertaken as needed with low pressure hot water, type 'B' surfacant and natural bristle brushes. A cleaning test panel must first be completed for review and approval in order to determine that methods utilized are appropriate.

4.1.2 Exterior Stucco

The exterior stucco is in average condition for it's age and location, there is no immediate need for remediation or substantial repair. Where stucco has buckled and cracked it is recommended that the stucco repaired with a colour matched stucco patch. When the stucco has reached it's end of life it is recommended that the stucco is removed and replaced.

Archival documentation is limited in regards to the original cladding material utilized on the second and third stories, but some photographic documentation appears to show a light coloured brick masonry having been utilized. While this is the original material utilized, the stucco has become a part of the building's character over the years and it is recommended that a light coloured stucco is utilized in future renovations. Colours for the stucco are to be chosen from a heritage colour palette, and shall be representative of the building's history and character.

4.1.3 Exterior Brick Masonry

The brick on the west facade is in average condition, and is painted over. No remediation is necessary or recommended.

The brick on the north and south facades are in below average condition, all areas showed substantial weathering of the brick and degradation of the mortar joints. As previous renovations have seen the installation of exterior insulated metal cladding panels over a portion of the brick work at the north wall, it is recommended that insulated metal paneling be installed across the remainder of the brick on the north wall, as well as across the brick on the south wall. Neither wall is a part of the character defining elements of the building, and due to a history of water penetration it is best to clad the wall in an alternate material in order to ensure longevity of the wall system itself. The metal cladding should match the profile and colour of the metal roofing in order to minimize any potential visual impact of the metal cladding.

Throughout the east facade the brick is in below average condition, with the main floor brick showing the most degradation and wear. In a number of areas the mortar was found to be deteriorated or missing. Missing or deteriorated mortar will require re-pointing in order to prevent further moisture penetration into the brick facade elements and wall system. A previous repointing of some areas of the brick facade was done with an incorrect mortar type, which is much stronger than the brick. This mortar should be removed and replaced with a mortar that matches the original in type, strength, colour and tooling.

Where the brick is showing pushed face brick, the brick will be removed carefully by hand and retained in order to reveal the cause of the pushed brick. If the brick is pushed due to the rust jacking of the steel lintel or header this will require the removal of rusted areas, as well as potential replacement steel where required if the steel is deemed too damaged for lasting repair. If the pushed brick is found to be caused by excessive compressive loading or the brick is no longer securely attached to the backing, then further investigation and solutions will be required in order to mitigate the issue. In any situation where brick is removed, it must be removed carefully and retained. Retained brick will be reset with mortar that is compatible and matches existing.

Where brick has deteriorated beyond repair, the brick is to be replaced with new brick. Compressive testing on the existing brick should be conducted in order to determine the strength of the original brick. Replacement brick should match the existing in colour and strength.

A third party mortar assessment is to be completed and submitted to the City of Regina Heritage Department within two months of Council approval. This mortar assessment and brick compression testing must be completed in order to determine the physical and chemical makeup of the existing and original mortar, as well as to the strength of the brick so that an appropriate mortar selection can be made. An appropriate and matching mortar will be chosen for construction upon the results of the mortar assessment. The new mortar shall match the original in strength, colour and tooling. All deteriorated and incorrect mortar types will be removed by hand raking and a test panel will be completed by the contractor in order demonstrate all aspects of the repair procedure for the repointing of the face brick.

Cleaning of the face brick elements are to be undertaken as needed with with low pressure hot water, type "B" surfactant manufactured by Chemfax MS Cleaner and natural bristle brushes. A cleaning test panel will first be completed for review and approval in order to determine that methods utilized are appropriate.

4.1.4 Metal Roofing

The metal roof is in average condition for its age and location. The sloped metal roof is nearing its end of life and will require replacement in the future. Photographic documentation of the original roof shows the roof as likely being a copper roof. The metal roof should be replaced with copper roofing, or metal roofing that imitates the colour and patina of aged copper. The new metal roofing should match the existing in profile. Full documentation of the metal panels should be conducted prior to demolition. Documentation should note the depths and widths of raised and lowered profiles. All parapet caps and flashing should match the metal roofing in colour.

If ice and snow guards are installed at the edge of the sloped metal roof it should match the metal roofing in colour and maintain the lowest profile possible while still being effective.

Where the low slope SBS and built up roof systems need to be replaced in order to extend the life of the building, they can be replaced in kind.

4.1.5 Storefronts

The existing storefronts are in good to average condition for their age. When the storefronts must be replaced due to age it is recommended that they are replaced in kind. Consideration of frame colour for both windows and doors should be considered, and a heritage colour to match the window frames on the upper floors should be utilized to maintain the image and character of the building.

While the original facade had large arched windows above the storefronts, the existing awnings are appropriate in character and can be retained. If the arched windows are to be re-introduced into the facade they shall imitate the original multi-paned arched window typology.

4.1.6 Second, Third and Dormer Windows

According to the available photographic documentation, the original window assembly for the windows on the west facade appears to be a double hung window typology with a single fixed top unit and a sliding single bottom unit. Information as to the original frame material type, or glass type is not available, but it is likely that the window frames were wood construction with multiple panes of glass separated by intermediate muntins.

There is no archival information as to the window typology of the windows on the east facade, but it is assumed that the windows were the same as those on the west facade.

As none of the original windows in the 1909 building remain, rehabilitation is the best methodology for preservation available. Three material options are available for frames; wood, aluminum clad wood, and aluminum. The preferred first option for heritage windows is to match the original wood frame with full reproduction wood frame windows. Wood frame windows may have higher maintenance requirements, are not thermally broken, and may be more susceptible to water condensation and damage. It is recommended that the building owner explore the utilization of aluminum clad wood or aluminum window frames, due to the lower maintenance requirements and the better insulated and thermally broken frame. In either instance the proposed frames shall imitate the style of the windows of the original building, as documented in the construction documents and as confirmed by the photographic evidence available. If fixed units are preferred to operable units, the fixed units must still reinterpret the double hung or slider typology. Internal decorative grills are not acceptable for imitating either the spandrel condition or the muntins and should not be utilized. Frame colour shall be chosen from a range of traditional historical colours that maintains the image and age of the building.

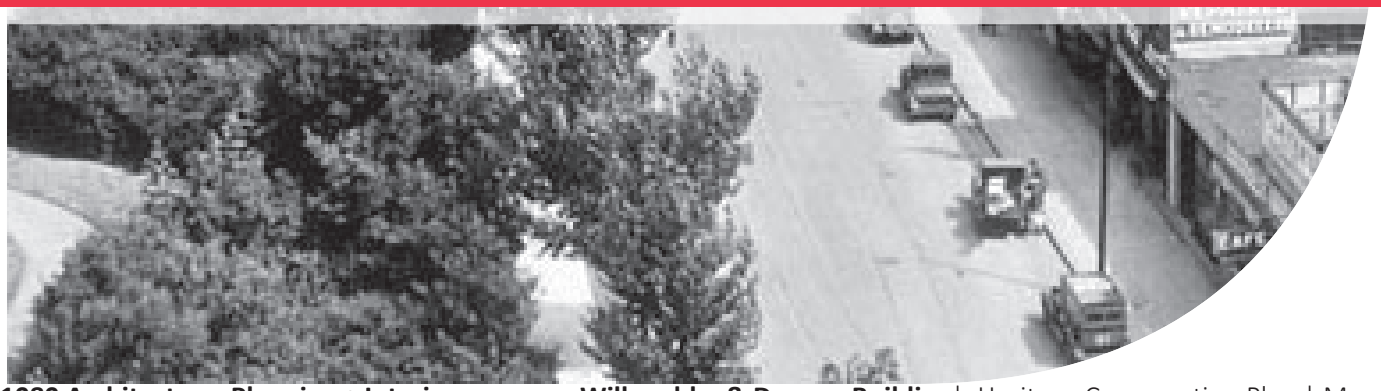
4.1.7 Life Extending Elements

Previous inspections have noted that overall mechanical and electrical systems are in good condition, and multiple renovations to these systems have been conducted over the years. Due to Covid-19 and social distancing measures, the interior elements were not inspected at the time of the heritage inspection. These elements were inspected by Pattison MGM Architecture in 2013, and notation in this report in regards to these elements are referenced from the 2013 report.

Mechanical systems are individualized for each condo, as well as for the retail tenants on the main floor. Most systems were in adequate condition at the time of the inspection in 2013, although a replacement of the rooftop unit that serviced the Taste of Tuscany was recommended.

Electrical systems were considered to be in good condition at the time of the inspection in 2013, although it was noted that upgrades to the fire alarm system were needed in order to add horns and strobe lights to the system. If this work has not been completed as of the date of this report it is recommended that this work is conducted in order to meet current National Building Code of Canada requirements.

BUDGET



5.1	**Priority 1: Building Envelope**	
5.1.1	Exterior Trim Prep Pressure wash, scrape problematic areas, prime and top coat sealant	$3,162.50
5.1.2	Install blueskin seal on bricks. Install engineered anchor supports and metal cladding to solidify integrity.	$56,218.90
5.1.3	Engineering report and documentation	$5,500.00
Total Priority 1		$64,881.40
5.2	**Priority 2: Roof Replacement**	
5.2.1	Replace built up roof with an SBS roofing system Replace all pitch pockets with propercurbs Replace all flashing, cap flashing and caulking Review insulation in attic space or under BUR and add insulation as required to reach R40 Value	$267,657.50
Total		$267,657.50
Total for Priority 1 & 2		$332,538.90

BYLAW NO. 10081

THE WILLOUGHBY & DUNCAN BUILDING
HERITAGE DESIGNATION BYLAW

WHEREAS the Council of the City of Regina wishes to designate as municipal heritage property certain features of the building known as the Willoughby & Duncan Building, located at 1839-51 Scarth Street, in the City of Regina;

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

1. Subject to section 2, the real property known as 1839-51 Scarth Street, Regina, situate on lands legally described as:

   Lots 10, 11, 12 and 13
   Block 306
   Regina, Saskatchewan
   Plan Old No. 33

   MINERALS INCLUDED

   is hereby designated as Municipal Heritage Property.

2. The designation set forth in section 1 shall apply specifically to both the remaining and restored original exterior of the Scarth Street façade of the Building, primarily at ground floor level and including the Tyndall stone arches and corbels, the exposed brick surfaces and the original building nameplate (hereinafter called "the designated features").

3. The reasons for the designation as Municipal Heritage Property are as follows:

   a. The building, erected in 1909, is one of the oldest remaining commercial buildings in Regina.

   b. The original building design was executed by local architect F. Chapman Clemesha, and is the only known example of his commercial work in Regina. Mr. Clemesha practised in the city until 1922, much of the time in partnership with the prominent local architect, Francis Portnall.

c. The building was constructed and originally owned by Charles H. Willoughby and William H. Duncan, on property they purchased in 1899 for use as a lumberyard. Messrs. Willoughby and Duncan, who maintained an office for their contracting firm in the building until 1922, were founding partners in the Beaver Lumber Company. Both were early settlers in the Regina area, successful businessmen and prominent community leaders. Moreover, their families and relatives continued to make significant contributions to the economic, social and community life of Regina for many years.

d. The upper two floors of the building originally functioned as a boarding house, known as Wildun Lodge. From 1914 to 1951, the upper three floors contained residential apartments. Dr. Frances G. McGill, noted pathologist and bacteriologist, director of the provincial laboratory for twenty years and the first woman to be recognized as a member of the RCMP, was a resident of the building from 1918 to 1930.

e. Benefiting from a comprehensive façade enhancement program undertaken between 1994 and 1996, the building makes a significant contribution to the heritage character of the Frederick W. Hill (Scarth Street) Mall.

4. (1) Subject to subsection (2), no person shall alter, restore, repair, disturb, transport, add to, change or move, in whole or part, the designated features, without the written approval of the Council of the City of Regina.

(2) The Council delegates to the Director of Community Services, or his designate, the power to approve maintenance of the designated features. "Maintenance" for the purposes of this section 4 includes painting, repairing and restoring, as well as necessary replacement of building materials, in a fashion consistent with existing architectural features, appearance, colours and building materials.

5. Bylaw No. 8912, commonly referred to as *The Heritage Holding Bylaw*, is amended by deleting from Schedule "A" thereof reference to Item 1.25 (the Willoughby & Duncan Building).

6. This Bylaw comes into force on the day of passage.

READ A FIRST TIME THIS 8TH DAY OF MARCH 1999.

READ A SECOND TIME THIS 8TH DAY OF MARCH 1999.

READ A THIRD TIME AND PASSED THIS 8TH DAY OF MARCH 1999.

D.R. ARCHER
Mayor

R.M. MARKEWICH
City Clerk

(SEAL)

CERTIFIED A TRUE COPY

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City Clerk

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ABSTRACT

BYLAW NO. 10081

THE WILLOUGHBY & DUNCAN BUILDING
HERITAGE DESIGNATION BYLAW

PURPOSE:	To designate as Municipal Heritage Property the property known as the Willoughby & Duncan Building, located at 1839-51 Scarth Street, Regina, Saskatchewan. The bylaw also deletes reference to the property from the Heritage Holding Bylaw.
ABSTRACT:	The designation will apply specifically to the identified components of the exterior of the building.
PUBLIC HEARING:	N/A
REFERENCE:	Municipal Heritage Advisory Committee Report dated January 19, 1999, (HR99-1) City Council Report dated January 25, 1999 (CR99-9)
AMENDS/REPEALS:	N/A
CLASSIFICATION:	Regulatory
ORIGINATING DEPT.:	Community Services, Urban Planning Division

To: His Worship the Mayor
and Members of City Council

Re: City of Regina Heritage Building Rehabilitation Program

RECOMMENDATION OF THE FINANCE AND ADMINISTRATION COMMITTEE - AUGUST 5, 2014

1. RECEIVE and FILE the consultant's report entitled "Incentives for Heritage Building Upgrades in Regina" (Appendix A).
2. APPROVE the Heritage Incentive Policy in the form set out in Appendix C to replace the Municipal Incentive Policy for the Preservation of Heritage Properties and direct the Administration to report back on a Bonus Density policy by Q4 of 2015.
3. REMOVE items CR01-254 and FA03-31 from the Finance and Administration Committee's list of outstanding items.
4. That the City of Regina Heritage Building Rehabilitation Program be reviewed prior to 2020, or unless required at an earlier date.

FINANCE AND ADMINISTRATION COMMITTEE – AUGUST 5, 2014

The following addressed the Committee:

- Ray Plosker, representing himself;
- Roger Mitchell, representing Viterra;
- Joe Ralko, representing himself;
- Ross Keith, representing Nicor Developments Inc.; and
- Bill Brennan, representing Heritage Regina

The Committee adopted a resolution to concur in the recommendations contained in the report after adding a recommendation #4 as follows:

4. That the City of Regina Heritage Building Rehabilitation Program be reviewed prior to 2020, or unless required at an earlier date.

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

The Finance and Administration Committee, at its meeting held on August 5, 2014, considered the following report from the Administration:

RECOMMENDATION

1. RECEIVE and FILE the consultant's report entitled "Incentives for Heritage Building Upgrades in Regina" (Appendix A).
2. APPROVE the Heritage Incentive Policy in the form set out in Appendix C to replace the Municipal Incentive Policy for the Preservation of Heritage Properties and direct the Administration to report back on a Bonus Density policy by Q4 of 2015.
3. REMOVE items CR01-254 and FA03-31 from the Finance and Administration Committee's list of outstanding items.

CONCLUSION

The City of Regina has established a broad program of regulatory tools and financial incentives to promote the rehabilitation of its significant collection of heritage buildings in the city. Nonetheless, there were an increasing number of reports from the development industry that escalating land and construction costs were rendering rehabilitation projects uneconomic, despite the provision of incentives.

In 2011, the City commissioned Coriolis Consulting Limited to undertake an investigation of the current development costs for heritage building rehabilitation in Regina, and to analyze the effectiveness of the City's existing financial incentive program.

The study concludes that incentives provided under the current heritage incentive policy are not in alignment with current market conditions. Increasing construction costs and escalating land values in the current market are making it challenging to achieve a competitive rate of return without an incentive, which threatens buildings that are considered to have heritage value.

Therefore, the Administration is recommending an amendment to the Municipal Incentive Policy for the Preservation of Heritage Properties (Appendix C) including most notably a ten-year property tax exemption. It is also recommended that a Bonus Density policy be brought before Council as tax exemption is not always enough of an incentive to counteract the pressure of property assembly in the Downtown. Protection of our built heritage is in alignment with policy direction to build complete communities in *Design Regina: The Official Community Plan Bylaw No. 2013-48.*

This report is provided in response to the original motion and the referral. As such, CR01-254 and FA03-31 may be removed from the list of outstanding items.

BACKGROUND

The Municipal Incentive Policy for the Preservation of Heritage Properties was established by City Council in 1991 and last amended in 2001. In 2001, Council passed a motion to amend the policy but only as it applies to property tax exemption for downtown properties. Council also passed referral motion (CR01-254) requesting the Administration prepare a report to Finance and Administration and Municipal Heritage Advisory Committees on another policy amendment to address increasing construction costs for properties outside of the downtown area.

In 2003, the Administration reported on the increase in construction costs. While it was not recommended that increases in property tax exemption outside the downtown area be tied to increases in construction costs, the recommended policy amendment to increase the property tax exemption was further delayed through motion (FA03-31) calling for the completion of an update to the *Heritage Holding Bylaw*[1]. The motion was passed due to a concern that an update to the Bylaw would result in listing several hundred properties with designation potential. If designated, a significant number of properties would then be eligible for property tax exemption with unknown economic and budgetary impacts to the City.

In 2007, Council amended the *Heritage Holding Bylaw* to add fifteen properties to those listed under this bylaw (CR07-95). However, this did not resolve the original motions (CR01-254 and FA03-31). The report to Finance and Administration remained a lower priority item as resources were dedicated to other initiatives including the Regina Downtown Neighbourhood Plan and *Design Regina: The Official Community Plan Bylaw No. 2013-48*. This report responds to these two motions and concerns about the financial viability of heritage building rehabilitation and the City's own financial sustainability.

As market conditions had changed since 2001, the City engaged Coriolis Consulting in 2011 to investigate current development costs for rehabilitation and the effectiveness of the existing Heritage Building Rehabilitation Program. Coriolis is a Vancouver consulting firm specializing in real estate analysis, urban planning and policy, development approvals and processes and financial modelling. The comprehensive review of the Program was initiated in view of the factors affecting heritage building rehabilitation projects. Reports from the development industry had shown that changing market conditions in Regina were making these projects less financially attractive, which poses a threat to the city's stock of buildings with heritage value. Increasing construction costs and escalating land values were increasing the challenges.

The report entitled "Incentives for Heritage Building Upgrades in Regina" (Appendix A) is the culmination of a year-long project to evaluate issues facing rehabilitation and to research and develop recommendations to address these issues. A cross-section of the Administration and a stakeholder group, including developers, a commercial real estate advisor, architects and property owners were involved in preparing the report. The report outlines the planning context for rehabilitation, a financial analysis of heritage building upgrades, and several recommendations to positively impact the viability of rehabilitation. The following report is meant to address outstanding items (CR01-254) and (FA03-31) and provide the Committee and Council with recommendations on financial policies for heritage building rehabilitation.

DISCUSSION

The Administration analyzed the consultant's report (Appendix A) and provided a summary of the analysis in Appendix B. The summary in Appendix B outlines the consultant's recommendations and the Administration's response along with an action plan and timing indicating when implementation or further analysis will occur. The Administration's analysis led to the amended Heritage Incentive Policy that is provided in Appendix C. The recommended amendments to the policy are described below.

[1] "A Bylaw of the City of Regina To Deny a permit for the Alteration or Demolition of Properties that the Council of the City of Regina may wish to Designate as Municipal Heritage Properties" – Bylaw No. 8912

RECOMMENDATION #1 – Increase the length of property tax exemption to ten years

The current Heritage Building Rehabilitation Program provides property tax exemption to designated properties up to a maximum of fifty per cent of the eligible project costs, or for a certain number of years (eight years downtown and five years elsewhere), or to a cap ($250,000 downtown and $150,000 elsewhere); whichever is least.

Eligible project costs have included the rehabilitation of architecturally significant exteriors, structural stabilization, improvements required to meet the National Building Code or City of Regina bylaws including the repair and upgrade of mechanical and electrical systems, improvements to energy efficiency, rehabilitation of architecturally significant interiors (non-cosmetic), and professional architectural or engineering services. All work is evaluated on the basis of its importance to the rehabilitation of key character-defining elements and its ability to meet national standards for heritage conservation practice.

As shown in the table below, the recommended amendment to the Municipal Incentive Policy for the Preservation of Heritage Properties would increase the length of the exemption to ten years and remove the limitation on its monetary value. While *The Cities Act, 2002* only allows exemptions for five years, *The Heritage Property Act* enables a City to exceed the exemption limits under *The Cities Act, 2002* for designated heritage properties only.

	Current*	Proposed *
Outside of the Downtown		
# of years	5 years or	10 years
maximum value	$150,000	n/a
Inside the Downtown		
# of years	8 years or	10 years
maximum value	$250,000	n/a

* The property tax exemption is limited to 50% of eligible project costs

The consultant conducted a pro forma analysis of three case studies and concluded that rehabilitation projects are attractive with an exemption, but it is necessary to increase the length of the exemption to ten years to ensure the projects remain viable. Rehabilitation is economically viable but only if improvements allow the building to achieve a higher return on investment assisted by an exemption. Without an increased incentive, increasing construction costs and land values are making it challenging for these projects to achieve a competitive rate of return. Rehabilitation projects are different than new construction in that they need to meet the requirements of the National Building Code and City of Regina bylaws as well as the national *Standards and Guidelines for the Conservation of Historic Places in Canada.*

Heritage Properties located outside of the downtown:

The current 5-year period of exemption for properties has not changed since the Program started in 1991 despite inflation and escalating construction costs. Based on the consultant's pro forma analysis of projects involving a warehouse and an apartment, ten years of exemption is recommended in order to encourage projects that will materially improve the quality, lifetime, marketability, and value of a building. It will ensure a larger project results in the same rate of return as a smaller project. The current $150,000 cap can also be removed as most 10-year

exemptions would be less than or close to $150,000 and most of the 5-year exemptions under the current policy were already significantly less than $150,000. The exemption would remain limited to 50 per cent of total project costs and these costs are further limited to building size.

Heritage Properties located within the downtown:

The current eight year exemption has not changed since 2001. The consultant conducted a pro forma analysis using a commercial building as a typical representation of the sixteen downtown heritage buildings that remain to be upgraded. Similarly, a 10 year exemption is recommended to encourage larger rehabilitation projects and ensure a similar rate of return. The current cap of $250,000 can also be removed as the 10 year exemption would be approximately $250,000 for most of the sixteen aforementioned buildings. The 10 year exemption would remain limited to 50 per cent of total project costs and these costs are further limited to building size.

Two of the sixteen buildings would generate larger exemptions due to their size, which is larger than the average size of 32,000 square feet. The Administration expects to receive an application from the owner of one of these buildings, the former Saskatchewan Wheat Pool building, in 2014. Viterra Inc. is currently occupying the building and they are anxious to proceed. Based on the 2014 property taxes and assuming a five per cent increase year over year for ten years the total taxes would be approximately $1,200,000 of which the City's share is $680,000.

Financial Analysis:

The financial analysis indicates that the City can achieve a net fiscal gain over the long term by forgoing short term tax revenue as a means of incentivizing retention and rehabilitation. In the last five years, the City's portion of the total taxes exempted under the Heritage Building Rehabilitation Program has been approximately $77,000 each year. The policy amendment is anticipated to result in twice as many exemptions to a cost of approximately $150,000 each year.

The Administration expects the City will award twice as many exemptions to a total up to four exemptions each year (i.e. $150,000 each year). This is twice the number of annual exemptions that have been awarded by the City since 1991 but less than the annual national average of six. In five years, the Administration expects the exemptions to return the annual average of two.

Correspondingly, the City has designated two heritage buildings each year on average since 1991. As mentioned earlier, a building must be designated as heritage in order to become eligible for an exemption. In recent years, each designation has been directly due to the availability of an exemption under this Program. Therefore, with each exemption more buildings will be retained and designated, which positions the City to facilitate demolition alternatives.

The total estimated cost implication for the first ten years would be approximately $1,100,000-$1,500,000. However, the revenue is only foregone temporarily.

Rehabilitation with an exemption leads to higher rents than rents without the exemption. The projects result in higher property values and therefore higher property tax revenues (after the period of exemption) that will exceed the initial cost of the exemption. The Assessment, Taxation and Real Estate Department conducted an analysis which estimates that 10 years of exemption would be paid back to the City in less than 20 years.

RECOMMENDATION #2 – Increase Cash Grants to $50,000

The current Program also grants up to $25,000 for rehabilitation projects. Cash grants differ from tax exemption in that they are only awarded to non tax-paying organizations (e.g. churches). Similar to the tax exemption, the property must be designated as heritage. The recommendation is to increase the cash value of the grant to a maximum of $50,000 per year as the value has not changed since 1991 despite inflation and escalating construction costs. As the increase only benefits non tax-paying organizations, only 10-15 heritage buildings would be eligible.

The City has only awarded three grants to a total of $43,000 since 1991. By comparison, the national annual average of a heritage grant program is approximately $56,000. In the last four years, two applications submitted by churches were not brought forward to the Finance and Administration Committee because a budget had not been allocated. While the Finance and Administration Committee receives a budget earmarked for Other Economic & Promotional Initiatives, it is not intended to be used for the heritage grants. A budget for these grants had not been established under the Community Investments Grant Program. Ongoing funding for the grants will be requested through the budget process. If the funding is not allocated, then the Administration will bring forward an amendment to remove reference to grants in the policy.

RECOMMENDATION #3 – Establish a Bonus Density Policy

A bonus density policy will be developed as part of the comprehensive Zoning Bylaw update in order to address the increasing challenges with rehabilitation in the downtown area. Challenges occur when a heritage property becomes more valuable for redevelopment than for rehabilitation, especially if the property can be included in an assembly. Many of the larger heritage buildings have been rehabilitated leaving a number of smaller heritage buildings with assembly potential as part of a larger redevelopment site. In order to address this issue the City has two options:

1. On-Site Bonus Density:
   If the heritage building is designated[2] and its property assembled with an adjacent vacant property, then the heritage building's unused density (under existing zoning) would be incorporated into the new part of the development, allowing the retention of the building without loss of development potential. This is akin to transferring "air rights" from one part of an assembled site to another and would be at the developer's discretion. The property might retain its value if (a) it is assembled, (b) the unused density can be physically accommodated within the overall project or (c) the financial performance of the overall project is attractive. However, it is possible that the value of the property is reduced if assembly and redevelopment including retention of the building is not as attractive to the developer as redevelopment without the building. Note also that this approach to retaining property value (inclusion in an assembly and redevelopment) will not apply to properties for which assembly is not possible.

2. Transferable Bonus Density:
   If the heritage property is not assembled with an adjacent property, the City could grant transferable bonus density. The transferable density would be transferred to a development site in the downtown in exchange for an amenity contribution. The developer of new

[2] The City has the legal power to designate a property as Municipal Heritage Property without compensation for any loss in value. The owner might object to such designation, but it is allowed under the legislation.

construction buys unused density from the owner of the heritage building, as long the owner of the heritage building enters an agreement with the City of Regina to upgrade the building. In this option the heritage property would be too small to allow both new development and retention of the heritage building. The bonus would only be useful if it is transferrable from the heritage property to another property. Unfortunately, as described in the consultant's report, this option isn't as viable as on-site bonus density as it would be challenging to sell transferrable density to sites elsewhere in downtown.

RECOMMENDATION #4 – Program improvements

Several improvements to the Heritage Building Rehabilitation Program will be introduced including an application fee, requirement of a Conservation Plan and financial evidence indicating the need for the incentive, and a minimum $20,000 project value. The Program changes will be announced by contacting the owners of all heritage properties.

RECOMMENDATION IMPLICATIONS

Financial Implications

The City's share of foregone revenue from heritage property exemptions currently equates to approximately $77,000 per year. If the policy is amended and ten years of property tax exemption is provided, then the Administration anticipates an increase in property tax exemption applications from two to four per year. The City's share of foregone revenue from heritage property exemptions would then equate to approximately $150,000 per year. In five years, it is expected that the number of applications may return back to the average of two per year.

The revenue is only foregone temporarily. Upon completion of the 10 year exemption, the City would regain its lost revenue in less than 20 years. Upgrading heritage buildings with an exemption leads to higher rents than rents without the exemption. This results in higher property values and therefore higher property tax revenues that exceed the initial cost of the exemption.

The City Planning and Development Division plans to request an ongoing budget allocation to establish a source of funding for the cash grants provided under the Heritage Building Rehabilitation Program.

Environmental Implications

None with respect to this report.

Policy and/or Strategic Implications

The updated Program will ensure the implementation of policy in *Design Regina: The Official Community Plan No. 2013-48* as it pertains to the development of complete neighbourhoods and the rehabilitation of heritage buildings.

The Program has already resulted in increased property tax revenues from upgraded heritage buildings, increased revenue for owners, the conversion of vacant and underutilized buildings and the non-fiscal benefits of heritage rehabilitation. The updated Program is expected to result

in twice the number of heritage designations and heritage building rehabilitation projects on an annual basis and these projects will follow national standards for rehabilitation without placing an onerous commitment on the owners.

The updated Program will also be aligned with the Cultural Heritage Management Strategy, which is currently in its final draft.

Policy 10.5 of *Design Regina: The Official Community Plan No. 2013-48* provides direction to "encourage owners to protect historic places through good stewardship and by voluntarily designating their property as a Municipal Heritage Property." A historic place is defined in *Design Regina* as a building that has been recognized by City Council for its heritage value. Policy direction is also provided in section D8 Culture, policy 10.4 of *Design Regina* to protect, conserve and maintain historic places and to leverage and expand funding, financial incentives and other means of support to advance the conservation of historic places.

The Program addresses two Community Priorities of the Corporate Strategic Plan 2014-2017 by developing complete neighbourhoods and embracing built heritage. In keeping with the Strategic Directions of effectively managing growth and improving financial viability, the City can achieve a net fiscal gain over the long term by forgoing short term tax revenue as a means of incentivizing the retention and upgrade of heritage buildings.

Other Implications

None with respect to this report.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

As directed by the motion of referral from FA03-31, this report will be forwarded to the Municipal Heritage Advisory Committee for consideration. A copy of this report with Administration's recommendations will be provided to stakeholders as part of the City's typical process of distributing a Finance and Administration report. If Council concurs with the recommendations of this report, a communications plan will be developed to encourage owners of heritage properties to apply under the new program.

DELEGATED AUTHORITY

This report is provided in response to the Finance and Administration Committee's motion of referral from FA03-31 and Council's original motion from CR01-254. In 2001, Council passed a motion (CR01-254) requesting a report on changes to the Municipal Incentive Policy for the Preservation of Heritage Properties in order to address the challenges facing heritage buildings outside of the downtown.

If Council concurs with the recommendations of this report, then CR01-254 and FA03-31 may be removed from the list of outstanding items.

The disposition of this report requires City Council approval.

Respectfully submitted,

FINANCE AND ADMINISTRATION COMMITTEE

Ashley Thompson, Secretary

REGINA Infinite Horizons | City of Regina

Appendix C

HERITAGE INCENTIVE POLICY (Approved August 25, 2014)

Formerly known as the *Municipal Heritage Incentives for the Preservation of Heritage Properties*.

Authority: Property tax exemption is permitted under Section 28 (a) of The Heritage Property Act.

An application fee will be required for projects that seek an exemption worth $200,000 or more.

1.0 Purpose

The objectives of the incentives provided under this policy are:

- To encourage the full upgrading of designated heritage properties to ensure their long-term conservation, extend their effective life and/or to ensure their structural integrity.
- To stimulate the economic development of the Downtown through the rehabilitation of commercial facades in the Victoria Park Heritage Conservation District.
- To encourage the development of an attractive city that contributes to a better quality of life.

2.0 Scope

Stakeholders involved with the conservation of designated property including property owners, non-profit organizations, and developers.

3.0 Definitions

Conservation: All actions or processes that are aimed at safeguarding the character-defining elements of a historic place so as to retain its heritage value and extend its physical life. This may involve "Rehabilitation," "Preservation," "Restoration" or as a combination of these actions or processes in accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada*.

Character-Defining Elements: The materials, forms, location, spatial configurations, uses and cultural associations or meanings that contribute to the heritage value of an historic place, which must be retained in order to conserve its heritage value.

Conservation Plan: A plan describing the proposed methods used to conserve the heritage values and character-defining elements. A Conservation Plan should also indicate the overall condition of the historic place and longer term plan to maintain it in a sound and attractive state.

Eligible Work Costs: The expenses incurred to conserve the character-defining elements of a building, structure or landscape.

Designated Property: Any Municipal Heritage Property, any pre-1965 property within the Victoria Park Heritage Conservation District, or any Provincial Heritage Property.

Executive Director: Executive Director, City Planning and Development.

Heritage Alteration Permit: A permit authorizing the alteration of a designated property.

Current Planning
City Planning and Development
Queen Elizabeth II Court | 2476 Victoria Avenue
PO Box 1790 | REGINA SK S4P 3C8
P: 306-777-7551 | F: 306777-6823
Regina.ca

Heritage Value: The aesthetic, historic, scientific, cultural, social or spiritual importance or significance for past, present and future generations. The heritage value of a historic place is embodied in its character-defining elements.

Historic Place: A structure, building, or landscape that has been formally recognized for its heritage value by City Council.

Statement of Significance: A statement that identifies the description, heritage value and character-defining elements of a historic place. A Statement of Significance is required in order for an historic place to be considered for designation by the Council of the City of Regina.

Maintenance: Routine, cyclical, non-destructive actions necessary to slow the deterioration of an historic place. It entails periodic inspection; routine, cyclical, non-destructive cleaning; minor repair and refinishing operations; replacement of damaged or deteriorated materials that are impractical to save.

4.0 Transition Provisions

Owners of properties with Exemption Agreements established under the former Municipal Incentive Policy for the Preservation of Heritage Properties (last amended October 22, 2001) that provide for an exemption in 2015 will be required to reapply under this new Policy no later than October 31, 2015. Otherwise, the existing Exemption Agreement will not be amended.

5.0 Incentives Policy

A property tax exemption may be provided for properties that meet the policy criteria as outlined below.

5.1 General Eligibility Requirements

The application of this policy is limited to buildings, structures or landscapes that have been formally recognized by City Council as designated property pursuant to Section 11(1) of *The Heritage Property Act*.

Only those designated properties in the Victoria Park Heritage Conservation District that were built before 1965, according to the dates provided in the Assessment and Taxation records.

In general, eligible work costs must be based on the assessment of a qualified architect or professional engineer.

Properties that have property taxes or other charges past due to the City of Regina are not eligible.

5.2 Calculation of Exemption

Property tax exemption may be provided to the owner(s) of taxable property for a period of up to 10 years to a maximum value equivalent to 50 percent of eligible conservation work costs; whichever is less.

Subject to the availability of funds, a cash grant of up to $50,000 may be provided for tax exempt properties but limited to a maximum of 50 percent of eligible conservation work costs.

The amount of the property tax exemption, including calculation of any percentage or portion and the determination of any use or cost, shall be conclusively determined by the City Assessor. The amount shall only apply to the portion of the property containing the building, structure or landscape with heritage value pursuant to Section 11(1) of *The Heritage Property Act*.

The tax exemption does not apply to local improvement fees, business improvement fees, and the non-exempt portion of taxes (i.e. laneway improvements) and other charges to tax accounts; these must be paid during the term of the agreement in the year in which they are due. No abatement of outstanding or current taxes will be negotiated.

5.3 Exemption Agreement

The property tax exemption will be subject to an agreement between the City of Regina and the property owner(s). The term of the agreement will be dictated by the number of years it will take to complete the work in addition to the term of the exemption.

The expiry date for the exemption agreement may be extended by one year at the sole discretion of the Executive Director to accommodate unanticipated construction delays.

The applicant is required to notify the Current Planning Branch of the City of Regina when the project work is complete. A representative of the Branch will inspect the project to verify its completion.

The total cumulative tax exemption will be equal to either (a) 50% of the eligible conservation work costs, or (b) ten years of tax exemptions, whichever is less.

The agreement may be assigned to a new owner at the sole discretion of the Executive Director. An assignment agreement will be required.

Where a development is also eligible for tax exemption under the Housing Incentives Policy, the full benefit under both policies may be provided. The Heritage Incentives Policy will be provided first unless otherwise approved by the Executive Director.

Incentives provided under this policy may be stacked with incentives provided through programs offered by the Municipal, Provincial and Federal Governments.

5.4 Eligible Work

Eligible conservation work must be specifically aimed at extending the life and increasing the value of designated property. The conservation work must also be in accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada.* The following work is eligible:

- Qualified architectural or professional engineering services not related to the preparation of the application.
- Conservation of exterior character-defining elements or significant landscape elements.
- Façade-only conservation in the Victoria Park Heritage Conservation District.
- Structural stabilization.
- Improvements required to meet National Building Code (NBC) or City of Regina bylaw requirements, including the repair or upgrading of mechanical and electrical systems.
- Improvements to energy efficiency (e.g. insulation, windows, furnace). Such work will be evaluated on the basis of its importance to the conservation of the character-defining elements of the building.
- Conservation of significant or rare character-defining interiors or interior elements.

The conservation of exterior character-defining elements may include the cleaning of surfaces, removal of unsympathetic materials, and painting associated with the replacement of these elements.

Cosmetic improvements, painting, repairs, regular maintenance, tenant improvements and new additions are NOT eligible.

5.5 Application Requirements

Applications must include:

(a) a completed application form
(b) current colour photographs
(c) archival photographs and historical documentation

in cases where the value of the exemption is greater than $200,000:

- the application must include a Heritage Alteration Permit application with an architect's drawings in addition to the architect's report that provides the following: a description of the proposed development highlighting new repairs and conservation work, the Conservation Plan, a construction schedule and, where applicable, an engineer's report on the structural improvements and costs.

- the application must include some financial evidence indicating why the tax exemption is needed in the form of a development pro forma that provides detailed costs, overall budget breakdown and cash flow. The pro forma should include financing details, two estimates for all materials and labour, leasing specifications, project soft costs (e.g. labour), project hard costs (e.g. materials), operating statement, and an explanation of how the tax incentives will affect the economic viability of the project.

OR in cases where the value is less than $200,000:

- the application must include a Heritage Alteration Permit application with an architect's drawings in addition to the architect's report that provides the following: a description of the proposed development highlighting new repairs and conservation work, the Conservation Plan, a construction schedule and, where applicable, an engineer's report on the structural improvements and costs.

- the application must also include two estimates for all work to be done or project costs based on the assessment of a qualified architect or professional engineer or qualified quantity surveyor. The total project costs must be a minimum of $20,000.

In addition to these requirements, the City may require additional historic research, engineering, or other studies in support of the application. All Conservation Plans and architectural drawings are to be carried out by an architect, engineer or equivalent professional, each having substantive experience and expertise in heritage conservation.

The costs of preparing and submitting an application, including any consultant fees, are the sole responsibility of the applicant. The application may apply to recover such costs as part of the incentives; however the City will only approve such recovery for successful applications.

5.6 Application Process

A complete application under the Heritage Incentives Policy, including details and costs of conservation work to be undertaken, must be submitted to the City of Regina in writing, before commencement of any work or development that is intended to qualify for an incentive.

A Heritage Alteration Permit application will also be required for the project. The timing of this Heritage Alteration Permit in relation to this application should be discussed with staff. The Heritage Alteration Permit application may require Council approval unless the authority has been delegated to the Administration.

Applications for an incentive must be made before issuance of a heritage alteration, building or development permit. Exception of this requirement is at the discretion of the Executive Director where Council has delegated authority to the Administration to approve the alteration of a designated property. The approval must be provided in writing by the Executive Director before any project work begins.

If the property is not designated, an application for designation and an application for an incentive may be submitted at the same time, but the application for an incentive may not be formally considered until after the property has been designated by City Council.

Upon completion of the Administration's review, the application for an incentive will be considered by the City's Finance and Administration Committee which, in turn, will make a recommendation to City Council.

If approved by City Council, the incentive will be provided in accordance with a formal agreement between the City and the subject property owner(s), which will be authorized by City Council’s passage of an enabling bylaw.

For further information or assistance, please contact:

Current Planning Branch
City Planning and Development
9th Floor, City Hall
P.O. Box 1790
Regina SK S4P 3C8

Phone: 306-777-7551
Fax: 306-777-6823

CONTRACT NO. 99C-0071

THIS ADDENDUM MICROFILMED
WITH BYLAW NO. 2001-95

ADDENDUM 99C-0071
TX – 611610 SASKATCHEWAN LTD.
CORR DATE 25/Jan/2002
0270 ABATEMENTS –
SCARTH STREET, 1839-1851

ADDENDUM 99C-0071
TX – 612407 SASKATCHEWAN LTD.
CORR DATE 25/Jan/2002
0270 ABATEMENTS –
SCARTH STREET, 1839-1851

ADDENDUM

This is an Addendum to the Preservation of Heritage Properties Tax Exemptions Agreement - 1839-51 Scarth Street, dated April 7, 1999, among the City of Regina, 611610 Saskatchewan Ltd., and 612407 Saskatchewan Ltd., respecting a tax exemption on the land civically known as 1839-51 Scarth Street and legally described as:

Lots 10, 11, 12 and 13
Block 306
Regina, Saskatchewan
Plan No. Old No. 33
Minerals Included

The Parties agree that:

1. The Preservation of Heritage Properties Tax Exemptions Agreement - 1839-51 Scarth Street is amended by:

   (a) deleting section 2, and substituting the following:

   "2(1) Pursuant to section 28(a) of *The Heritage Property Act*, and subject to the terms of this Agreement, the City shall exempt from taxation, or provide a partial exemption for, the Land and Improvements in an amount equal to the lesser of:

   (a) 50 percent of the actual cost incurred by or on behalf of the Owners in completing the Eligible Work;

   (b) $250,000.00; or

   (c) the total property taxes on the Land and Improvement payable from January 1, 1999 to December 31, 2006.

   (2) Notwithstanding subsection (1), the exemption will not continue after December 31, 2008.

2. In all other respects, the terms and conditions of the Preservation of Heritage Properties Tax Exemptions Agreement - 1839-51 Scarth Street continue to apply.

Executed at Regina, Saskatchewan, December 10, 2001

THE CITY OF REGINA

City Clerk

611610 SASKATCHEWAN LTD

612407 SASKATCHEWAN LTD.

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CONTRACT NO. 99C-0071

THIS CONTRACT MICROFILMED
WITH BYLAW NO. 10097

CONTRACT 99C-0071
TX – 611610 SASKATCHEWAN LTD.
CORR DATE 06/Apr/1999
0270 ABATEMENTS –
SCARTH STREET, 1839-1851

CONTRACT 99C-0071
TX – 612407 SASKATCHEWAN LTD.
CORR DATE 06/Apr/1999
0270 ABATEMENTS –
SCARTH STREET, 1839-1851

BYLAW NO. 10097

THE HERITAGE PROPERTY TAX EXEMPTION
FOR 1839-51 SCARTH STREET BYLAW

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

1. An exemption from taxation pursuant to the City's Municipal Incentives Policy for the Preservation of Heritage Properties is hereby granted in respect of the real property owned by 611610 Saskatchewan Ltd. and 612407 Saskatchewan Ltd., which property is civically known as 1839-51 Scarth Street, and legally described as:

   Lots 10, 11, 12 and 13
   Block 306
   Regina, Saskatchewan
   Plan Old No. 33
   Minerals Included

2. The exemption in Section 1 shall be governed by the Agreement marked Schedule A and attached hereto.

3. The City Clerk is authorized to sign and seal the Agreement in Section 2, on behalf of the City of Regina.

4. The Manager of Urban Planning, Community Services Department, is authorized to determine whether the work done to the property is Eligible Work, within the meaning of the Agreement, and the cost of the Eligible Work.

5. This Bylaw comes into force on the day of passage or on the date the Agreement is executed, whichever is later.

READ A FIRST TIME THIS 22nd DAY OF MARCH, 1999.

READ A SECOND TIME THIS 22nd DAY OF MARCH, 1999.

READ A THIRD TIME AND PASSED THIS 22nd DAY OF MARCH, 1999.

Mayor

City Clerk
(SEAL)

CERTIFIED A TRUE COPY

City Clerk

Approved as to form this ..... day of ..... 19 .....
City Solicitor

PRESERVATION OF HERITAGE PROPERTIES
TAX EXEMPTIONS AGREEMENT – 1839-51 SCARTH STREET

Agreement dated, Apr. 17, 1999.

Between:

THE CITY OF REGINA (the "City")

- and -

611610 SASKATCHEWAN LTD. and 612407 SASKATCHEWAN LTD.
(the "Owners")

The Parties agree as follows:

Definitions

1 In this Bylaw:

"**Building Permit**" means the permit issued by the Building Division of the Community Services Department to the Owners or the Owners' agent, to re-develop the Land and Improvement.

"**Eligible Work**" means the work on the Improvement as determined by the Manager to be eligible for consideration pursuant to the City's Municipal Incentives Policy for the Preservation of Heritage Properties, which work is generally described in Schedule A.

"**Improvement**" means the building located on the Land.

"**Land**" means the real property owned by the Owners which is civically known as 1839-51 Scarth Street, Regina, and legally described as:

Lots 10, 11, 12 and 13
Block 306
Regina, Saskatchewan
Plan Old No. 33
Minerals Included

"**Manager**" means the person occupying the position of Manager of Urban Planning, Community Services Department of the City.

Exemption

2 Pursuant to section 28(a) of *The Heritage Property Act*, and subject to the terms of this Agreement, the City shall exempt from taxation, or provide a partial exemption for, the Land and Improvement in an amount equal to the lesser of:

(a) 50 percent of the actual cost incurred by, or on behalf of, the Owners in completing the Eligible Work;

(b) $150,000; or

(c) the total property taxes on the Land and Improvement payable from January 1, 1999 to December 31, 2003.

(2) Notwithstanding subsection (1), the exemption will not continue after December 31, 2006.

Owners' Covenants

3 The Owners shall promptly:

(a) notify the City of any occurrences which would, pursuant to this Agreement, discontinue or terminate the tax exemption;

(b) provide the City Assessor with any information or documentation requested by the City Assessor to complete and check the assessment of the property;

(c) provide the Manager with any information, documentation, or access to the Land or Improvement requested by the Manager to check the progress of construction for the purposes of this Agreement.

4 The Owners shall ensure all work undertaken to the Improvement, including replacement materials used and finishing treatments applied, shall correspond with, or be of a comparable nature to existing materials and finishes.

5(1) Upon completion of the Eligible Work, or in the alternative, upon completion of an item of the Eligible Work, the Owners shall submit to the Manager detailed written documentation of the actual costs incurred to complete the Eligible Work.

(2) The exemption will not be granted unless and until the Manager receives the documentation in subsection (1), and has confirmed the authenticity of the same.

(3) The documentation in subsection (1) may consist of itemized invoices or receipts.

(4) The Manager will conclusively determined whether the work described in the documentation submitted pursuant to subsection (1) is Eligible Work.

6(1) In the event that actual costs of the Eligible Work exceed the estimates set forth in Schedule A by more than 10 percent, the Owners shall provide the Manager details of and reasons for the cost over-run.

(2) The Manager may decline to approve any cost over-run, or portion thereof if, in the Manager's opinion, the cost over-run was not reasonable or necessary for the completion of the work.

(3) The Manager will conclusively determine the cost of Eligible Work in Schedule A after he has viewed the estimates and received information pursuant to section 5.

7 Upon completion of the Eligible Work, or portion thereof, the Manager:

(a) shall review the documentation submitted pursuant to section 5;

(b) may inspect the Improvement to confirm the completion of the Eligible Work, or portion thereof; and

(c) shall certify the amount of the Heritage Exemption to be conferred pursuant to this Agreement.

8 Once the Manager has certified the amount(s) of the exemption to be granted to the Owners, the Manager shall provide the particulars of the amount(s) to the City Assessor.

Termination

9(1) The tax exemption shall continue only for so long as the Owners comply with the terms of this Agreement.

(2) Where the Owners have not complied with a term of the Agreement, the City may terminate the Agreement by notice to the Owners.

10(1) The exemption shall cease if the Owners:

(a) become bankrupt or insolvent or are so adjudged;

(b) make a general assignment for the benefit of creditors; or

(c) cease to operate entirely.

11 If the City terminates the Agreement pursuant to section 9, or if the exemption ceases pursuant to section 10, the Land and Improvement shall be taxable on a pro-rated basis for that portion of the year during which the exemption granted no longer continues.

Notices

12(1) Any notice required or permitted to be given to either Party pursuant to this Agreement shall be in writing and may be delivered to the Party in person, or to its authorized agent, or by sending it by mail, addressed:

To the City at:
Attention City Manager
City of Regina
2476 Victoria Avenue
P.O. Box 1790
Regina, SK S4P 3C8

To the Owner at:
Attention Archie Cameron
611610 Saskatchewan Ltd.
1019 Park Street
Regina, Saskatchewan
S4N 5H4

or to such alternate address as either Party may, from time to time, by notice advise.

(2) If a notice is mailed pursuant to subsection (1), it is deemed to be given on the third business day after the date of such mailing.

(3) If postal service is interrupted or substantially delayed, any notice shall be hand-delivered.

General

13 The scope of the tax exemption, including calculation of any percentage or proportion and the determination of any use or cost, shall be conclusively determined by the City Assessor, subject to any statutory right of appeal against the assessment of the Land or Improvement.

14 The amount of the assessment is subject to change in future years.

15 The exemption from taxation granted pursuant to this Agreement does not include business assessment, local improvement levies, utility charges, development fees or other such charges or fees properly imposed by the City or other taxing authority.

16 This Agreement will be void if the taxes on the Land or Improvement are not current as of December 31, 1998.

17 This Agreement is not assignable without the prior written consent of the City.

18 In the event that this Agreement or any part of it is found to be invalid or ultra vires of Council, then the City shall not be liable to the Owners for any amount of the invalid or unlawful exemption which would otherwise have been granted to the Owners.

19 The City may register this Agreement by caveat on the Land at the Regina District Land Title's Office.

20 This Agreement shall not become effective until adopted by bylaw of the Council of the City and fully executed by the parties to the Agreement.

The Parties have executed the Agreement on the date first written above.

THE CITY OF REGINA

City Clerk

611610 SASKATCHEWAN LTD.

Title:

Title:

612407 SASKATCHEWAN LTD.

Title:

Title:

SCHEDULE A

ELIGIBLE WORK ITEM	ESTIMATED COST
A. Contractor's Work for Floors 2 through 4	
1) Fire blocking	3,000
2) 3 back exterior doors	3,000
3) Main floor front to back door hallway (parking access)	25,000
4) Demolition of existing walls	18,000
5) Sound proofing, soundboard, insulation	15,000
6) Fire extinguishers	1,600
7) Hall lights	3,000
8) Upgrading Stairwell lights	750
B. Plumbing, Heating and Air Conditioning	
1) All mechanical work, including fixtures ($10,000/unit)	140,000
2) Associated contractor's work	30,000
3) Upgrading of existing 4th floor mechanical room	8,500
4) Engineering cost for mechanical	5,500
C. Electrical Main Service	
1) Connections to panel boxes	75,500
2) Electrical completion for 14 units	56,000
3) Hook-up A/C, emergency lights, fire alarm, intercom systems	6,000
D. Sprinklers	58,000
E. Elevator upgrade	75,000
F. Upgrade of fire barrier	25,000
G. Permits	6,000
J. Architectural fee	10,000
AGGREGATE SUBTOTAL	**$583,750**
G.S.T.	-40,863
AGGREGATE TOTAL	**$624,613**

CITY OF REGINA

Bylaw #2009-19

Disclaimer:

This information has been provided solely for research convenience. Official bylaws are available from the Office of the City Clerk and must be consulted for purposes of interpretation and application of the law.

BYLAW NO. 2009-19

THE WILLOUGHBY AND DUNCAN BUILDING TAX EXEMPTION BYLAW, 2009

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

Purpose

1 The purpose of this Bylaw is to provide a tax exemption to the owners of property located at 1839 Scarth Street that qualifies under the Downtown Residential Incentives Policy (DRIP).

Authority

2 The authority for this Bylaw is section 262(4) of *The Cities Act*.

Scope of Exemption

3 The listed properties in section 4 shall receive an exemption for all property taxes imposed against the property for five years commencing January 1, 2009 and ending December 31, 2013, unless sooner ended pursuant to the provisions of the Tax Exemption Agreement for the property.

4 The following exemptions shall apply only if the unit is maintained as a residential dwelling:

(a) the property located at 201 – 1839 Scarth Street and legally described as:

Unit #6 in Condo Plan #101890739 with 329/10000 shares of common property in Condominium Parcel #161609070
Reference Land Description: Condo Plan No. 101890739, Extension 0

(b) the property located at 202 – 1839 Scarth Street and legally described as:

Unit #7 in Condo Plan #101890739 with 436/10000 shares of common property in Condominium Parcel #161609070
Reference Land Description: Condo Plan No. 101890739, Extension 0

(c) the property located at 203 – 1839 Scarth Street and legally described as:

Unit #8 in Condo Plan #101890739 with 578/10000 shares of common property in Condominium Parcel #161609070
Reference Land Description: Condo Plan No. 101890739, Extension 0

Approved as to form this _____ day of _____, 200__.

City Solicitor

(d) the property located at 204 – 1839 Scarth Street and legally described as:

An undivided ½ interest in Unit #9 in Condo Plan #101890739 with 493/10000 shares of common property in Condominium Parcel #161609070
Reference Land Description: Condo Plan No. 101890739, Extension 0

(e) the property located at 205 – 1839 Scarth Street and legally described as:

Unit #10 in Condo Plan #101890739 with 340/10000 shares of common property in Condominium Parcel #161609070
Reference Land Description: Condo Plan No. 101890739, Extension 0

(f) the property located at 206 – 1839 Scarth Street and legally described as:

Unit #11 in Condo Plan #101890739 with 361/10000 shares of common property in Condominium Parcel #161609070
Reference Land Description: Condo Plan No. 101890739, Extension 0

(g) the property located at 301 – 1839 Scarth Street and legally described as:

Unit #12 in Condo Plan #101890739 with 335/10000 shares of common property in Condominium Parcel #161609070
Reference Land Description: Condo Plan No. 101890739, Extension 0

(h) the property located at 302 – 1839 Scarth Street and legally described as:

Unit #13 in Condo Plan #101890739 with 440/10000 shares of common property in Condominium Parcel #161609070
Reference Land Description: Condo Plan No. 101890739, Extension 0

(i) the property located at 303 – 1839 Scarth Street and legally described as:

Unit #14 in Condo Plan #101890739 with 585/10000 shares of common property in Condominium Parcel #161609070
Reference Land Description: Condo Plan No. 101890739, Extension 0

(j) the property located at 304 – 1839 Scarth Street and legally described as:

Unit #15 in Condo Plan #101890739 with 499/10000 shares of common property in Condominium Parcel #161609070
Reference Land Description: Condo Plan No. 101890739, Extension 0

(k) the property located at 305 – 1839 Scarth Street and legally described as:

Unit #16 in Condo Plan #101890739 with 348/10000 shares of common property in Condominium Parcel #161609070
Reference Land Description: Condo Plan No. 101890739, Extension 0

(l) the property located at 306 – 1839 Scarth Street and legally described as:

Unit #17 in Condo Plan #101890739 with 374/10000 shares of common property in Condominium Parcel #161609070
Reference Land Description: Condo Plan No. 101890739, Extension 0

(m) the property located at 401 – 1839 Scarth Street and legally described as:

Unit #18 in Condo Plan #101890739 with 488/10000 shares of common property in Condominium Parcel #161609070
Reference Land Description: Condo Plan No. 101890739, Extension 0

(n) the property located at 402 – 1839 Scarth Street and legally described as:

Unit #19 in Condo Plan #101890739 with 585/10000 shares of common property in Condominium Parcel #161609070
Reference Land Description: Condo Plan No. 101890739, Extension 0

(o) the property located at 403 – 1839 Scarth Street and legally described as:

Unit #20 in Condo Plan #101890739 with 500/10000 shares of common property in Condominium Parcel #161609070
Reference Land Description: Condo Plan No. 101890739, Extension 0

(p) the property located at 404 – 1839 Scarth Street and legally described as:

Unit #21 in Condo Plan #101890739 with 357/10000 shares of common property in Condominium Parcel #161609070
Reference Land Description: Condo Plan No. 101890739, Extension 0

(q) the property located at 405 – 1839 Scarth Street and legally described as:

Unit #22 in Condo Plan #101890739 with 339/10000 shares of common property in Condominium Parcel #161609070
Reference Land Description: Condo Plan No. 101890739, Extension 0

Agreement

5 The exemptions in section 4 shall be governed by the form of Tax Exemption Agreement attached hereto as Schedule "A".

6 The exemptions in section 4 shall apply to a subsequent owner of an exempt property if the new owners:

(a) maintain the unit as a residential unit; and

(b) comply with the terms of the applicable Tax Exemption Agreement.

7 The City Clerk is authorized to sign and seal the Agreements in section 4 on behalf of the City of Regina.

8 The General Manager of Planning and Development is authorized to approve any amendments to the Agreements that do not affect the amount of the exemption.

Coming Into Force

9 This Bylaw comes into force on the day of passage of the Bylaw, or on the date the Agreement is executed, whichever is later.

READ A FIRST TIME THIS 23rd DAY OF March 2009.

READ A SECOND TIME THIS 23rd DAY OF March 2009.

READ A THIRD TIME AND PASSED THIS 23rd DAY OF March 2009.

P. FIACCO
Mayor

J. SWIDNICKI
City Clerk (SEAL)

CERTIFIED A TRUE COPY

City Clerk

Schedule "A"
TAX EXEMPTION AGREEMENT
"Street Address", Regina, Saskatchewan

Agreement dated _____, 2009

Between:

CITY OF REGINA
(the "City")

- and -

"Full Name of Owner"
(the "Owner")

The Parties agree as follows:

Definitions

1. In this Agreement:

"Property" means the portion of real property owned by "Full Name of Owner" being converted to residential condominium apartment dwelling unit, which property is civically known as "Street Address" and legally described as:

"Insert Legal Description"

"**Manager"** means the General Manager, Planning and Development Division.

"**Unit"** means one or more dwelling units built on behalf of the Owner in the Property.

City's Covenants
Tax Exemption

2.(1) Pursuant to subsection 262(4) of *The Cities Act*, and subject to the terms of this Agreement, the City exempts the Property from taxation for the years 2009 to 2013.

2.(2) Notwithstanding subsection (1), the tax exemption does not apply to portions of the Property used or intended to be used for non-residential purposes.

Terms and Conditions

3. The scope of the tax exemption including the calculation of any percentage or proportion and the determination of any use or cost, shall be conclusively determined by the City Assessor, subject to any statutory right of appeal against the assessment of the Land or Improvement.
4. The amount of the assessment is subject to change in future years.

5. The tax exemption granted pursuant to this Agreement does not include special taxes, local improvement levies, utility charges, development fees or other such charges or fees properly imposed by the City or other taxing authority.

6. The tax exemption shall apply only to the real property assessed to the Owner or assessed to the subsequent individual owners of the Units if and when the Units have been registered pursuant to *The Condominium Property Act, 1993,* and actually and exclusively used by the Owner, its assigns or the individual Unit owners.

Owner's Covenants

7. The Owner shall promptly:

   (a) notify the City of any occurrences which would, pursuant to the Agreement, discontinue or terminate the tax exemption;

   (b) provide the City Assessor with any information or documents requested by the City Assessor for the purpose of assessing the Property; and

   (c) provide the Manager with any information, documentation, or access to the Land or Improvement requested by the Manager to confirm compliance with the terms of this Agreement.

Continuation

8. The tax exemption will continue only for so long as the Owner complies with the terms of this Agreement.

9.(1) The tax exemption will cease if the Owner:

   (a) becomes bankrupt or insolvent or is so adjudged;
   (b) makes a general assignment for the benefit of creditors;
   (c) substantially changes its operations such that the Property is no longer being used for condominiums or dwelling units, unless such change has been expressly approved in writing by the City;
   (d) ceases to operate entirely;
   (e) does not keep the taxes current on portions of the Land or Improvement which are not exempt; or
   (f) does not adhere to the Development Schedule.

9.(2) If the tax exemption ceases by reason of an event in subsection (1) occurring after December 31, 2009, the Property will be taxable on a pro-rated basis for the portion of the year during which the tax exemption granted no longer continues.

Notices

10.(1) Any notice required or permitted to be given to either Party pursuant to this Agreement shall be in writing and may be delivered to the Party in person, or to its authorized agent, or by sending it by prepaid registered mail, addressed:

To the City: City Clerk
2476 Victoria Avenue
P.O. Box 1790
Regina, Saskatchewan S4P 3C8

To the Owner: "Full Name of Owner"
"Full Address of Owner"

or to such alternate address as either Party may, from time to time, by notice advise.

10.(2) If a notice is mailed pursuant to subsection (1), it is deemed to be given on the third business day after the date of such mailing.

10.(3) If postal service is interrupted or substantially delayed, any notice shall be hand-delivered.

Amendments

11.(1) The Agreement may be amended by agreement between the Parties.

11.(2) For the purposes of subsection (1), the Manager may authorize any amendments to the Agreement.

General

12.(1) This Agreement is not assignable without the prior written consent of the City.

12.(2) Notwithstanding subsection (1), if the Owner registers a condominium plan with respect to the Property, the Owner and the City agree that the Owner will assign this Agreement to the condominium corporation.

13. In the event that this Agreement or any part of it is found to be invalid or ultra vires of Council, then the City shall not be liable to the Owner for any amount of the tax exemption which would otherwise have been granted to the Owner.

14. The City may register this Agreement in the Land Titles Registry, Saskatchewan Land Registration District.

Appendix H - 9

15. This Agreement is effective as of January 1, 2009.

In witness whereof, the Parties have executed the Agreement on the date first written above.

CITY OF REGINA

_____
City Clerk

_____ _____
Witness "Name of Owner"

Appendix H - 10

AFFIDAVIT OF EXECUTION

CANADA)
PROVINCE OF SASKATCHEWAN)

I, *"Full Name of Witness",* of Regina, Saskatchewan, MAKE OATH AND SAY THAT:

1 I was personally present and did see *"Full Name of Owner"* named in the within instrument, who are personally known to me to be the person named therein, duly sign and execute the same for the purpose named therein;

2 The same was executed at Regina, Saskatchewan, on _____, 200_____, and that I am the subscribing witness thereto;

3 I know *"Full Name of Owner",* and she/he is in my belief the full age of eighteen years.

SWORN BEFORE ME at)
Regina, Saskatchewan,)
on _____200__.)
)
)
_____)
A COMMISSIONER FOR OATHS in
and for the Province of Saskatchewan OR
Being a Solicitor.
My Commission expires _____

_____
Signature of Witness

ABSTRACT

BYLAW NO. 2009-19

THE WILLOUGHBY AND DUNCAN BUILDING TAX EXEMPTION BYLAW, 2009

PURPOSE:	To provide a tax exemption to the owners of property that qualifies under the Downtown Residential Incentives Policy (DRIP).
ABSTRACT:	The Bylaw provides a tax exemption for the years 2009 to 2013 for properties located at Units 6 to 22 – 1839 Scarth Street, Regina, SK. The exemption is governed by a tax exemption agreement between the parties.
STATUTORY AUTHORITY:	Section 262(4) of *The Cities Act*.
MINISTER'S APPROVAL:	N/A
PUBLIC HEARING:	N/A
PUBLIC NOTICE:	N/A
REFERENCE:	Downtown Residential Incentives Policy, City Council Meeting, February 22, 1999, CR99-26
AMENDS/REPEALS:	N/A
CLASSIFICATION:	Administrative
INITIATING DIVISION:	Planning and Development Division
INITIATING DEPARTMENT:	Planning and Sustainability Department

I:\wordpro\bylaw\2009- Willoughby and Duncan drip tax exemption bylaw 2009

Heritage Building Rehabilitation Program - 2201 11th Avenue

Date	March 2, 2022
To	Mayor Masters and City Councillors
From	Executive Committee
Service Area	Parks, Recreation & Cultural Services
Item #	CR22-24

RECOMMENDATION

That City Council:

1. Approve a tax exemption for the property known as the Canada Life Assurance building, located on Plan: 00RA12095 Block: 308 Lot: 41, addressed at 2201 11th Avenue, in an amount equal to the lesser of:
    a. 50 per cent of eligible costs for the work described in Appendix C; or
    b. An amount equivalent to the total property taxes payable for ten years.

2. Instruct the City Solicitor to prepare the necessary bylaw and agreement with the following conditions to be brought forward to a future Council date once the agreement has been signed by the property owners:
    a. That the property possesses and retains its formal designation as a Provincial Heritage Property in accordance with *The Heritage Property Act*.
    b. That the property owner submits detailed written documentation of payments made for the actual costs incurred (i.e., itemized invoices and receipts) in the completion of the identified conservation work. If actual costs exceed the corresponding estimates by more than 10 per cent, the property owner shall provide full particulars as to the reason(s) for such cost overruns. The City of Regina may decline to approve any cost overrun, or portion thereof if considered not to be reasonably or necessarily incurred for eligible work.
    c. That work completed and invoices submitted by September 30 each year would be eligible for tax exemption starting the following year of up to 50 per cent of the cost of approved work.

d. That the Executive Director of City Planning & Community Development or designate be authorized under the tax exemption agreement to make all determinations regarding reimbursements of the cost incurred for work done to the property based on the City of Regina's Heritage Building Rehabilitation Program and the Conservation Plan for the property (Appendix D to this report).

3. Authorize the City Clerk to execute the agreement on behalf of the City after the bylaw authorizing the agreement has been passed.

4. Authorize the Executive Director of City Planning & Community Development or designate to apply to the Government of Saskatchewan on behalf of the property owner for any exemption of the education portion of the property taxes that is $25,000 or greater in any year during the term of the exemption.

HISTORY

At the February 23, 2022 meeting of the Executive Committee, the Committee considered the attached EX22-16 report from the City Planning & Community Development Division.

The following addressed the Committee:

- Steve Pinel, representing Nicor Group, Regina, SK.

The Committee adopted a resolution to concur in the recommendation contained in the report after including the revised Appendix C.

.

Recommendation #5 in the attached report does not require City Council approval.

Respectfully submitted,

EXECUTIVE COMMITTEE

Amber Ackerman

Interim City Clerk

ATTACHMENTS

EX22-16 - Heritage Building Rehabilitation Program - 2201 11th Avenue
Appendix A - Context Map
Appendix B - Location Map
Appendix C - Cost

Appendix D - Conservation Plan
Appendix E - Designation Order
Appendix F - CR14-100

Heritage Building Rehabilitation Program - 2201 11th Avenue

Date	February 23, 2022
To	Executive Committee
From	City Planning & Community Development
Service Area	Parks, Recreation & Cultural Services
Item No.	EX22-16

RECOMMENDATION

The Executive Committee recommends that City Council:

1. Approve a tax exemption for the property known as the Canada Life Assurance building, located on Plan: 00RA12095 Block: 308 Lot: 41, addressed at 2201 11th Avenue, in an amount equal to the lesser of:
    a. 50 per cent of eligible costs for the work described in Appendix C; or
    b. An amount equivalent to the total property taxes payable for ten years.

2. Instruct the City Solicitor to prepare the necessary bylaw and agreement with the following conditions to be brought forward to a future Council date once the agreement has been signed by the property owners:
    a. That the property possesses and retains its formal designation as a Provincial Heritage Property in accordance with *The Heritage Property Act*.
    b. That the property owner submits detailed written documentation of payments made for the actual costs incurred (i.e., itemized invoices and receipts) in the completion of the identified conservation work. If actual costs exceed the corresponding estimates by more than 10 per cent, the property owner shall provide full particulars as to the reason(s) for such cost overruns. The City of Regina may decline to approve any cost overrun, or portion thereof if considered not to be reasonably or necessarily incurred for eligible work.
    c. That work completed and invoices submitted by September 30 each year would be eligible for tax exemption starting the following year of up to 50 per cent of the cost of approved work.

d. That the Executive Director of City Planning & Community Development or designate be authorized under the tax exemption agreement to make all determinations regarding reimbursements of the cost incurred for work done to the property based on the City of Regina's Heritage Building Rehabilitation Program and the Conservation Plan for the property (Appendix D to this report).

3. Authorize the City Clerk to execute the agreement on behalf of the City after the bylaw authorizing the agreement has been passed.

4. Authorize the Executive Director of City Planning & Community Development or designate to apply to the Government of Saskatchewan on behalf of the property owner for any exemption of the education portion of the property taxes that is $25,000 or greater in any year during the term of the exemption.

5. Approve these recommendations at its meeting on March 2, 2022.

ISSUE

The applicant, Nicor Developments Inc., on behalf of the property owner, 2201 11th Avenue Properties Ltd., has requested a property tax exemption under the Heritage Building Rehabilitation Program to assist in recovering costs associated with conserving the building. The proposed conservation work will ensure the continued existence of a designated Provincial Heritage Property.

Administration has determined that the conservation work proposed is eligible for assistance under the Heritage Building Rehabilitation Program. A property tax agreement between the City of Regina (City) and the property owner will secure the City's interests in ensuring the building is properly conserved and maintained.

IMPACTS

Financial Impacts

Section 262(4) of *The Cities Act* limits the term of a tax exemption agreement to not more than five years. However, Section 28(a) of *The Heritage Property Act* enables City Council to provide tax relief to any person, organization, agency, association, or institution with respect to heritage property notwithstanding any provisions of *The Cities Act*. The Heritage Incentive Policy approved by City Council in August 2014 established a tax exemption for a maximum of 10 years.

Financial assistance can be provided through a tax exemption equivalent to the lesser of:

- Fifty per cent of eligible work costs which is $328,026.82 ($ 656,053.63 Eligible Costs x 50 per cent); or

- The total property taxes that would otherwise be payable in the 10 years immediately following the approval of the tax exemption by the City Council is estimated at $ 1,148,406.89 inflated by three per cent a year over the next 10 years. This amount is based on 2022's property taxes estimation of $ 110,438.02 (Municipal portion: $ 66,289.12; Education portion: $ 38,182.37; Library portion: $5.966.54)

Given the analysis above, the recommended financial assistance is 50 per cent of eligible work costs which is valued at approximately $ 328,026.82. Since the exemption value is more than $200,000, the applicant has submitted a development pro forma that provides detailed costs, budget, and cash flow.

Environmental Impacts

City Council set a community goal for the city of Regina of achieving net zero emissions and sourcing of net zero renewable energy by 2050. In support of this goal, City Council asked Administration to provide energy and greenhouse gas implications of recommendations so that Council can evaluate the climate impacts of its decisions.

Restoring and preserving heritage buildings can prevent greenhouse gas (GHG) emissions resulting from demolition of the existing structure and construction of a new building. For example, the retention of an existing building prevents the generation of construction waste and demolition waste that would have been disposed at the landfill. Some of the materials disposed at the landfill would also generate GHG emissions.

Policy Impacts

Conservation of the Canada Life Assurance building meets the following policies outlined in Part A of *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP):

<u>Section D8: Culture</u>

Goal 1 **–** Support Cultural Development and Cultural Heritage**:** Enhance quality of life and strengthen community identity and cohesion through supporting cultural development and cultural heritage.

10.1 Build partnerships and work collaboratively with community groups, other levels of government, and the private and voluntary sectors to encourage cultural development opportunities and conserve historic places.

10.4 Protect, conserve and maintain historic places in accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada* and any other guidelines adopted by City Council.

10.5 Encourage owners to protect historic places through good stewardship and voluntarily designating their property for listing on the Heritage Property Register.

10.6 Leverage and expand funding, financial incentive programs and other means of support to advance cultural development, cultural resources and conservation of historic places.

The proposal is also consistent with the vision and objectives of Regina's Cultural Plan respecting:

Goal 7.3 – Commemorate and Celebrate the City's Cultural Heritage
Objectives:

- Demonstrate Leadership through the Management of the Heritage Conservation Program.
- Conserve Cultural Heritage Resources.
- Ensure New Development contributes to Sense of Place.

There is no accessibility, risk/legal, or other impacts.

OTHER OPTIONS

If Council decides that the property does not require the funding for conservation, Council may reject the application and provide reasons for the decision.

COMMUNICATIONS

The property owners and Heritage Regina have received a copy of this report for information. The property owners and interested parties will receive written notice of City Council's decisions.

DISCUSSION

Designation Order attached as Appendix E, designating 2201 11th Avenue as a Provincial Heritage property was approved on April 5, 1978. The heritage value of the Canada Life Assurance Building lies in its association with the insurance industry in Saskatchewan. From 1914 to 1947, the building served as the Saskatchewan headquarters for the Ontario-based Canada Life Assurance Company. In 1946 Saskatchewan Government Insurance Office (SGIO), the first government owned insurance company in Canada, established their head office in the building. SGIO purchased the building in 1947 and maintained their head office in the building until 1979.

The heritage value of the building also resides in its architecture. The second tallest building in Regina at the time of its construction in 1914, the Canada Life Assurance Building projected prosperity, prestige and stability, images desired by the insurance industry. Featuring an ornate white terracotta façade, the building was designed by the prominent Montreal architectural firm of

Brown and Vallance in the Gothic Revival style with influences from the Chicago School. The most substantial representative of the style in Saskatchewan, the building is very similar to two other structures designed by Brown and Vallance during the period, the Canada Life Assurance Building (Hollingsworth Building) in Calgary, and the Whalen Building in Thunder Bay.

Conservation Work and Eligible Costs

Under the Standards and Guidelines, the work proposed for the Canada Life Assurance Building includes aspects of preservation, rehabilitation, and restoration. The general conservation strategy for the Canada Life Assurance Building is to restore and preserve as much of the original building as possible. As many of the areas have already been modified, it is important to maintain the heritage elements that remain.

Phase 1: Currently Critical & Recommended

- Stair Restoration
- Window Painting (or Partial Replacement)
- Roof Maintenance

Phase 2: Potentially Critical - Should Be Monitored

- Terra Cotta Cleaning, Review, and Maintenance
- Existing Mechanical and Electrical Systems
- Review of Window Condition if not Replaced in Phase 1

Phase 3: Not Critical Yet - Should Be Monitored

- Masonry Review and Potential Repairs
- Potential Roof replacement

Administration has determined that all the above proposed work is eligible for assistance under the policy as this work is required to conserve the character-defining elements of the building's exterior. The requested incentive is to cover the work specified under Phase 1, excluding the roof maintenance. The applicant has also requested to cover the cost for the Boiler replacement in this phase, which was originally a part of Phase 2, Existing Mechanical and Electrical Systems.

DECISION HISTORY

On August 25, 2014, City Council adopted the Heritage Building Rehabilitation Program attached as Appendix F of this report (CR14-100). The Heritage Incentive Policy approved through this program allows the City to provide tax exemption for eligible conservation work performed for the

maintenance of a Designated Property. The conservation work must be performed in accordance with *the Standards and Guidelines for the Conservation of Historic Places in Canada.*

Respectfully submitted,

Laurie Shalley, Director, Parks, Recreation & Cultural Services 2/5/2022

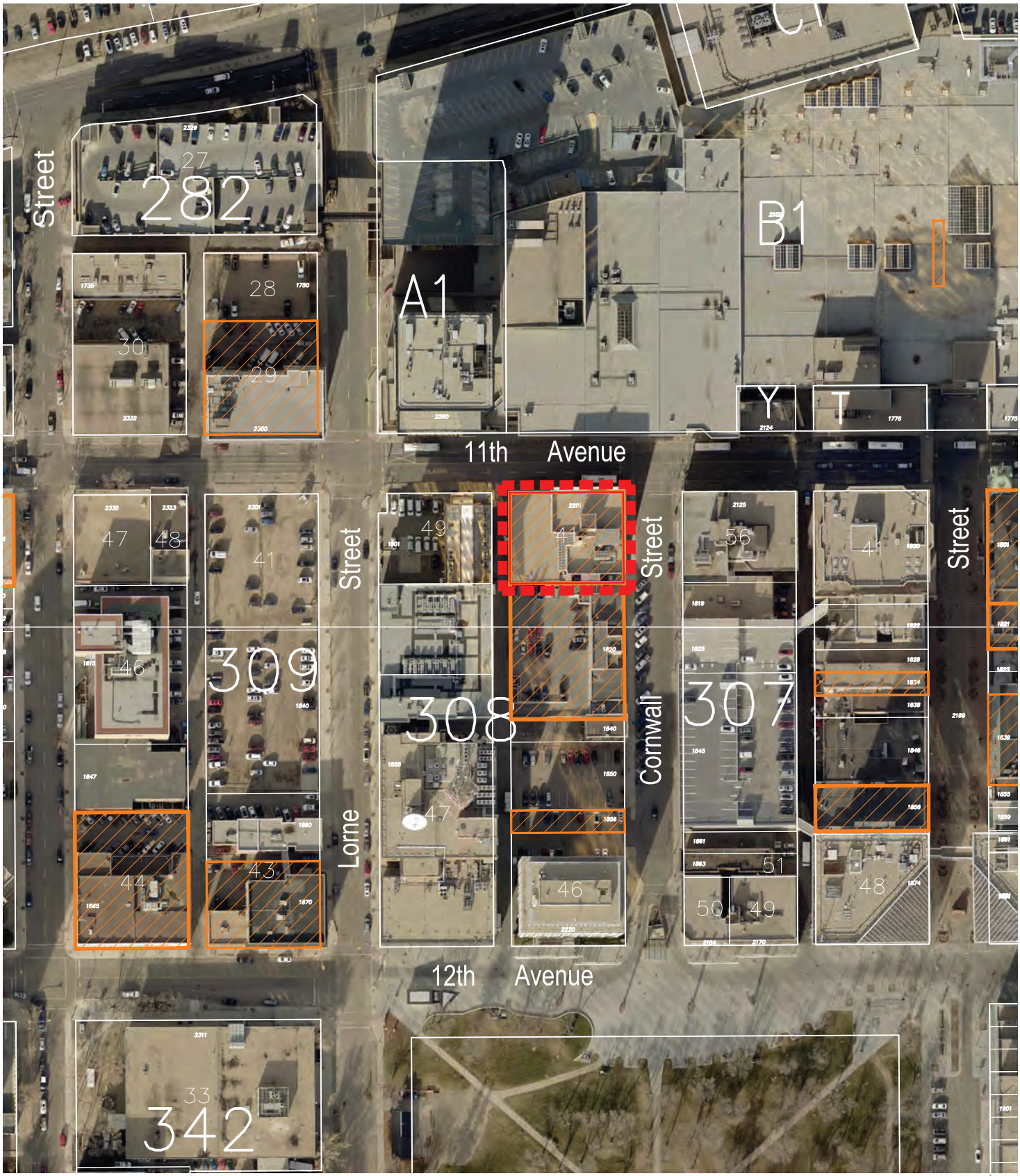
Respectfully submitted,

Autumn Dawson, A/Executive Director 2/8/2022

Prepared by: Aastha Shrestha, City Planner II

ATTACHMENTS

Appendix A - Context Map
Appendix B - Location Map
Appendix C - Cost
Appendix D - Conservation Plan
Appendix E - Designation Order
Appendix F - CR14-100



Subject Property

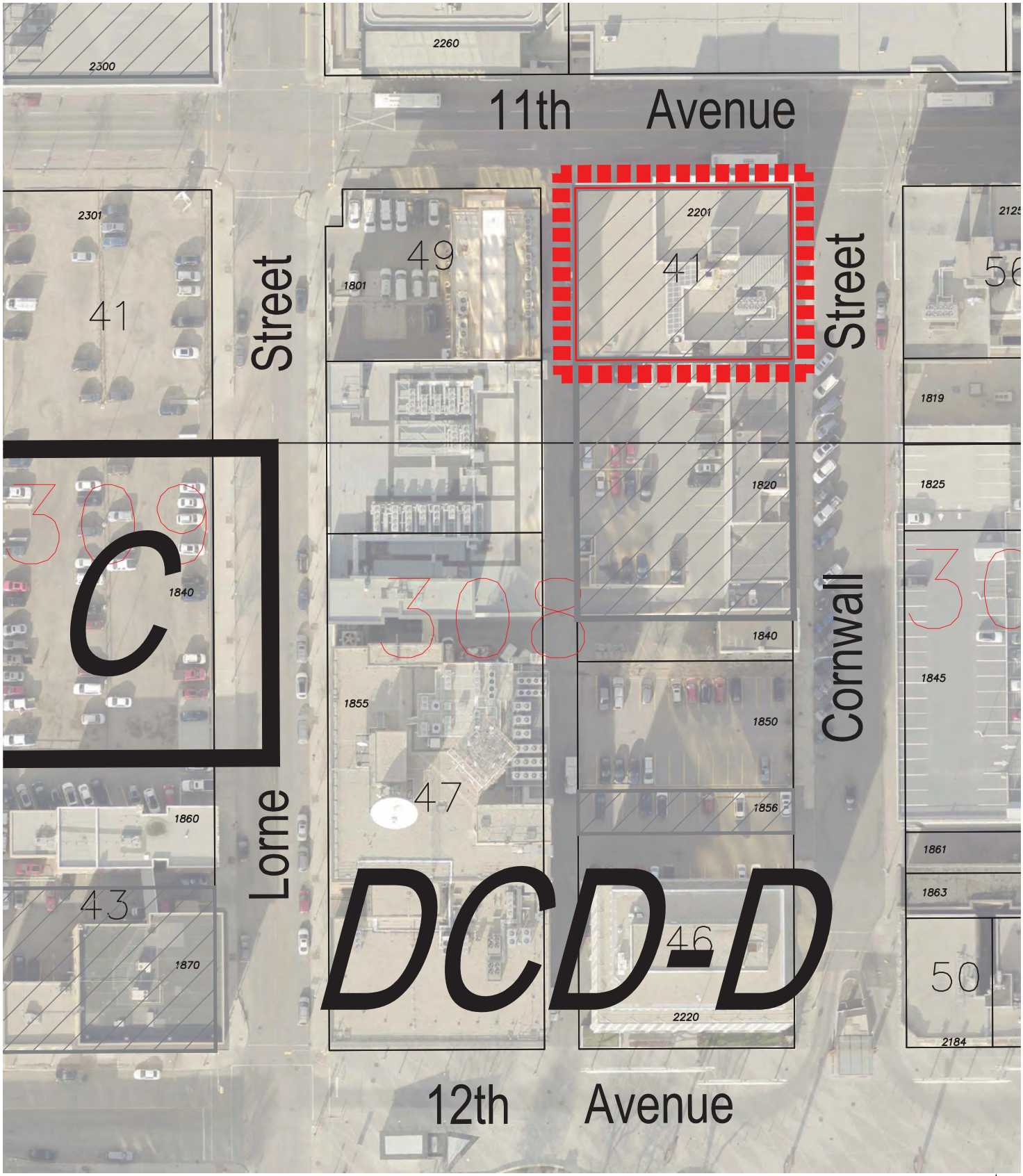
Heritage Property

Date of Photography: 2020

Project Heritage Building Rehabiliation Program - 2201 11th Avenue

Civic Address 2201 11th Avenue

Context Map



Subject Property

Heritage Property

Date of Photography : 2020

Project Heritage Building Rehabiliation Program - 2201 11th Avenue

Civic Address 2201 11th Avenue

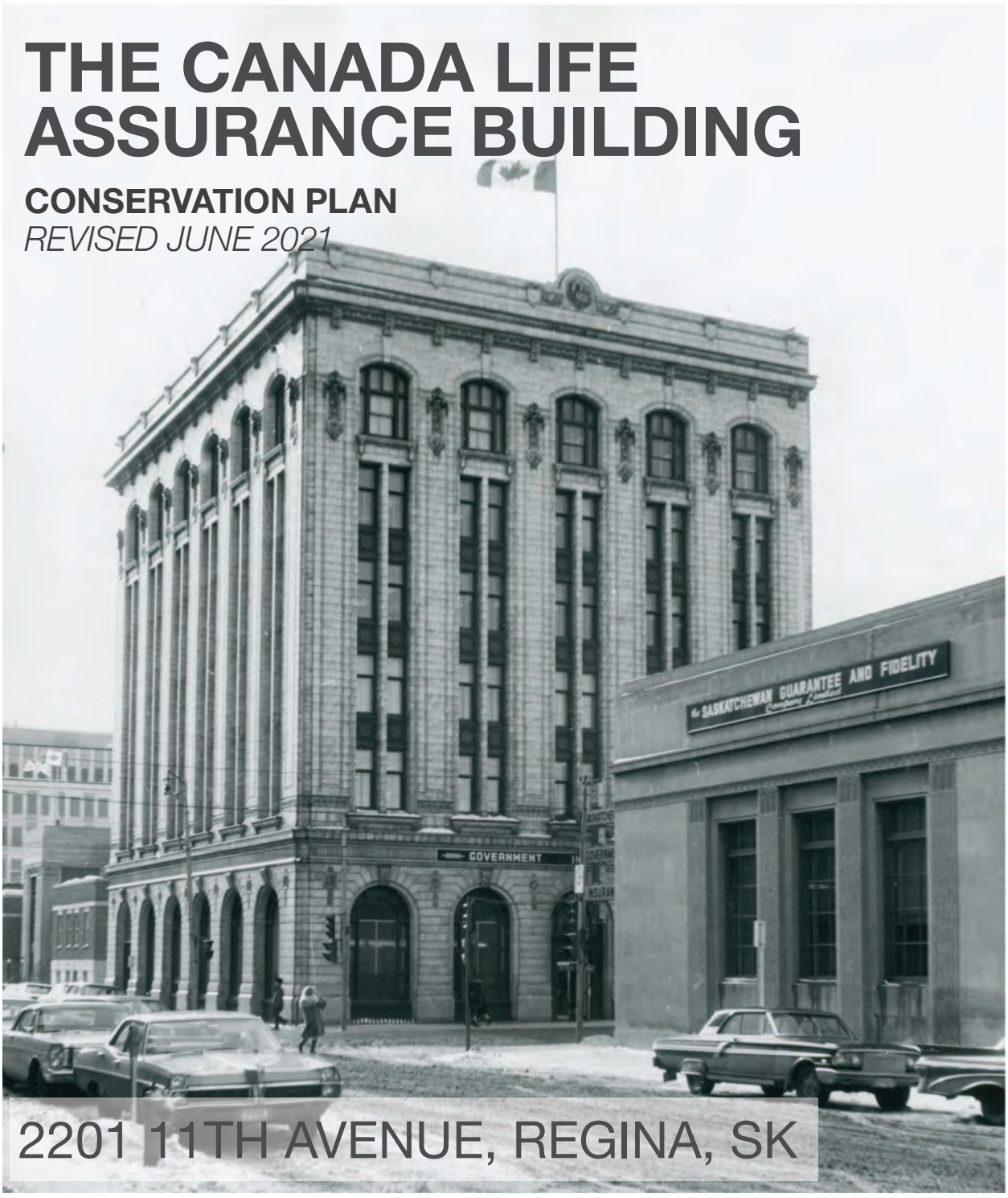
Location Map

ELIGIBLE WORK ITEMS 2201 11TH AVENUE		ESTIMATED COST
1. Boiler Replacement		
1.1.Boiler Replacement and new chimney liner		$257,875.00
1.2.Cutting up of decommissioned boiler		$15,049.00
1.3.Removal and disposal of cut up boiler		$5,517.41
1.4.Housekeeping pad and boiler pit		$9,250.00
1.5.Own forces		$5,000.00
1.6.Contingency		$15,000.00
1.7.On site supervision		$12,635.00
1.8.Project management fee		$32,032.00
	Project subtotal	$352,358.41
	GST	$17,617.92
	PST	$21,141.50
	Project total	**$391,117.84**
2. Window Work		
3.1.Painting of outside window frames with tax		$158,138.64
3.2.General conditions		$18,976.64
3.3.On site supervision		$15,000.00
3.4.Project management fees		$19,194.00
	Project subtotal	$211,309.28
	GST	$10,565.46
	PST	$12,678.56
	Project total	**$234,553.30**
TOTAL ESTIMATE OF ELIGIBLE COSTS		**$625,671.14**

THE CANADA LIFE ASSURANCE BUILDING

CONSERVATION PLAN

REVISED JUNE 2021



2201 11TH AVENUE, REGINA, SK

P3A

DONALD LUXTON AND ASSOCIATES INC

Cover: Avenue and the south side of Cornwall Street. Formerly the Canada Life Building. It was vacated by SGI in 1979, c. 1969. (City of Regina Archives - CORA-RPL-B)

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Lorem ipsum

Figure 1.1.1 Canada Life Building, Regina. Heliotype Co. Ltd. c. 1920s. (Peels' Prairie Provinces Postcard - 2718)

Section 1.0 — Description of the Resource

1.1 Introduction

Heritage Resource Name:	The Canada Life Assurance Building
Civic Address:	2201 11th Avenue, Regina, SK
Legal Description:	Lots 37, 38, 39 and 40 in Block 308
Years of Construction:	1914 / 1929 (annex) / 1984 (renovation) / 1987 (new annex)
Original Owner:	Canada Life Assurance Company
Original Tenant:	Canada Life Assurance Company
Architects:	Brown and Vallance
Builders:	R.J. Lecky and Co. Ltd.

The Canada Life Assurance Building is located in downtown Regina at 2201 11th Avenue. The building was originally constructed in 1914 with an annex built to its immediate west side in 1929. The main building went through extensive renovations in 1984 with a new annex building replacing the original in 1987. No major alterations have been made to the building since its 1984 renovation.

While there are no redevelopment plans for the Canada Life Assurance Building at this time, it is still important to ensure the building is maintained to prolong its lifespan as a historic building. This conservation plan outlines the overall conservation strategy for the building.

This Heritage Conservation Plan should be referenced when preparing a design for the building. This document is based on Park's Canada's Standards and Guidelines for the Conservation of Historic Places in Canada. The following document outlines preservation, restoration, and rehabilitation interventions proposed for the redevelopment.

Preservation is described in the *Standards and Guidelines* as the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of a historic place or of an individual component, while protecting its heritage value.

Restoration is the action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

Finally, ***Rehabilitation*** is described as the action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, through repair, alterations, and/or additions, while protecting its heritage value.

Section 2.0 — Historical Information

The Canada Life Assurance Building was constructed between 1912 and 1914 to serve as the Saskatchewan headquarters of Canada's leading insurance company. The six-storey building was designed in the Chicago School Style by renowned Montreal architects, Brown and Vallance and constructed by the prominent contracting company of R.J. Lecky and Co. Brown and Vallance had designed other buildings in Regina like the former Sherwood Department store, the old Leader Post Building on the 1800 block of Hamilton street and the College Building, to name a few. R.J. Lecky and Co. had also built prominent buildings in Regina like the Saskatchewan Legislative Building and the Sherwood Store. Upon opening in 1914, the Canada Life Assurance Company intended to occupy the ground floor and lease upper office space until the business grew into the building.

In 1929, a two-storey annex building was constructed to the west of the original building, in the "Art Deco" style. Originally intended for commercial use, this building was used by the tenants of the main building and leased out separately. This building was demolished and a new five-storey was built in its place in a similar style.

The building served the Canada Life Assurance Company until 1947 when it was sold to the Saskatchewan Government Insurance Office (SGIO). At this point in time, very few changes had been made to the building, aside from the two-storey annex. The sale of the building to SGIO marked the Canada Life Assurance Building as the "flagship" of insurance buildings in Saskatchewan. This is significant because it marks the beginning of the insurance business for the Government of Saskatchewan. The building served SGIO until 1979 when the company expanded, becoming the largest general insurance company in Saskatchewan. As a result, a larger headquarters was required for the business to grow into, moving SGIO across the

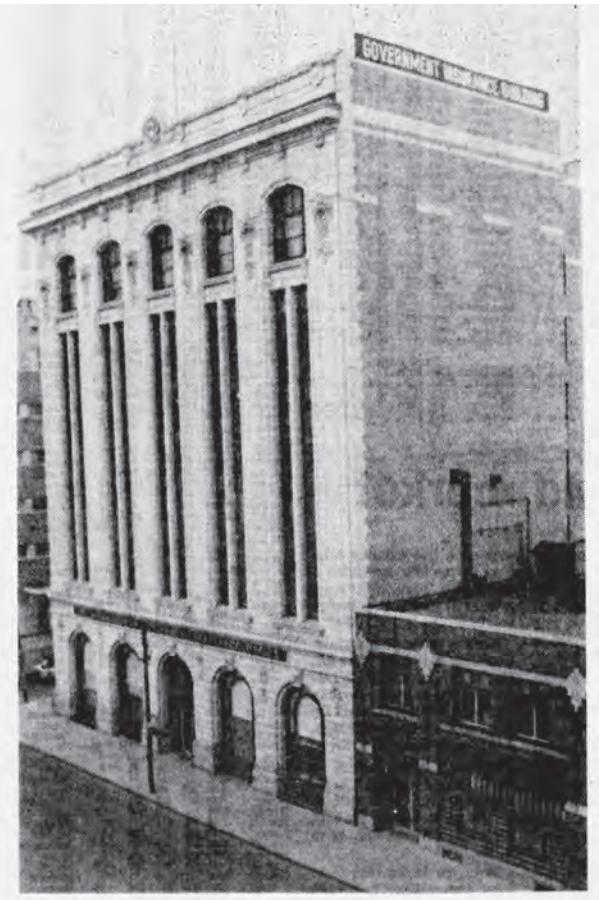


Figure 2.1.1 "Former SGIO Building for sale, potential buyer mum on plans" c.1979-06-05 (Regina Leader-Post pg.27)

Figure 2.1.2 "Old SGI building gets company" c.1987-03-14 (Regina Leader-Post pg.D1)

street to a 21-storey office building on 11th Avenue. This meant the Canada Life Assurance Building would be left unoccupied for the first time since its opening in 1914. To save the building from threat of demolition, it was designated as a Provincial Heritage Building on April 5, 1978, making it one of 52 buildings on the list today.

The building remained vacant between 1979 and 1984. In 1984, a real estate development firm by the name of Silver Developments Ltd. saw an investment opportunity and purchased the Canada Life Assurance Building. The building underwent a 3-million-dollar renovation and received the maximum possible heritage grant of one-hundred thousand dollars. The renovation involved upgrades to mechanical, electrical, and plumbing systems and preservation of character defining elements throughout the building. The restoration revealed elements such as the 23-foot-high decorative ceilings in the main lobby, which were previously covered with a dropped ceiling. At this time, plans for the demolition were approved due to the plans for a new 5-storey replacement built in a compatible style to the main building. This design remains under the same heritage designation of the main building.

In 1989, the building was sold to the Investors Group Trust Company Ltd.

In 1985, the renovation of the Canada Life Assurance Building was the recipient of the 1985 Municipal Heritage Away in exterior and interior renovation categories. The following year, it received awards in adaptive reuse categories.

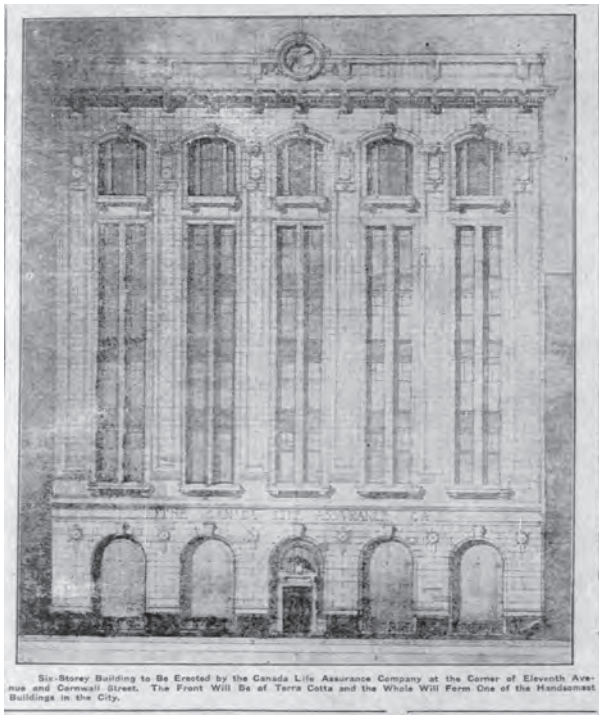


Figure 2.1.3 Drawing of the Canada Life Building, c.1912-06-14 [Regina Leader (Special Real Estate Edition) pg.02]

Section 3.0 — Statement of Significance

Description from the Canadian Register of Historic Places:

Description of Historic Place

The Canada Life Assurance Building is Provincial Heritage Property occupying one end of a business block in downtown Regina. The property features a six storey, terra-cotta faced office building constructed in 1914.

Heritage Value

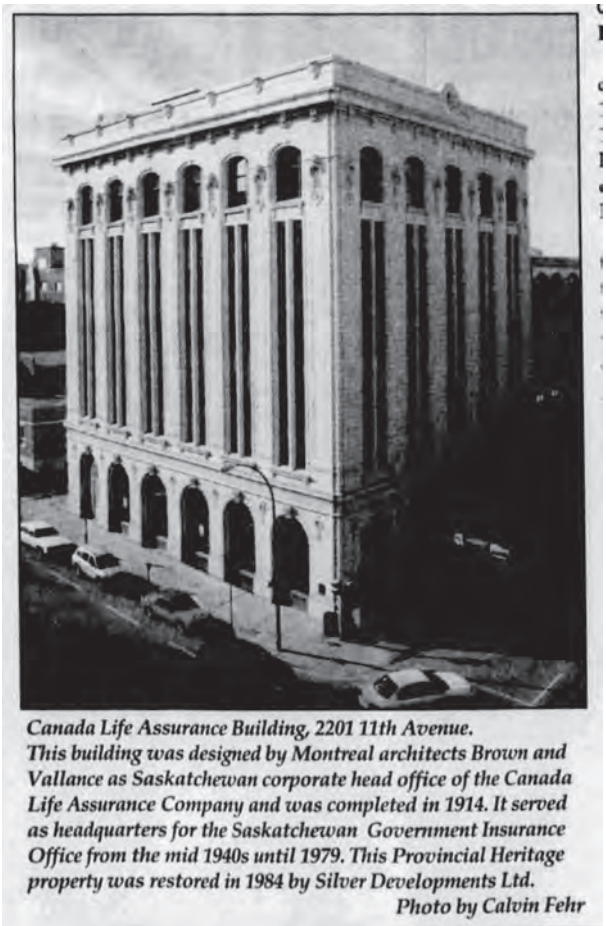
The heritage value of the Canada Life Assurance Building lies in its association with the insurance industry in Saskatchewan. From 1914 to 1947, the building served as the Saskatchewan headquarters for the Ontario-based Canada Life Assurance Company. In 1946 Saskatchewan Government Insurance Office (SGIO), the first government-owned insurance company in Canada, established their head office in the building. SGIO purchased the building in 1947 and maintained their head office in the building until 1979.

The heritage value of the building also resides in its architecture. The second tallest building in Regina at the time of its construction in 1914, the Canada Life Assurance Building projected prosperity, prestige and stability, images desired by the insurance industry. Featuring an ornate white terra-cotta façade, the building was designed by the prominent Montreal architectural firm of Brown and Vallance in the Gothic Revival style with influences from the Chicago School. The most substantial representative of the style in Saskatchewan, the building is very similar to two other structures designed by Brown and Vallance during the period, the Canada Life Assurance Building (Hollingsworth Building) in Calgary, and the Whalen Building in Thunder Bay.

Character-Defining Elements

The heritage value of the Canada Life Assurance Building resides in the following character-defining elements:

- Those elements which reflect the Gothic Revival style of architecture, including the vertical piers flanking recessed window bays topped by rounded arches and the ornate shields, floral motifs and other decorative elements on the façade
- The ornate terra-cotta façade
- Those elements which reflect the Chicago School of architecture, including the terra-cotta façade, regular window arrangement, boldly projecting cornice and vertical emphasis.
- Those elements which reflect the use of the building as an insurance office, including signage and fixtures.
- Those elements which reflect the prestigious nature of the original office building, including flooring material, staircase, fixtures and ceilings.



Canada Life Assurance Building, 2201 11th Avenue. This building was designed by Montreal architects Brown and Vallance as Saskatchewan corporate head office of the Canada Life Assurance Company and was completed in 1914. It served as headquarters for the Saskatchewan Government Insurance Office from the mid 1940s until 1979. This Provincial Heritage property was restored in 1984 by Silver Developments Ltd.
Photo by Calvin Fehr

Figure 3.1.1 Canada Life Assurance Building, 2201 11th Avenue, c.2009-02-14 (Regina Leader-Post pg.G11)

Section 4.0 — Conservation Guidelines

4.1 Standards and Guidelines

The Canada Life Assurance Building is a provincially designated building included on the Province of Saskatchewan Register of Heritage Properties. Under the Standards and Guidelines, the work proposed for the Canada Life Assurance Building includes aspects of preservation, rehabilitation, and restoration.

Preservation: the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of a historic place or of an individual component, while protecting its heritage value.

Restoration: the action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

Rehabilitation: the action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, through repair, alterations, and/or additions, while protecting its heritage value.

General Standards for Preservation, Rehabilitation and Restoration

1. Conserve the heritage value of an historic place. Do not remove, replace or substantially alter its intact or repairable character-defining elements. Do not move a part of an historic place if its current location is a character-defining element.

2. Conserve changes to an historic place that, over time, have become character-defining elements in their own right.

3. Conserve heritage value by adopting an approach calling for minimal intervention.

4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties, or by combining features of the same property that never coexisted.

5. Find a use for an historic place that requires minimal or no change to its character-defining elements.

6. Protect and, if necessary, stabilize an historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.

7. Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.

Figure 4.5.1 Photo of Canada Life Assurance Building Facade, c.2020. (Donald Luxton)

8. Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively
deteriorated or missing parts of character-defining elements, where there are surviving prototypes.

9. Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable on close inspection. Document any intervention for future reference.

Additional Standards Relating to Rehabilitation

10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.

11. Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.

12. Create any new additions or related new construction so that the essential form and integrity of an historic place will not be impaired if the new work is removed in the future.

Additional Standards Relating to Restoration

13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.

14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence

4.2 Conservation References

The proposed work entails the conservation of the exterior of the Canada Life Assurance Building. The following conservation resources should be referred to:

Standards and Guidelines for the Conservation of Historic Places in Canada, Parks Canada, 2010.
http://www.historicplaces.ca/en/pages/standardsnormes/document.aspx

National Park Service, Technical Preservation Services. Preservation Briefs:

Preservation Brief no. 3: Conserving Energy in Historic Buildings.

Preservation Brief 7: The Preservation of Historic Glazed Architectural Terra-Cotta
Preservation Brief 11: Rehabilitating Historic Storefronts

Preservation Brief no. 17: Architectural Character: Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving Their Character.

Preservation Brief no. 18: Rehabilitating Interiors in Historic Buildings—Identifying Character-Defining Elements

Preservation Brief 23: Preserving Historic Ornamental Plaster

Preservation Brief no. 24: Heating, Ventilating, and Cooling Historic Buildings—Problems and Recommended Approaches

Preservation Brief no. 27: The Maintenance and Repair of Architectural Cast Iron

Preservation Brief no.32: Making Historic Properties Accessible.

Preservation Brief no. 35: Understanding Old Buildings: The Process of Architectural Investigation.

Preservation Brief no. 39: Holding the Line: Controlling Unwanted Moisture in Historic Buildings.

4.3 General Conservation Strategy

The general conservation strategy for the Canada Life Assurance Building is to restore and preserve as much of the original building as possible. As many of the areas have already been modified, it is important to maintain the heritage elements that remain.

Phase 1: Currently Critical & Recommended
Phase 2: Potentially Critical - Should Be Monitored
Phase 2: Not Critical Yet - Should Be Monitored

4.3.1 Phase 1: Currently Critical & Recommended

4.3.2 Stair Restoration

The main stair is one of the few remaining heritage elements left in the Canada Life Building. That being said, it has been significantly altered over time. The partition running up the center of the stairs should be removed, and the marble treads restored in lieu of the current tile (*see item 5.7*). The building code should be reviewed to ensure the building meets exiting requirements prior to the implementation of this restoration.

Window Painting (or Partial Replacement)

The windows are a character-defining element on the building's façade. While the windows are in generally fair condition, the paint on the wood frames has deteriorated and should be repainted on all façades. Some elements of the original windows have been removed over time and have potential to be restored as well (*see item 5.4.1*).

Roof Maintenance

The roof is currently in fair condition and requires general maintenance. A shrub or tree was found to be growing on the roof of the annex building, therefore roof drained should be checked and any debris removed (*see item 5.8*).

4.3.3 Phase 2: Potentially Critical - Should Be Monitored

Terra Cotta Cleaning, Review, and Maintenance

The terra cotta appears to have some staining, particularly on the ground floor. The stained masonry should be cleaned, with priority being on the ground level terra cotta. An audit should be completed prior to masonry cleaning to determine the full scope of necessary work (*see item 5.3*).

Existing Mechanical and Electrical Systems

The mechanical and electrical systems were not inspected at the time of this conservation plan and should be reviewed to ensure they are meeting building code requirements.

Review of Window Condition if not Replaced in Phase 1

As mentioned in Phase 1, the windows are currently in fair condition, and have the option for replacement. If a replacement is not carried out in Phase 1, the windows should be audited in the future to review their condition.

4.3.4 Phase 3: Not Critical Yet - Should Be Monitored

Masonry Review and Potential Repairs

Currently, the terra cotta and brick façades of the building appear to be in fair to good condition. Some areas of the ground level terra cotta are scratched but are not a major concern right now. The masonry should be reviewed once a year to determine if repairs are necessary (*see item 5.3 for more information*).

Potential Roof replacement

While the roof and parapet are generally in fair condition, there were a few instances of patching and caulking beginning to deteriorate. This should be monitored and reviewed once a year to determine if replacement is required (*see item 5.8*).

4.4 Alternative Compliance

As a designated building included on the Province of Saskatchewan Register of Heritage Properties, the Canada Life Assurance Building may be eligible for heritage variances that will enable a higher degree of heritage conservation and retention of original material, including considerations available under the following provincial legislation: *The Heritage Property Act*, Section 76.

4.5 Site Protection

The Canada Life Building is currently partially occupied. It is the responsibility of the owner to ensure the heritage resource is protected from damage at all times. Should the building become vacant, it should be secured against unauthorized access, vandalism, or damage through the use of appropriate fencing and security measures. Additional measures to be taken include:

- Smoke and fire detectors in working order.
- Wall openings are boarded up of made secure and exterior doors are securely fastened, if the building is vacant.
- Elements which could cause damage to the building are removed from the interior such as: trash; hazardous materials such as inflammable liquids, poisons, and paints; and canned goods that could freeze and burst.

Figure 4.5.1 Recessed Window Bays on Main Level, reflecting the Gorthic Revival Style

Figure 4.5.2 Cast-iron door frame with ornamentation

Figure 4.5.3 Terra-cotta and Brick Facade

Section 5.0 — Conservation Strategies

5.1 Site

The Canada Life Assurance Building is located on the corner of 11th Avenue and Cornwall Street and is a part of block 308 in Plan Old No. 33 in the city of Regina. At the time of construction, the building and its annex building spanned the frontage of the 11th Avenue block from Cornwall street to the laneway.

Buildings surrounding the Canada Life Assurance Building include the Cornwall Centre and SGI Head Office to the north, Medical Arts Building and Darke Block to the east, annex building to the west, and the Canadian Royal Legion Memorial Hall to the South.

Conservation Strategy: *Preservation*

- Maintain frontage onto 11th Avenue and Cornwall Street
- Any drainage issues should be addressed through the provision of adequate site drainage measures

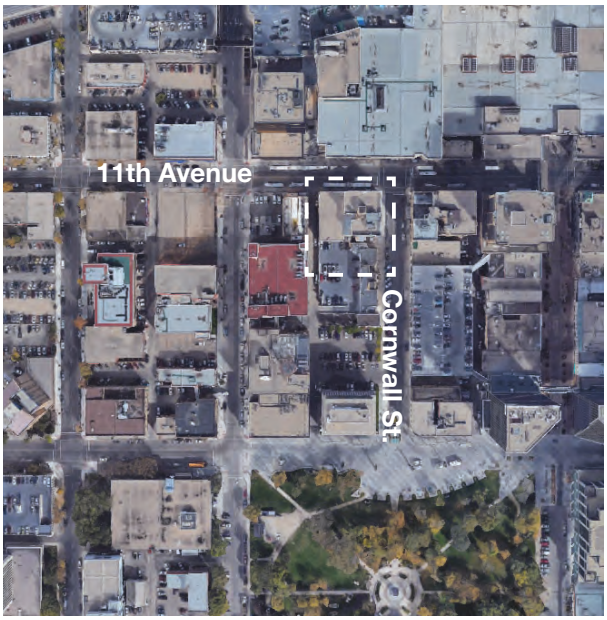


Figure 5.1.1 Aerial Image of Regina showing location of the Canada Life Assurance Building (Google Earth).

5.2 Form, Scale and Massing

At the time of opening, the Canada Life Assurance Building was the second tallest in Regina. This was made possible by the rising use of concrete and steel construction, as well as the elevator. The building is constructed with I-beam framework and cast in place reinforced concrete floors. The building is a 6-storey office building with one basement level and a 5-storey annex building attached on its west side. Further additions to the building's have been the construction of the Royal Canadian Legion Building and a parkade to the south.

Originally, the building was "U" shaped with a small lightwell above a 1-storey podium near the centre of its west elevation that was later enclosed with glazing. The original annex was four storeys and was demolished in 1987 as a commitment was made to rebuilt another in the same style, with an additional storey. The original annex was designed by Storey and Van Egmond (figure 5.2.3). The roof has a flatline shape with a parapet. The building currently has a mechanical access building on the roof with the core stairwell reaching the top as well.

Conservation Strategy: *Preservation & Restoration*

- Preserve the extant form and scale of the building. Any adjacent additions or new development should strive to be subordinate and sympathetic to the historic resource.

Figure 5.2.1 Canada Life Building, North Elevation

Figure 5.2.2 Canada Life Building, East Elevation

Figure 5.2.3 North façade of the Canada Life Building and the annex to the west

5.3 Exterior Facade

The building's façade consists of cream-coloured pre-cast terra cotta, a masonry material made of clay and sand. This is present mainly on the north and east sides with a few bands on the south and west facades. The terra cotta is used for multiple elements on the facade such as the corbel keystones on the main floor, the rounded arched bays on the ground floor and storefront cornice, the multi-story mullions and the monumental rooftop cornice with medallions and dentils, and the series of projecting lion heads at the top storey (figure 5.9.3).

The south and west facades are clad with common bond laid blond Estevan brick. The top and bottom portions of the building possess highly decorative elements. The two-storey podium features decorative blue and yellow ornamental accents between each fenestration. These accents depict highly detailed sculptures of the provincial crest and a pelican feeding its young, which is the corporate symbol of the Canada Life Assurance company.

Presently, the upper levels of the terra cotta façade appear to be in fair to good condition. However, being at pedestrian level, the terra cotta on the ground floor has several units with pinholes from past signage on the building. This level also has some staining, minor cracks and mortar deterioration, and several scratched terra cotta units. It is recommended to do a more thorough review for any damage or weathering. The brick also appears to be in fair to good condition, with one visible exception of a small area the north façade, where there is some mortar deterioration showing (*figure 5.3.10*).

Conservation Strategy: *Preservation*

- Review terra cotta condition and preserve any units possible.
- Repairs to the terra cotta façade should only utilize materials specifically designed for terra cotta repairs. It is important that any material stronger than terra cotta not be used for repairs.
- Should there be any terra cotta blocks that are irreparable, a replicated terra cotta block with the same cream coloured glazing, identical molding and profile should be used to replace the existing block. Terra cotta repairs should be undertaken by skilled masons with knowledge of terra cotta conservation
- The terra cotta and brick should never be sandblasted.
- Anchoring of equipment in the masonry is highly discouraged. Mortar joints may be utilized for anchoring if it does not damage the masonry unit.
- Any cleaning or re-pointing of the exterior facade must receive approval before any work is done.

Figure 5.3.1 Floral ornamentation and symbols in between each main floor window

Figure 5.3.2 Floral ornamentation and symbols in between each main floor window

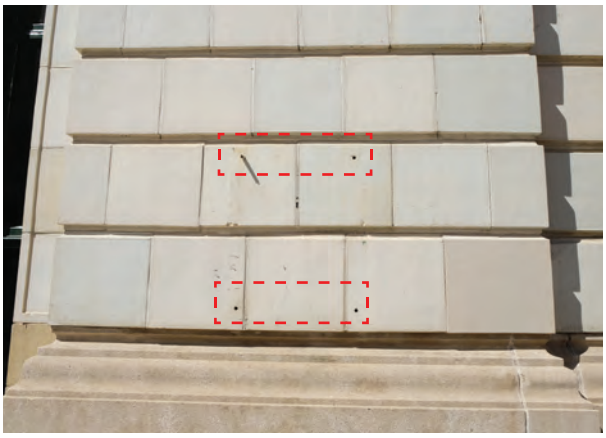


Figure 5.3.3 Detail Photo of Terra-cotta , showing pinholes in terra cotta

Figure 5.3.4 Detail Photo of Terra-cotta , showing staining and pinholes from past signage

Figure 5.3.5 Photo of Canada Life lettering, paint is deteriorating

Figure 5.3.6 Photo of ground level terra cotta, showing staning and discolouration

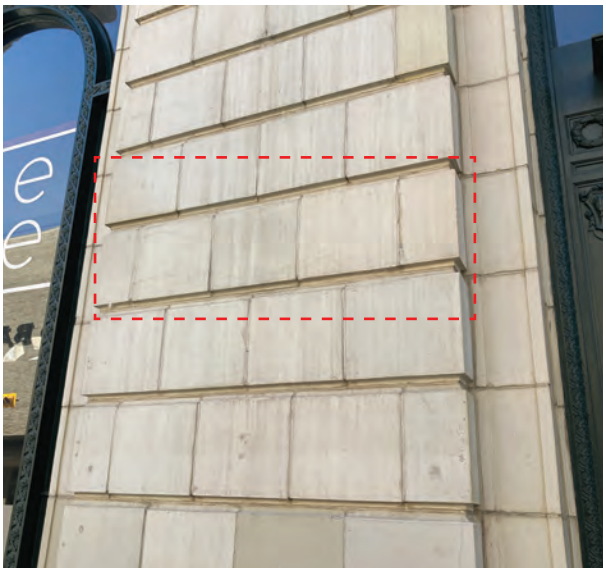


Figure 5.3.7 Photo of terra cotta with surface staining and hairline cracks

Figure 5.3.8 Photo of Ground Level Terra cotta Facade with surface staining and discolouration

Figure 5.3.9 Missing piece of terra cotta on the southwest façade and staining on the cornice below

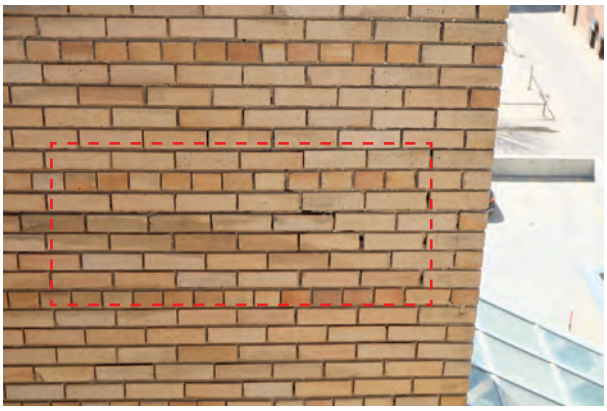


Figure 5.3.10 North brick façade, showing some mortar deterioration

Figure 5.3.11 Staining on elevator penthouse brick façade

Figure 5.3.12 South elevation of the Canada Life Building, the infilled lightwell, metal clad egress staircase, and the annex building.

5.4 Fenestration

5.4.1 Windows

The north and east elevations on the building feature two-storey arched windows with highly ornamented cast iron frames and molded terra cotta archways with voussoirs along the ground level. The windows on the upper office floors are refurbished wood frame sash windows with marble sills on the interior. Each set of two have narrow vertical wood spandrel panels that put emphasis on the building's height. The top storey windows are segmental arched frames with terra cotta keystones. The windows were replaced during the 1984 renovation, where the glazing was replaced. This also included the removal of the original wood mullions. Additionally, some windows have been infilled on the top storey while others have been obscured due to the construction of the annex and infilling of the lightwell.

The windows are currently in good condition with options to repaint or replace a portion of the window to make it more similar to their original state. If the windows are fully replaced, they should be fabricated per the original. Presently, none of the windows appear to be operable.

Conservation Strategy: *Preservation & Rehabilitation*

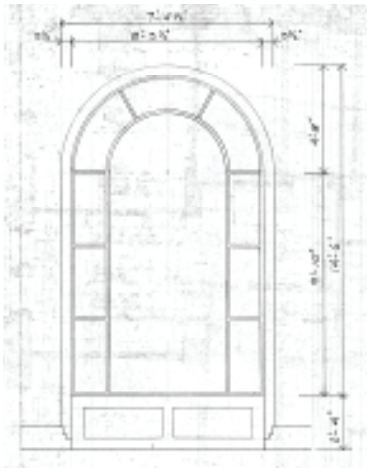
- Windows should be maintained to keep them functioning as well as possible.
- Where windows are irreparable, replace with a replicated window to match existing
- Avoid mirrored glass with high reflectivity as a replacement material.
- If painted, the colour should match the original windows.
- Review condition and conduct inventory of windows

Figure 5.4.1 Paint on windows on the north façade is currently peeling and deteriorating

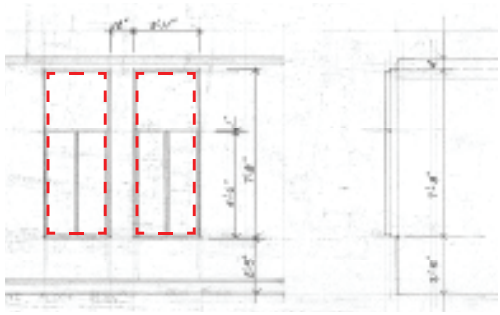
Figure 5.4.2 Iron window framed on the main floor appear to be in good condition

Figure 5.4.3 Interior face of 6th floor window

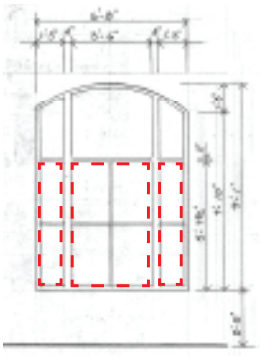
Figure 5.4.4 Interior face of typical office floor windows that appear to be in good condition



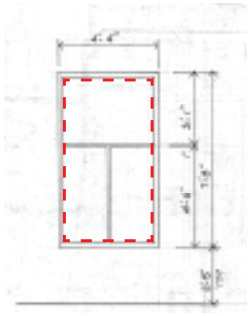
North / East Windows
Level 1



North / East Windows
Level 2-5



North / East Windows
Level 6



South / West Windows
Typical Level 2-5

South / West Windows
Typical Level 6

Notes lites of original window that have be removed and replaced with a single pane of clear glass (option to restore these lites in conservation plan)

5.4.2 Doors

The main entrance door is highly ornamented with an iron frame detailed with floral motifs and a pelican above. It sits in an archway with a clerestory window above. The interior lobby doors feature marble and wood detailing. These are in good condition and important to preserve if any deterioration becomes evident. While it is likely that the original double doors in the lobby have been replaced, it should be further investigated if they are original to the building.

Conservation Strategy: *Preservation*

- Maintain doors to keep them functioning as well as possible.
- If replacement is required, the doors should be replicated to match the original design. If documentary evidence is not available, doors appropriate to the heritage style and era of the building should be installed.
- Avoid use of abrasive or acidic cleaning products on polished doors.
- Retain door opening on the north elevation in its original location.

5.5 Interior Lobby

The interior lobby features 23-foot-high ceilings extend into the adjacent rooms. The entrance is clad in marble that reaches to these ceilings with a decorative plaster finish above. Original light fixtures are present with two sconces on each side of the main archway from the entrance vestibule into the lobby. A pendant fixture is centered in the lobby before the hall to the elevator.

Before the 1984 renovation, the ceilings in the interior lobby had been covered with a dropped ceiling. This was uncovered in the renovation and this restored space should remain intact.

Figure 5.4.2.1 Main entrance door

Figure 5.4.2.1 Main entrance vestibule doors

Marble-lined lobby is being restored to former glory

Figure 5.5.1 Article about restoration of main lobby, c.1984-01-1984 (Regina Leader-Post pg.C1)

Figure 5.5.3 Restored entrance lobby, looking toward Avenue restaurant door

Figure 5.5.4 Interior photo of foyer ceiling

Figure 5.5.2 Restored entrance lobby, door to elevator lobby and main stair

Figure 5.5.5 Interior side of main entrance door

Conservation Strategy: *Preservation*

- Preserve existing light fixtures in their original locations. Rewiring of these fixtures is acceptable. Where this is not possible, a replica or compatible fixture may be used.
- Preserve the ceiling height and its decorative plaster work.
- Preserve decorative marble and wood detailing at doors. If replacement is necessary, these must be replicated to match the original appearance.

5.6 Office Floors

While the upper floors of the building are less elaborate than the main lobby, each elevator lobby possess heritage elements of the original design and have been preserved. Each floor includes terrazzo floors with inlaid marble banding and marble baseboards. The windowsills of the upper floors are marble. The washrooms of the upper floors are intact with marble partition panels and marble wainscoting.

Conservation Strategy: *Preservation & Rehabilitation*

Over time, the character defining elements of the Canada Life Assurance Building have been preserved or restored. Other areas of the upper floors have been altered or upgraded over time to suit its use as an office building. Changes to these areas is acceptable but should be compatible with the existing features of the building.

Required interventions should also be reversible. If interventions are needed to suit the needs of tenants, building code, or other requirements, they should be designed in a way they to allow for the reversal should they are no longer needed in the future. Interventions to the historical fabric of the building should be kept as minimal as possible.

- Preserve terrazzo present in elevator lobbies.
- Cleaning and polishing original floor surfaces does not require prior consultation
- Possibly preserve portions of marble washrooms, although this may have to be modified to meet code.
- Where refinishing is required for the terrazzo floors, new materials should be chosen to preserve the original material as much as possible.
- Drilling of holes, anchoring or equipment or fixtures into original terrazzo and marble materials is discouraged.

5.7 Stairs and Railings

The building has one set of stairs of heritage value. Over time these have had alterations with a tile cladding introduced over top of the original material. The tile should be removed and replaced with the original material. The partition in the center of the stairs should also be removed to restore to its original state of the open stairwell.

Originally, there was an exterior set of egress stairs as a means of fire escape. This has since been removed and a new set of enclosed stairs have been built in place on the south elevation.

Conservation Strategy: *Preservation & Restoration*

- Investigate stairs to see if they are in accordance with the National Building Code. Option to incorporate an additional egress stair elsewhere.
- Remove tile on stairs.
- Try to keep as many original elements intact as possible.

Figure 5.7.1 Interior Photo of Stairwell

Figure 5.7.2 Interior Photo of typical floor elevator lobby, showing original terrazzo and marble flooring

Figure 5.7.3 Interior Photo of Stairwell

Figure 5.7.4 Interior Photo of Stairwell, showing partition in the center of the railing (to be removed)

Figure 5.7.5 Interior Photo of Stairwell, showing tile to be removed from stair treads and risers

5.8 Roof

The existing roof of the Canada Life Assurance Building is a flat roof with a detailed parapet. The original penthouse and chimney remain on the roof. The original roof was replaced in the 1984 renovation. The roof is in fair condition with a couple instances of patching with foam insulation. The caulking of the terra cotta parapet appears to be deteriorating slightly and should be monitored for any issues. Any repairs to the terra cotta parapet should be done by a professional.

The current roof was mentioned to have been last replaced 10 years ago and appears to be in fair condition. The roof condition should continue to be monitored.

Ensure that debris is kept clear of the roof drains to prevent water backing-up. A shrub or tree was found growing in one of the drains for a considerable amount of time on the annex building. There were no apparent obstructions on the Canada Life Building roof drains.

Conservation Strategy: *Preservation & Rehabilitation*

- Do not alter the building's roofline.
- Any repairs to the parapet and penthouse using modern materials should be compatible to the existing materials.
- Assess condition of the roof and replace if required. Rehabilitation of the roof is acceptable to mitigate any concerns of snowmelt and water infiltration, as long as their is minimal impact to the historical fabric of the penthouse and parapet.
- If it is necessary to implement systems onto the roof, they should be done so that they are not visible from the main street view.
- Modern materials may be incorporated if they are not visible from street level and do not compromise the heritage aspects of the building.

5.9 Signage

Any signage, lights, alarms, security cameras, etc. to be affixed to the building or installed on the property must be approved by the department responsible for Provincial Heritage Properties. Any fasteners that must be drilled into the exterior should be put into the mortar joints, not into the masonry. When mounting fixtures or signs to the exterior terra cotta cladding, use existing anchor holes and existing bolt lugs wherever possible. Individual letters of signs should be mounted on a complimentary backing to minimize anchorage defacement of the terra cotta.

The proposed signage should complement and be consistent with the heritage character of the building. Special care should be taken to ensure that signage, materials, lettering style and method of lighting give the impression that the signage is from the same historical period as the heritage building.

Sign lettering painted or adhered to the windows is quite acceptable, exemplified in the current signage of "Avenue" Restaurant.

- Projecting canopies are discouraged
- New signage should be sympathetic to the building and not be intrusive.
- Do not penetrate terra cotta with signage – consider attaching to the mortar

Figure 5.8.1 Photo of parapet with terra cotta capstones

Figure 5.8.2 Photo of terra cotta parapet cap, showing deteriorating caulking

Figure 5.8.2 Photo of original flagpole and north parapet

Figure 5.8.1 Photo of main building roof, showing exhaust duct and piece of roof that has been patched with foam insulation

Figure 5.8.1 Photo of annex building roof drain with a tree growing in it

Cheaper than rebuilding

Old SGI building gets new lease on life

By Bruce Johnstone
of The Leader-Post

Saved from the wrecker's ball by heritage designation, Regina's oldest skyscraper is being reborn as workmen are renovating the old Canada Life Assurance Co. building.

But it took a 24-year-old developer from Toronto to recognize the investment potential of the 72-year-old heritage structure at 2215 Albert St.

"I couldn't believe the private sector hadn't moved on it," said Mark Silver, president of Silver Developments, who officially took possession of the six-storey structure on Friday. "This building is as good or better than anything in Canada."

The building had been vacant since 1979 when the previous owner, Saskatchewan Government Insurance, moved across the street to its new 21-storey office tower.

About the same time, Mark Silver moved from Toronto to set up a home building and insulation business in Regina. He said he "looked at buying the building" while the NDP government was in office, but couldn't come to an agreement. "They were just obstinate," he recalled, with evident disgust.

In the last four years, there were several abortive attempts to sell the building, including one involving an Edmonton development company with alleged "criminal" connections. Then came the change in management in 1982.

Silver said the new government was "150 per cent easier to deal with than the previous government. It was more like dealing with a business."

Realizing that a vacant building was more a liability than an asset, SGI finally agreed on an option to purchase from Silver Developments in November, with the offer was conditional on the building being structurally sound and feasibly renovated.

Regina architects, Arnott MacPhail Associates, are heading up the renovation project, with local contractors involved in stripping and refitting the building's obsolete heating, plumbing and electrical systems.

1913

Canada Life Assurance building under construction

Marble-lined lobby is being restored to former glory

"All of the mechanical and electrical systems will be brought up to date. But we want to preserve the main features of the building," he said. In fact, since the building has been designated a provincial heritage site, no major structural changes can be made to the exterior.

Unlike some local developers, Silver doesn't regard heritage designation as an anathema. In fact, he's already bought and renovated a landmark 1912 home on Victoria Avenue. "I've always like heritage properties."

But Silver isn't restoring the Canada Life Assurance building out of the goodness of his heart. He's doing it because he thinks he can make money.

"People ask me if it was a wise investment, especially with all this new office space coming on the market. I think it's an excellent investment."

First, he feels he's getting a superior building for the fraction of the cost of new one. While he won't disclose the purchase price (SGI was offered $1.8 million for the building in 1979), he said renovations will cost "just over" $1 million.

"It costs about $90 a square foot to build a new office building. To replace this building, it would cost $140 a square foot."

Secondly, he said the building's location, directly across from the Cornwall Centre and near the centre of the business district, makes it attractive to tenants.

As a result, Silver says he can offer "class A space as class B rates. That's why we've been so successful. Our rates are $12 a square foot, while our competitors are charging $18 or $19."

Silver said leasing of the 36,000-square-foot building is "far ahead of where we expected to be." That view was confirmed by Barry Parker, a commercial realtor for Block Brothers, the leasing agents for Silver.

"At this point, we have 39 per cent of the office space leased and another 13 per cent under interim agreements. That's 43 per cent — or about 15,000 square feet — leased or under negotiation."

Parker said a "major national trust company" is negotiating for part of the main floor, while several retailers have signed leases for the two-storey annex on the west side of the building. He said the leasing agents are also getting inquiries from "tenants from other office buildings and new tenants who are stepping up."

Although renovations won't be completed until May, Silver expects the first tenants to move in sometime in spring. "By March, this project will be in a paying position, with all the pre-leased space."

While pleased with its profitable attitude, Silver said the provincial government could have shown its support by leasing some offices in the building. "We had hoped they would have secured some space. Perhaps, because we're new in town, they're waiting to see how the project fares."

Ross Keith, chairman of Heritage Regina, also chastised the government for not leasing space in buildings which it designates as heritage sites. He said the government is "actively penalizing" heritage buildings through its leasing policy, which seems to favor new office buildings.

Of course Silver isn't asking for a handout — he scarcely needs it. His family owns Greenpark Homes in Toronto — the largest home building business in Canada by Silver's estimation.

In fact, the renovation project is just the first of a number of investments Silver has planned for Regina. "As of next month, the company will diversify into property management." He added Greenpark Homes will likely establish operations in the city sometime in the year.

But he said renovating Regina's oldest "skyscraper" was good way to start. "It's a great way of establishing the company's name in the province. I don't think I could have picked a better project."

John Twigg

Being a "cruise" through political-economics, or a look at how political parties raise issues for their own purposes, and not necessarily for the cause itself . . . .

We start with the provincial **New Democratic Party**'s righteous indignation over the series of radioactive water spills at the **Key Lake Mining Corp.** mine.

These were the people who - in office - were responsible for uranium development proceeding, but now - in opposition - they suddenly have a case of reticence. They accuse the provincial government of cutting corners in the rush to develop, and call for a public inquiry.

It sounds terrible, millions of litres of "hot" water running loose in the fragile northern environment. We see the word "radioactive" and immediately think calamity, and the NDP leadership - for its own purposes - is happy to play up the problem.

But the reality is that the radioactivity is not high, and that the spills are being contained and are far from posing a serious hazard to the remote environment. That, ironically, was reflected when **Fred Thompson**, the NDP MLA for the area, said after visiting the site that a public inquiry is not needed.

Meanwhile there are two other uranium issues which deserve a lot more attention. One is the apparent weakness of the worker safety and inspection systems in the province, which has been revealed in the incidents and would seem to be the result of government cutbacks in the Labor and Environment departments.

The other, peripherally related, is the question of which uranium project in Saskatchewan will be the next into production. It may seem silly in the current climate, to wonder about more uranium development, but in fact that is a billion dollar question being fought right now.

Back when Key Lake was first being developed there was some doubt as to whether it or **Esso Minerals**' Midwest Lake project would be the first into production, but that was answered when then-premier **Allan Blakeney** announced that uranium development would be phased in, starting with Key Lake, so as not to disrupt the market. It of course was only a coincidence that the government owned half of Key Lake, and none of Midwest.

So does that mean Midwest will be the next uranium mine in the province? Perhaps not, because since then two more "elephant" deposits have been identified, at Dawn Lake and Cigar Lake, with the Cigar Lake deposit perhaps being even larger and richer than Key Lake, and, apparently, better than Midwest's deposit.

Now, according to one official, the market will determine which project goes next, and again it's only a coincidence that the government is heavily involved through **Saskatchewan Mining Development Corp.** in both the Dawn and Cigar projects. (And if you're familiar with **Imperial Oil**'s checkered history in this province, perhaps that's justice after all . . . .)

The provincial NDP's fuzziness on uranium is just one symptom of a larger problem, though, its loss of touch with grass-roots issues. That was acknowledged last week when the party announced it will send out six task forces this spring to conduct hearings on key issues. That at least is a start.

Not surprisingly, the federal NDP has the same problem. As the party's former research director, **James Laxer**, said in a background document which was later leaked, the party's policies are knee-jerk, and out of date, and the public doesn't understand them.

Thus it was not surprising that federal NDP leader **Ed Broadbent** announced on Thursday, only about two weeks after the Laxer bombshell, that the party will release a series of policy papers in the next few months to sharpen its image, and Broadbent will (belatedly) hit the road to sell them.

Turning to the **Progressive Conservative Party**, we note how the federal wing this week latched onto a killer issue, alleged abuses by **Revenue Canada** tax collectors.

This is a great issue, politically, because everyone loves to hate the taxman. Thus it was not surprising that Revenue Minister **Pierre Bussieres** moved to deflate the issue Thursday during a Parliamentary debate by announcing the appointment of a private consultant, **William Parlinger** of Toronto, to investigate the allegations.

One suspects however that the issue will not die, because there is substance there. That is, Revenue Canada in recent years has been overzealous in persecuting taxpayers, as many people will testify, and if the Tories play it right the issue could win them a lot of votes. One fears however that the Tories are more concerned with the votes it will win than with the cause itself, and if they do get elected it will be interesting to see exactly how much action follows.

Turning to the provincial Tories, we had this week the release of the annual **Economic Review**, which basically is a compilation of year-old numbers on the provincial economy. As such it's a useful background research document, but the Tories tried to turn it into something else.

Thus Premier **Grant Devine** in his foreword said the provincial economy "created jobs faster than virtually any province in Canada," and noted that inflation has been cut almost in half over the last two years."

Well, we note the word "virtually", which is a revision from Devine's previous claim that Saskatchewan was leading the country in job creation. But as columnist Dale Eisler pointed out recently, Saskatchewan in fact is sixth in Canada in its percentage increase in jobs, and the number it has created is only about half of that in Manitoba.

And then we can have some fun with the inflation claim too, because Devine's two-year claim blithely ignores that Saskatchewan's inflation is now virtually the highest in Canada.

In other words, the Tories tried to whitewash the province's economic situation, to make it look better than it is. And that unfortunately seems to be typical of what governments do.

Finally, the federal **Liberal Party**. They are the acknowledged masters at manipulating issues to their own ends, and in that regard we have to suspect some partisan motivations in the current rewriting of the Health Act, even if we agree with the proposed changes such as limiting doctors' extra billing.

But recently the Liberals seem to be getting down to business, and pushing forward with a heavy agenda of program changes regardless of their low standing in opinion polls.

Perhaps there is one good thing we can say about Prime Minister **Pierre Trudeau**, and that is that he does not waste his time pandering to the masses. Instead he leads, for better or worse, but at least he leads.

The real lesson though is the same for all parties, and that's that we have good reason to suspect their motives when they go charging off in support of some policy which they say will be good for us.

Regains former glory

A "white elephant" that nobly waited is regaining its former glory as the distinctively white office building that dominated 11th Avenue nearly three-quarters of century ago.

The exterior of the old Canada Life Assurance Co. building will appear much as it did when it was finished in 1912. New windows, the removal of the old Saskatchewan Government Insurance Office sign, and a bit of touching up here and there will be the major changes.

But on the inside, workmen are scraping away the results of four years of neglect and previous renovations. Underneath the debris is a surprisingly ornate interior of plaster and marble, wood and brass.

The lobby walls, for example, are sheathed in marble, with elaborate sculpted ornamentation over the doors. The main floor boasts 22-foot-high ceilings, which were previously hidden under a false ceiling.

A substantial brass mail box bearing the Royal Mail emblem hangs in the lobby, near the narrow staircase and elevator, both of which are being replaced.

On the third floor, which building owner Mark Silver has renovated for his executive offices, dark wood panelling covers the walls of the boardroom. Silver's own office is tastefully decorated, dominated by a large oil painting and impressive leather chair.

Silver is effusive in praising the architectural merits of the building. "This is one of the finest examples of terracotta in Regina or Canada."

Stuart Lazear of the city planning department agreed the building is "architecturally unique." Lazear, who assembled an inventory of heritage buildings in the city, said the building boasts "classical ornamentation and

Mark Silver

"continuous and vertical window which emphasize the structure's height."

The facade of white terracotta hard pottery used as an ornamental building material is also a unique feature of the building, he said. The facade is decorated with a pelican motif, which was and still is the company symbol of the Canada Life Assurance Co., Canada's oldest insurance company.

It also has historic significance as one of the first major commercial office buildings of the fledgling capital — along with the now extinct McCallum Hill Building.

The building was designed by the Montreal architectural firm of Hivner and Vallance, which was responsible for the Saskatchewan Wheat Pool building at Victoria Avenue and Albert Street and the old Leader-Post building on 13th block Hamilton Street.

Construction by the firm of R. J. Lacky and Co. began in 1912 and was completed the following year.

Figure 5.9.2 Leader Post Article. Jan 21, 1984, pg. C1

Section 6.0 — Preliminary Opinion of Probable Rehabilitation Costs

6.1 Phase 1: 1-2 Years		
Main Stairwell		
6.1.1	Removal of wall in stairwell Patch and repair of plaster on existing walls Paint walls, stairs, and railing Removal of tiles off of stairs Sandblasting old paint from underside of stairs and railing Polish marble treads New Marble treads	$4,290 $5,500 $9757 $23,263 $93,051 $31,255 $62,510
		$229,626

Taxes are not included in the above prices

Note: Contingency, on site supervision, and project management frees would be added to the bottom line.

Windows Option #1		
6.1.3	Painting of the outside window frames	$118,901
	General conditions	$11,890
	On-site supervision	$13,079
	Project management fees	$14,387
		$158,257
Windows Option #2		
	New windows and frames as a budget price as there are not specifications on what is required by Heritage	$193,987
	General conditions	$19,399
	On-site supervision	$21,339
	Project management fees	$23,472
		$258,197

Taxes are not included in the above prices

Note: Budget price is for the 2nd floor to the 6th floor

6.2 Phase 2: 5-10 Years		
6.2.3	**Terra Cotta cleaning (Option A)**	
	North (422m² / 4542ft²)	$72,675
	East (516m² / 5554ft²)	$88,865
	South (76m² / 818ft²)	$13,090
		$174,630
	Terra Cotta cleaning (Option B - Ground Floor)	
	North (85m² / 915ft²)	$14,640
	East (111m² / 1195ft²)	$19,120
	South (12m² / 129ft²)	$2,065
		$35,825

6.3 Phase 3: 5 - 10+ Years		
6.3.1	**Roof Replacement** (457m² / 4920ft²)	**$196,800**
6.3.2	**Masonry Repoint and Repair**	
	North terra cotta façade (422m² / 4542ft²)	$158,970
	East terra cotta (516m² / 5554ft²)	$194,390
	South brick (346m² / 3724ft²)	$122,895
	South terra cotta (76m² / 818ft²)	$28,630
	West brick (183m² / 1970ft²)	$65,010
	West terra cotta (17m² / 183ft²)	$6,405
		$576,300
	Total	**$773,100**

Section 7.0 — Maintenance Plan

7.1 Maintenance Guidelines

Per the Standards and Guidelines, "Maintenance is an important part of the preservation process. Regular maintenance will preserve character defining elements and extend the service life of functional components" (p9, 12)

Where the building requires repairs or modification to its existing elements, written approval from the department responsible for Provincial Heritage Properties is required prior to proceed. The best treatment must be discussed in order to protect the heritage character of the building. Regular building maintenance does not require approval.

7.2 Permitting

Repair activities, such as simple in-kind repair of material, or repainting in the same colour, should be exempt from requiring city permits. Other more intensive activities will require the issuance of a Heritage Alteration Permit.

7.3 Routine, Cyclical, and Non-Destructive Cleaning

Use gentlest means possible when cleaning heritage elements of the building. Use non-destructive methods when undertaking any cleaning procedures.

7.4 Repairs and Replacement of Deteriorated Materials

Interventions such as repairs and replacements must conform to the Standards and Guidelines for the Conservation of Historic Places in Canada. The building's character-defining elements must be conserved, referencing the follow principals to guide interventions:

- Approach of minimal intervention must be adopted. Meaning any interventions on the building should be carried out in the least obtrusive way possible.
- Repair rather than replace character-defining elements.
- Make any interventions physically compatible with the historic place.

7.5 Inspections

Inspections are a key element in the maintenance plan, and should be carried out by a qualified person or firm, preferably with experience in the assessment of heritage buildings. These inspections should be conducted on a regular and timely schedule. The inspection should address all aspects of the building including exterior, interior and site conditions. It makes good sense to inspect a building in wet weather, as well as in dry, in order to see how water runs off – or through – a building. From this inspection, an inspection report should be compiled that will include notes, sketches and observations. It is helpful for the inspector to have copies of the building's elevation drawings on which to mark areas of concern such as cracks, staining and rot. These observations can then be included in the report. The report need not be overly complicated or formal, but must be thorough, clear and concise. Issues of concern, taken from the report should then be entered in a log book so that corrective action can be documented and tracked. Major issues of concern should be extracted from the report by the property manager.

An appropriate schedule for regular, periodic inspections would be twice a year, preferably during spring and fall. The spring inspection should be more rigorous since in spring moisture-related deterioration is most visible, and because needed work, such as painting, can be completed during the good weather in summer. The fall inspection should focus on seasonal issues such as weather sealants, mechanical (heating) systems and drainage issues. Comprehensive inspections should occur at five-year periods, comparing records from previous inspections and the original work, particularly in monitoring structural movement and durability of utilities. Inspections should also occur after major storms.

7.5.1 Maintenance Programme

Inspection Cycle

Daily

- Observations noted during cleaning (cracks; damp, dripping pipes; malfunctioning hardware; etc.) to be noted in log book or building file.

Semi-Annually

- Semi-annual inspection and report with special focus on seasonal issues.
- Thorough cleaning of drainage system to cope with winter rains and summer storms
- Check condition of weather sealants (Fall).
- Clean the exterior using a soft bristle broom brush.

Annually (Spring)

- Inspect concrete for cracks, deterioration.
- Inspect metal elements, especially in areas that may trap water.
- Inspect windows for paint and glazing compound failure, corrosion and wood decay and proper operation.
- Complete annual inspection and report.
- Clean out of all perimeter drains and rainwater systems.
- Touch up worn paint on the building's exterior.
- Check for plant, insect or animal infestation.
- Routine cleaning, as required.

Five-Year Cycle

- A full inspection report should be undertaken every five years comparing records from previous inspections and the original work particularly monitoring structural movement and durability of utilities.
- Repaint windows every five to fifteen years.

Ten-Year Cycle

- Check condition of roof every ten years after last replacement.

Twenty-Year Cycle

- Confirm condition of roof and estimate effective lifespan. Replace when required.

Major Maintenance Work (As Required)

- Thorough repainting, downspout and drain replacement; replacement of deteriorated building materials; etc.

7.6 Information File

The building should have its own information file where an inspection report can be filed. This file should also contain the log book that itemizes problems and corrective action. Additionally, this file should contain building plans, building permits, heritage reports, photographs and other relevant documentation so that a complete understanding of the building and its evolution is readily available, which will aid in determining appropriate interventions when needed. The file should also contain a list outlining the finishes and materials used, and information detailing where they are available (store, supplier). The building owner should keep on hand a stock of spare materials for minor repairs.

7.6.1 Logbook

The maintenance log book is an important maintenance tool that should be kept to record all maintenance activities, recurring problems and building observations and will assist in the overall maintenance planning of the building. Routine maintenance work should be noted in the maintenance log to keep track of past and plan future activities. All items noted on the maintenance log should indicate the date, problem, type of repair, location and all other observations and information pertaining to each specific maintenance activity.

Each log should include the full list of recommended maintenance and inspection areas noted in this Maintenance Plan, to ensure a record of all activities is maintained. A full record of these activities will help in planning future repairs and provide valuable building information for all parties involved in the overall maintenance and operation of the building, and will provide essential information for long term programming and determining of future budgets.
It will also serve as a reminder to amend the maintenance and inspection activities should new issues be discovered or previous recommendations prove inaccurate.

The log book will also indicate unexpectedly repeated repairs, which may help in solving more serious problems that may arise in the historic building. The log book is a living document that will require constant adding to, and should be kept in the information file along with other documentation noted in section **6.6 Information File.**

7.7 Exterior Maintenance

Water, in all its forms and sources (rain, snow, frost, rising ground water, leaking pipes, back-splash, etc.) is the single most damaging element to historic buildings.

The most common place for water to enter a building is through the roof. Keeping roofs repaired or renewed is the most cost-effective maintenance option. Evidence of a small interior leak should be viewed as a warning for a much larger and worrisome water damage problem elsewhere and should be fixed immediately.

7.7.1 Inspection Checklist

The following checklist considers a wide range of potential problems specific to the different masonry of the building, such as water/moisture penetration, material deterioration and structural deterioration. This does not include interior inspections.

Site

□ Is the lot well drained? Is there pooling of water?
□ Does water drain away from the foundation?

Foundation

□ Does pointing need repair?
□ Paint peeling? Cracking?
□ Is bedding mortar sound?
□ Moisture: Is rising damp present?
□ Is there back splashing from ground to structure?
□ Is any moisture problem general or local?
□ Is spalling from freezing present? (Flakes or powder?)
□ Is efflorescence present?
□ Is spalling from sub-fluorescence present?
□ Is damp proof course present?
□ Are there shrinkage cracks in the foundation?
□ Are there movement cracks in the foundation?
□ Is crack monitoring required?
□ Is uneven foundation settlement evident?
□ Are foundation crawl space vents clear and working?
□ Do foundation openings (doors and windows) show: rust; rot; insect attack; paint failure; soil build-up;
□ Deflection of lintels?

Masonry

□ Are moisture problems present? (Rising damp, rain penetration, condensation, water run-off from roof, sills, or ledges?)
□ Is spalling from freezing present? Location?
□ Is efflorescence present? Location?
□ Is spalling from sub-florescence present? Location?
□ Need for pointing repair? Condition of existing pointing and re-pointing?
□ Is bedding mortar sound?
□ Are weep holes present and open?
□ Are there cracks due to shrinking and expansion?
□ Are there cracks due to structural movement?
□ Are there unexplained cracks?
□ Do cracks require continued monitoring?
□ Are there signs of steel or iron corrosion?
□ Are there stains present? Rust, copper, organic, paints,oils / tars? Cause?
□ Does the surface need cleaning?

Windows

□ Is there glass cracked or missing?
□ Are the seals of double glazed units effective?
□ If the glazing is puttied has it gone brittle and cracked? Fallen out? Painted to shed water?
□ If the glass is secured by beading, are the beads in good condition?
□ Is there condensation or water damage to the paint?
□ Are the sashes easy to operate? If hinged, do they swing freely?
□ Is the frame free from distortion?
□ Do sills show weathering or deterioration?
□ Are drip mouldings/flashing above the windows properly shedding water?
□ Is the caulking between the frame and the cladding in good condition?

Doors

□ Do the doors create a good seal when closed?
□ Do metal doors show signs of corrosion?
□ Is metal door sprung from excessive heat?
□ Are the hinges sprung? In need of lubrication?
□ Do locks and latches work freely?
□ If glazed, is the glass in good condition? Does the putty need repair?
□ Are door frames wicking up water? Where? Why?
□ Are door frames caulked at the cladding? Is the caulking in good condition?
□ What is the condition of the sill?

Gutters and Downspouts

□ Are downspouts leaking? Clogged? Are there holes or corrosion? (Water against structure)
□ Are downspouts complete without any missing sections? Are they properly connected?
□ Is the water being effectively carried away from the down spout by a drainage system?
□ Do downspouts drain completely away?

Roof

□ Are there water blockage points?
□ Is the leading edge of the roof wet?
□ Is there evidence of biological attack? (Fungus, moss,birds, insects)
□ Are wood shingles wind damaged or severely weathered? Are they cupped or split or lifting?
□ Are the nails sound? Are there loose or missing shingles?
□ Are flashings well seated?
□ Are metal joints and seams sound?
□ If there is a lightening protection system are the cables properly connected and grounded?
□ Does the soffit show any signs of water damage? Insect or bird infestation?
□ Is there rubbish buildup on the roof?
□ Are there blisters or slits in the membrane?
□ Are the drain pipes plugged or standing proud?
□ Is water ponding present?

Section 8.0 — Appendix A - Research Summary

Sources

"Heritage Character Statement for Canada Life Assurance Building, Regina." Revised August 2001.

Newspaper Articles

"Cheaper Than Rebuilding: Old SGI Building Gets New Lease on Life." The Leader-Post (Regina, SK), January 21, 1984.

"Former SGIO Building for sale, potential buyer mum on plans," The Leader Post (Regina, SK), June 5, 1979.

"Insurance Branch opens March 10." *The Leader Post* (Regina, SK), March 1, 1945.

"New Role in Offing for Old SGI Building" *The Leader Post* (Regina, SK), November 28, 1981.

"New Royal Trust Head office takes on a heritage look." *The Leader Post* (Regina, SK), Aug. 15, 1987.

"Awards Announced" *The Leader Post* (Regina, SK), February 19, 1985.

"Offices Changed - By Government." *The Leader Post* (Regina, SK), Jan. 19, 1946.

"Old SGI Building Gets Company" *The Leader Post* (Regina, SK), Mar. 14, 1987.

"SGIO Building a Heritage Site." *The Leader Post* (Regina, SK), May 4, 1978.

"Will Build Fine Six Storey Block: Canada Life to Erect Large Office Building on 11th Avenue." *The Leader Post* (Regina, SK), Mar. 28, 1912.

MINISTER'S ORDER

THE SASKATCHEWAN HERITAGE ACT

By virtue of the authority vested in me by Section Six of the Saskatchewan Heritage Act, 1975, (C 45) and in accordance with Section Five of the Regulations (7/78), I, Ned Shillington, Minister of Culture and Youth, do hereby declare as Protected Property:

> Lot 37, 38, 39, and 40 in Block 308 of Plan Old No. 33 in the City of Regina in the Province of Saskatchewan, according to a Plan of Record in the Land Titles Office for the Regina Land Registration District as Old No. 33, commonly known as the Head Office of the Saskatchewan Government Insurance Office.

Dated at Regina, Saskatchewan this 5 day of April, 1978.

Ned Shillington
Minister of Culture and Youth

August 25, 2014

To: His Worship the Mayor
and Members of City Council

Re: City of Regina Heritage Building Rehabilitation Program

RECOMMENDATION OF THE FINANCE AND ADMINISTRATION COMMITTEE - AUGUST 5, 2014

1. RECEIVE and FILE the consultant's report entitled "Incentives for Heritage Building Upgrades in Regina" (Appendix A).
2. APPROVE the Heritage Incentive Policy in the form set out in Appendix C to replace the Municipal Incentive Policy for the Preservation of Heritage Properties and direct the Administration to report back on a Bonus Density policy by Q4 of 2015.
3. REMOVE items CR01-254 and FA03-31 from the Finance and Administration Committee's list of outstanding items.
4. That the City of Regina Heritage Building Rehabilitation Program be reviewed prior to 2020, or unless required at an earlier date.

FINANCE AND ADMINISTRATION COMMITTEE – AUGUST 5, 2014

The following addressed the Committee:

- Ray Plosker, representing himself;
- Roger Mitchell, representing Viterra;
- Joe Ralko, representing himself;
- Ross Keith, representing Nicor Developments Inc.; and
- Bill Brennan, representing Heritage Regina

The Committee adopted a resolution to concur in the recommendations contained in the report after adding a recommendation #4 as follows:

4. That the City of Regina Heritage Building Rehabilitation Program be reviewed prior to 2020, or unless required at an earlier date.

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

The Finance and Administration Committee, at its meeting held on August 5, 2014, considered the following report from the Administration:

RECOMMENDATION

1. RECEIVE and FILE the consultant's report entitled "Incentives for Heritage Building Upgrades in Regina" (Appendix A).
2. APPROVE the Heritage Incentive Policy in the form set out in Appendix C to replace the Municipal Incentive Policy for the Preservation of Heritage Properties and direct the Administration to report back on a Bonus Density policy by Q4 of 2015.
3. REMOVE items CR01-254 and FA03-31 from the Finance and Administration Committee's list of outstanding items.

CONCLUSION

The City of Regina has established a broad program of regulatory tools and financial incentives to promote the rehabilitation of its significant collection of heritage buildings in the city. Nonetheless, there were an increasing number of reports from the development industry that escalating land and construction costs were rendering rehabilitation projects uneconomic, despite the provision of incentives.

In 2011, the City commissioned Coriolis Consulting Limited to undertake an investigation of the current development costs for heritage building rehabilitation in Regina, and to analyze the effectiveness of the City's existing financial incentive program.

The study concludes that incentives provided under the current heritage incentive policy are not in alignment with current market conditions. Increasing construction costs and escalating land values in the current market are making it challenging to achieve a competitive rate of return without an incentive, which threatens buildings that are considered to have heritage value.

Therefore, the Administration is recommending an amendment to the Municipal Incentive Policy for the Preservation of Heritage Properties (Appendix C) including most notably a ten-year property tax exemption. It is also recommended that a Bonus Density policy be brought before Council as tax exemption is not always enough of an incentive to counteract the pressure of property assembly in the Downtown. Protection of our built heritage is in alignment with policy direction to build complete communities in *Design Regina: The Official Community Plan Bylaw No. 2013-48.*

This report is provided in response to the original motion and the referral. As such, CR01-254 and FA03-31 may be removed from the list of outstanding items.

BACKGROUND

The Municipal Incentive Policy for the Preservation of Heritage Properties was established by City Council in 1991 and last amended in 2001. In 2001, Council passed a motion to amend the policy but only as it applies to property tax exemption for downtown properties. Council also passed referral motion (CR01-254) requesting the Administration prepare a report to Finance and Administration and Municipal Heritage Advisory Committees on another policy amendment to address increasing construction costs for properties outside of the downtown area.

In 2003, the Administration reported on the increase in construction costs. While it was not recommended that increases in property tax exemption outside the downtown area be tied to increases in construction costs, the recommended policy amendment to increase the property tax exemption was further delayed through motion (FA03-31) calling for the completion of an update to the *Heritage Holding Bylaw*[1]. The motion was passed due to a concern that an update to the Bylaw would result in listing several hundred properties with designation potential. If designated, a significant number of properties would then be eligible for property tax exemption with unknown economic and budgetary impacts to the City.

In 2007, Council amended the *Heritage Holding Bylaw* to add fifteen properties to those listed under this bylaw (CR07-95). However, this did not resolve the original motions (CR01-254 and FA03-31). The report to Finance and Administration remained a lower priority item as resources were dedicated to other initiatives including the Regina Downtown Neighbourhood Plan and *Design Regina: The Official Community Plan Bylaw No. 2013-48*. This report responds to these two motions and concerns about the financial viability of heritage building rehabilitation and the City's own financial sustainability.

As market conditions had changed since 2001, the City engaged Coriolis Consulting in 2011 to investigate current development costs for rehabilitation and the effectiveness of the existing Heritage Building Rehabilitation Program. Coriolis is a Vancouver consulting firm specializing in real estate analysis, urban planning and policy, development approvals and processes and financial modelling. The comprehensive review of the Program was initiated in view of the factors affecting heritage building rehabilitation projects. Reports from the development industry had shown that changing market conditions in Regina were making these projects less financially attractive, which poses a threat to the city's stock of buildings with heritage value. Increasing construction costs and escalating land values were increasing the challenges.

The report entitled "Incentives for Heritage Building Upgrades in Regina" (Appendix A) is the culmination of a year-long project to evaluate issues facing rehabilitation and to research and develop recommendations to address these issues. A cross-section of the Administration and a stakeholder group, including developers, a commercial real estate advisor, architects and property owners were involved in preparing the report. The report outlines the planning context for rehabilitation, a financial analysis of heritage building upgrades, and several recommendations to positively impact the viability of rehabilitation. The following report is meant to address outstanding items (CR01-254) and (FA03-31) and provide the Committee and Council with recommendations on financial policies for heritage building rehabilitation.

DISCUSSION

The Administration analyzed the consultant's report (Appendix A) and provided a summary of the analysis in Appendix B. The summary in Appendix B outlines the consultant's recommendations and the Administration's response along with an action plan and timing indicating when implementation or further analysis will occur. The Administration's analysis led to the amended Heritage Incentive Policy that is provided in Appendix C. The recommended amendments to the policy are described below.

[1] "A Bylaw of the City of Regina To Deny a permit for the Alteration or Demolition of Properties that the Council of the City of Regina may wish to Designate as Municipal Heritage Properties" – Bylaw No. 8912

RECOMMENDATION #1 – Increase the length of property tax exemption to ten years

The current Heritage Building Rehabilitation Program provides property tax exemption to designated properties up to a maximum of fifty per cent of the eligible project costs, or for a certain number of years (eight years downtown and five years elsewhere), or to a cap ($250,000 downtown and $150,000 elsewhere); whichever is least.

Eligible project costs have included the rehabilitation of architecturally significant exteriors, structural stabilization, improvements required to meet the National Building Code or City of Regina bylaws including the repair and upgrade of mechanical and electrical systems, improvements to energy efficiency, rehabilitation of architecturally significant interiors (non-cosmetic), and professional architectural or engineering services. All work is evaluated on the basis of its importance to the rehabilitation of key character-defining elements and its ability to meet national standards for heritage conservation practice.

As shown in the table below, the recommended amendment to the Municipal Incentive Policy for the Preservation of Heritage Properties would increase the length of the exemption to ten years and remove the limitation on its monetary value. While *The Cities Act, 2002* only allows exemptions for five years, *The Heritage Property Act* enables a City to exceed the exemption limits under *The Cities Act, 2002* for designated heritage properties only.

	Current*	Proposed *
Outside of the Downtown		
# of years	5 years or	10 years
maximum value	$150,000	n/a
Inside the Downtown		
# of years	8 years or	10 years
maximum value	$250,000	n/a

* The property tax exemption is limited to 50% of eligible project costs

The consultant conducted a pro forma analysis of three case studies and concluded that rehabilitation projects are attractive with an exemption, but it is necessary to increase the length of the exemption to ten years to ensure the projects remain viable. Rehabilitation is economically viable but only if improvements allow the building to achieve a higher return on investment assisted by an exemption. Without an increased incentive, increasing construction costs and land values are making it challenging for these projects to achieve a competitive rate of return. Rehabilitation projects are different than new construction in that they need to meet the requirements of the National Building Code and City of Regina bylaws as well as the national *Standards and Guidelines for the Conservation of Historic Places in Canada.*

Heritage Properties located outside of the downtown:

The current 5-year period of exemption for properties has not changed since the Program started in 1991 despite inflation and escalating construction costs. Based on the consultant's pro forma analysis of projects involving a warehouse and an apartment, ten years of exemption is recommended in order to encourage projects that will materially improve the quality, lifetime, marketability, and value of a building. It will ensure a larger project results in the same rate of return as a smaller project. The current $150,000 cap can also be removed as most 10-year

exemptions would be less than or close to $150,000 and most of the 5-year exemptions under the current policy were already significantly less than $150,000. The exemption would remain limited to 50 per cent of total project costs and these costs are further limited to building size.

Heritage Properties located within the downtown:

The current eight year exemption has not changed since 2001. The consultant conducted a pro forma analysis using a commercial building as a typical representation of the sixteen downtown heritage buildings that remain to be upgraded. Similarly, a 10 year exemption is recommended to encourage larger rehabilitation projects and ensure a similar rate of return. The current cap of $250,000 can also be removed as the 10 year exemption would be approximately $250,000 for most of the sixteen aforementioned buildings. The 10 year exemption would remain limited to 50 per cent of total project costs and these costs are further limited to building size.

Two of the sixteen buildings would generate larger exemptions due to their size, which is larger than the average size of 32,000 square feet. The Administration expects to receive an application from the owner of one of these buildings, the former Saskatchewan Wheat Pool building, in 2014. Viterra Inc. is currently occupying the building and they are anxious to proceed. Based on the 2014 property taxes and assuming a five per cent increase year over year for ten years the total taxes would be approximately $1,200,000 of which the City's share is $680,000.

Financial Analysis:

The financial analysis indicates that the City can achieve a net fiscal gain over the long term by forgoing short term tax revenue as a means of incentivizing retention and rehabilitation. In the last five years, the City's portion of the total taxes exempted under the Heritage Building Rehabilitation Program has been approximately $77,000 each year. The policy amendment is anticipated to result in twice as many exemptions to a cost of approximately $150,000 each year.

The Administration expects the City will award twice as many exemptions to a total up to four exemptions each year (i.e. $150,000 each year). This is twice the number of annual exemptions that have been awarded by the City since 1991 but less than the annual national average of six. In five years, the Administration expects the exemptions to return the annual average of two.

Correspondingly, the City has designated two heritage buildings each year on average since 1991. As mentioned earlier, a building must be designated as heritage in order to become eligible for an exemption. In recent years, each designation has been directly due to the availability of an exemption under this Program. Therefore, with each exemption more buildings will be retained and designated, which positions the City to facilitate demolition alternatives.

The total estimated cost implication for the first ten years would be approximately $1,100,000-$1,500,000. However, the revenue is only foregone temporarily.

Rehabilitation with an exemption leads to higher rents than rents without the exemption. The projects result in higher property values and therefore higher property tax revenues (after the period of exemption) that will exceed the initial cost of the exemption. The Assessment, Taxation and Real Estate Department conducted an analysis which estimates that 10 years of exemption would be paid back to the City in less than 20 years.

RECOMMENDATION #2 – Increase Cash Grants to $50,000

The current Program also grants up to $25,000 for rehabilitation projects. Cash grants differ from tax exemption in that they are only awarded to non tax-paying organizations (e.g. churches). Similar to the tax exemption, the property must be designated as heritage. The recommendation is to increase the cash value of the grant to a maximum of $50,000 per year as the value has not changed since 1991 despite inflation and escalating construction costs. As the increase only benefits non tax-paying organizations, only 10-15 heritage buildings would be eligible.

The City has only awarded three grants to a total of $43,000 since 1991. By comparison, the national annual average of a heritage grant program is approximately $56,000. In the last four years, two applications submitted by churches were not brought forward to the Finance and Administration Committee because a budget had not been allocated. While the Finance and Administration Committee receives a budget earmarked for Other Economic & Promotional Initiatives, it is not intended to be used for the heritage grants. A budget for these grants had not been established under the Community Investments Grant Program. Ongoing funding for the grants will be requested through the budget process. If the funding is not allocated, then the Administration will bring forward an amendment to remove reference to grants in the policy.

RECOMMENDATION #3 – Establish a Bonus Density Policy

A bonus density policy will be developed as part of the comprehensive Zoning Bylaw update in order to address the increasing challenges with rehabilitation in the downtown area. Challenges occur when a heritage property becomes more valuable for redevelopment than for rehabilitation, especially if the property can be included in an assembly. Many of the larger heritage buildings have been rehabilitated leaving a number of smaller heritage buildings with assembly potential as part of a larger redevelopment site. In order to address this issue the City has two options:

1. <u>On-Site Bonus Density:</u>
   If the heritage building is designated[2] and its property assembled with an adjacent vacant property, then the heritage building's unused density (under existing zoning) would be incorporated into the new part of the development, allowing the retention of the building without loss of development potential. This is akin to transferring "air rights" from one part of an assembled site to another and would be at the developer's discretion. The property might retain its value if (a) it is assembled, (b) the unused density can be physically accommodated within the overall project or (c) the financial performance of the overall project is attractive. However, it is possible that the value of the property is reduced if assembly and redevelopment including retention of the building is not as attractive to the developer as redevelopment without the building. Note also that this approach to retaining property value (inclusion in an assembly and redevelopment) will not apply to properties for which assembly is not possible.

2. <u>Transferable Bonus Density:</u>
   If the heritage property is not assembled with an adjacent property, the City could grant transferable bonus density. The transferable density would be transferred to a development site in the downtown in exchange for an amenity contribution. The developer of new

[2] The City has the legal power to designate a property as Municipal Heritage Property without compensation for any loss in value. The owner might object to such designation, but it is allowed under the legislation.

construction buys unused density from the owner of the heritage building, as long the owner of the heritage building enters an agreement with the City of Regina to upgrade the building. In this option the heritage property would be too small to allow both new development and retention of the heritage building. The bonus would only be useful if it is transferrable from the heritage property to another property. Unfortunately, as described in the consultant's report, this option isn't as viable as on-site bonus density as it would be challenging to sell transferrable density to sites elsewhere in downtown.

RECOMMENDATION #4 – Program improvements

Several improvements to the Heritage Building Rehabilitation Program will be introduced including an application fee, requirement of a Conservation Plan and financial evidence indicating the need for the incentive, and a minimum $20,000 project value. The Program changes will be announced by contacting the owners of all heritage properties.

RECOMMENDATION IMPLICATIONS

Financial Implications

The City's share of foregone revenue from heritage property exemptions currently equates to approximately $77,000 per year. If the policy is amended and ten years of property tax exemption is provided, then the Administration anticipates an increase in property tax exemption applications from two to four per year. The City's share of foregone revenue from heritage property exemptions would then equate to approximately $150,000 per year. In five years, it is expected that the number of applications may return back to the average of two per year.

The revenue is only foregone temporarily. Upon completion of the 10 year exemption, the City would regain its lost revenue in less than 20 years. Upgrading heritage buildings with an exemption leads to higher rents than rents without the exemption. This results in higher property values and therefore higher property tax revenues that exceed the initial cost of the exemption.

The City Planning and Development Division plans to request an ongoing budget allocation to establish a source of funding for the cash grants provided under the Heritage Building Rehabilitation Program.

Environmental Implications

None with respect to this report.

Policy and/or Strategic Implications

The updated Program will ensure the implementation of policy in *Design Regina: The Official Community Plan No. 2013-48* as it pertains to the development of complete neighbourhoods and the rehabilitation of heritage buildings.

The Program has already resulted in increased property tax revenues from upgraded heritage buildings, increased revenue for owners, the conversion of vacant and underutilized buildings and the non-fiscal benefits of heritage rehabilitation. The updated Program is expected to result

in twice the number of heritage designations and heritage building rehabilitation projects on an annual basis and these projects will follow national standards for rehabilitation without placing an onerous commitment on the owners.

The updated Program will also be aligned with the Cultural Heritage Management Strategy, which is currently in its final draft.

Policy 10.5 of *Design Regina: The Official Community Plan No. 2013-48* provides direction to "encourage owners to protect historic places through good stewardship and by voluntarily designating their property as a Municipal Heritage Property." A historic place is defined in *Design Regina* as a building that has been recognized by City Council for its heritage value. Policy direction is also provided in section D8 Culture, policy 10.4 of *Design Regina* to protect, conserve and maintain historic places and to leverage and expand funding, financial incentives and other means of support to advance the conservation of historic places.

The Program addresses two Community Priorities of the Corporate Strategic Plan 2014-2017 by developing complete neighbourhoods and embracing built heritage. In keeping with the Strategic Directions of effectively managing growth and improving financial viability, the City can achieve a net fiscal gain over the long term by forgoing short term tax revenue as a means of incentivizing the retention and upgrade of heritage buildings.

Other Implications

None with respect to this report.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

As directed by the motion of referral from FA03-31, this report will be forwarded to the Municipal Heritage Advisory Committee for consideration. A copy of this report with Administration's recommendations will be provided to stakeholders as part of the City's typical process of distributing a Finance and Administration report. If Council concurs with the recommendations of this report, a communications plan will be developed to encourage owners of heritage properties to apply under the new program.

DELEGATED AUTHORITY

This report is provided in response to the Finance and Administration Committee's motion of referral from FA03-31 and Council's original motion from CR01-254. In 2001, Council passed a motion (CR01-254) requesting a report on changes to the Municipal Incentive Policy for the Preservation of Heritage Properties in order to address the challenges facing heritage buildings outside of the downtown.

If Council concurs with the recommendations of this report, then CR01-254 and FA03-31 may be removed from the list of outstanding items.

The disposition of this report requires City Council approval.

Respectfully submitted,

FINANCE AND ADMINISTRATION COMMITTEE

Ashley Thompson, Secretary

REGINA Infinite Horizons | City of Regina

Appendix C

HERITAGE INCENTIVE POLICY (Approved August 25, 2014)

Formerly known as the *Municipal Heritage Incentives for the Preservation of Heritage Properties*.

Authority: Property tax exemption is permitted under Section 28 (a) of The Heritage Property Act.

An application fee will be required for projects that seek an exemption worth $200,000 or more.

1.0 Purpose

The objectives of the incentives provided under this policy are:

- To encourage the full upgrading of designated heritage properties to ensure their long-term conservation, extend their effective life and/or to ensure their structural integrity.
- To stimulate the economic development of the Downtown through the rehabilitation of commercial facades in the Victoria Park Heritage Conservation District.
- To encourage the development of an attractive city that contributes to a better quality of life.

2.0 Scope

Stakeholders involved with the conservation of designated property including property owners, non-profit organizations, and developers.

3.0 Definitions

Conservation: All actions or processes that are aimed at safeguarding the character-defining elements of a historic place so as to retain its heritage value and extend its physical life. This may involve "Rehabilitation," "Preservation," "Restoration" or as a combination of these actions or processes in accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada*.

Character-Defining Elements: The materials, forms, location, spatial configurations, uses and cultural associations or meanings that contribute to the heritage value of an historic place, which must be retained in order to conserve its heritage value.

Conservation Plan: A plan describing the proposed methods used to conserve the heritage values and character-defining elements. A Conservation Plan should also indicate the overall condition of the historic place and longer term plan to maintain it in a sound and attractive state.

Eligible Work Costs: The expenses incurred to conserve the character-defining elements of a building, structure or landscape.

Designated Property: Any Municipal Heritage Property, any pre-1965 property within the Victoria Park Heritage Conservation District, or any Provincial Heritage Property.

Executive Director: Executive Director, City Planning and Development.

Heritage Alteration Permit: A permit authorizing the alteration of a designated property.

Current Planning
City Planning and Development
Queen Elizabeth II Court | 2476 Victoria Avenue
PO Box 1790 | REGINA SK S4P 3C8
P: 306-777-7551 | F: 306777-6823
Regina.ca

Heritage Value: The aesthetic, historic, scientific, cultural, social or spiritual importance or significance for past, present and future generations. The heritage value of a historic place is embodied in its character-defining elements.

Historic Place: A structure, building, or landscape that has been formally recognized for its heritage value by City Council.

Statement of Significance: A statement that identifies the description, heritage value and character-defining elements of a historic place. A Statement of Significance is required in order for an historic place to be considered for designation by the Council of the City of Regina.

Maintenance: Routine, cyclical, non-destructive actions necessary to slow the deterioration of an historic place. It entails periodic inspection; routine, cyclical, non-destructive cleaning; minor repair and refinishing operations; replacement of damaged or deteriorated materials that are impractical to save.

4.0 Transition Provisions

Owners of properties with Exemption Agreements established under the former Municipal Incentive Policy for the Preservation of Heritage Properties (last amended October 22, 2001) that provide for an exemption in 2015 will be required to reapply under this new Policy no later than October 31, 2015. Otherwise, the existing Exemption Agreement will not be amended.

5.0 Incentives Policy

A property tax exemption may be provided for properties that meet the policy criteria as outlined below.

5.1 General Eligibility Requirements

The application of this policy is limited to buildings, structures or landscapes that have been formally recognized by City Council as designated property pursuant to Section 11(1) of *The Heritage Property Act*.

Only those designated properties in the Victoria Park Heritage Conservation District that were built before 1965, according to the dates provided in the Assessment and Taxation records.

In general, eligible work costs must be based on the assessment of a qualified architect or professional engineer.

Properties that have property taxes or other charges past due to the City of Regina are not eligible.

5.2 Calculation of Exemption

Property tax exemption may be provided to the owner(s) of taxable property for a period of up to 10 years to a maximum value equivalent to 50 percent of eligible conservation work costs; whichever is less.

Subject to the availability of funds, a cash grant of up to $50,000 may be provided for tax exempt properties but limited to a maximum of 50 percent of eligible conservation work costs.

The amount of the property tax exemption, including calculation of any percentage or portion and the determination of any use or cost, shall be conclusively determined by the City Assessor. The amount shall only apply to the portion of the property containing the building, structure or landscape with heritage value pursuant to Section 11(1) of *The Heritage Property Act*.

The tax exemption does not apply to local improvement fees, business improvement fees, and the non-exempt portion of taxes (i.e. laneway improvements) and other charges to tax accounts; these must be paid during the term of the agreement in the year in which they are due. No abatement of outstanding or current taxes will be negotiated.

5.3 Exemption Agreement

The property tax exemption will be subject to an agreement between the City of Regina and the property owner(s). The term of the agreement will be dictated by the number of years it will take to complete the work in addition to the term of the exemption.

The expiry date for the exemption agreement may be extended by one year at the sole discretion of the Executive Director to accommodate unanticipated construction delays.

The applicant is required to notify the Current Planning Branch of the City of Regina when the project work is complete. A representative of the Branch will inspect the project to verify its completion.

The total cumulative tax exemption will be equal to either (a) 50% of the eligible conservation work costs, or (b) ten years of tax exemptions, whichever is less.

The agreement may be assigned to a new owner at the sole discretion of the Executive Director. An assignment agreement will be required.

Where a development is also eligible for tax exemption under the Housing Incentives Policy, the full benefit under both policies may be provided. The Heritage Incentives Policy will be provided first unless otherwise approved by the Executive Director.

Incentives provided under this policy may be stacked with incentives provided through programs offered by the Municipal, Provincial and Federal Governments.

5.4 Eligible Work

Eligible conservation work must be specifically aimed at extending the life and increasing the value of designated property. The conservation work must also be in accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada.* The following work is eligible:

- Qualified architectural or professional engineering services not related to the preparation of the application.
- Conservation of exterior character-defining elements or significant landscape elements.
- Façade-only conservation in the Victoria Park Heritage Conservation District.
- Structural stabilization.
- Improvements required to meet National Building Code (NBC) or City of Regina bylaw requirements, including the repair or upgrading of mechanical and electrical systems.
- Improvements to energy efficiency (e.g. insulation, windows, furnace). Such work will be evaluated on the basis of its importance to the conservation of the character-defining elements of the building.
- Conservation of significant or rare character-defining interiors or interior elements.

The conservation of exterior character-defining elements may include the cleaning of surfaces, removal of unsympathetic materials, and painting associated with the replacement of these elements.

Cosmetic improvements, painting, repairs, regular maintenance, tenant improvements and new additions are NOT eligible.

5.5 Application Requirements

Applications must include:

(a) a completed application form
(b) current colour photographs
(c) archival photographs and historical documentation

in cases where the value of the exemption is greater than $200,000:

- the application must include a Heritage Alteration Permit application with an architect's drawings in addition to the architect's report that provides the following: a description of the proposed development highlighting new repairs and conservation work, the Conservation Plan, a construction schedule and, where applicable, an engineer's report on the structural improvements and costs.

- the application must include some financial evidence indicating why the tax exemption is needed in the form of a development pro forma that provides detailed costs, overall budget breakdown and cash flow. The pro forma should include financing details, two estimates for all materials and labour, leasing specifications, project soft costs (e.g. labour), project hard costs (e.g. materials), operating statement, and an explanation of how the tax incentives will affect the economic viability of the project.

OR in cases where the value is less than $200,000:

- the application must include a Heritage Alteration Permit application with an architect's drawings in addition to the architect's report that provides the following: a description of the proposed development highlighting new repairs and conservation work, the Conservation Plan, a construction schedule and, where applicable, an engineer's report on the structural improvements and costs.

- the application must also include two estimates for all work to be done or project costs based on the assessment of a qualified architect or professional engineer or qualified quantity surveyor. The total project costs must be a minimum of $20,000.

In addition to these requirements, the City may require additional historic research, engineering, or other studies in support of the application. All Conservation Plans and architectural drawings are to be carried out by an architect, engineer or equivalent professional, each having substantive experience and expertise in heritage conservation.

The costs of preparing and submitting an application, including any consultant fees, are the sole responsibility of the applicant. The application may apply to recover such costs as part of the incentives; however the City will only approve such recovery for successful applications.

5.6 Application Process

A complete application under the Heritage Incentives Policy, including details and costs of conservation work to be undertaken, must be submitted to the City of Regina in writing, before commencement of any work or development that is intended to qualify for an incentive.

A Heritage Alteration Permit application will also be required for the project. The timing of this Heritage Alteration Permit in relation to this application should be discussed with staff. The Heritage Alteration Permit application may require Council approval unless the authority has been delegated to the Administration.

Applications for an incentive must be made before issuance of a heritage alteration, building or development permit. Exception of this requirement is at the discretion of the Executive Director where Council has delegated authority to the Administration to approve the alteration of a designated property. The approval must be provided in writing by the Executive Director before any project work begins.

If the property is not designated, an application for designation and an application for an incentive may be submitted at the same time, but the application for an incentive may not be formally considered until after the property has been designated by City Council.

Upon completion of the Administration's review, the application for an incentive will be considered by the City's Finance and Administration Committee which, in turn, will make a recommendation to City Council.

If approved by City Council, the incentive will be provided in accordance with a formal agreement between the City and the subject property owner(s), which will be authorized by City Council's passage of an enabling bylaw.

For further information or assistance, please contact:

Current Planning Branch
City Planning and Development
9th Floor, City Hall
P.O. Box 1790
Regina SK S4P 3C8

Phone: 306-777-7551
Fax: 306-777-6823

MN22-1

NOTICE OF MOTION

March 2, 2022

City Clerk
City Hall
Regina, Saskatchewan

Please be advised that I will submit the following NOTICE of MOTION at the March 2, 2022 meeting of City Council:

Re: Regulate the Non-essential (Cosmetic) Use of Pesticides

WHEREAS we all desire a safe and healthy environment in Regina for the wellbeing of all residents;

WHEREAS the Official Community Plan identifies the significance of environmental sustainability, health, and well-being;

WHEREAS we need to protect biodiversity in nature and create a healthy environment for birds and pollinators like bees and butterflies;

WHEREAS the cosmetic use of pesticides is unnecessary, creates needless exposure to toxic substances and poses health risks to humans, pets and other animals, birds and beneficial insects;

WHEREAS the province of Saskatchewan is one of only three provinces that does not regulate the cosmetic use of pesticides;

WHEREAS the City of Regina has reduced its use of cosmetic pesticides in its parks but has no bylaws regulating the cosmetic use of pesticides on city or private property;

WHEREAS the Supreme Court of Canada ruled in the landmark decision *Canada Ltee (Spraytech, Societe d'arrosage) v. Hudson (Town), [2001] 2 S.C.R 241, 2001 SCC 40*] that municipalities have the right to act in the public interest by restricting cosmetic pesticide use on both public and private property;

WHEREAS over 200 municipalities across Canada, and the entire province of Ontario, have regulated or banned the cosmetic use of pesticides -- in some cases for over 20 years; and

WHEREAS hundreds of cities and towns across Canada with bans on cosmetic pesticides continue to have beautiful lawns, gardens, parks and green spaces by using non-toxic alternatives to control weeds or insects

THEREFORE BE IT RESOLVED that Regina City Council direct Administration to prepare a report for Executive Committee by Q4 of 2022 that includes:

1. A review of the research on how the elimination of cosmetic pesticides protects our biodiversity, especially birds and pollinators like bees and butterflies;

2. A summary of the regulation and best practices in Canada to maintain green spaces and yards without the cosmetic use of pesticides;

3. Feedback from the public through community engagement on a cosmetic pesticide ban; and

4. Recommendations and implications of implementing a cosmetic pesticide ban and the funding requirement for a public education and communications plan on such a ban including the promotion of safe alternative products and best practices for yards, gardens and parks.

Respectfully submitted,

Cheryl Stadnichuk
Councillor – Ward 1

Andrew Stevens
Councillor – Ward 3

John Findura
Councillor – Ward 5

Dan LeBlanc
Councillor – Ward 6

Shanon Zachidniak
Councillor – Ward 8

MN22-2

NOTICE OF MOTION

March 2, 2022

City Clerk
City Hall
Regina, Saskatchewan

Please be advised that I will submit the following NOTICE of MOTION at the March 2, 2022 meeting of City Council:

Re: Whistleblower Policy

WHEREAS the City of Regina established a Whistleblower Policy in January 2020 that provides protections and procedures for employees to confidentially or anonymously report allegations of wrongdoing by the City of Regina;

WHEREAS the current Whistleblower Policy states that the City Manager will review reports of wrongdoing to determine if the allegation of wrongdoing will be investigated by an independent investigator, or by appropriate City staff.

WHEREAS the City Manager's Office acts as the point of contact for any independent investigators appointed or City staff assigned to an investigation of wrongdoing under this Policy;

WHEREAS the policy should provide adequate safeguards to ensure that no employee experiences any form of retaliation when bringing forward information in good faith;

WHEREAS the City of Regina can have a Whistleblower Policy that offers protection similar to other jurisdictions; and

WHEREAS this policy would support City Council in providing good governance to the citizens of Regina;

THEREFORE BE IT RESOLVED that the Administration be directed to prepare a report for Executive Committee by Q2 of 2022 that:

1. Amends the current Whistleblower Policy for City of Regina employees as follows:

    a) The City Manager's authority to manage the policy be revoked and an internal tribunal be created to manage the policy that includes the following internal representatives:
        i. Internal Auditor
        ii. Director of People & Organizational Culture or designate

iii. City Solicitor or designate

b) Section 4.5 of the policy requires the Tribunal to provide a non-identifying summary of reports made under this policy and outcomes of subsequent investigations to Executive Committee for information at least annually.

2. Outline any associated costs and implications related to the implementation of these amendments.

Respectfully submitted,

Lori Bresciani
Councillor – Ward 4

BYLAW NO. 2022-13

THE REGINA TRAFFIC AMENDMENT BYLAW, 2022

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

1 The purpose of this Bylaw is to amend *The Regina Traffic Bylaw, 1997,* in relation to updating terminology, naming and definitions within the Bylaw, amending speed limits and fines.

2 The authority for this Bylaw is section 8 of *The Cities Act.*

3 Bylaw No. 9900, being *The Regina Traffic Bylaw, 1997,* is amended in the manner set forth in this Bylaw.

4 Section 1 is amended by repealing the definition of "Director, Community Services".

5 Section 1 is amended by adding the following definitions in alphabetical order:

""**escort vehicle"** has the same meaning as prescribed in *The Vehicle Weight and Dimension Regulations, 2010*, as may be amended by the Government of Saskatchewan from time to time.

"guide vehicle" means an escort vehicle or any vehicle that is equipped with flashing lights or beacons and whose purpose is to facilitate the safe movement of farm or road construction equipment to its destination.

"Manager, Parking Services" means the Manager of Licensing and Parking Services for the City or anyone authorized to act on behalf of the Manager of Parking Services;"

6 Section 1 is amended by repealing the definition "Traffic Engineer" and substituting the following:

""**Traffic Engineer"** means the professional engineer employed by the City to manage the Traffic Engineering Branch of the City or anyone designated to act on the Traffic Engineer's behalf;"

7 Bylaw No. 9900, is amended by striking out "Director, Community Services" and substituting "Manager, Parking Services" wherever it appears.

Approved as to form this ____ day of _____, 20__.

City Solicitor

8 Section 3 is repealed and the following substituted:

"3. The Director shall keep an inventory of the location of all permanent traffic control signs."

9 Clause 5(2)(e) is repealed and the following substituted:

"(e) is under escort by a marked vehicle operated by a member of the Regina Police Service or an employee of the City, pursuant to a valid Temporary Street Use Permit."

10 Clause 6(4)(b) is repealed and the following substituted:

"(b) is under escort by a marked vehicle of the Regina Police Service or the City, pursuant to a valid Temporary Street Use Permit; and"

11 Subclause 6(6)(b)(iii) is repealed and the following substituted:

"(iii) the carrier has arranged to be escorted by a marked vehicle of the Regina Police Service or the City."

12 Clause 10(1)(a) is amended by striking out:

"

Courtney Street	Hill Avenue	Dewdney Avenue	70

"

and substituting:

"

Courtney Street	Hill Avenue	250 m. South of Dewdney Avenue	70
Courtney Street	250 m. South of Dewdney Avenue	Dewdney Avenue	50

"

13 Section 29 is repealed and the following substituted:

"29 The operator of a school bus is exempted from their duty under *The School Bus Operating Regulations, 1987*, as amended by the Government of Saskatchewan, to stop at the rail crossings located at Ring Road and CNR Qu'Appelle Subdivision and CPR Lanigan Subdivision, unless the Railway Crossing Signal is activated, or unless it is unsafe to cross the rail crossing."

14 Subsection 31(3) is repealed and the following substituted:

"(3) The Director shall keep an inventory of the location of all permanent parking restrictions."

15 Subsection 37(2) is repealed and the following substituted:

"(2) The Director shall keep an inventory of the location and time limit of all parking meters."

16 Clause 72(3)(b) is repealed and the following substituted:

"(b) the operator has obtained all the necessary approvals from the Government of Saskatchewan and any other applicable agencies to move the over dimensional load outside the City limits."

17 Subsections 74(2) and 74(3) are repealed and the following substituted:

"(2) Notwithstanding subsection (1), a slow-moving vehicle may be operated between sunset and sunrise, if the vehicle is preceded and followed by an escort vehicle or the slow-moving vehicle is equipped with headlights and taillights.

(3) Escort vehicles shall be identified in conformity with the escort vehicle requirements described in *The Vehicle Weight and Dimension Regulations, 2010*, as amended by the Government of Saskatchewan from time to time."

18 Section 76 is amended by adding the following subsections:

"76(1) No person shall operate any farm equipment or road construction equipment with an attachment that obstructs the operator's view of the public highway or pedestrian crosswalk unless it is preceded by a guide vehicle.

(2) Notwithstanding subsection (1), no person shall operate any farm equipment or road construction equipment between sunset and sunrise or between the hours of 07:00 hours to 09:00 hours and 16:00 hours to 18:00 hours unless the farm equipment or road construction equipment is preceded and followed by an escort vehicle."

19 Section 77 is repealed and the following substituted:

"77 Escort vehicles shall be identified in conformity with the escort vehicle requirements described in *The Vehicle Weight and Dimension Regulations, 2010*, as amended by the Government of Saskatchewan from time to time."

20 Subsection 79(1) is repealed and the following substituted:

"79(1) Sections 73, 74, 75, 76(2), 77 and 78 shall not apply to any vehicle owned by or under contract to the City or any other public utility while that vehicle is:

(a) actually engaged in maintenance or construction of city operations; or

(b) travelling to any site for the purpose of maintenance or construction of city operations."

21 Schedule "A" of Bylaw 9900 is repealed and the attached Schedule "A" substituted.

22 Schedule "B" of Bylaw 9900 is repealed and the attached Schedule "B" substituted.

23 Schedule "C" of Bylaw 9900 is repealed and the attached Schedule "C" substituted.

24 Schedule "K" of Bylaw 9900 is amended by striking out sections 9.1(4),9.1(5),11(3) and 11(4).

25 Schedule "L" of Bylaw 9900 is amended by adding the following two lines after section 9(3) of Schedule "L":

"

9.1(4)	$180.00	Unreasonable and imprudent when approaching any special hazard that exists with respect to cyclists or other active transportation modes.
9.1(5)	$100.00	Following a cyclist more closely than is reasonable and prudent.

"

26 Schedule "L" of Bylaw 9900 is amended by adding the following two lines after section 11(1) of Schedule "L":

"

11(3)	$85.00	Passing a cyclist in the same lane that the cyclist is occupying.
11(4)	$180.00	Passing a cyclist at a speed greater than 50 Kilometres per hour, or for streets with a posted speed limit equal to or exceeding 80 kilometres per hour at a speed no greater than 70 kilometers per hour.

"

27 Schedule "L" of Bylaw 9900 is amended by adding the following two lines after section 76 of Schedule "L":

"

76(1)	$180.00	Operating farm equipment or road construction equipment with an obstructed view of the public highway or pedestrian crosswalk without a preceding guide vehicle.
76(2)	$180.00	Operating farm equipment or road construction equipment during prohibited times without a preceding or following escort vehicle.

"

28 This Bylaw comes into force on the day of passage.

READ A FIRST TIME THIS 2nd DAY OF March 2022.

READ A SECOND TIME THIS 2nd DAY OF March 2022.

READ A THIRD TIME AND PASSED THIS 2nd DAY OF March 2022.

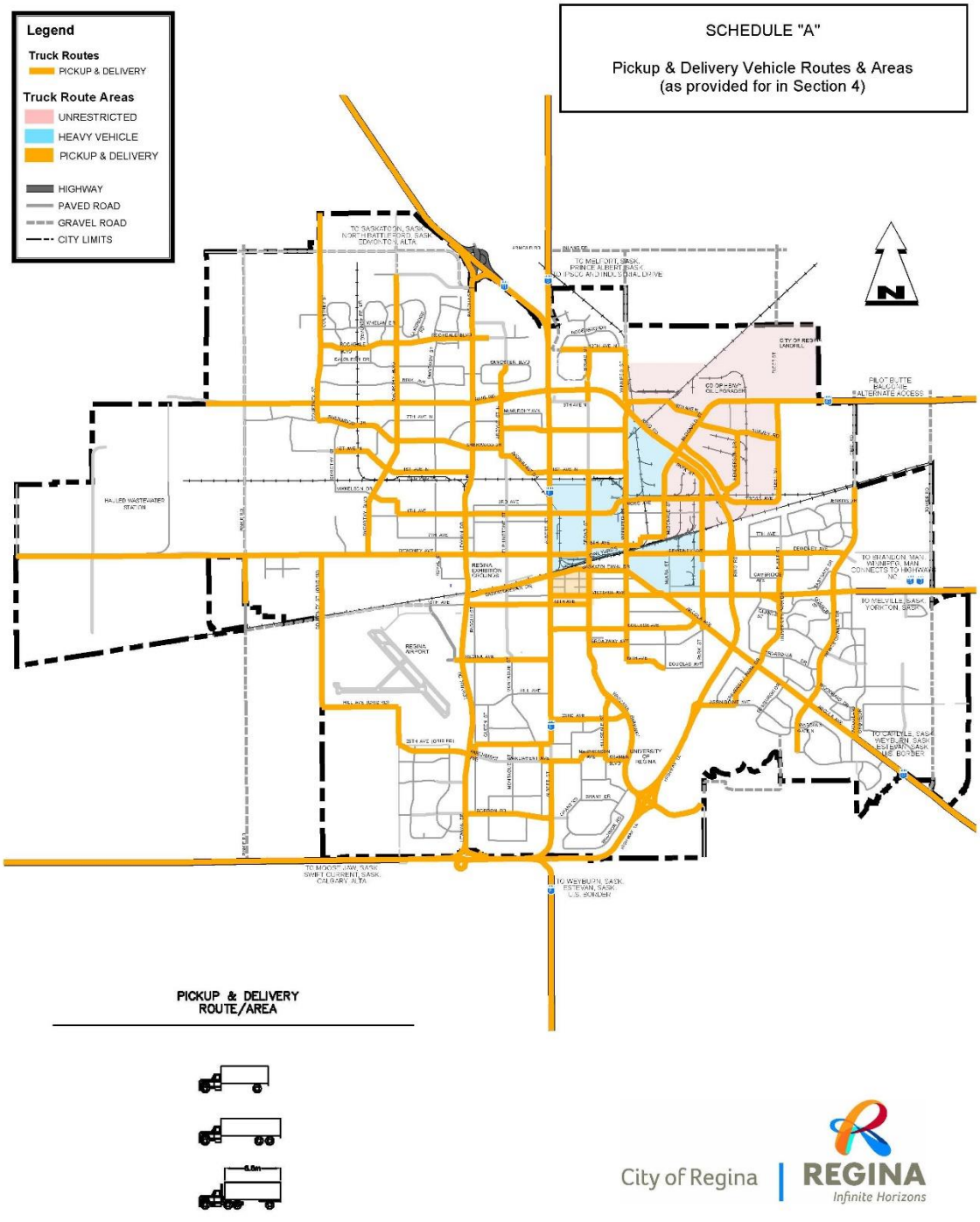
Mayor

City Clerk (SEAL)

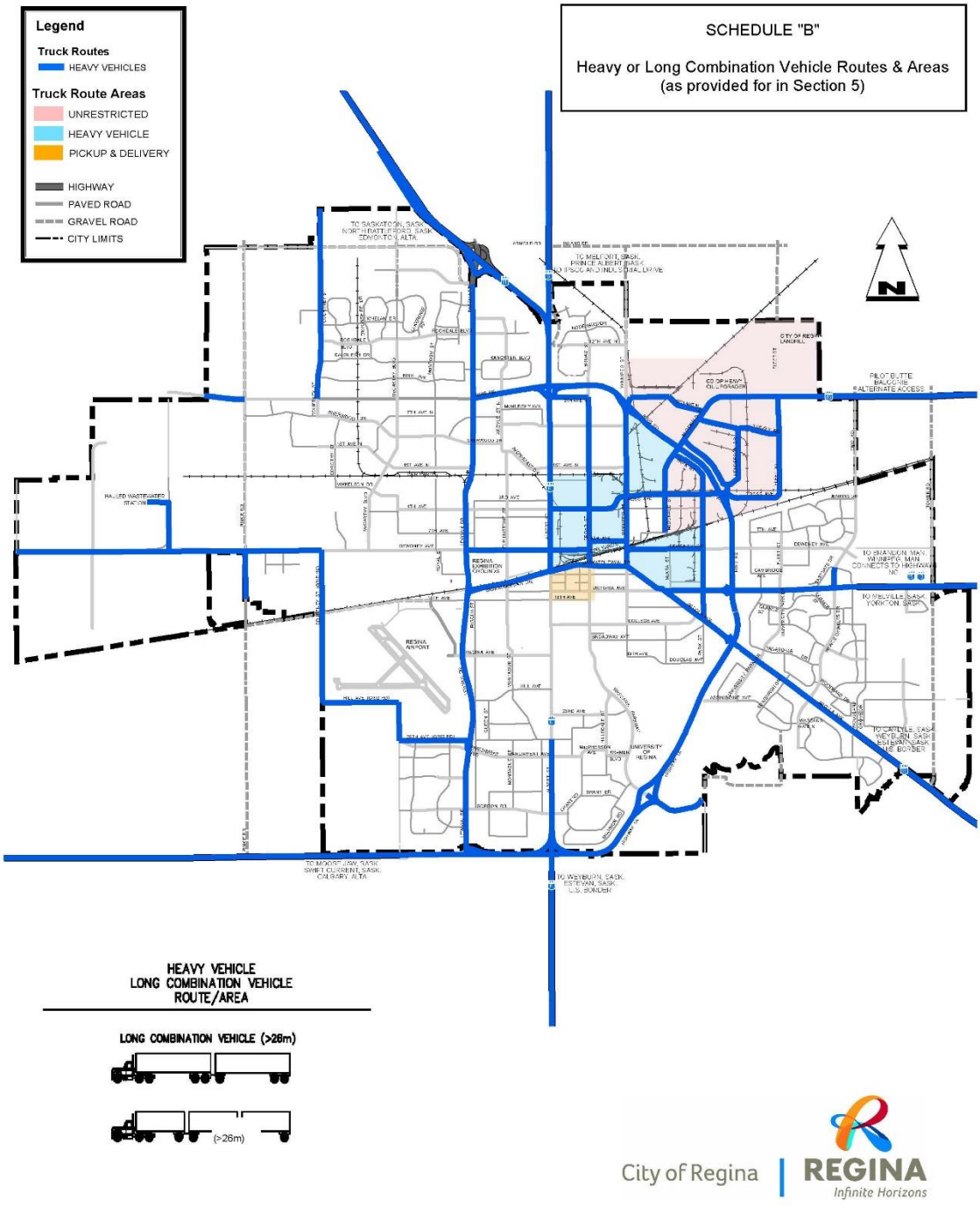
CERTIFIED A TRUE COPY

City Clerk

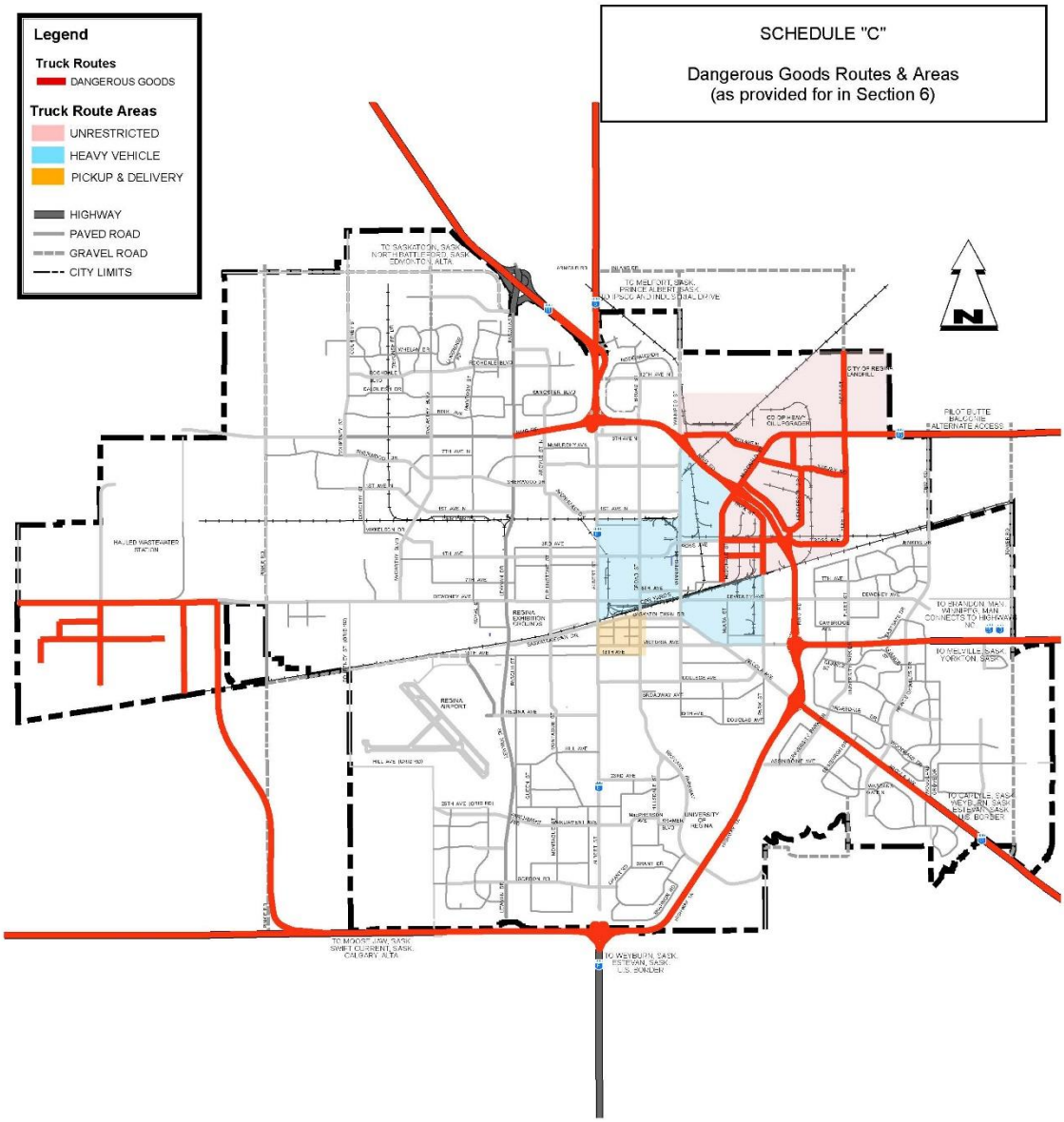
SCHEDULE “A”


Legend
Truck Routes
PICKUP & DELIVERY
Truck Route Areas
UNRESTRICTED
HEAVY VEHICLE
PICKUP & DELIVERY
HIGHWAY
PAVED ROAD
GRAVEL ROAD
CITY LIMITS
SCHEDULE "A"
Pickup & Delivery Vehicle Routes & Areas
(as provided for in Section 4)
N
PICKUP & DELIVERY
ROUTE/AREA
City of Regina
REGINA
Infinite Horizons

SCHEDULE “B”


Legend
Truck Routes
HEAVY VEHICLES
Truck Route Areas
UNRESTRICTED
HEAVY VEHICLE
PICKUP & DELIVERY
HIGHWAY
PAVED ROAD
GRAVEL ROAD
CITY LIMITS
SCHEDULE "B"
Heavy or Long Combination Vehicle Routes & Areas
(as provided for in Section 5)
HEAVY VEHICLE
LONG COMBINATION VEHICLE
ROUTE/AREA
LONG COMBINATION VEHICLE (>26m)
(>26m)
City of Regina
REGINA
Infinite Horizons

SCHEDULE “C”



City of Regina | REGINA Infinite Horizons

ABSTRACT

BYLAW NO. 2022-13

THE REGINA TRAFFIC AMENDMENT BYLAW, 2022

PURPOSE:	To amend *The Regina Traffic Bylaw, 1997*, in relation to updating terminology, naming and definitions withing the Bylaw, amending speed limits and fines, and providing clarity regarding escort vehicles and guide vehicles for farm equipment and road construction equipment.
ABSTRACT:	Amends *The Regina Traffic Bylaw, 1997* to update definitions, amend speed limits and related fines and provide clarity regarding escort vehicles and guide vehicles for farm equipment and road construction equipment.
STATUTORY AUTHORITY:	Section 8 of *The Cities Act*.
MINISTER'S APPROVAL:	N/A
PUBLIC HEARING:	N/A
PUBLIC NOTICE:	N/A
REFERENCE:	Executive Committee, February 9, 2022, EX22-7 and City Council, February 16, 2022, CR22-10.
AMENDS/REPEALS:	Amends Bylaw 9900
CLASSIFICATION:	Regulatory
INITIATING DIVISION:	Citizen Services
INITIATING DEPARTMENT:	Roadways & Transportation

COVID-19 Update

Date	March 2, 2022
To	City Council
From	City Clerk's Office
Service Area	Office of the City Clerk- Council Reports
Item No.	CM22-5

RECOMMENDATION

That City Council receive and file this report.

DISCUSSION

The Interim City Manager will provide a verbal status update respecting COVID-19.

Respectfully yours,

Amber Ackerman, Interim City Clerk 2/18/2022