

January 29, 2018

To: His Worship the Mayor  
And Members of City Council

Re: 2017 Housekeeping Boundary Alteration – North of Highway No. 1 and Campbell Street  
Intersection

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RECOMMENDATION

**RECOMMENDATION OF THE EXECUTIVE COMMITTEE  
- JANUARY 17, 2018**

1. That the following resolution concerning the alteration of municipal boundaries be adopted by City Council:
  - a) That it be resolved that the lands identified in Appendix A, currently within the Rural Municipality of Sherwood No. 159 and described as follows, be annexed to the City of Regina boundary, subject to the Rural Municipality of Sherwood No. 159 Council adopting a complementary resolution in support of the City of Regina's application for the boundary alteration.
    - Portion of SE ¼ of Section 03 in Township 17 Range 20 W2M Surface Parcel Number 203116946 Blk/Par F - Plan 102192083 Ext 0.
    - Portion of SW ¼ of Section 02 in Township 17 Range 20 W2M Surface Parcel Number 203183805 Blk/Par G - Plan 102206797 Ext 0.
2. That in addition to the subject lands listed above, City of Regina will also assume jurisdiction and control of all registered road allowances within the annexation area.
3. That subject to ministerial approval of the applicable municipal boundary alterations in accordance with the provisions of Section 43.1(13) or Section 44 of *The Cities Act*, amendments to the *Regina Zoning Bylaw No. 9250* to rezone the annexed lands to UH-Urban Holding be advertised.
4. That City Manager be authorized to approve, and the City Clerk be authorized to execute a Municipal Boundary Alteration Agreement between the City of Regina and the RM of Sherwood No. 159 based on the terms conditions outlined within this report.
5. That the City Solicitor in conjunction with the City Clerk do all things necessary to give effect to the resolutions in recommendation No. 1, including preparing and submitting an application to the Minister of Government Relations or the Saskatchewan Municipal Board as per the provisions of Section 43.1 of *The Cities Act*.

*EXECUTIVE COMMITTEE - JANUARY 17, 2018*

The Committee adopted a resolution to concur in the recommendation contained in the report. Recommendation #6 does not require City Council approval.

Mayor Michael Fougere, Councillors: Lori Bresciani (Chairperson), Sharron Bryce, John Findura, Jerry Flegel, Bob Hawkins, Jason Mancinelli, Joel Murray, Mike O'Donnell, Andrew Stevens and Barbara Young were present during consideration of this report by the Executive Committee.

The Executive Committee, at its meeting held on January 17, 2018, considered the following report from the Administration:

RECOMMENDATION

1. That the following resolution concerning the alteration of municipal boundaries be adopted by City Council:
  - a) That it be resolved that the lands identified in Appendix A, currently within the Rural Municipality of Sherwood No. 159 and described as follows, be annexed to the City of Regina boundary, subject to the Rural Municipality of Sherwood No. 159 Council adopting a complementary resolution in support of the City of Regina's application for the boundary alteration.
    - Portion of SE ¼ of Section 03 in Township 17 Range 20 W2M Surface Parcel Number 203116946 Blk/Par F - Plan 102192083 Ext 0.
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4. That City Manager be authorized to approve, and the City Clerk be authorized to execute a Municipal Boundary Alteration Agreement between the City of Regina and the RM of Sherwood No. 159 based on the terms conditions outlined within this report.

5. That the City Solicitor in conjunction with the City Clerk do all things necessary to give effect to the resolutions in recommendation No. 1, including preparing and submitting an application to the Minister of Government Relations or the Saskatchewan Municipal Board as per the provisions of Section 43.1 of *The Cities Act*.
6. That this report be forwarded to the January 29, 2018 meeting of City Council for approval.

## CONCLUSION

The City of Regina (City) and the Rural Municipality of Sherwood No. 159 (RM) have been in discussions since the summer of 2017 and have reached a tentative agreement subject to respective Council approvals on:

- A boundary alteration area.
- Tax loss compensation at no more than 15 times the annual tax revenue generated from the subject lands (Lands) described above based on the RM's 2017 assessment roll.

Subject to ministerial approval, the boundary alteration will take effect on June 1, 2018.

## BACKGROUND

At the Public Executive Committee on October 11, 2017, the 2017 Housekeeping Boundary Alteration - North of Highway No. 1 and Campbell Street Intersection was presented for City Administration to pursue discussions with the RM.

The Lands are contiguous assets that would have otherwise been included in the 2013 boundary alteration; however, they were excluded as they were being held by the Ministry of Highway and Infrastructure (MHI) as road right-of-way for a potential future interchange at that location. Since that time, the MHI has concluded they will not require an interchange at this location and had disposed of the Lands.

Dream management Corporation (Dream) acquired the Lands in November 2016. The Lands form natural extensions of both the existing Harbour Landing community and future West Harbour Landing community. As a result, Dream is requesting that the Lands be brought into city limits through a new boundary alteration application.

Bringing the Lands into city limits requires the full boundary alteration legislated process as Sections 48 and 50 of *The Cities Act* (Act) only allow for annexation corrections where the order itself contained an error or for minor revisions to the legal descriptions provided.

## DISCUSSION

The boundary alteration process is outlined in Section 43 of the Act. The proposed process and timeline for this boundary alteration follows the legislated requirement, which includes providing

notice to the public and allowing for possible objections, in addition to including the timeframe of the 2018 City Council and Executive Committee meeting dates schedule.

Notice of intention was given to the RM, the Regina Public School Board, the Regina Catholic School Board, Prairie Valley School Division and the landowner by way of letters in November of 2017. Public notice was given through Regina.ca and the *Leader-Post* on November 11 and 18, 2017.

## RECOMMENDATION IMPLICATIONS

### Financial Implications

The 2013 boundary alteration agreement between the City and the RM included tax loss compensation in which the City agreed to pay the RM an amount equal to 15 times the foregone tax revenues generated by the annexed land. The RM has requested 15 times for this proposal as well.

If the property taxes for the west parcel are similar to the taxes on the east parcel, the total cost of tax loss compensation for the two parcels would be a one-time payment of approximately \$1450.

### Environmental Implications

None with respect to this report.

### Policy and/or Strategic Implications

*Design Regina: The Official Community Plan, Bylaw No. 2013-48 (OCP)* has policies that support regional growth through the collaboration with regional partners and promote sustainable growth development patterns for the City with the RM through effective joint planning.

Maps in the OCP will need to be updated to reflect the new city boundary; however, they can be updated during the five-year refresh of the OCP. The Harbour Landing Concept Plan (Concept Plan) would not require an amendment as this area is already shown as low density residential on the approved Concept Plan. Planning for the West Harbour Landing community will require determination of access along Highway No. 1 and consultation with MHI.

### Other Implications

Upon ministerial approval of the boundary alteration, a separate bylaw will be brought back to City Council for approval to rezone the Lands to UH-Urban Holding Zone. Prior to any development of the Lands, the owner will require a zoning bylaw amendment in accordance with the approved Concept Plan and a subdivision approval.

### Accessibility Implications

None with respect to this report.

COMMUNICATION

The Act outlines all communication and notification that is required during the boundary alteration process. In this case, there was only one landowner, Dream. Other interested parties that were notified of the potential annexation included the school boards and the RM. A public hearing is not required as the City did not receive any objection to the proposed boundary alteration. The proposal was advertised in the *Leader-Post* on November 11 and 18, 2017.

DELEGATED AUTHORITY

The recommendations contained in the report require City Council approval.

Respectfully submitted,

EXECUTIVE COMMITTEE



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Jim Nicol, Secretary