

March 7, 2018

To: Members  
Regina Planning Commission

Re: Proposed Amendments to Westerra Neighbourhood Plan (File No. 13-OCP-10), Westerra Phase I Concept Plan (File No. 15-CP-01) and Regina Zoning Bylaw No. 9250 (File No. 17-Z-26)

---

RECOMMENDATION

1. That *Design Regina: The Official Community Plan Bylaw No. 2013-48* be amended by replacing Part B.14 (existing Westerra Neighbourhood Plan), in its entirety, with Appendix J (revised Westerra Neighbourhood Plan) of this report.
2. That the proposed Westerra Phase I Concept Plan, attached as Appendix F and Appendix G to this report, be approved.
3. That the application to amend the *Regina Zoning Bylaw No. 9250* be approved, specifically as follows:
  - a) That Part NE-21-17-20-W2M Ext. 3, being Stage 1, Phase 2A of the Westerra Neighbourhood, be rezoned from Urban Holding Zone to the zones presented in Appendix H, being the plan of proposed zoning.
  - b) That the 25 Noise Exposure Forecast contours of the Airport Noise Attenuation Overlay Zone and the Clear Zone of the Obstacle Limitation Surface Overlay Zone be added to the subject lands within the Westerra Phase 1 Concept Plan as shown in Appendix I.
  - c) That such amendments come into force and effect upon Ministerial approval of the amendments to *Design Regina: The Official Community Plan Bylaw No. 2013-48*, as described in recommendation one of this report.
4. That the City Solicitor be directed to prepare the necessary bylaws to amend *Design Regina: The Official Community Plan Bylaw No. 2013-48* and *Regina Zoning Bylaw No. 9250*.
5. That this report be forwarded to the March 26, 2018 meeting of City Council for approval.

CONCLUSION

This report addresses proposed amendments to the Westerra Neighbourhood Plan (Westerra NP), the Westerra Phase 1 Concept Plan (Westerra Phase 1 CP) and the *Regina Zoning Bylaw No. 9250* (Zoning Bylaw). The intent of these amendments are as follows:

- The Westerra NP amendment is intended to establish consistency between the Westerra NP and proposed revisions to the Westerra Phase 1 CP and to accommodate adjustments to the open space network of the broader Westerra NP area and to effect changes regarding the concept plan approval process.
- The Westerra Phase 1 CP amendment is intended to accommodate revisions to the street/ block pattern and land-use affecting part of the Westerra Phase 1 (Phase 1) area.
- Through the Zoning Bylaw amendment, a portion of the Phase 1 area will be rezoned, which will allow for subsequent subdivision and development.

Review of the proposed amendments noted above has included consideration of servicing reports, conformity with *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP), discussions with affected City of Regina (City) Departments and feedback from adjacent residents and stakeholders. It is the position of City Administration that the proposed:

- Amendments to the Westerra NP will accommodate proposed revisions to the Westerra Phase 1 CP; result in an open space strategy that better accommodates the City's needs and accommodate a more expeditious concept plan approval process.
- Amendments to the Westerra Phase 1 CP are in conformity with the OCP and applicable servicing strategies and will result in a more optimal open space strategy.
- Amendments to the Zoning Bylaw will accommodate the requisite zoning designations required to accommodate proposed development.

For the reasons noted above, City Administration recommends approval of the proposed amendments addressed through this report.

## BACKGROUND

Westerra is a new neighbourhood located in the west part of Regina, immediately south of Dewdney Avenue and between Pinkie Road and Courtney Street, as shown in Appendix A. The Westerra NP and the Westerra Phase 1 CP were approved concurrently on January 12, 2015. The Westerra NP provides policy direction for the growth and development of the proposed Westerra neighbourhood in its entirety, while the Westerra Phase 1 CP focuses on the first development phase only, by providing detailed direction for land-use, streets and open space.

The Westerra NP area is expected to accommodate approximately 7500 people and the Phase I area is expected to accommodate approximately 3800 people. To date, approximately 55 hectares of the 110-hectare Phase 1 area has been rezoned and subdivided. This subdivided area includes all of the commercial area, a portion of the residential area and two parks. One multi-unit residential (apartment) building has been constructed, a senior's assisted living facility is under construction and 110 residential dwelling units have been constructed. The location of the Phase 1 area, relative to the Westerra NP land-use plan, is shown in Appendix B.

This report responds to an application put forward by the land developer (Proponent), who is leading the Westerra development, to amend the approved Westerra Phase 1 CP and to rezone part of the Phase 1 area. As the proposed amendments to the Westerra Phase 1 CP result in non-

conformance with the Westerra NP, an amendment to the Westerra NP is required, as the Westerra NP is the overarching policy document for the entire Westerra neighbourhood and all concept plans must conform with it. City Administration is also recommending, at this time, amendments to the Westerra NP to better support the City's open space programming requirements and to better facilitate and expedite the concept plan approval process.

## DISCUSSION

### Neighbourhood Plan Amendment

The proposed amendments to the Westerra NP are intended to establish conformance with the proposed amendments to the Westerra Phase 1 CP and, at the same time, reconfigure the open space network so that it better accommodates the City's open space programming requirements, which have evolved since the Westerra NP was originally approved. As there is a need for additional multi-use athletic fields, the preference is for larger parks that can accommodate both a multi-use athletic field, as well as play and passive areas. It has been determined that, due to the anticipated population of Westerra, there is a need for at least three multi-use athletic fields in the Westerra neighbourhood. The current Westerra NP does not support this programming, as the current focus is on multiple smaller parks. The proposed changes to the Westerra open space network are shown in Appendix C.

Additionally, there is a potential need to accommodate a new school site on municipal reserve land. Although the existing Westerra NP identifies a site for a potential school, it was assumed at the time of the original approval, that this school site would not be located on municipal reserve land, as the previous practice was that the Government of Saskatchewan (Province) would purchase lands for school sites. Due to changes to provincial legislation, which are expected to occur in 2018, it may be a requirement that school sites be located on municipal reserve lands; therefore, it is necessary that one larger park be reserved for this purpose.

In addition to the amendments to the open space strategy, City Administration is recommending that the Westerra NP be further amended by removing the approved Westerra Phase 1 CP from the appendix section and by deleting policy requiring that concept plans be appended to the neighbourhood plan. This amendment will allow Westerra concept plans to be approved and amended by resolution, instead of bylaw, thus simplifying and expediting the approval process. City Council amended the Southeast Regina Neighbourhood Plan in March of 2017 to accommodate the same procedural change.

City Administration supports the proposed amendments to the Westerra NP open space strategy, as it will allow for a park system that better accommodates current and anticipated programming requirements, while still maintaining a suitable distribution of parks within the Westerra neighbourhood. Further, the proposed adjustments to the open space network will not result in a reduction to the overall amount of municipal reserve land in Westerra.

### Concept Plan Amendment

The proposed amendments to the Westerra Phase 1 CP are being pursued by the Proponent and are intended to accommodate revisions to the street/block pattern and land-use affecting part of the Phase 1 area. Specifically, the Proponent is wanting to reconfigure the open space network, by relocating a park, eliminating a greenway connection and adjusting the street/block pattern and land-use. The Proponent has indicated that the proposed revisions will better accommodate their current construction aspirations and will result in a park system that is more equitably distributed. The proposed revisions are shown in Appendix D.

City Administration supports the proposed revisions to the street/block pattern and land-use, as the changes will not result in a significant change to the population or to the overall land-use pattern. Further, the implications for servicing are deemed to be minimal and manageable, the City's density targets will still be met and the resulting land-use pattern conforms with the City's "Complete Neighbourhood" requirements.

City Administration also supports the proposed adjustments to the Phase 1 open space network, as it will allow for a better distribution of park space and allow for larger parks in Phase 2 that can support multi-use athletic fields, in accordance with the City's open space programming requirements. Further, the changes will still ensure that four parks will remain in the Phase 1 area and pathway connectivity will be retained through on-street multi-use pathways, which transect the plan area and interconnect with the "Devonian Pathway", north of Dewdney Avenue.

### Zoning Bylaw Amendment

The intent of the Zoning Bylaw amendment is to apply the requisite zoning designations to part of the Phase 1 area that will accommodate subdivision and development that is in accordance with the Westerra NP and the Westerra Phase 1 CP. The current zoning designation that applies to the affected area is the Urban Holding Zone; however, this zoning designation does not allow for the uses identified by the Westerra NP or the Westerra Phase 1 CP.

As the Zoning Bylaw must conform with applicable approved neighbourhood plan, the proposed amendments to the Westerra NP must be approved by both City Council and the Province before the proposed Zoning Bylaw amendments can come into force and effect. The reason for this is that the proposed amendments to the Zoning Bylaw conform with the proposed new Westerra Phase 1 CP, but not the existing Westerra Phase 1 CP, which forms part of the Westerra NP.

The proposed zoning designation scheme, as shown in Appendix E, is in conformity with the revised Westerra Phase 1 CP and the Westerra NP, by accommodating a diversity of residential types and is in conformity with the OCP population density targets. The proposed zoning also addresses requirements associated with the Regina International Airport flightpath proximity. As some of the Phase 1 residential development will locate in regulatory zones associated with flightpath proximity, the Airport Noise Attenuation Overlay Zone and the Obstacle Limitation Surface Overlay Zone will apply. Future site development must comply with the regulations within these overlay zones, such as mitigative measures for building development within the

Noise Exposure Forecast (NEF) 25 contour (sound proofing) and limiting the height of buildings to ensure there are no physical obstructions in flight paths.

## RECOMMENDATION IMPLICATIONS

### Financial Implications

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

### Environmental Implications

None with respect to this report.

### Strategic Implications

City Administration concludes that the proposed amendments to the Westerra NP, the Westerra Phase 1 CP and the Zoning Bylaw are consistent with key policies of the OCP relating to:

- “Complete Neighbourhoods” (Policy 7.1, Section D5).
- The density target of 50 people per net hectare (Policy 2.11, Section C).
- The need for strategically located, multi-functional parks (Policy 9.6.1, Section D7).
- Comprehensive planning through secondary plans and concept plans (Policy 14.23, Section E).

### Accessibility Implications

None with respect to this report.

### Other Implications

None with respect to this report.

## COMMUNICATIONS

Consultation has included engagement with Westerra neighbourhood residents and key affected stakeholders (Rural Municipality of Sherwood No. 159 and Regina Airport Authority). The following, is a summary of the engagement:

### Public Engagement

Public engagement has included the following initiatives:

- Distribution of information to residents through mail.

- Posting of notification sign adjacent to concept plan amendment area.
- Follow-up communication with residents that submitted comments.
- Notification of Regina Planning Committee (RPC) meeting date to the general public through a newspaper ad.
- Notification of RPC meeting date to residents that submitted comments through email.

Through notification to residents, City Administration received eight submissions. All comment submissions reflected opposition to the proposed amendments to the open space network, referencing the following two specific, equally cited, issues:

- Reduction in park space.
- Elimination of greenway connection.

As a response to the feedback, City Administration engaged in follow-up discussions with the concerned residents by providing a more comprehensive rationale for the proposed amendments to the Westerra open space networks. Specifically, the following points were conveyed to the concerned residents:

- The overall amount of municipal reserve land in the Westerra neighbourhood will not change.
- Reducing the size of two of the Phase 1 parks will result in two of the Phase 2 parks being larger, thus better suited to accommodate multi-use athletic fields.
- Four parks will still be retained in the Phase 1 area, including one large park reserved for an athletic field.
- Pathway inter-connectivity will be maintained through a network of on-street pathways.

### Stakeholder Engagement

Stakeholders engaged did not submit any comments.

### DELEGATED AUTHORITY

City Council's approval of concept plans and amendments to the OCP is required pursuant to *The Planning and Development Act, 2007*.

Respectfully submitted,



Shauna Bzdel, Director  
Planning

Respectfully submitted,



Diana Hawryluk, Executive Director  
City Planning & Development