



REGINA PLANNING COMMISSION

**Wednesday, February 12, 2014
4:00 PM**

Henry Baker Hall, Main Floor, City Hall



Office of the City Clerk

**Public Agenda
Regina Planning Commission
Wednesday, February 12, 2014**

Approval of Public Agenda

Minutes of the meeting held on January 29, 2014.

Administration Reports

RPC14-5 Proposed Renaming of Portion of "Little Pine Loop" in Skyview Subdivision (12-SN-30)

Recommendation

1. That the request to rename all of "Skyview Road" to "Little Pine Loop" be APPROVED.
2. That this report be forwarded to the February 27, 2014 meeting of City Council.

RPC14-6 Application for Concept Plan Amendment (13-CP-08) - Portion of Hawkstone Concept Plan

Recommendation

1. That the application to amend the Hawkstone Concept Plan, as depicted on the attached Appendix A-3.2, be APPROVED.
2. That the extension of Argyle Street, from the limits of Argyle Park Subdivision to Rochdale Boulevard, be included in the first phase of subdivision.
3. That this report be forwarded to the March 24, 2014 City Council meeting to allow sufficient time for advertising of the required public notice for the proposed concept plan amendments.

RPC14-7 Application for Zoning Bylaw Amendment (13-Z-21) - 2251 Heseltine Road, Riverbend Subdivision

Recommendation

1. That the application to rezone Part of Parcel A, Plan No. 101550406, SW 1/4 22-17-19 W2M located at 2251 Heseltine Road from UH-Urban Holding to R6-Residential Multiple Housing, be APPROVED.



Office of the City Clerk

2. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.
3. That this report be forwarded to the March 24, 2014 City Council meeting, which will allow sufficient time for advertising of the required public notices for the respective bylaws.

Communication and Committee Report

RPC14-8 Condominium Policy Bylaw and Policy Update

Recommendation

This communication be received and filed.

RPC14-9 Mayor's Housing Commission: Condominium Policy Bylaw and Policy Update

Recommendation

1. That *The City of Regina Condominium Policy Bylaw, 2012* (Bylaw No. 2012-14) be amended to:
 - a. Revise Section 7 to define a vacant property as a property where 100% of the building's units are vacant for a 12 month period, and clarify that eviction may not be used to vacate a building for the purpose of conversion;
 - b. Clarify that a two-unit building and a laneway suite are not eligible for conversion to condominium ownership.
2. That the City Solicitor be directed to prepare the necessary bylaw to authorize the amendments, as described above.
3. That this report be forwarded to the February 27, 2014 City Council meeting.

Adjournment

AT REGINA, SASKATCHEWAN, WEDNESDAY, JANUARY 29, 2014

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

AT 4:00 PM

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

Present: Councillor Mike O'Donnell, in the Chair
Councillor Barbara Young
David Edwards
Phil Evans
Ron Okumura
Daryl Posehn
Phil Selenski
Laureen Snook
Sherry Wolf

Regrets: Councillor Jerry Flegel
Dallard LeGault

Also in Attendance: Committee Assistant, Elaine Gohlke
Solicitor, Cheryl Willoughby
Executive Director, Planning, Jason Carlston
Manager of Current Planning, Fred Searle
Manager of Infrastructure Planning, Geoff Brown
City Planner II, Mark Andrews

(The meeting commenced in the absence of David Edwards and Phil Selenski.)

APPROVAL OF PUBLIC AGENDA

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

ADOPTION OF MINUTES.

Phil Evans moved, AND IT WAS RESOLVED, that the minutes for the meeting held on January 15, 2014 be adopted, as circulated

TABLED REPORT

RPC14-3 Applications for Zoning Bylaw Amendment (13-Z-02), Concept Plan
Amendment (13-CP-02) and Discretionary Use (13-DU-06) – 510
University Park Drive, Gardiner Park Addition (Tabled January 15, 2014)

Recommendation

1. That the attached Gardiner Park Addition Concept Plan, marked as “Proposed” be APPROVED;

2. That the application to amend *Regina Zoning Bylaw No. 9250*, with respect to Parcel G in the Gardiner Park Subdivision, from MAC-Major Arterial Commercial to R6- Residential Multiple Housing be APPROVED;
3. That the discretionary use application for a proposed planned group of dwellings located at 510 University Park Drive, being Parcel G, Plan No. 101875530 be APPROVED, subject to the following conditions:
 - a. The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*;
 - b. The development shall be consistent with the plans prepared by Seymour Pacific Developments Ltd., and dated June 10, 2013 and attached to this report as Appendix A-3.1 to A-3.3b; and
 - c. That the applicant / developer provide the City with confirmation that the Saskatchewan Ministry of Environment has confirmed that the site has been sufficiently remediated prior to the issuance of a building permit
4. That the City Solicitor be directed to prepare the associated bylaw; and
5. That this report be forwarded to the February 24, 2014 meeting of City Council to allow sufficient time for the required public notice of the proposed bylaw.

The following addressed the Commission:

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

(David Edwards arrived during Mr. Andrew's presentation.)

- Allyson Reid-Skagos;

(Phil Selenski arrived during Ms. Reid-Skagos' presentation.)

- Bob Ruda, representing Donna Lindskog, Toscana Place Condos;
- Beckie Salib, representing Jim Friesen, Tuscan Place;
- David Merriman;
- Kent Coleman;
- Tara Kucher, representing Brock Taylor, Tuscany Way;
- Councillor Bryon Burnett, Ward 4; and
- Kris Mailman, representing Seymour Pacific Developments.

Phil Selenski moved that the recommendation contained in the report be concurred in, after changing the date in recommendation #5 to February 27, 2014.

(Phil Selenski left the meeting.)

The motion was put and declared LOST.

The Chair noted the vote was a tie and the report would be forwarded to City Council without recommendation.

ADJOURNMENT

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

The meeting adjourned at 6:09 p.m.

Chairperson

Secretary

February 12, 2014

To: Members,
Regina Planning Commission

Re: Proposed Renaming of Portion of "Little Pine Loop" in Skyview Subdivision (12-SN-30)

RECOMMENDATION

1. That the request to rename all of "Skyview Road" to "Little Pine Loop" be APPROVED.
2. That this report be forwarded to the February 27, 2014 meeting of City Council.

CONCLUSION

City Council's approval is required to rename a street. In this case, the Administration is recommending that Skyview Road be renamed to Little Pine Loop to avoid confusion for users of the street, the name of which was approved in error.

BACKGROUND

The Administration is requesting City Council's approval to rename a portion of a dedicated street in the Skyview Subdivision. Rezoning of the surrounding properties was approved by City Council on September 17, 2012 (Bylaw 2012-78). The Administration subsequently approved the related subdivision on August 12, 2013 pursuant to *The Subdivision Bylaw No. 2003-3*.

This application is being considered pursuant to *The Cities Act*.

DISCUSSION

The Administration requires City Council's approval to rename "Skyview Road" in the Skyview subdivision to "Little Pine Loop". The original subdivision plan submitted by the applicant showed the street named appropriately, as Little Pine Loop, but a subsequent revision to the plan renamed the street to Skyview Road. The revised plan with the incorrect name was executed by the City without the error being noticed.

The Administration is recommending the change as its policy is that street names change at an intersection rather than a bend. There is no break in transition (intersection) between Skyview Road and Little Pine Loop and this might cause way-finding issues and confusion for users, including emergency response.

The Cities Act allows for a city to rename a street. The process of naming a street is typically done through subdivision approval, which has been delegated to the Administration pursuant to *The Subdivision Bylaw No. 2003-3*. However, *The Subdivision Bylaw* does not currently contemplate renaming of a street. *The Cities Act* gives authority to rename streets within a municipality and requires that a city shall act through its Council. Therefore, City Council's resolution to change the name of a street is required.

RECOMMENDATION IMPLICATIONS

Financial Implications

None to this report as street signs have not yet been created for the subdivision.

Environmental Implications

None to this report.

Policy and/or Strategic Implications

None to this report.

Other Implications

None to this report.

Accessibility Implications

None to this report.

COMMUNICATIONS

Public notice is not required pursuant to *The Cities Act*.

DELEGATED AUTHORITY

City Council's approval is required to change the name of a street, pursuant to *The Cities Act*.

Respectfully submitted,



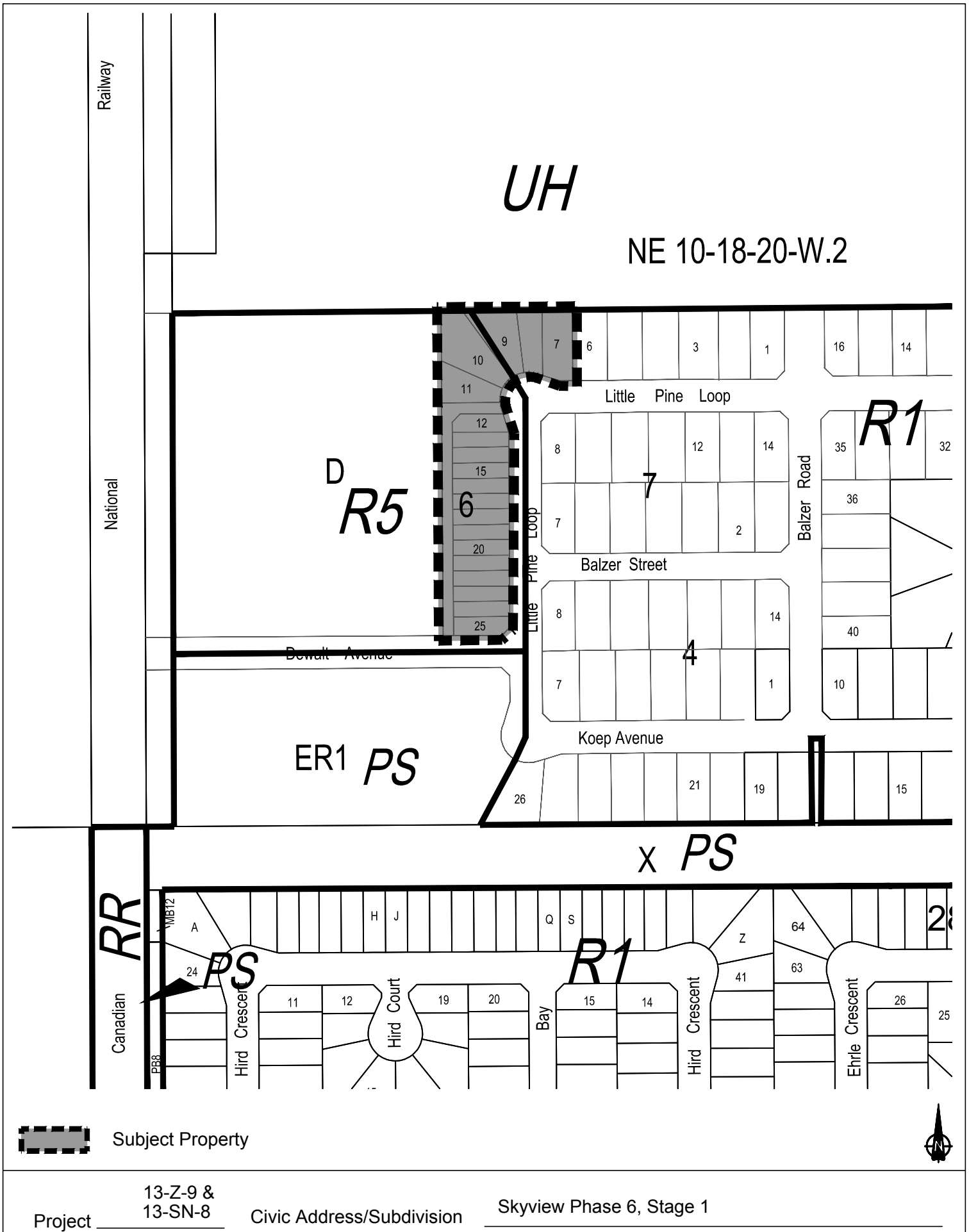
For Diana Hawryluk,
Director, Planning

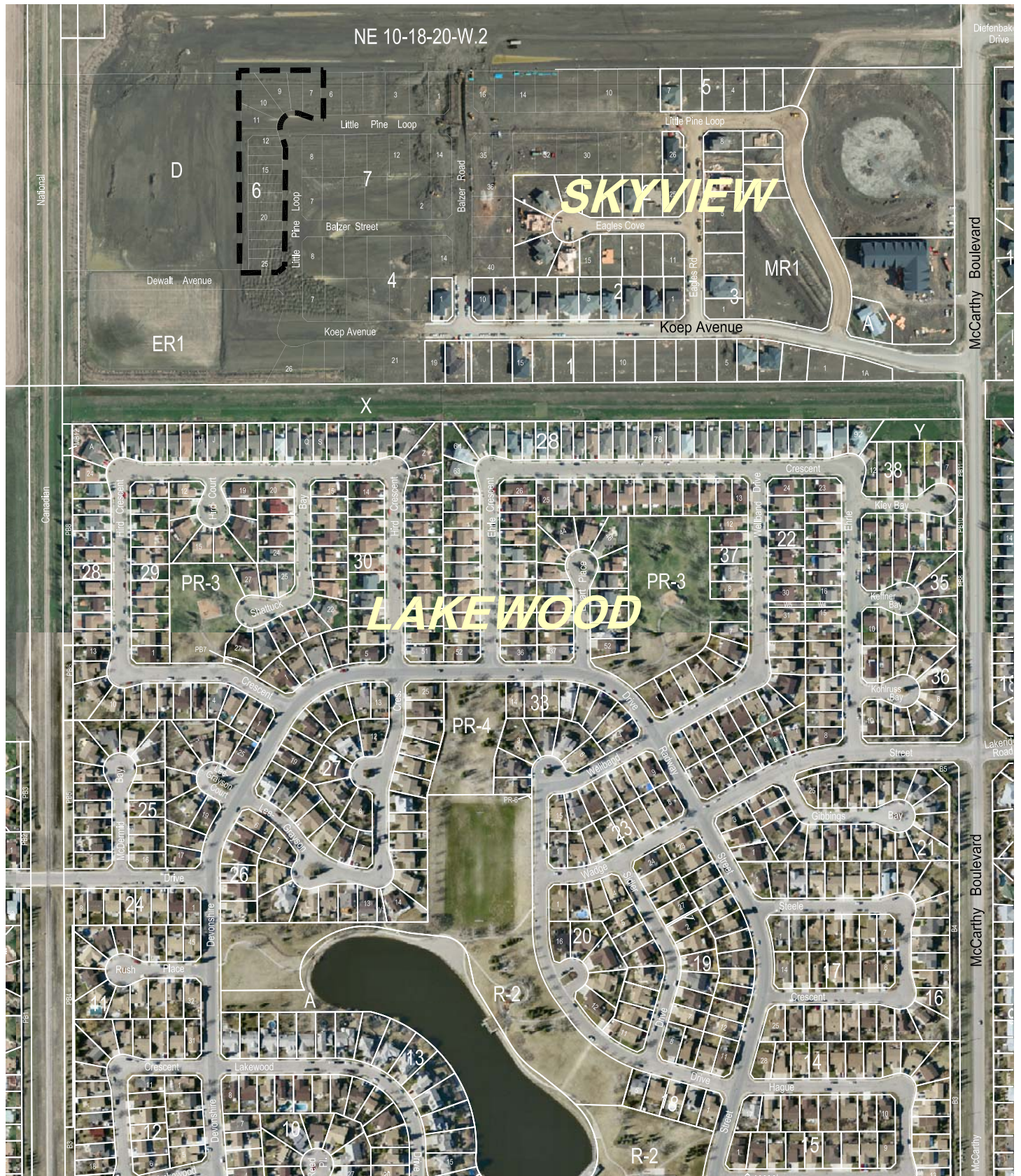
Report prepared by: Ben Mario, Senior City Planner

Respectfully submitted,



Jason Carlston, Executive Director
Community Planning and Development





Subject Property

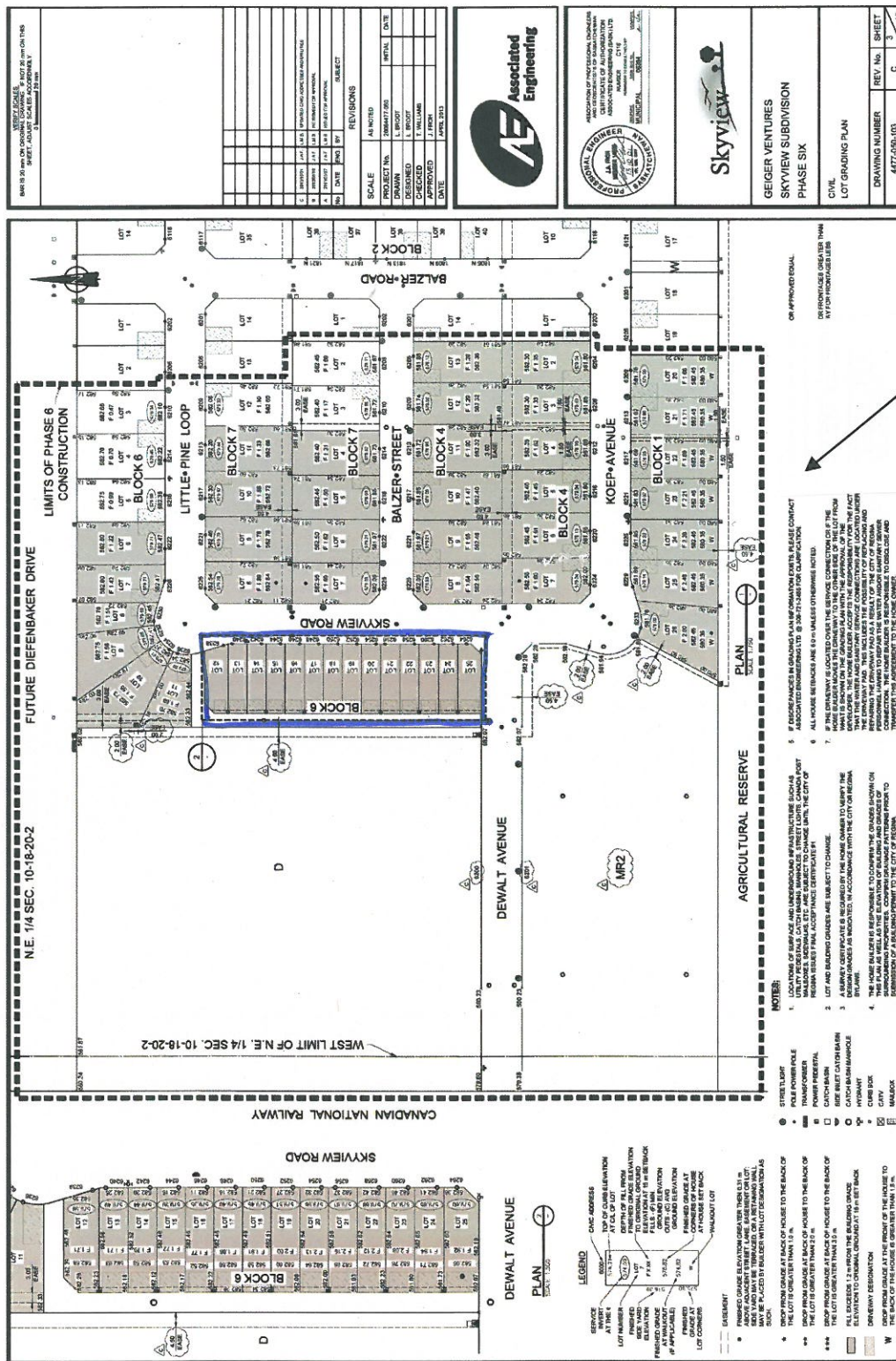
Date of Photography : 2009



Project 13-Z-9 &
13-SN-8

Civic Address/Subdivision

Skyview Phase 6, Stage 1



February 12, 2014

To: Members,
Regina Planning Commission

Re: Application for Concept Plan Amendment (13-CP-08)
Portion of Hawkstone Concept Plan

RECOMMENDATION

1. That the application to amend the Hawkstone Concept Plan, as depicted on the attached Appendix A-3.2, be APPROVED.
2. That the extension of Argyle Street, from the limits of Argyle Park Subdivision to Rochdale Boulevard, be included in the first phase of subdivision.
3. That this report be forwarded to the March 24, 2014 City Council meeting to allow sufficient time for advertising of the required public notice for the proposed concept plan amendments.

CONCLUSION

The applicant proposes to amend a portion of the Hawkstone Concept Plan to accommodate a minor increase in the amount of commercial development, add a mixed use development, and an institutional use. The proposed change would decrease the projected residential population by about 400 people. There were no issues identified by residents of surrounding property owners in the review process.

The recommended amendments to the concept plan will also result in an improved road network which is focused on a grid that provides many access options for pedestrians and vehicular traffic.

The proposed concept plan amendment is consistent with policies contained within the Official Community Plan (OCP) and is compatible with existing development and uses contained in the Hawkstone Concept Plan area.

BACKGROUND

An application has been received to amend the Hawkstone Concept Plan to accommodate the next phase of development in the concept plan area. The Hawkstone Concept Plan was originally approved by City Council on November 8, 2010, and most recently amended on October 9, 2012. The proposed amendments are being considered pursuant to *Regina Development Plan Bylaw No. 7877* (Regina's Official Community Plan, or OCP) and *The Planning and Development Act, 2007*.

DISCUSSION

The applicant proposes to amend a 31 hectare portion of the Hawkstone Concept Plan.

The following table compares the current concept plan use areas with the changes in use resulting from the proposed amendments.

Concept Plan Summary			
Land Use	Current Concept Plan	Proposed Concept Plan	Amount Difference
Open Space	1.6 ha	1.2 ha	-0.4 ha
Pipeline Corridor	4.1 ha	4.1 ha	n/c
Commercial	14.2 ha	15.5 ha	+1.3 ha
Mixed Use (com + high density)	0 ha	2.6 ha	+2.6 ha
Residential (High Density)	6.8 ha	1.1 ha	-5.7 ha
Institutional	0	1.0 ha	+1.0 ha
Population	1000	601	-399
School population	230	138	-92

The concept plan amendments are summarized as follows:

- The amount of commercial development would increase. The applicant has expressed an interest in developing large format commercial, flex commercial (i.e. commercial space that can accommodate office, retail, and warehousing type business depending on the market demand), a hotel, an expansion of automobile sales, and purpose built office building(s);
- The proposed institutional land use is intended to accommodate a medical-related land use;
- The mixed-use area (high density and commercial) would consist of street-oriented high density residential and small-scale commercial along Argyle Street; and
- The augmented street network would add character to the development and a more grid like and smaller scale block pattern. This will facilitate enhanced pedestrian movement and more access options for vehicular traffic.

Specific detailed plans for these land use areas will be the subject of future development application that will be considered on an individual basis.

Transit Implications

Transit service is not currently provided to this portion of the concept plan area. However, the future transit route is identified on the concept plan to designate the appropriate route for transit service when it is provided to this portion of Hawkstone. Transit service is planned to be focused on Rochdale Boulevard when extended to this area.

Connection to Surrounding Neighbourhoods

The portions of Hawkstone to the direct east are owned by a separate land owner and have been rezoned, subdivided and are currently under development. The intended street or open space connections within the subject property would remain, although altered slightly. The lands to the north are all owned by the City, which is preparing to amend the plan for its lands. The revised plan will address the realignment of Argyle Street and the amended land use plan for those lands directly abutting subject property to the south.

The proposed road network includes smaller block configurations which promote more connection and access options into this portion of the concept plan from the lands to the north and east.

RECOMMENDATION IMPLICATIONS

Financial Implications

Capital funding to provide municipal infrastructure that is required for subdivision and development in the concept plan area will be the sole responsibility of the developer.

The municipal infrastructure that is built and funded by the developer will become the City's responsibility to operate and maintain through future budgets. Any infrastructure that is deemed eligible for Servicing Agreement Fee funding will be funded by the City of Regina in accordance with the *Administration of Servicing Agreements Fees and Development Levies* policy.

Environmental Implications

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

Policy/Strategic Implications

The proposal is consistent with the policies contained in Part C – Northwest Sector Plan, of the *Official Community Plan* (OCP) with respect to:

- Section 3.2 Residential Densities
 - Providing a mix of housing types and densities to suite different lifestyles and income levels and reduce urban sprawl.
 - Establishing a residential density pattern in new neighbourhoods that is highest near the arterial and collector roadways at the neighbourhood periphery, near transit routes, and near commercial centres.
- Section 4.0 – Commercial Development
 - Maintaining the Mainstreet corridor (Rochdale Boulevard) as a key commercial corridor.
 - Supporting the development of a large format centre, and improving the commercial service in the northwest sector without negatively impacting downtown retail.
 - Providing opportunity for local commercial services for residents in new neighbourhoods.

The Northwest Sector Plan identifies the future population to be 3,100 people for the Hawkstone Neighbourhood unit. Despite decreasing the amount of residential lands, Hawkstone will still surpass initial population estimates with an increase to residential densities overall from what was initially projected for population in 2010. The current project population for Hawkstone is 4535.

The amended plan would also provide greater opportunity for local commercial development and services, diversity in housing choice, options to suit different lifestyles and needs, and add to the character of the Hawkestone community. Mixed use communities are a defining feature of the new Official Community Plan.

Other Implications

Design Regina, the City's new OCP was approved by City Council on December 16, 2013. However, as of the finalization of this report, *Design Regina* was not formally approved as a statutory document. Regardless, the proposed amendments were evaluated in accordance with the plan as follows:

The proposed plan does not conflict with the eight community priorities and directly relates to two of the priorities:

- 1) Develop complete neighbourhoods and
- 2) Support the availability of diverse housing options.

It achieves this by expanding the potential for local commercial services and amenities to develop and adding a different housing type to the neighbourhood.

The proposed plan also conforms to the Growth Plan, which conceptually identifies Argyle Street and Rochdale Boulevard as an urban corridor and express transit, with surrounding areas for development intensification. Overall, the plan contributes positively to the goals and objectives of the new OCP to develop complete neighbourhoods.

Design Regina encourages and requires new neighbourhoods to include opportunities for daily lifestyle needs, shopping, recreation, specialty open space, a centrally located neighbourhood hub, safe and accessible streets and paths, distinctive character and sense of place among other features of a complete neighbourhood.

Design Regina further supports the development of urban centres and corridors as locations for pedestrian and transit-oriented mixed-use and as hubs for community interaction and identity.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

A communications strategy has been developed to address the community issues.

Public notification signage posted on:	N/A
Will be published in the Leader Post on:	March 8 and March 15 2014
Letter sent to immediate property owners	November 29, 2013
Public Open House Held	N/A
Number of Public Comments Sheets Received	0

DELEGATED AUTHORITY

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

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Shanie Leysner".

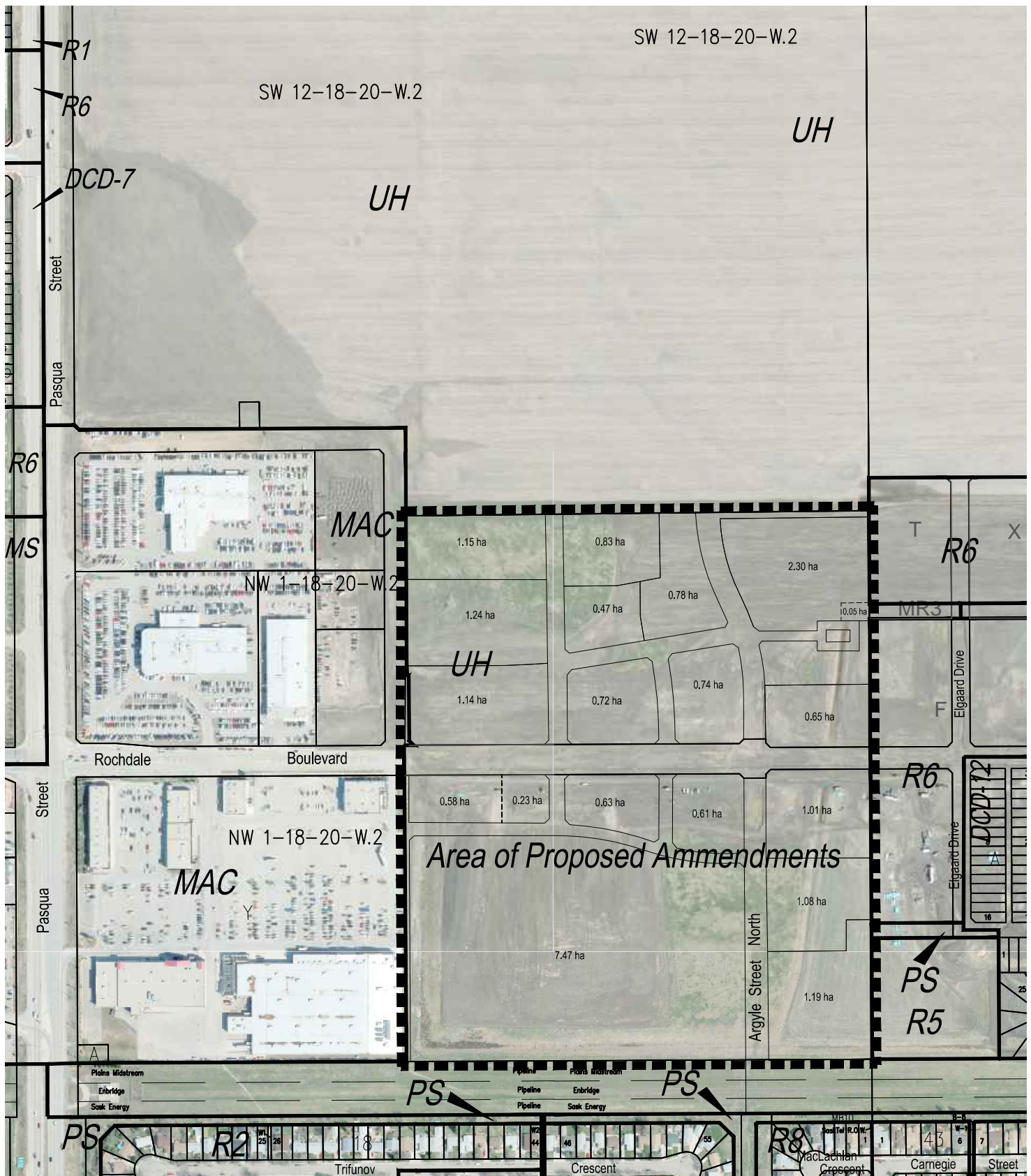
For Diana Hawryluk, Director
Planning Department

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Jason Carlston".

Jason Carlston, Executive Director
Community Planning & Development


Prepared by: Ben Mario



Subject Property





 Subject Property

Date of Photography: 2012

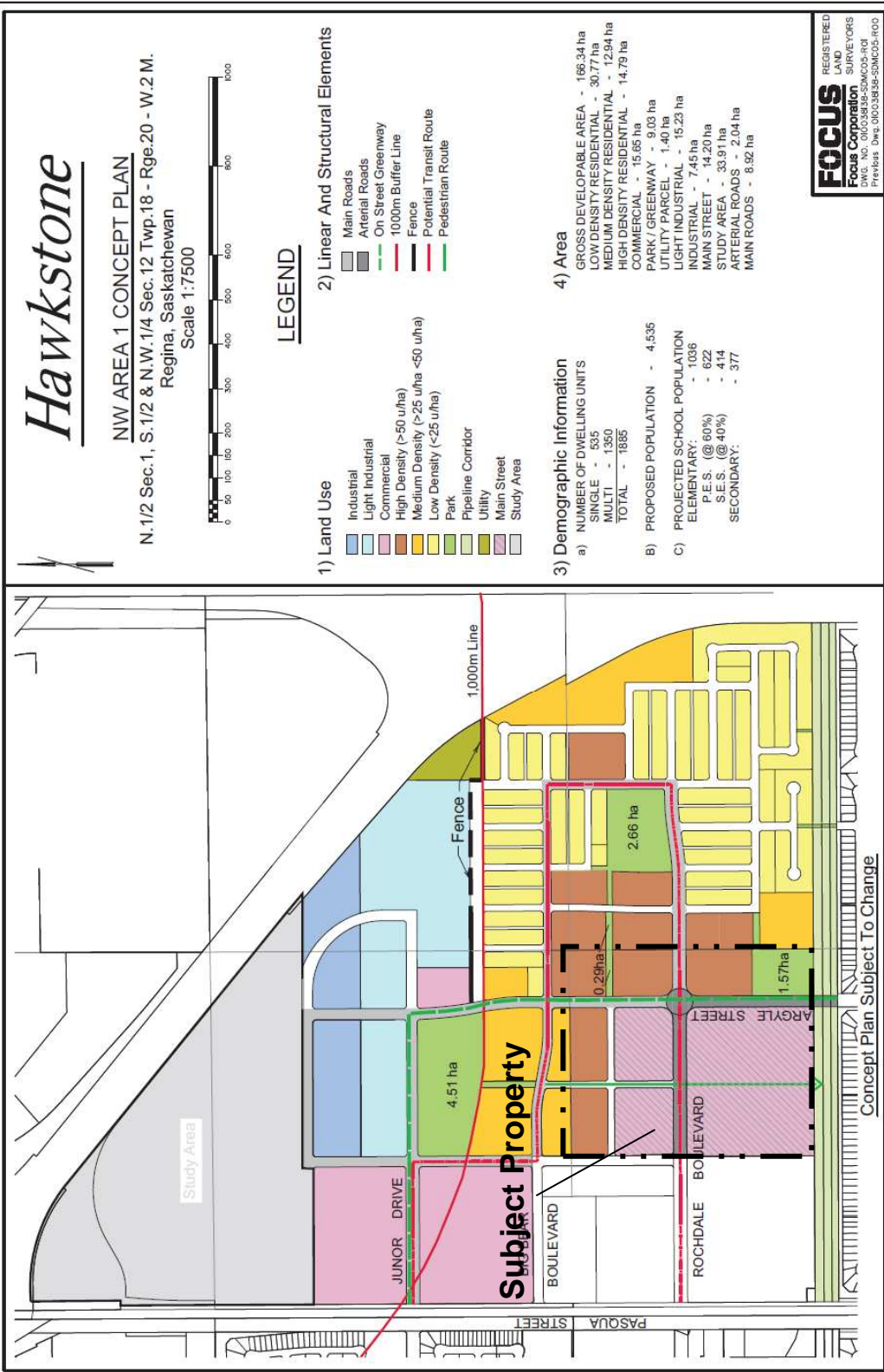


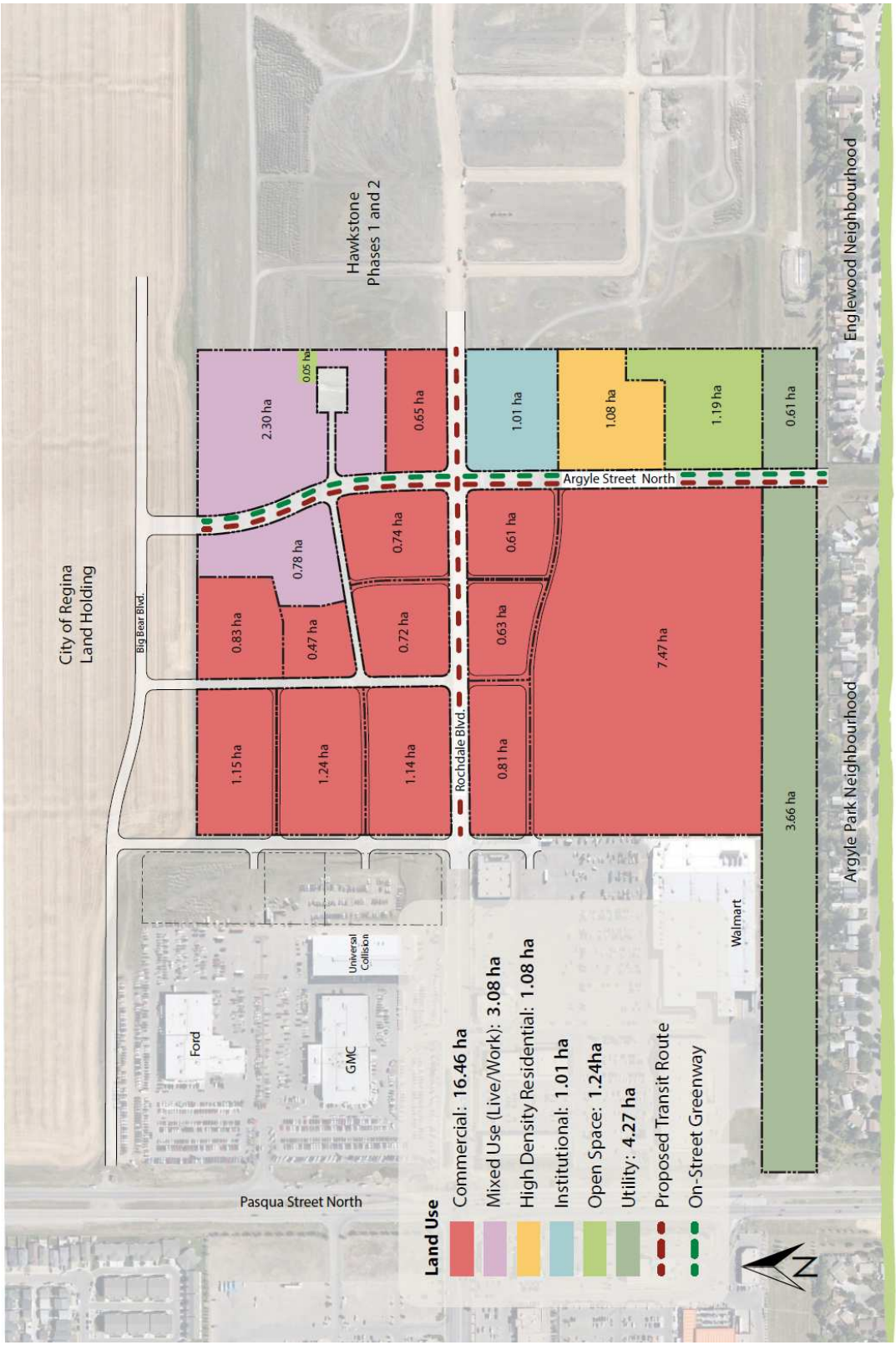
Project 13-CP-08

Civic Address/Subdivision

Hawkstone NW Area 1 Concept Plan

Current (Approved) Concept Plan





Client/Project
Cornerstone Holdings Ltd.
Exhibit No.
3.1.2
Title
Proposed Land Use Plan

HAWKSTONE SOUTH

Regina, Saskatchewan

CUSHING TERRELL
Revised January 07, 2014
Preliminary Concept
Subject to Change

Planning Department

Project 13-CP-08

Civic Address/Subdivision

Hawkstone

February 12, 2014

To: Members,
Regina Planning Commission

Re: Application for Zoning Bylaw Amendment (13-Z-21)
2251 Heseltine Road, Riverbend Subdivision

RECOMMENDATION

1. That the application to rezone Part of Parcel A, Plan No. 101550406, SW 1/4 22-17-19 W2M located at 2251 Heseltine Road from UH-Urban Holding to R6-Residential Multiple Housing, be APPROVED.
2. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.
3. That this report be forwarded to the March 24, 2014 City Council meeting, which will allow sufficient time for advertising of the required public notices for the respective bylaws.

CONCLUSION

The applicant proposes to rezone to accommodate:

- High-Density Residential through R6- Residential Multiple Housing zoning

The subject property is:

- Located within the Riverbend Subdivision
- Currently zoned UH-Urban Holding
- Compliant with the Official Community Plan and the Riverbend Concept Plan

No community comments were received with regard to this proposal.

BACKGROUND

A Zoning Bylaw amendment application has been submitted concerning the property at 2251 Heseltine Road.

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

The related subdivision application is being considered concurrently in accordance with Bylaw No. 2003-3, by which subdivision approval authority has been delegated to the Administration. A copy of the plan of proposed subdivision is attached for reference purposes only (See Appendix A-3).

DISCUSSION

Zoning and Land Use Details

The applicant proposes to create one lot for the development of low-rise apartment buildings which are permitted in the R6 Zone. The property will be rezoned as follows:

Land Description	Description of Development	Current Zone	Proposed Zone
Parcel A, Plan No.101550406 and all of SW 1/4 22-17-19 W2M	High-Density Residential	UH-Urban Holding	R6 - Residential Multiple Housing

The surrounding land uses include future high density development to the north, a memory care facility to the west, future low-density residential to the east, and medium density residential to the south.

The proposed development is consistent with the purpose and intent of the R6 zone with respect to:

- Regulating the location and standards for apartment buildings

The proposal is consistent with the Riverbend Concept Plan (see Appendix A-3), which identifies the subject property as high density residential development.

RECOMMENDATION IMPLICATIONS

Financial Implications

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

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

The increase of additional high density developments in this area will require bus service. Transit strives to have a maximum walk distance of 400 metres to transit service in residential areas. Currently the closest walk to Transit on Quance Street or Arens Road is over 500 metres.

As this area develops and demand increases, Transit will consider rerouting one of the routes down Heseltine to lessen the walk distance. However, there are no resources in place for additional bus service at this time.

Environmental Implications

None with respect to this report.

Policy/Strategic Implications

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

- Accommodating the demand for a variety of housing types throughout the city.

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

- Facilitating the development and integration of a range of housing types
- Ensuring compatibility between residential development and adjacent land uses

Other Implications

None with respect to this report.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

Public notification signage posted on:	December 12, 2014
Will be published in the Leader Post on:	March 8, 2014 March 15, 2014
Letter sent to immediate property owners	N/A
Public Open House Held	N/A
Number of Public Comments Sheets Received	N/A

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

DELEGATED AUTHORITY

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

Respectfully submitted,

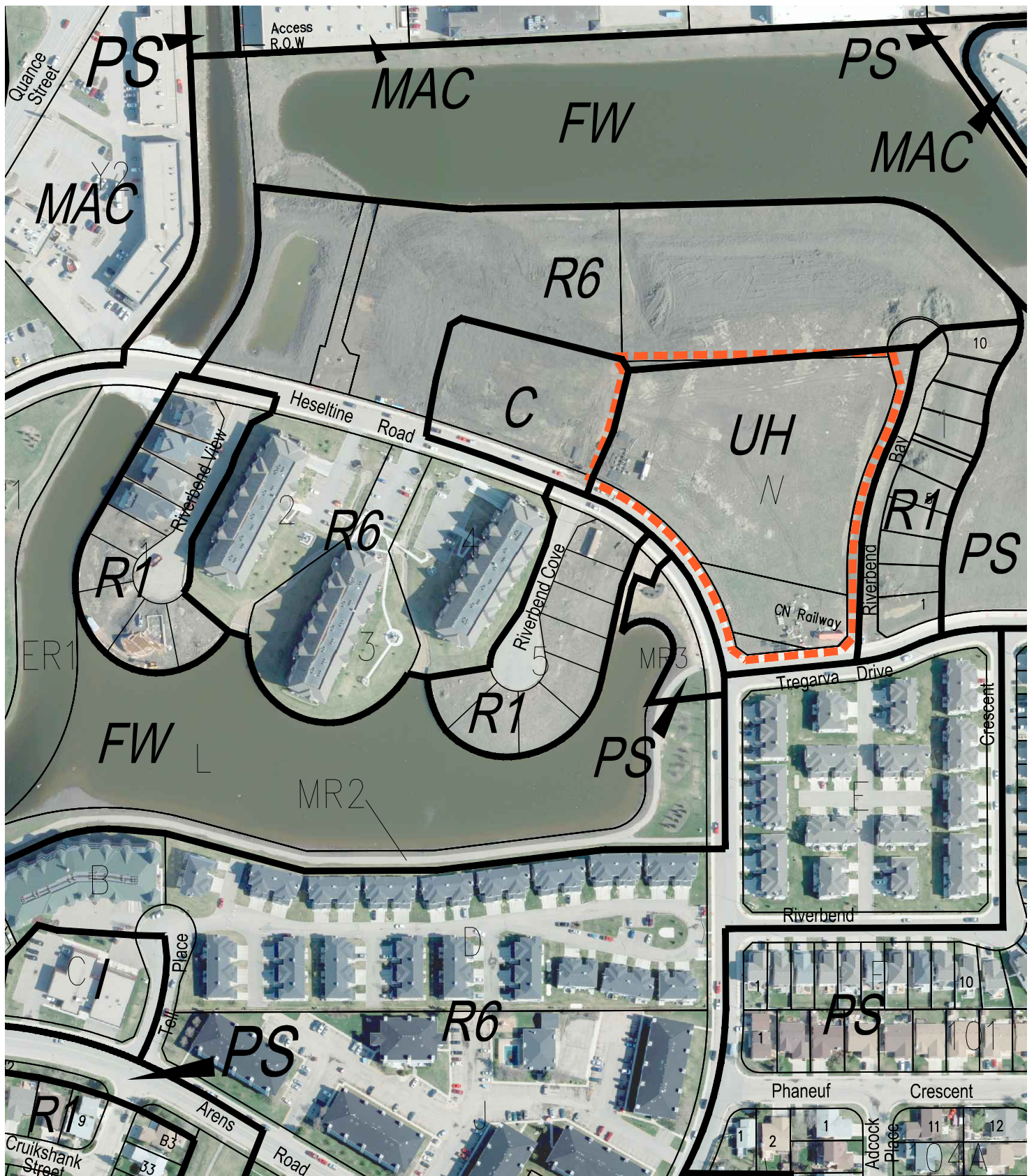


For Diana Hawryluk, Director
Planning

Respectfully submitted,



Jason Carlston, Executive Director
Community Planning and Development



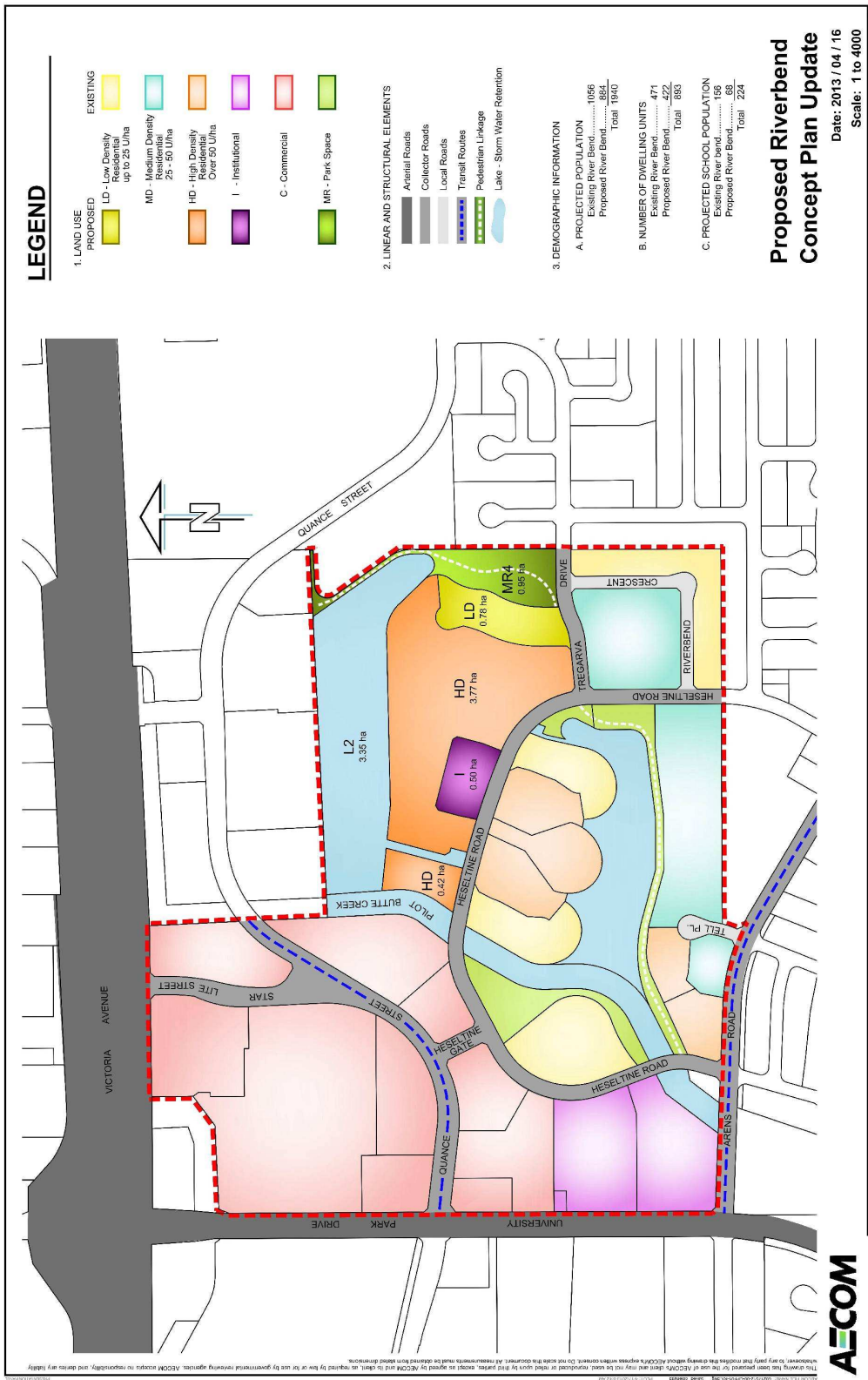
Subject Property



Project 13-SN-33
13-Z-21

Civic Address/Subdivision

Parcel A, Plan#101550406, SW1/4 Sec22, Twp17, Rge19, W2M, Plan#AD2450
Part of SW1/4 Sec22, TWP 17, RGE 19, W2M



OF ALL OF

PARCEL A, PLAN No. 101550406

AND ALL OF

SW1/4 SEC 22, TWP 17, RGE 19, W2 Mer

REG'D PLAN No. AD2450

AND PART OF

SW1/4 SEC 22, TWP 17, RGE 19, W2 Mer

REGINA, SASKATCHEWAN

2013

SCALE = 1: 1000

CITY OF REGINA APPROVAL

THE SUBDIVISION PROPOSED HEREIN OUTLINED IN A BOLD
DASHED LINE IS APPROVED UNDER THE PROVISIONS OF BYLAW
NO. 7748-LA-B84 OF THE CITY OF REGINA.

DATED THIS _____ DAY OF _____ A.D. 20____

CITY CLERK

NOTES:

- MEASUREMENTS ARE IN METRES AND DECIMALS THEREOF.
- SOME MEASUREMENTS ARE APPROXIMATE AND MAY DIFFER FROM THE FINAL PLAN OF SURVEY BY AS MUCH AS 1.0 %.
- PORTION TO BE APPROVED IS OUTLINED WITH A BOLD DASHED LINE AND CONTAINS 1.46 ha (3.61 ac)

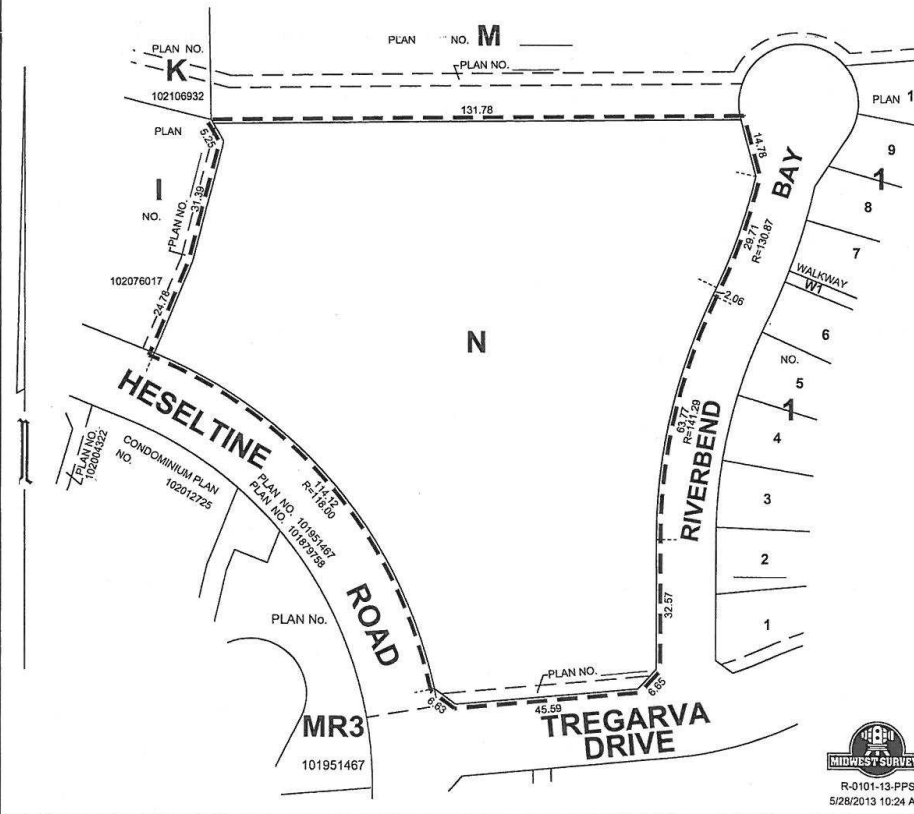
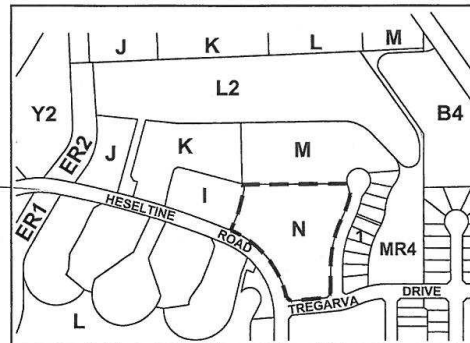
DATE MAY 29th, 2013

SCOTT L. COLVIN
SASKATCHEWAN LAND SURVEYOR

OWNER:

PARCEL A, PLAN No. 101550406
SW1/4 SEC 22-17-19 W2 Mer, REG'D PLAN No. AD2450
SW1/4 SEC 22-17-19 W2 Mer

CINDERCRETE PRODUCTS LIMITED





City of Regina

Memo

February 12, 2014

To: Members of Regina Planning Commission

Re: Condominium Policy Bylaw and Policy Update

On January 23, 2014, the Mayor's Housing Commission considered *The City of Regina Condominium Policy Bylaw, 2012* (Bylaw No. 2012-14) and Policy Update report (MHC14-1) with the following recommendations:

1. That *The City of Regina Condominium Policy Bylaw, 2012* (Bylaw No. 2012-14) be amended to:
 - a. Revise Section 7 governing the definition and treatment of vacant properties as outlined in Option 2 (below) of this report;
 - b. Clarify that a two-unit building and a laneway suite are not eligible for conversion to condominium ownership.

(Option 2: Amend the definition of Vacant Property to extend the period of required vacancy from 12 to 36 months, require that the building must be 100% vacant during this period, and clarify that eviction may not be used to vacate a building for the purpose of conversion.)

2. That the Mayor's Housing Commission provide input on the proposed bylaw amendments to the Regina Planning Commission for consideration at its meeting on February 12, 2014.
3. That a supplementary report outlining commentary from the Mayor's Housing Commission be prepared by Administration for the February 12, 2014 meeting of the Regina Planning Commission.
4. That the City Solicitor be directed to prepare the necessary bylaw to authorize the amendments, as described above.
5. That this report be forwarded to the February 27, 2014 City Council meeting.

The Motion to concur with this recommendation was defeated. Further, two additional amendments were proposed to 1(a) which were also defeated, those being:

1. That *The City of Regina Condominium Policy Bylaw, 2012* (Bylaw No. 2012-14) be amended to:
 - a. Remove Section 7 governing the definition and treatment of vacant properties as outlined in Option 1 (below) of this report;

(Option 1: Remove Section 7 entirely and treat a vacant building as any other.)

And;

1. That *The City of Regina Condominium Policy Bylaw, 2012* (Bylaw No. 2012-14) be amended to:
 - a. Revise Section 7 governing the definition and treatment of vacant properties to extend the period of required vacancy from 12 to 24 months, require that the building must be 100% vacant during this period, and clarify that eviction may not be used to vacate a building for the purpose of conversion;

During discussion on the amendments, Commission members analyzed several options and the purpose and rationale for recommending an increase to the specific number of months in terms of required vacancy. Members are cognizant of the fact that Regina currently has a 1.8% vacancy rate, which is below the overall City goal of 3%. Members also are mindful that it is important that tenants be provided with options for a healthy supply of diverse rental accommodations. However, it was felt that extending the vacancy period for more than 12 months may be unfair to the landlord or property owner. Members also agreed that at this point in time, as we are experiencing no issues with the current policy, we may be trying to resolve a problem that does not yet exist. As such, the amendments above were defeated.

A further amendment was put forward and adopted by the Commission, as below:

1. That *The City of Regina Condominium Policy Bylaw, 2012* (Bylaw No. 2012-14) be amended to:
 - a. Revise Section 7 to define a vacant property where 100% of the building's units are vacant for a 12 month period, and clarify that eviction may not be used to vacate a building for the purpose of conversion.

Commission members found this amendment acknowledged the property owner's needs, while ensuring protection for tenants.

Administration's original recommendations to the Mayor's Housing Commission were intended to ensure a balance between the need to provide diverse housing options while maintaining the supply and availability of rental housing stock, in accordance with the Comprehensive Housing Strategy. In addition, these recommendations were offered proactively, in terms of the potential implications and issues that could result in the way the bylaw is currently worded.

After hearing discussion by the Mayor's Housing Commission, and since there have been no actual issues with the Bylaw, Administration supports the Commission's recommendations and will continue to monitor and evaluate any implications arising as a result of the changes to the Bylaw. Administration has also committed to an annual review of the policy and to provide a report to the Mayor's Housing Commission in regards to this annual review.

If you have any specific questions, please contact Diana Hawrylak, Director of Planning at 306.777.7758.



Chris Holden,
Acting Executive Director

cc: Mayor's Housing Commission
Jim Nicol
Diana Hawrylak
Jennifer Barrett
Sheila Harmatiuk

February 12, 2014

To: Members,
Regina Planning Commission

Re: Condominium Policy Bylaw and Policy Update

**RECOMMENDATION OF THE MAYOR'S HOUSING COMMISSION
- JANUARY 23, 2014**

1. That *The City of Regina Condominium Policy Bylaw, 2012* (Bylaw No. 2012-14) be amended to:
 - a. Revise Section 7 to define a vacant property as a property where 100% of the building's units are vacant for a 12 month period, and clarify that eviction may not be used to vacate a building for the purpose of conversion;
 - b. Clarify that a two-unit building and a laneway suite are not eligible for conversion to condominium ownership.
2. That the City Solicitor be directed to prepare the necessary bylaw to authorize the amendments, as described above.
3. That this report be forwarded to the February 27, 2014 City Council meeting.

MAYOR'S HOUSING COMMISSION – JANUARY 23, 2014

The Commission adopted a resolution to concur in the recommendation contained in the report, after amending recommendation 1 a. to read as follows:

1. That *The City of Regina Condominium Policy Bylaw, 2012* (Bylaw No. 2012-14) be amended to:
 - a. Revise Section 7 to define a vacant property as a property where 100% of the building's units are vacant for a 12 month period, and clarify that eviction may not be used to vacate a building for the purpose of conversion;

Recommendation #2, #3 and #5 do not require City Council approval.

Mayor Fougere; Councillors: Burnett and Young; Robert Byers, Terry Canning, Blair Forster, Tim Gross and Malcolm Neill were present during consideration of this report by the Mayor's Housing Commission.

The Mayor's Housing Commission, at its meeting held on January 23, 2014, considered the following report from the Administration:

RECOMMENDATION

1. That *The City of Regina Condominium Policy Bylaw, 2012* (Bylaw No. 2012-14) be amended to:

- a. Revise Section 7 governing the definition and treatment of vacant properties as outlined in Option 2 of this report;
 - b. Clarify that a two-unit building and a laneway suite are not eligible for conversion to condominium ownership.
2. That the Mayor's Housing Commission provide input on the proposed bylaw amendments to the Regina Planning Commission for consideration at its meeting on February 12, 2014.
3. That a supplementary report outlining commentary from the Mayor's Housing Commission be prepared by Administration for the February 12, 2014 meeting of the Regina Planning Commission.
4. That the City Solicitor be directed to prepare the necessary bylaw to authorize the amendments, as described above.
5. That this report be forwarded to the February 27, 2014 City Council meeting.

CONCLUSION

Since revisions to the *Condominium Policy Bylaw* were made in early fall 2013 and brought before Regina Planning Commission, Housing Commission and Council, Administration has become aware of situations in which the *Condominium Conversion Policy Bylaw* should be updated to reflect current housing trends. Therefore, as a measure of on-going evaluation and monitoring, Administration is bringing forward two amendments to the Bylaw. These amendments aim to balance the need to provide diverse housing options with the need to maintain the supply and availability of rental housing while also retaining the existing housing stock, all of which are objectives of the *Comprehensive Housing Strategy*.

As governed by the *Planning and Development Act*, review of *Condominium Policy Bylaw* by Regina Planning Commission is required. The Mayor's Housing Commission will provide input on the recommendations, which will be forwarded to Planning Commission as a supplemental report. Amendments as outlined in this report require Council approval.

BACKGROUND

The Condominium Policy Bylaw, 2012 was established to allow for the orderly conversion of rental properties to condominium ownership while ensuring that condominium conversions do not significantly reduce the supply of rental accommodations in the city. On July 29, 2013, Council considered a report (CR13-110) in which the Administration indicated it would begin a review of *The City of Regina Condominium Policy Bylaw, 2012* as part of the implementation of the *Comprehensive Housing Strategy*. Amendments were brought forward and approved by the Regina Planning Commission on October 23, 2013 and by Council on November 25, 2013. The report was also brought to the November 14, 2013 meeting of the Mayor's Housing Commission. Amendments to *The Condominium Policy Bylaw* increased the vacancy rate at which conversions of properties containing five or more rental units could occur to a three percent vacancy for both citywide and zone vacancy rates. Amendments were also made to correct typographical errors in the Bylaw.

Since approval of amendments to *The Condominium Policy Bylaw*, Administration has closely monitored the housing situation and the rental market to identify any challenges to improving rental supply. A city-wide vacancy rate of 1.8 percent in Regina was reported for October 2013. Although significantly higher than the October 2012 rate of 1 percent, the rate is still less than the target of three percent as established in the *Comprehensive Housing Strategy*. However, based on Administration's estimates of the rental units required to achieve a vacancy rate of three percent by 2017, a 1.8 percent vacancy as reported in the fall 2013 is on target to achieving a three percent rate by 2017.

DISCUSSION

As a matter of review and updating, Administration has identified two areas of the *Condominium Policy Bylaw* needing amendments to ensure the intention of the *Condominium Policy Bylaw* is upheld.

First, in an effort to ensure the retention of long-term rental units, Administration proposes to increase the period in which a building must be vacant from 12 to 36 months, to amend the actual vacancy requirement to 100 percent of the apartments and to add language that prohibits a property owner from evicting tenants for the purpose of classifying a building as vacant and subverting the vacancy rate threshold. This triples the length of time required and doubles the actual vacancy of the building needed to define a building as vacant in the original policy, created in 2012, which was based on recommendations of the consultant when the policy was established. In the *Review of the Condominium Conversion Policy* completed by the Centre for Management Development in May 2011, the consultant established that a 12-month period of vacancy would balance the need to encourage the renovation of neglected or derelict buildings while providing a sufficient deterrent for vacating the building for the purpose of averting other requirements for conversion including the vacancy rate threshold.

Second, the bylaw as it is currently written excludes secondary suites from conversion for the purpose of maintaining these units in their original purpose and intent as additional rental units and as a mortgage helper for the property owner. However under the current policy, a main house with a subordinate suite, classified as a duplex or semi-detached, could apply to convert to a two-unit condominium thereby defeating the purpose and intention of excluding secondary suites from conversion. Also, the City has recently approved two pilot projects for laneway suites. In keeping with the intention to retain both secondary suites and laneway units as rental units and mortgage helpers for the property owner, the policy has been amended to increase the minimum units eligible for conversion to three, and to prevent a house with a laneway suite from being split as a two-unit condominium and sold as two separate ownership units.

Options for the revision of the Condominium Conversion Policy

In its interim review of *The Condominium Policy Bylaw*, Administration has worked with the City Solicitor's Office to consider several options for amendments to Section 7 of the bylaw, relating to the treatment of vacant buildings. Under the current bylaw a property would be considered vacant after a 12-month period and it would be the responsibility of the owner to provide evidence of vacancy for the 12-month period before an application for conversion could be made. In order to further restrict the potential for a property owner to intentionally vacate a building for the purpose of conversion, Administration has considered three options.

Explanations of each option with the possible advantages and challenges of each are provided below. Based on a policy review, the current housing context and the advice of the City Solicitor's Office, Administration is recommending Option 2 from the list below.

Revisions to Section 7 governing Vacant Properties:

Option 1: Remove Section 7 entirely and treat a vacant building as any other.

By removing Section 7 entirely from the *Condominium Policy Bylaw*, vacant properties would be treated as any other multi-unit building and would be required to adhere to the vacancy threshold, which is currently set at three percent for both the citywide and zone vacancy rates. This option creates a straightforward approach that treats a vacant building as one that is occupied and does not establish separate requirements or parameters for its conversion. The challenge with this option is that it could discourage or delay the repair and conversion of vacant and derelict properties, which was the original intention of Section 7 as recommended in the *Review of the Condominium Conversion Policy* completed in 2011.

Option 2: Amend the definition of Vacant Property to extend the period of required vacancy from 12 to 36 months, require that the building must be 100% vacant during this period, and clarify that eviction may not be used to vacate a building for the purpose of conversion.

The *Review of the Condominium Conversion Policy* completed by the University of Regina's Centre for Management Development in 2011 formed the basis for Section 7. With stakeholder input, the consultant advised that "The [Condominium Conversion] Policy should include a provision to discourage mass evictions or emptying a building to enable an easier conversion and put the onus on the landlord to demonstrate that the building was vacant for at least one year prior to application." This parallels the City of Saskatoon's conversion policy, which also defines a vacant building as one that has been continuously vacant for 12 months immediately preceding the date of submission of the application for conversion. As with Regina's policy, the vacancy threshold does not apply for the conversion of a vacant building in Saskatoon.

In keeping with the intention of this recommendation to encourage the renovation of derelict properties but restrict evictions or purposeful vacancy in order to subvert the vacancy threshold, Option 2 would revise the definition of vacant properties from 12 months to 36 months and require that the building be completely unoccupied during the term of vacancy before an application for conversion could be made pursuant to Section 7.

The provincial *Condominium Property Regulations*, 2001 contain provisions that deem any application for condominium approval related to property that was subject to demolition or renovation, which resulted in notices to be issued to any tenant to vacate pursuant to the *Residential Tenancies Act*, 2006, to be an application for conversion. In order to further disincentivize the use of eviction of tenants for the purpose of conversion, Administration also proposes to clarify in the Bylaw definition of Vacant Property that any property which is included as a conversion pursuant to section 8.1 of the *Condominium Property Regulations*, 2001 shall not be considered Vacant Property.

With a low vacancy rate and rental rates that have increased by more than 40% since 2006, it is highly unlikely that properties would be intentionally kept vacant for the purpose of conversion pursuant to Section 7. Since the *Condominium Policy Bylaw* was approved by Council in January 2012, Administration has not received an application for conversion for a building vacated for the purpose of conversion. As revised in Option 2, Section 7 encourages the property owner of a rental building in need of renovation to retain the building for rental since improvements could be made and tenure retained without restrictions such as confirmed vacancy. Further, Section 7 is likely to benefit heritage buildings, which could be adversely affected by removing provisions related to vacant properties as the neglect and demolition of these buildings has been identified as an on-going issue. Finally, to address dire cases of buildings made vacant by order of health,

maintenance or fire, amendments to Section 7 would give discretion to Council to waive the three-year period of vacancy for a building deemed to be uninhabitable or dangerous to public health or safety.

Option 3: Amend the definition of vacant property to restrict to properties under maintenance or health order or otherwise deemed as ruinous or dilapidated.

Prince Albert's *Condominium Conversion Policy* (2008) provides a more restrictive approach to addressing the conversion of vacant properties. If the vacancy rate is below the threshold for conversion (three percent for Prince Albert), Administration will only bring forward an application for conversion for a building that "at the time of application, is subject to an Order pursuant to the City of Prince Albert Maintenance and Occupancy Bylaw, Public Health or other official agency to repair or demolish the building and in the opinion of the Fire Chief, the Chief Building Official or their designate, and the Public Health Officer, that the building is in a ruinous or dilapidated state such that the building is dangerous to the public health or safety or substantially depreciates the value of other land or improvements in the neighbourhood."

Regina's *Condominium Conversion Policy Bylaw* Section 7 could be revised to reflect the language used in Prince Albert to only allow the conversion of a vacant building under order of Maintenance and Bylaw, Public Health or other such official. This would put additional and more stringent requirements on the conversion of vacant buildings and limit conversion to those that are beyond a livable condition. However, this revision to Section 7 may also result in intentional neglect for the purpose of conversion, or in a more extreme case, could encourage demolition rather than repair of an existing building. In the case of a substantially dilapidated building declared so by order of Health, Police or Bylaw Enforcement, Administration has opted to include a discretionary clause as part of the amendments outlined in Option 2 that would grant Council the ability to waive the three-year vacancy period to allow conversion.

It is important to note that should tenants be evicted for the purpose of a demolition, as mentioned in Option 2, the *Condominium Property Regulations, 2001* and the *Condominium Act 1993* would restrict the construction of a condominium on the site, subject to the requirements laid out in the *Condominium Act* which treats demolition of a rental building and new construction as a 'conversion'. In this instance, the Act would require that a conversion (i.e. new construction) only be allowed if it could be approved in accordance with the Act and the City's Bylaw requirements for approval of conversions.

Summary of Amendment Options and Housing Context

As stated in the January 2012 Council report (CR12-4), the large number of conversions that happened in 2007-2008 was due to the fact that the gap between rental market property income and housing prices created an opportunity for significant profit to be made through the conversion of rental apartments into condominiums. Similarly, with a housing stock of predominantly single-family detached units, the conversion of these units provided an alternative form of ownership unit not available on the market; for example, in the 2006 Census only 12% of all ownership units were not single-family detached homes.

With a significant increase in rents and more purpose-built multi-unit condominium units on the market, rental developments have become more financially viable thus lessening the financial interest in conversions. This trend has been confirmed by the City of Saskatoon. Saskatoon allows conversions at 1.5 percent vacancy yet with a vacancy rate above this threshold since

2008, the City has received approximately six applications (less than 100 units) for conversion since 2009.

As the vacancy rate increases in future years, it is expected that some rental units will come off the market as the number of available units and choice of units increases; the *Comprehensive Housing Strategy* has noted that at least 10% of all rental units are in need of major repair. Those units that are no longer occupied are expected to be the units in most dire need of renovation. In all likelihood, rental buildings requiring renovation will remain rental in the current market. As other cities have observed, with an increase in multi-unit condominium construction in 2012 and 2013, the conversion of rental units to condominiums has declined substantially and investment in rental development has increased. Section 7 as revised would still encourage the property owner of a rental building in need of renovation to invest in and retain the building for rental as improvements could be made without a period of documented vacancy. This intended outcome addresses one of the key objectives of the *Comprehensive Housing Strategy* to “Retain and Regenerate the Existing Housing Stock”.

Despite these market trends, situations may still exist whereby the conversion of a vacant or derelict building is the only financial alternative for preservation of the building, as in the case of a historic or heritage building. In keeping with the objectives of the *Comprehensive Housing Strategy* and the intention of the *Condominium Policy Bylaw*, Option 2 aims to balance the need for rental housing availability and housing diversity with the realities of a tight housing market and the current condition of Regina’s housing stock.

Revisions to Sections 5.1 and 18 governing eligibility of two-unit buildings and laneway suites:

For the purpose of maintaining laneway and secondary suites as rental units, Administration is recommending revisions to Section 5.1 and Section 18. These units when added to new or existing homes bring additional rental suites to neighbourhoods in a less intrusive manner than a multi-unit building. As the Bylaw is currently written, Section 5.1 excludes secondary suites from conversion for the purpose of maintaining these units in their original purpose and intent as rental units and as a mortgage helper for the property owner. According to the definition in the City’s Zoning Bylaw, a secondary suite cannot exceed 40% of the overall floor area of the dwelling. However, a main house with a subordinate suite that is classified as a duplex or semi-detached, could still apply to convert to a two-unit condominium thereby defeating the purpose and intention of excluding secondary suites from conversion. Therefore, it is proposed that the *Condominium Policy Bylaw* be amended to make a Property that, prior to conversion, contains fewer than 3 Units or Apartments ineligible for conversion to a condominium.

Similarly, the City has recently introduced laneway suites through the approval of two pilot projects. These projects include detached suites that are accessed off the laneway and share a lot with a main dwelling. In order to retain the intention of laneway units as rental units and mortgage helpers for the property owner, proposed Bylaw revisions would remove laneway suites as units eligible for conversion so as to prevent a house with a laneway suite from being split as a two-unit condominium and sold as two separate ownership units.

RECOMMENDATION IMPLICATIONS

Financial Implications

None with respect to this report.

Environmental Implications

None with respect to this report.

Policy and/or Strategic Implications

Revisions to *The City of Regina Condominium Policy Bylaw, 2012* (Bylaw No. 2012-14) are aligned with the policy direction of both the *Comprehensive Housing Strategy* and the *Official Community Plan* to achieve housing diversity, to protect and increase the supply of rental housing, and to retain and regenerate the existing housing stock.

Amendments to *The City of Regina Condominium Policy Bylaw, 2012* (Bylaw No. 2012-14) are intended to stabilize rental supply while housing needs and supply are monitored through the *Comprehensive Housing Strategy*. Information collected through monitoring will allow Administration to better evaluate current housing needs and to appropriately adjust housing policies in subsequent years.

Other Implications

None with respect to this report.

Accessibility Implications

As per the National Building Code, multi-unit rental buildings of four units or more are required to provide 5% accessible units. By encouraging the creation of purpose-built rental through incentives and stricter requirements on condominium conversions, amendments to *The City of Regina Condominium Policy Bylaw, 2012* may help to increase the number of accessible units created throughout the city.

COMMUNICATIONS

Administration will continue to work with the Communications Branch to ensure that changes to *The City of Regina Condominium Policy Bylaw, 2012* (Bylaw No. 2012-14) are made available to the public and to interested parties.

DELEGATED AUTHORITY

This report requires approval by City Council.

Respectfully submitted,

MAYOR'S HOUSING COMMISSION



Elaine Gohlke, Secretary