



# **Regina Planning Commission**

**Tuesday, July 5, 2022  
4:00 PM**

**Henry Baker Hall, Main Floor, City Hall**



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**OFFICE OF THE CITY CLERK**

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**Revised Public Agenda  
Regina Planning Commission  
Tuesday, July 5, 2022**

**Approval of Public Agenda****Adoption of Minutes**

Minutes of the meeting held on June 7, 2022.

**Administration Reports**

RPC22-21 Contract Zone- 2158-2160 Scarth Street - PL202200054

**Recommendation**

Regina Planning Commission recommends that City Council:

1. Approve the application to rezone the properties located at 2158 and 2160 Scarth Street, legally described as Plan: 101187648 - Ext 36 Block: 408 Lot: 22 and Plan: OLD33 - Ext 35 Block: 408 Lot: 13, from DCD-CS – Centre Square Direct Control District Zone to C – Contract Zone.
2. Approve execution of a contract zone agreement between the City of Regina and the Applicant and the owner of the subject properties, which shall include the following terms:
  - (i) The Agreement shall allow for the carrying out a specific proposal described as: “Transportation, Parking Lot” consisting of 13 paved stalls with vehicular access provided from the rear alley and for the exclusive use of occupants of the office building located at 2161 Scarth Street.
  - (ii) The proposed development shall generally conform to the attached plan labelled “ Appendix A-2” of this report, prepared by the Applicant and dated April 20, 2022.
  - (iii) The proposed development must meet the requirements of the City of Regina Transportation and Open Space Design Standards to obtain a Development permit.



## OFFICE OF THE CITY CLERK

- (iv) Signage on the subject property shall comply with the development standards for the DCD-CS – Centre Square Direct Control District Zone.
  - (v) Any zoning-related detail not explicitly addressed in the Contract Zone agreement shall be subject to the applicable provisions of *The Regina Zoning Bylaw, 2019*.
  - (vi) The approval to initiate the proposed development shall be valid for two years from the date of passage of the bylaw authorizing the Contract Zone agreement.
  - (vii) If this Agreement is declared void or otherwise terminated or expires, the zoning of the subject properties shall revert to the DCD-CS – Centre Square Direct Control District Zone.
  - (viii) An interest based on the Agreement shall be registered in the land registry against the title to the subject lands at the Applicant's cost pursuant to Section 69 of *The Planning and Development Act, 2007*.
3. Instruct the City Solicitor to prepare the necessary bylaw to give effect to the recommendations, to be brought forward to a meeting of City Council following approval of the recommendations and the required public notice.
  4. Approve these recommendations at its meeting July 13, 2022.

RPC22-25 Catherine Gibson: 196 Massey Road

### **Recommendation**

That this communication be received and filed.

RPC22-22 Discretionary Use Application - 2104 Grant Road - PL202200098

### **Recommendation**

Regina Planning Commission recommends that City Council:

1. Approve the Discretionary Use application for the proposed development of "Retail Trade, Cannabis" land use located at 2401 Grant Road, being Lot 50, Parcel 10, Plan 101186322 Ext 11 in the Whitmore Park Subdivision, subject to compliance with the following development standards and conditions:



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- a) The development shall be generally consistent with the plans attached to this report as Appendix A-3.1, prepared by Gilchuk Design and Drafting, dated January, 2022.
  - b) Except as otherwise specified in this approval, the development shall comply with all applicable standards and regulations in *The Regina Zoning Bylaw, 2019*.
2. Authorize the Development Officer to issue a notice of approval 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.
  3. Approve these recommendations at its meeting on July 13, 2022.

**RPC22-24 Density Target for New Neighbourhoods****Recommendation**

Regina Planning Commission recommends that City Council:

1. Remove MN21-8 from the List of Outstanding Items for City Council.
2. Amend *Design Regina: The Official Community Plan Bylaw No. 2013-48* as outlined in Appendix A.
3. Ensure the OCP 10-Year Review project considers policy improvements regarding the design and location of density within neighbourhoods.
4. Instruct the City Solicitor to prepare the necessary bylaws 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.
5. Approve these recommendations at its meeting on July 13, 2022.

**RPC22-23 Antenna Systems Protocol****Recommendation**

Regina Planning Commission recommends that City Council:

1. Remove items RPC10-5 Cell Phone Towers and RPC15-3 Application for





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Sale of Dedicated Lands (15-SD-01) Portion of Qu'Appelle Park - 1301 Parker Avenue from the List of Outstanding Items.

2. Approve the Antenna System Protocol, attached as Appendix A.
3. Approve these recommendations at its meeting on July 13, 2022.

RPC22-26 Margaret Friesen - Antenna Protocol

**Adjournment**

AT REGINA, SASKATCHEWAN, TUESDAY, JUNE 7, 2022

AT A MEETING OF REGINA PLANNING COMMISSION  
HELD IN PUBLIC SESSION

AT 4:00 PM

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

Present: Councillor John Findura, in the Chair  
Councillor Terina Shaw (Videoconference)  
Councillor Shanon Zachidniak  
John Aston  
Frank Bojkovsky  
Tak Pham (Videoconference)  
Maynard Sonntag  
Celeste York

Regrets: Biplob Das  
Cheri Moreau  
Kathleen Wilson

Also in Attendance: Council Officer, Elaine Gohlke  
Legal Counsel, Cheryl Willoughby  
A/Executive Director, City Planning & Community Development,  
Deborah Bryden  
Director, Planning & Development Services, Autumn Dawson  
Manager, City Planning, Ben Mario  
Senior Engineer, Max Zasada

APPROVAL OF PUBLIC AGENDA

**Councillor Shanon Zachidniak 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 forward by the Chairperson.**

ADOPTION OF MINUTES

**Celeste York moved, AND IT WAS RESOLVED, that the minutes for the meeting held on May 10, 2022 be adopted, as circulated.**

### ADMINISTRATION REPORTS

RPC22-17 Proposed Concept Plan and Zoning Bylaw Amendment - 8701 Dewdney Avenue - PL202100226 and PL202100227

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#### Recommendation

Regina Planning Commission recommends that City Council:

1. Approve the application to amend the Westerra Phase 1 Concept Plan (Land-Use Plan and Circulation Plan) by redesignating part of the Large Format Retail land use to low and medium-density residential land use and adopt the amended Concept Plan as set out in Appendix A-4.1 and A-4.2.
2. Approve the application to rezone portions of lands from the Westerra Phase 1, as shown in Appendix A-1; being part of Blk/Par A-Plan 102224393 Ext 1, located within the Westerra Concept Plan from MLM - Mixed Large Market Zone to:
  - a. RU – Residential Urban Zone;
  - b. RL - Residential Low-Rise Zone
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 the City Council following approval of these recommendations and the required public notice.
4. Approve these recommendations at its meeting on June 15, 2022, following the required public notice.

The following addressed the Commission:

- Blair Forster and Paul Gregory, representing Westerra Development Corp., Regina; and
- Grant Mihalcheon, representing B & A Planning Group, Calgary, Alberta.

**Frank Bojkovsky moved that the recommendation contained in the report be concurred in.**

**The motion was put and declared CARRIED.**

<b>RESULT:</b>	CARRIED [Unanimous]
<b>MOVER:</b>	Commission member: Bojkovsky
<b>IN FAVOUR:</b>	Councillors: Shaw, Zachidniak and Findura Commission members: Aston, Bojkovsky, Pham, Sonntag and York
<b>ABSENT:</b>	Das, Moreau and Wilson

RPC22-18 Discretionary Use Application - 2820 Narcisse Drive - PL202200027

**Recommendation**

Regina Planning Commission recommends that City Council:

1. Approve the Discretionary Use application for the proposed development of 106 units as seven “Building, Stacked” and nine “Building, Row” located at 2820 Narcisse Drive, being Parcel S, Plan 102136845 in the Hawkstone Subdivision, subject to compliance with the following development standards and conditions:
  - a) The development shall be generally consistent with the plans attached to this report as Appendix A-3.1 and A-3.3, prepared by Robinson Residential Design Inc., dated March 9, and April 19, 2022.
  - b) Except as otherwise specified in this approval, the development shall comply with all applicable standards and regulations in *The Regina Zoning Bylaw, 2019*.
2. Authorize the Development Officer to issue a notice of approval 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.
3. Approve these recommendations at its meeting on June 15, 2022.

Evan Lascue, representing Avana Developments Inc., Regina, addressed the Commission.

(Councillor Shanon Zachidniak left the meeting.)

**Celeste York moved that the recommendation contained in the report be concurred in.**

**The motion was put and declared CARRIED.**

<b>RESULT:</b>	CARRIED [Unanimous]
<b>MOVER:</b>	Commission member: York
<b>IN FAVOUR:</b>	Councillors: Shaw and Findura Commission members: Aston, Bojkovsky, Pham, Sonntag and York
<b>ABSENT:</b>	Das, Moreau, Wilson and Zachidniak

## RPC22-19 Closure of Utility Parcels - 9501 9th Avenue N. - PL202200047

### **Recommendation**

Regina Planning Commission recommends that City Council:

1. Approve a resolution pursuant to section 172.1 of *The Planning and Development Act, 2007* with respect to Municipal Utility Parcels MU1 and MU2, Plan No. 102373321, as shown in Appendix A-3 to:
  - a. Declare that the municipal utility parcels are no longer required as municipal utility parcels; and
  - b. Direct Administration to cause the municipal utility parcel designations to be removed from title of the parcels.
2. Approve these recommendations at its June 15, 2022, meeting.

Evan Hunchak, representing Dream Development, Regina, addressed the Commission.

**John Aston moved that the recommendation contained in the report be concurred in.**

**The motion was put and declared CARRIED.**

<b>RESULT:</b>	CARRIED [Unanimous]
<b>MOVER:</b>	Commission member: Aston
<b>IN FAVOUR:</b>	Councillors: Shaw and Findura Commission members: Aston, Bojkovsky, Pham, Sonntag and York
<b>ABSENT:</b>	Das, Moreau, Wilson and Zachidniak

## RPC22-20 Zoning Bylaw Amendment - Backyard Suites Amendment

### **Recommendation**

Regina Planning Commission recommends that City Council:

1. Approve amendments to *The Regina Zoning Bylaw, 2019* to allow for Backyard Suites as a permitted use as described in this report and in accordance with the regulations set out in detail in Appendix A.
2. Approve amendments to *The Housing Incentives Policy* to expand a five year, 25 per cent tax exemption to applicable Backyard Suites as described in this report and in accordance with amendments set out in detail in Appendix B.
3. Exempt the sign posting requirements, as allowed by *The Public Notice Policy Bylaw, 2020*, for the properties as noted in Appendix B that are being rezoned.
4. Instruct the City Solicitor to prepare the necessary bylaw to give effect to

the recommendations, to be brought forward to the meeting of City Council following approval of the recommendations by Council and the required public notice.

5. Approve these recommendations at its meeting on June 15, 2022.

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

**Maynard Sonntag moved that the recommendation contained in the report be concurred in.**

**The motion was put and declared CARRIED.**

<b>RESULT:</b>	CARRIED [Unanimous]
<b>MOVER:</b>	Commission member: Sonntag
<b>IN FAVOUR:</b>	Councillors: Shaw and Findura Commission members: Aston, Bojkovsky, Pham, Sonntag and York
<b>ABSENT:</b>	Wilson, Moreau, Das and Zachidniak

#### ADJOURNMENT

**John Aston moved, AND IT WAS RESOLVED, that the meeting adjourn.**

**The meeting adjourned at 5:39 p.m.**

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Chairperson

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Secretary



## **Contract Zone- 2158-2160 Scarth Street - PL202200054**

<b>Date</b>	July 5, 2022
<b>To</b>	Regina Planning Commission
<b>From</b>	City Planning & Community Development
<b>Service Area</b>	Planning & Development Services
<b>Item No.</b>	RPC22-21

### **RECOMMENDATION**

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Regina Planning Commission recommends that City Council:

1. Approve the application to rezone the properties located at 2158 and 2160 Scarth Street, legally described as Plan: 101187648 - Ext 36 Block: 408 Lot: 22 and Plan: OLD33 - Ext 35 Block: 408 Lot: 13, from DCD-CS – Centre Square Direct Control District Zone to C – Contract Zone.
2. Approve execution of a contract zone agreement between the City of Regina and the Applicant and the owner of the subject properties, which shall include the following terms:
  - (i) The Agreement shall allow for the carrying out a specific proposal described as: “Transportation, Parking Lot” consisting of 13 paved stalls with vehicular access provided from the rear alley and for the exclusive use of occupants of the office building located at 2161 Scarth Street.
  - (ii) The proposed development shall generally conform to the attached plan labelled “ Appendix A-2” of this report, prepared by the Applicant and dated April 20, 2022.
  - (iii) The proposed development must meet the requirements of the City of Regina Transportation and Open Space Design Standards to obtain a Development permit.
  - (iv) Signage on the subject property shall comply with the development standards for the DCD-CS – Centre Square Direct Control District Zone.

- (v) Any zoning-related detail not explicitly addressed in the Contract Zone agreement shall be subject to the applicable provisions of *The Regina Zoning Bylaw, 2019*.
  - (vi) The approval to initiate the proposed development shall be valid for two years from the date of passage of the bylaw authorizing the Contract Zone agreement.
  - (vii) If this Agreement is declared void or otherwise terminated or expires, the zoning of the subject properties shall revert to the DCD-CS – Centre Square Direct Control District Zone.
  - (viii) An interest based on the Agreement shall be registered in the land registry against the title to the subject lands at the Applicant's cost pursuant to Section 69 of *The Planning and Development Act, 2007*.
3. Instruct the City Solicitor to prepare the necessary bylaw to give effect to the recommendations, to be brought forward to a meeting of City Council following approval of the recommendations and the required public notice.
  4. Approve these recommendations at its meeting July 13, 2022.

## ISSUE

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628470 Saskatchewan Ltd. (Applicant) proposes to redevelop properties at 2158 and 2160 Scarth Street (Subject Property) by replacing existing vacant buildings with a "Transportation, Parking Lot" (parking lot) consisting of 13 surface parking stalls (Proposed Development). Development of these properties is subject to the policies of the Transitional Area Neighbourhood Plan (TANP) and regulations of *The Regina Zoning Bylaw, 2019* (Zoning Bylaw) - DCD-CS – Centre Square Direct Control District Zone.

On August 25, 2003, City Council approved applications for a Contract Zone agreement and TANP amendment to accommodate a 13-stall surface parking lot at the Subject Property; While that proposal never materialized and the prior approval has expired, the TANP policy support still applies. The Applicant is now ready to pursue the development and is applying for a new Contract Zone.

This application is being considered per *The Planning and Development Act, 2007* (The Act); *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP) and the Zoning Bylaw. Administration has reviewed the proposal, including technical review submissions, and deems the application to comply with some of the applicable policies and regulations; therefore, approval is recommended.



## IMPACTS

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### Policy/Strategic Impacts

Although the Proposed Development does not align with OCP – Part A objectives relating to “compact and contiguous neighbourhoods” (Section C, Policy 2.5) and the Transportation Master Plan (TMP) policy that supports increasing multi-modal transportation options through the reduction of parking (Direction 1, Goal 1; Goal 9), the Proposed Development does comply with previously approved exemptions in the TANP within OCP – Part B, which has a policy explicitly supporting parking at the Subject Property, as discussed further in this report. The proposed development will support parking for the tenancy of the related office building.

### Environmental and Financial Impacts

The recommendations in this report have limited direct impacts on energy consumption and greenhouse gas emissions. There are no financial or other impacts associated with the proposed development.

## OTHER OPTIONS

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Alternative options would be:

1. Approve the application with specific amendments to the proposed Contract Zone.
2. Refer the application back to Administration. If City Council has specific concerns with the proposal, it may refer the application back to Administration to address or make additional recommendations and direct that the report be reconsidered by Regina Planning Commission or brought directly back to Council following such further review. Referral of the report back to the Administration will delay approval of the development until the requested information has been gathered or changes to the proposal have been made.
3. Deny the application. The proposed Contract zone and the development will not proceed.

## COMMUNICATIONS

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The Applicant and other interested parties will receive a copy of the report and notification of their right to appear as a delegation at the Council meeting when the application is considered. Public notice of the public hearing required when Council considers an amendment to the Zoning Bylaw will be given per *The Public Notice Policy Bylaw, 2020*. The Applicant will receive written notification of the City Council's decision.

## DISCUSSION

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### **Proposal**

The Applicant proposes to develop a 13-stall, paved parking lot at the Subject Property (Appendix A-1), which is intended to provide additional parking for the existing office building at 2161 Scarth Street. According to the Applicant, additional parking is necessary to enhance the marketability of the office building for prospective tenants.

The Subject Property contains two vacant single storey detached dwellings, which are proposed to be demolished. Surrounding land uses include low-rise apartment buildings to the south, a high-rise senior citizen apartment building to the west and office developments to the north and east.

### **Neighbourhood Plan**

The proposed development is subject to the policies of the Transitional Area Neighbourhood Plan (OCP – Part B.3 [TANP]). While parking provisions within the TANP prohibit the development of new off-street parking lots, Section 5.0(d) of the TANP includes a specific exception for Subject Property, which City Council approved in 2003 for a similar proposal. This exception allows the development of a paved parking lot accommodated by a Contract Zone agreement and used by occupants of the office building at 2161 Scarth Street.

The Proposed Development will have vehicular access only from the rear alley, retaining two mature street trees along Scarth Street. It will also include landscaping, fencing, and a walkway within the front three metres from the back of the sidewalk to screen the parking area from Scarth Street and enhance the affected streetscape (Appendix A-2), which are applicable policies of the TANP. Lastly, the use of the parking lot will be restricted to occupants of the office building at 2161 Scarth Street. This requirement will be included in the Contract Zone Agreement.

### **Zoning Bylaw**

The Subject Property is currently located within the “Mid-Rise and House-Form Mix” policy area of the DCD-CS – Centre Square Direct Control District Zone of the Zoning Bylaw. Paved parking lots are not permitted as a principal use in the DCD-CS – Centre Square Direct Control District Zone. The Applicant intends to limit the use to employees or occupants of the existing office building at 2161 Scarth Street, directly across the street. This property presently has 12 on-site parking stalls, compared to at least 18 stalls required under the current Zoning Bylaw if the building were to be newly constructed (one stall per 100 square metres of gross floor area). Therefore, the Proposed Development helps support Zoning Bylaw compliance, as it relates to the provision of parking.

The Contract Zone tool is deemed appropriate in this situation, as it is the zoning solution recommended by the TANP, and it will ensure that applicable TANP policies are met, including restricting the use of the parking lot to the occupants of the existing office building at 2161 Scarth Street and enhancing the streetscape through landscaping and screening.

## Community Engagement

Following the public notice requirements of *The Public Notice Policy Bylaw, 2020*, neighbouring property owners within 75 metres of the proposed development received written notice of the application, and a sign was posted on the subject site. The Administration received seven comments, mostly in opposition, which are summarized in Appendix B.

## DECISION HISTORY

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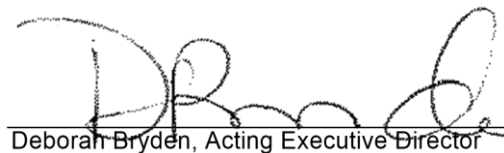
On August 25, 2003, City Council approved an application to amend Part B.3 of the *Official Community Plan* and the Zoning Bylaw for a 13-stall paved parking lot on the Subject Property (CR03-176).

Respectfully Submitted,

Respectfully Submitted,

  
Autumn Lawson, Director, Planning & Development Services

6/14/2022

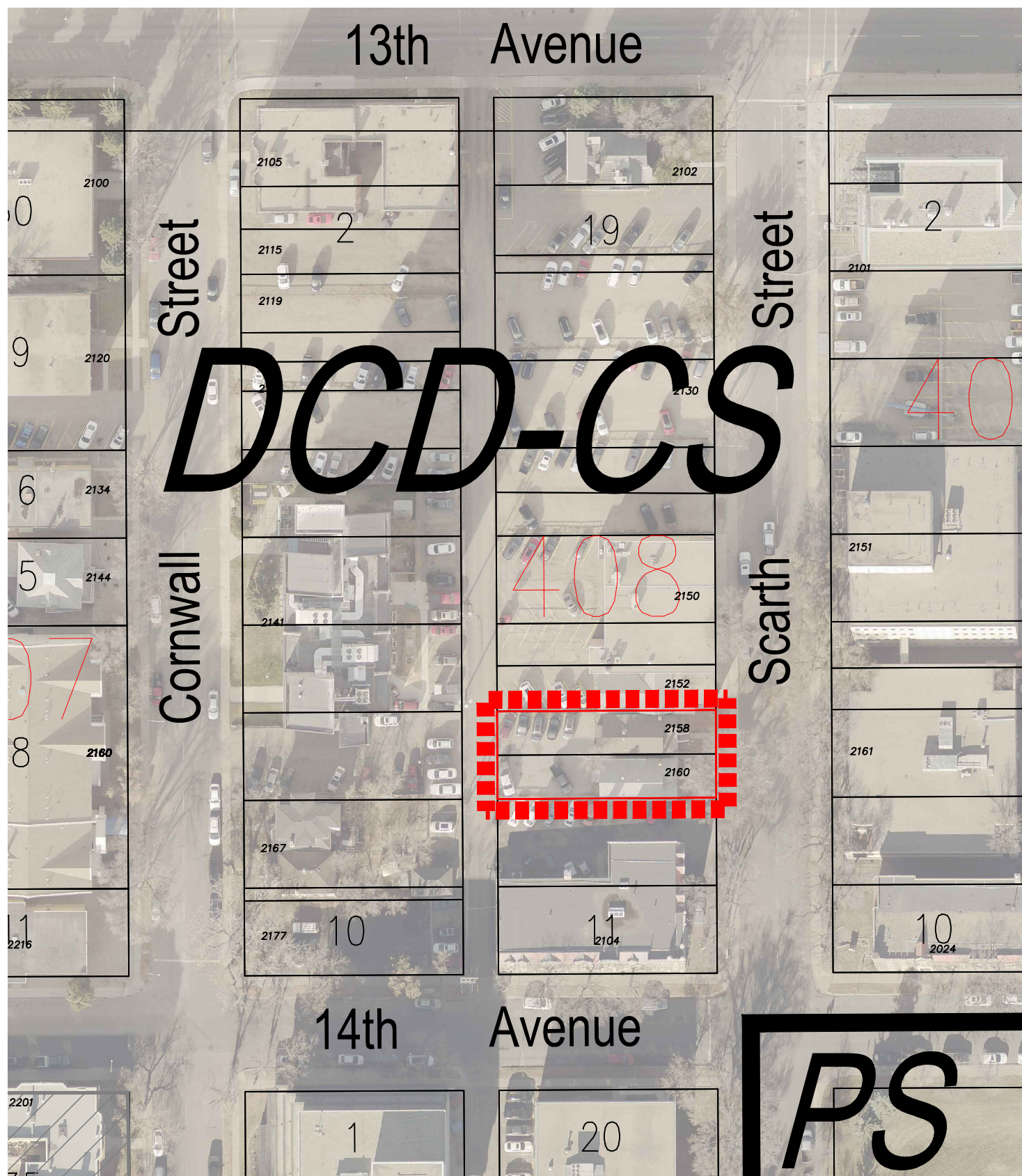
  
Deborah Bryden, Acting Executive Director

6/21/2022

Prepared by: Amar Guliani, City Planner II

## ATTACHMENTS

Appendix A-1\_Subject Property Map  
Appendix A-2 \_ Parking Lot Layout  
Appendix-B Public Consultation Summary



Subject Property



Heritage Property

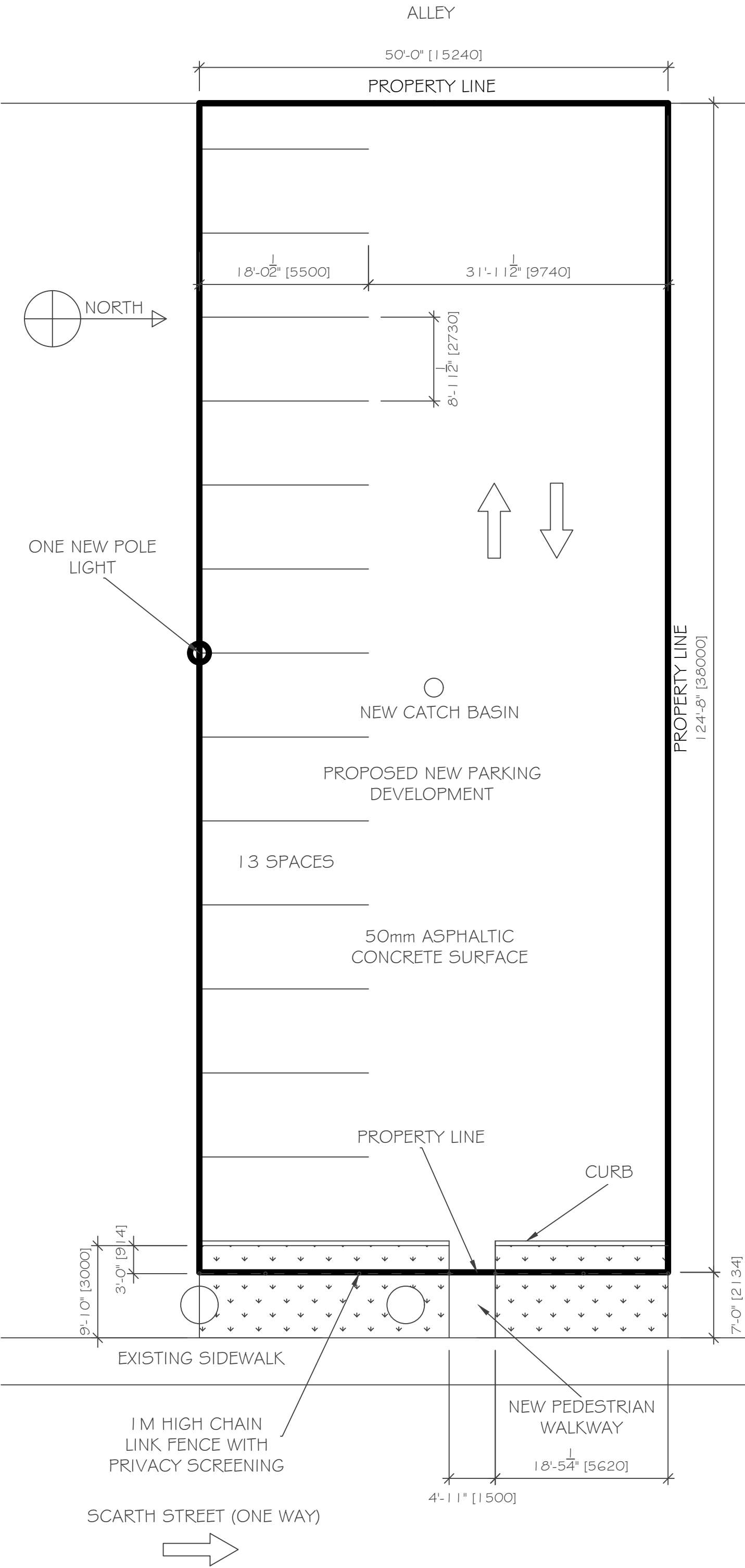
Date of Photography : 2020



Project PL202200054

Civic Address/Subdivision

2158 Scarth Street  
2160 Scarth Street



PROJECT

DRAWING TITLE

DRAWN:	AN
CHECKED:	AN
SCALE:	3/32"= 1'-0"
DATE:	APRIL 20, 2022
PROJECT NO.:	
REVISION:	2
DRAWING NO.:	

A1.0

Public Consultation Summary

Response	Number of Responses	Issues Identified
<i>Completely opposed</i>	6	<ul style="list-style-type: none"> <li>- Poor use of land in our downtown core neighborhood.</li> <li>- Parking is an inefficient use of land that undermines the city's transit options, lowers the value of the neighborhood.</li> <li>- Fails to support downtown development/density.</li> <li>- Too many parking lots and vacant sites downtown.</li> <li>- More surface parking lots will only make carbon emissions worse.</li> <li>- Will ruin the neighborhood character and integrity and remove housing stock.</li> <li>- Protect elms on front facing sidewalk and provide a low fence to screen the appearance.</li> </ul>
<i>Accept if many features were different</i>		-
<i>Accept if one or more features were different</i>		-
<i>I support this proposal</i>	1	-
<i>Other</i>		-

*Administration's Response:*

It is acknowledged that the Proposed Development does not support OCP – Part A objectives relating to “compact and contiguous neighbourhoods”; however, there is direct policy support for the proposed development in the Transitional Area Neighbourhood Plan (TANP). This policy was added through an amendment approved by City Council on August 25, 2003, supporting a surface parking lot at the Subject Property through a Contract Zone agreement. While the original parking lot never materialized, the policy support still applies. The proposal complies with the applicable policies of the TANP as follows:

- The Proposed Development will have vehicular access only from the rear alley, which will allow retaining two street trees along Scarth Street;
- It will include landscaping, fencing, and a walkway within the front three metres from the back of the sidewalk to screen the parking area from Scarth Street and enhance the affected streetscape; and
- The parking lot's use will be restricted to occupants of the office building 2161 Scarth Street.

REGINA PLANNING COMMISSION

Tuesday July 5, 2022

Thank you for including this submission regarding Project No PL 202200098 at 196 Massey Road in Whitmore Park. I urge you to NOT approve this application.

My name is Catherine Gibson and I make this presentation for myself. As a second generation Hospital Pharmacist, I am bound to have a unique perspective and also some bias.

While it is true that all applicants who want to operate a Cannabis retail business must show proof of a fully out-fitted facility with every 'i' dotted and 't' crossed before they can apply for a permit, there is one restriction that is clearly spelled out ahead of time. That restriction is the buffer between a school and Cannabis shops. The 196 Massey Road location clearly is in violation of the distance prescribed when considering the Montessori School in the adjacent strip mall. And, while I believe that the requirements are over-kill, I deplore the complete disregard for common sense regulations that is shown when the facility is fully renovated with the expectation of "If we build it, they will permit it". I urge you to NOT approve this application.

The municipality has the choice of allowing Cannabis retail in their area, or not, it also has the choice of which facilities to set a buffer for. Not only is there Campbell Collegiate and Ecole Massey School whose front entrances are also on Massey Road, but there are two places of worship within that area. Churches often provide child care space and host "Anon" meetings from which people (big or small) will have to pass directly in front of 196. I have first hand knowledge of the number of school kids that walk past the building several times a day. There are far more pressing issues that demand careful consideration as we navigate in these unprecedented times. I urge you to NOT approve this application.

Catherine Gibson



## Discretionary Use Application - 2104 Grant Road - PL202200098

<b>Date</b>	July 5, 2022
<b>To</b>	Regina Planning Commission
<b>From</b>	City Planning & Community Development
<b>Service Area</b>	Planning & Development Services
<b>Item No.</b>	RPC22-22

### RECOMMENDATION

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Regina Planning Commission recommends that City Council:

1. Approve the Discretionary Use application for the proposed development of “Retail Trade, Cannabis” land use located at 2401 Grant Road, being Lot 50, Parcel 10, Plan 101186322 Ext 11 in the Whitmore Park Subdivision, subject to compliance with the following development standards and conditions:
  - a) The development shall be generally consistent with the plans attached to this report as Appendix A-3.1, prepared by Gilchuk Design and Drafting, dated January, 2022.
  - b) Except as otherwise specified in this approval, the development shall comply with all applicable standards and regulations in *The Regina Zoning Bylaw, 2019*.
2. Authorize the Development Officer to issue a notice of approval 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.
3. Approve these recommendations at its meeting on July 13, 2022.

### ISSUE

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The Applicant, The Joint Head Shop, proposes to develop a “Retail Trade, Cannabis” land use



(cannabis retail store) within a vacant commercial space on the subject property at 2104 Grant Road. The property is zoned MH - Mixed High-Rise Zone, in which a cannabis retail store is a Discretionary Use when within 60 metres of an “Education, Institution” (education facility). Megaw's Montessori Academy Preschool is located approximately 40 metres from the proposed development.

All properties in the City of Regina are assigned a zoning designation under *The Regina Zoning Bylaw, 2019* (Zoning Bylaw). Within each zoning designation, land use can be permitted, prohibited or discretionary. Discretionary use applications require a public and technical review. Due to the number of public comments received, the Development Officer has determined that the subject application should be considered by the Regina Planning Commission and City Council.

This application is being considered per *The Planning and Development Act, 2007* (The Act); *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP) and the Zoning Bylaw, including suitability based on the prescribed evaluation criteria for discretionary uses established in Part IE.3. The proposal has been assessed and is deemed to comply with all applicable policies, regulations and standards.

## IMPACTS

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### **Policy/Strategic Impact**

The proposed development supports the re-use of an existing vacant commercial space (economic development) and OCP policies encourage local commercial uses within residential areas.

There are no financial, accessibility, or environmental impacts related to this recommendation.

## OTHER OPTIONS

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Alternative options would be:

1. Refer the application back to Administration. If City Council has specific concerns with the proposal, it may refer the application back to Administration to address or make additional recommendations and direct that the report be reconsidered by Regina Planning Commission or brought directly back to Council following such further review. Referral of the report back to the Administration will delay approval of the development until the requested information has been gathered or changes to the proposal have been made.
2. Deny the application. The development will not proceed on the subject property if City Council rejects the application. If Council defeats or does not move a recommendation to approve (with or without conditions), Council must consider an alternate motion to reject the application. The motion must include the reasons for the denial based on the evaluation criteria.

## COMMUNICATIONS

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The applicant and other interested parties will receive a copy of the report and notification of their right to appear as a delegation at the Council meeting when the application will be considered. Public notice of City Council's consideration of this application will also be given per *The Public Notice Policy Bylaw, 2020*. The Applicant will receive written notification of City Council's decision.

## DISCUSSION

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### Proposal

The applicant proposes to develop a cannabis retail store within a vacant building at 2104 Grant Road. The property is zoned MH - Mixed High-Rise Zone, in which a cannabis retail store is a Discretionary Use when within 60 metres of an education facility. Megaw's Montessori Academy Preschool is located approximately 40 metres from the proposed development.

### Discretionary Use Analysis

Under section 56 of The Act, a discretionary use decision to approve, reject, or approve subject to development standards or conditions must be supported by the Zoning Bylaw.

Council may prescribe specific development standards or conditions of approval only if they are necessary to secure the objectives of the Zoning Bylaw concerning the size, shape, and arrangement of buildings or site; accessibility and traffic patterns of people or vehicles; mitigation of noxious or offensive emissions (i.e., noise, dust, glare, odour); and treatments to landscape, parking, open spaces, lighting, signs, excluding building material or architectural detail.

Section 1E.3.5 of the Zoning Bylaw specifies criteria by which all discretionary uses must be evaluated. Generally, in exercising its discretion, Council's decision must be evaluated based on:

- consistency of the proposed use with the OCP;
- consistency of the proposed use with other policy documents with emphasis on land use and intensity, and impact on public facilities and infrastructure and services;
- consistency of the proposed use with the Zoning Bylaw; and
- potential adverse impacts or nuisances affecting nearby land, development, land use, property, neighbourhood character, the environment, traffic, public right-of-way, and other matters of health and safety.

Furthermore, all discretionary use applications must consider any criteria particular to the discretionary land use (or building type) as specified in the Zoning Bylaw and be consistent with *The Statements of Provincial Interest Regulations*.

Section 3.5A of the Zoning Bylaw specifies that the review of a cannabis retail store should account for the presence of physical barriers, visual connection, and the presence of youth for the land use

to which the separation distance is required. The application was considered for suitability based on the evaluation criteria for cannabis retail stores as well as general discretionary use criteria as set out in the Zoning Bylaw. Administration notes key factors in the evaluation:

- The proposed development is in a separate building from the preschool, even though they are on the same lot.
- As a result of the shape and layout of the buildings, the cannabis retail store and preschool (Appendix A-4.1 and Appendix A-4.2) are not visible from a vantage point directly in front of either location (when entering the front doors), as noted in Appendix A-4.1 and Appendix A-4.2.
- Several retail units are separating the proposed development and preschool, which minimizes interaction between users of each development. These include a hair and nail salon, pharmacy. There are no outdoor spaces related to the pre-school.
- Other uses on the site include a restaurant and lounge, convenience store, bottle depot and a gym.
- The cannabis retail store is required by SLGA regulations to visually screen the front windows.
- Cannabis retail stores are transactive, like any retail store. Customers tend to come and go, rather than linger or socialize outside doors, which may occur in a restaurant or lounge. As such, there are no factors affecting public nuisance or matters of health and safety to be addressed by this application.

The land-use and zoning details of this proposal are summarized in the following tables:

Land Use Details	Existing	Proposed
Zoning	MH – Mixed High-Rise Zone	No Change
Land Use	Vacant Formerly “Office, Professional”	Retail Trade, Cannabis
Unit Size	187 square metres	No Change

As no new floor area or building is being added to the property, there are no further parking or landscaping requirements. The surrounding land uses are mixed commercial to the south, low-density residential to the east and west, and a Lutheran church to the north.

### Community Engagement

Following the public notice requirements of *The Public Notice Policy Bylaw, 2020*, neighbouring property owners within 75 metres of the proposed development received written notice of the application and a sign was posted on the subject site. Comments from neighbouring properties

are included in Appendix B. Although Administration consulted with the pre-school on the application, they declined to formally comment.

The Whitmore Park Community Association was consulted and responded, and their comments are attached in Appendix C. The Community Association indicated the proposed development is in violation of the City of Regina guidelines. However, to clarify, any proposed “Retail, Cannabis” when within 60 metres of an “Institution, Education” use is not considered in violation of regulations, but rather is then categorized as a Discretionary Use, where a decision is not made until stakeholder engagement, technical analysis, and policy review is done. This is similar to other Discretionary Uses within the Zoning Bylaw, where a decision by City Council or Administration is not made until a full review is done.

Further public consultation is considered when there are specific items to address or, potential amendments to the plan. After receiving public comments, Administration determined no further public consultation was required and that a full assessment was complete.

## DECISION HISTORY

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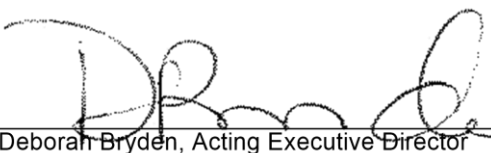
1. On May 28, 2018, City Council approved an amendment to the Zoning Bylaw to allow retail cannabis as a permitted use (CR18-49).
2. On November 24, 2021, City Council approved an amendment to the Zoning Bylaw to reduce the separation distance between “Retail Trade, Cannabis” and sensitive uses from 182.88 m to 60 m (CR21-154).

Respectfully Submitted,

Respectfully Submitted,

  
Autumn Lawson, Director, Planning & Development Services

6/15/2022

  
Deborah Bryden, Acting Executive Director

6/22/2022

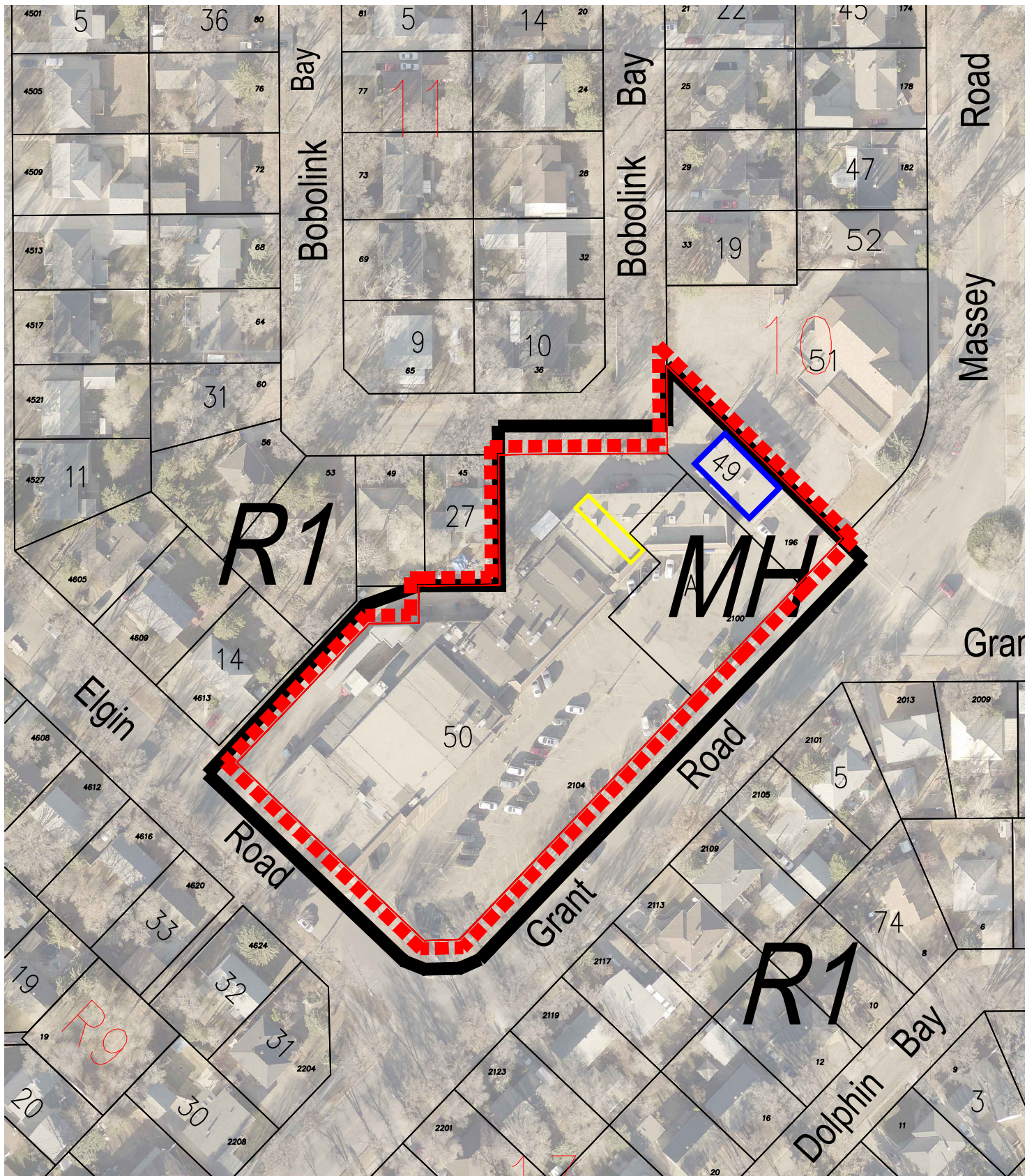
Prepared by: Michael Sliva, City Planner II

## ATTACHMENTS

Appendix A-1  
Appendix A-2  
Appendix A-3.1  
Appendix A-4.1  
Appendix A-4.2  
PL202200098 Appendix B

## Appendix C - WPCA Comments





Subject Property



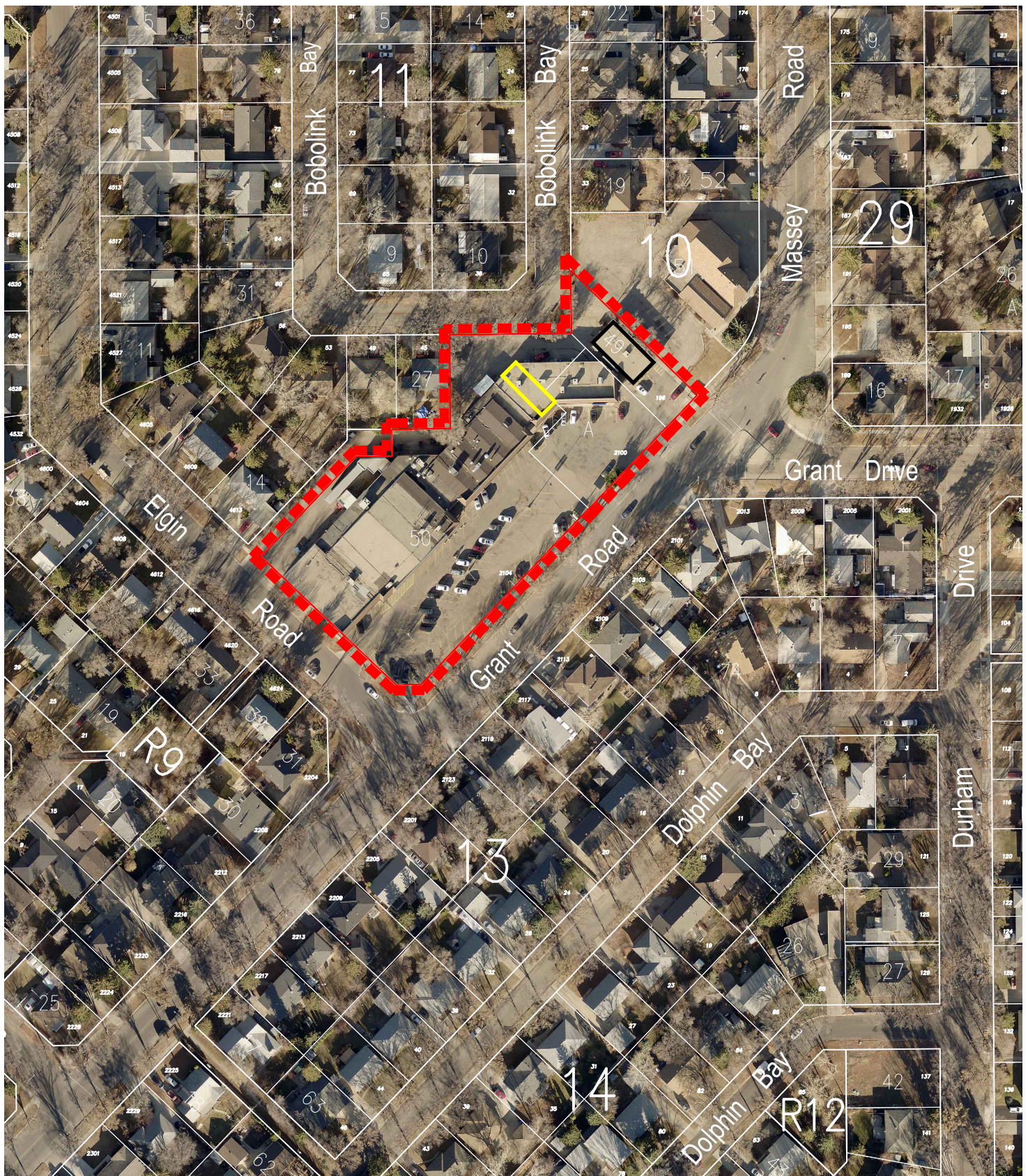
Proposed Development



Date of Photography : 2020  
Preschool







Subject Property



Proposed Development



Preschool

Date of Photography: 2020



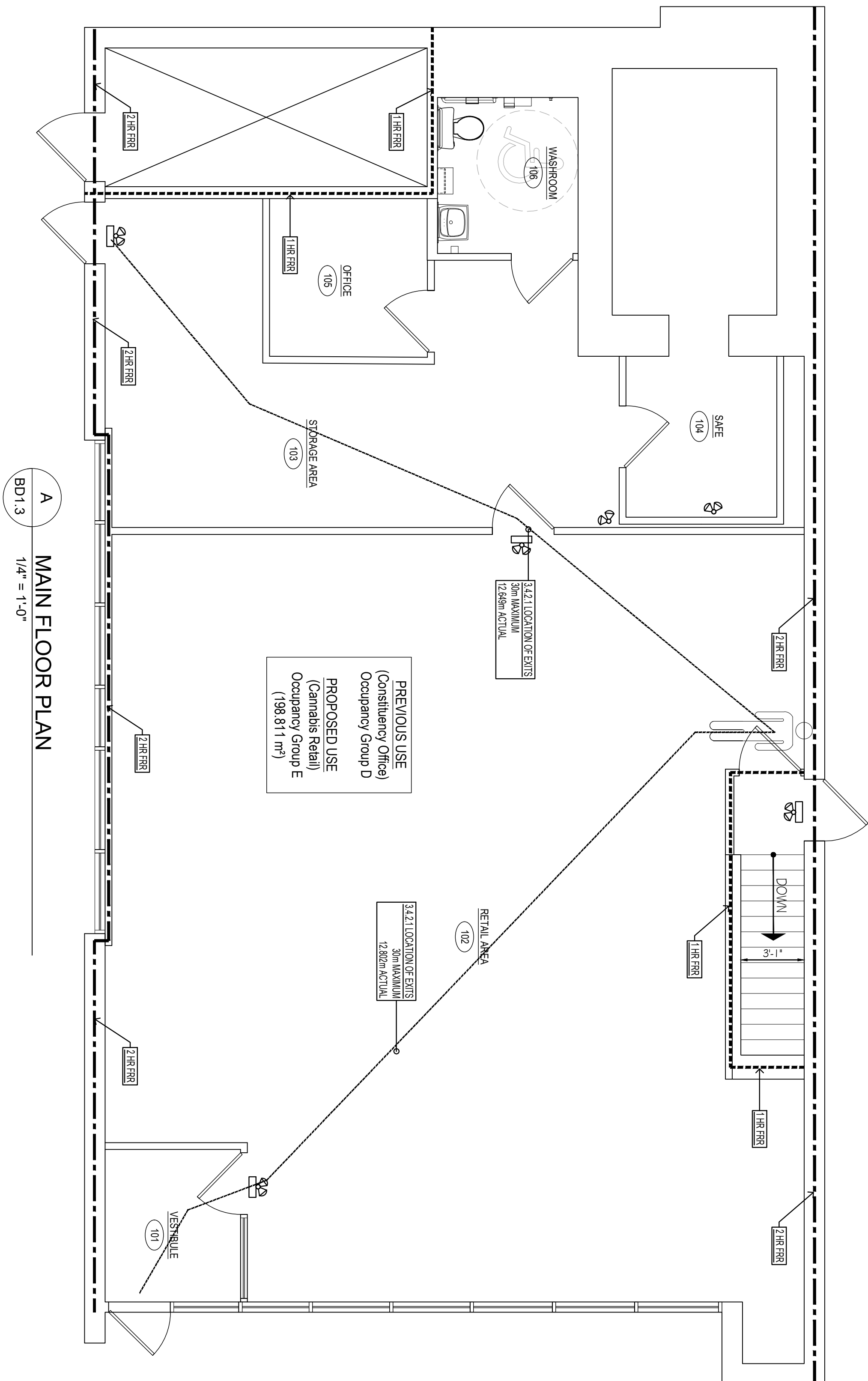
Project PL202200098



Civic Address/Subdivision

2104 Grant Road



## Appendix A-3.1



Luminaire Schedule					
TYPE	DESCRIPTION	LED LAMPS	VOLTS	MANUFACTURERS	COMMENTS
	Combo Green Running Man EXIT Pictogram, White Powder Coated Steel, 120VAC / 12VDC Single Face c/w 36W Battery 2 x LED PAR18 Heads, 12VDC, & Auto-Test Features	LED @ 120V 2 X 6W 12VDC	120VAC	Emergi-Lite ESC Series Model - ESC1250W2LIU	8 Ft. A.I.F. Elsewhere C/W Directional Chevrons as Shown
	Remote Emergency Lights, White Canopy, single or double Par18 Heads LED 12VDC, Wall Mount.	LED 6W Par18 12VDC	12VDC	Emergi-Lite EF9M Series Model - EF9M-L* (Single or Double head /4,5 or 6 watt LED)	Mounted 8'-0 Ft. A.I.F.

SPATIAL SEPARATION - CONSTRUCTION OF EXTERIOR WALLS									
	EXPOSED FACE AREA (M <sup>2</sup> )	ACTUAL OPENINGS AREA (M <sup>2</sup> )	LIMITING DISTANCE (M)	L/H RATIO	PERMITTED % OF OPENINGS ALLOWABLE	ACTUAL % OF OPENINGS	F.R.R (HRS)	CONSTRUCTION PERMITTED	CLADDING PERMITTED
WALL									
NORTH WALL	60.24	0	2.190	4.5	6.37	0	2	N.C.C.	N.C.C.
SOUTH WALL	60.24	0	2.190	4.5	6.37	0	2	N.C.C.	N.C.C.

[illegible]

## SEALS:

## GENERAL NOTES

- PRIOR TO PROCEEDING WITH CONSTRUCTION THE OWNER / CONTRACTOR SHALL BE RESPONSIBLE TO CHECK AND VERIFY ALL INFORMATION, INCLUDING BUT NOT LIMITED TO, THE EXISTING RECORD DRAWINGS, AND ANY PERMIT FROM THE AUTHORITY HAVING JURISDICTION. ANY DISCREPANCIES SHALL BE REPORTED TO THE DRAFTSMAN BEFORE CONSTRUCTION COMMENCES.

- BUILDING GRADE ELEVATIONS ARE SUGGESTED ONLY AND MAY HAVE TO BE REVISD TO SUIT EXACT SITE CONDITIONS.

- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE NATIONAL BUILDING CODE, 2015, LATEST EDITION AND THE AUTHORITY HAVING JURISDICTION.

- WINDOW SIZES & LOCATIONS SHALL BE CONFIRMED BY THE OWNER.

- UTILITY COMPANIES SHALL BE CONTACTED TO LOCATED ALL UNDERGROUND SERVICES PRIOR TO ANY EXCAVATING COMMENCING.

## ABBREVIATIONS

TO = TOP OF	S.W.P. = SERVICE PIPE
UTS = UBERSIDE	S.P.L. = OPEN WOOD JOIST
VAL = VALUITY	SPR = SPRAYED ON FIRE PROTECTANT
OSB = ORIENTED STRAND BOARD	REIN = REINFORCED
P.T. = PRESSURE TREATED	BEAM = PRE FINISHED
AD = NAIL DOWN	GR = GRADE BEAM
SCW = SOLID CORE WOOD	CON = CONCRETE
HCL = HOLLOW CORE WOOD	CONT = CONTINUOUS
CS = COATED STEEL	W = WOOD
CS = COATED CONCRETE FORM	B.U. = BUILD UP
AL = ALUMINUM	BL = BUILDING
M.L. = METAL INSULATED	CS = HOLLOW STRUCTURAL STEEL
CFR = CARBON FIBER	CANT = CANTILEVER

CANNABIS SHOP  
PRESTIGE CONSTRUCTION

196 MASSEY ROAD  
REGINA, SASKATCHEWAN

# CODE COMPLIANCE FLOOR PLAN

DRAWN BY:  
**JASON GILCHUK**

DATE: .....

9161

AS NOTED

SHEET NO.:	REVISION: A
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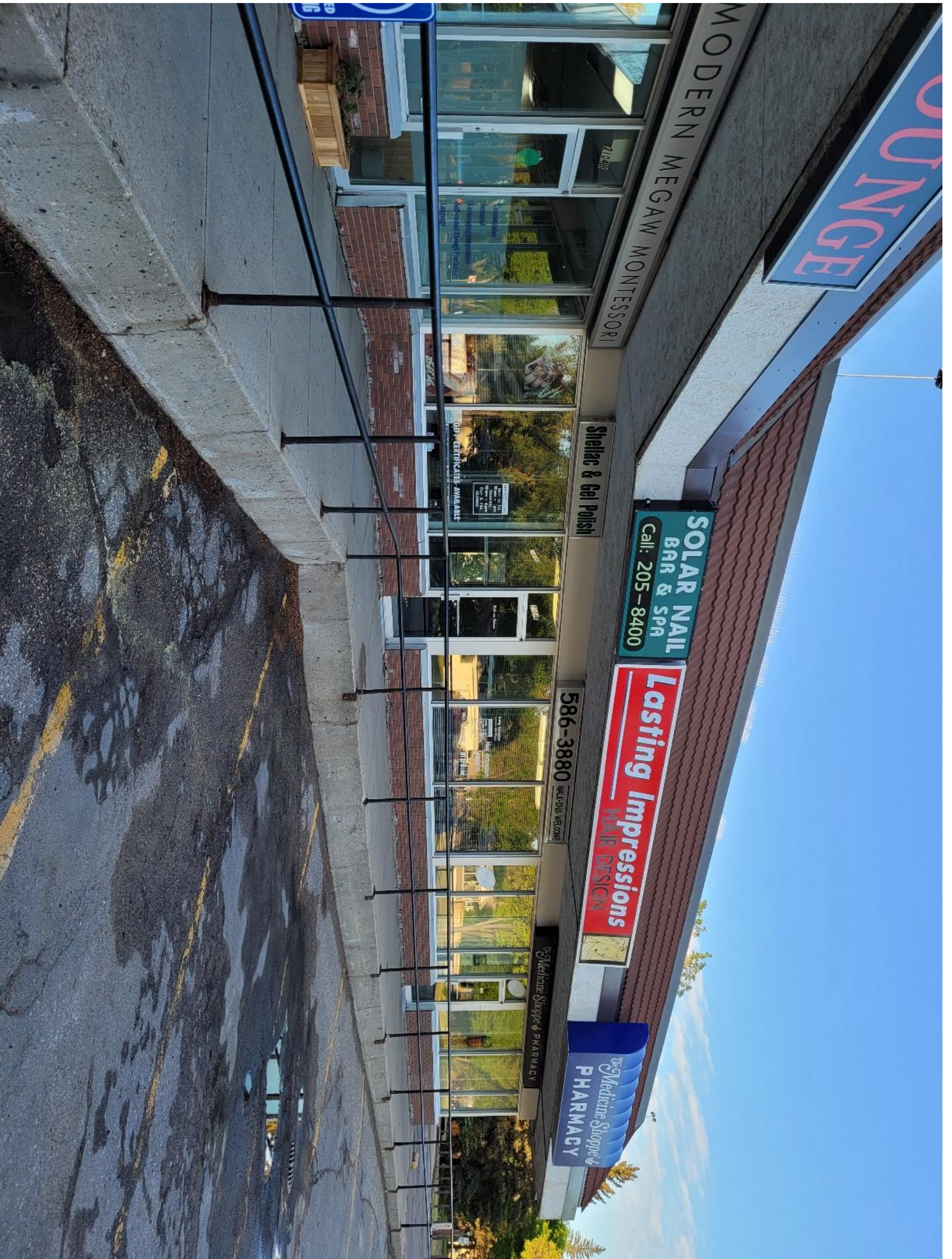
# BD1.3



130 HANLEY CRESCENT, WHITE CITY, SK  
C: 306.535.9197 P: 306.584.3323  
jason@gilchukdesign.com



# Appendix A-4.1





# Appendix A-4.2





Public Notice Comments

Response	Number of Responses	Issues Identified
<i>Completely opposed</i>	31	- Too close to Campbell/Massey Schools - Too close to Megaw Montessori Preschool - Does not want cannabis store in their neighbourhood
<i>Accept if many features were different</i>		
<i>Accept if one or two features were different</i>		
<i>I support this proposal</i>	3	

The following is a summary of issues identified through public consultation, listed in order of magnitude (starting with most numerous):

1. **Proximity to Campbell Collegiate or Massey Elementary School**

*Administration's Response:*

- The Zoning Bylaw only restricts Retail Cannabis when within 60 metres of a school.
- Massey School is approximately 260 metres from the proposed Retail Cannabis.
- Campbell Collegiate is approximately 340 metres from the proposed Retail Cannabis.

Administration recognizes that people have concerns regarding the proximity to these other uses in the community, it is important to highlight that the only reason why this application is a discretionary use is because the proposed cannabis retail store is within 60m of the pre-school. Therefore, the concerns related to proximity other uses are outside the scope of the discretionary use review.

2. **Proximity to Megaw Montessori Preschool**

*Administration's Response:*

The Administration's assessment of the proximity between these two uses is the subject of the main report.

3. **Cannabis within Neighbourhood**

*Administration's Response:*

- 2401 Grant Road is zoned MH – Mixed High-Rise Zone, in which Retail Cannabis is a permitted use.
- City Council adopted amendments to the Zoning Bylaw in November 2021 to relax the cannabis zoning regulations including making 'Retail Trade, Cannabis' a permitted use in

- B2 -

any mixed-use, industrial zones or direct control districts that permit general retail ('Retail Trade, Shop'). While residents may have concerns with a cannabis retail store in a retail location embedded within a neighbourhood, the use itself is not restricted in this context. Therefore, this concern is outside the scope of the discretionary use review.

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# Whitmore Park Community Association

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June 12, 2022

Dear Michael Silva,

Thank you for the opportunity to provide comment on this application. Whitmore Park Community Association completed a very informal survey on our Facebook page to try to understand how the community feels about this development. There were mixed opinions. Those in favour were glad to finally have something in the strip mall and not a vacant space. There is also support to not have to walk all the way to Albert Street to reach a Cannabis store. Many thought this is a good viable businesses however, many recognized how many cannabis stores were in area.

There were also more than half of the respondents who opposed. There was concern about the close proximity to the school. There was also some confusion on how this development went through when there was supposed to be rules about where a Cannabis store can be located.

Whitmore Park Community Association supports the rules and guidelines in place for these establishments and the proximity to the school (and other schools) are a concern. We also support further engagement with the community to get a better understanding of the support or opposition to this development should it remain. We strongly encourage further assessment to the implications of the predicator set with approval of a Cannabis retailer in a location that is in violation of the guidelines set out by the city and what this would mean for future developments of Cannabis retailers in the City; specifically in regards to proximity to childcare centres and other education establishments.

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Sincerely,

A handwritten signature in black ink, appearing to read 'TSaen' with a long, sweeping horizontal stroke at the end.

Tracy Sanden

President, Whitmore Park Community Association

On behalf of Board of Whitmore Park Community Association



## Density Target for New Neighbourhoods

<b>Date</b>	July 5, 2022
<b>To</b>	Regina Planning Commission
<b>From</b>	City Planning & Community Development
<b>Service Area</b>	Planning & Development Services
<b>Item No.</b>	RPC22-24

### RECOMMENDATION

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Regina Planning Commission recommends that City Council:

1. Remove MN21-8 from the List of Outstanding Items for City Council.
2. Amend *Design Regina: The Official Community Plan Bylaw No. 2013-48* as outlined in Appendix A.
3. Ensure the OCP 10-Year Review project considers policy improvements regarding the design and location of density within neighbourhoods.
4. Instruct the City Solicitor to prepare the necessary bylaws 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.
5. Approve these recommendations at its meeting on July 13, 2022.

### ISSUE

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On August 11, 2021, City Council passed the following motion MN21-8:

City Council direct Administration to prepare a report for Regina Planning Commission by the end of

Q1 2022 that includes:

1. An analysis of the implications, benefits and options for adjusting density targets to allow for market choice of housing such as larger single-family homes or bungalow condo type; and
2. Engagement with the development industry, community associations and similar-sized Canadian cities for density targets to ensure, multiple housing options and balancing market choice.

In addition to the motion, Council had questions about the background of the density policy. As approved, *Design Regina: The Official Community Plan* (OCP) directs that New Neighbourhoods (300k) identified on Map 1 – Growth Plan (Appendix B) “achieve a minimum gross population density of 50 persons per hectare (pph)” (*Part A – Citywide Plan*, policy 2.11.1). This report provides information on how the current density target was established, analysis of the implications of potentially changing the target, and a summary of public and stakeholder engagement. Administration recommends minor changes to policies regarding minimum density of new neighbourhoods as identified in Appendix A.

## IMPACTS

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### Policy/Strategic Impacts

#### Official Community Plan

The report is aligned with Council’s vision in the OCP that:

*Regina will be Canada’s most vibrant, inclusive, attractive, sustainable community, where people live in harmony and thrive in opportunity.*

The density target requiring 50 persons per hectare (pph) in new neighbourhoods (policy 2.11), contained in OCP *Part A – Citywide Plan*, supports and relates to the OCP community priorities to “*Develop complete neighbourhoods*” and “*support the availability of diverse housing options.*” Developing complete neighbourhoods means that as Regina grows, we will “create safe and inclusive neighbourhoods that are easy to get around and that have a mix of housing choices, amenities, and services.”

Requiring neighbourhoods to maintain a minimum density is a means to create conditions to achieve benefits of complete communities (see the Complete Neighbourhood Model from the OCP in Appendix C). Such benefits include diverse housing options that attract diversity and inclusion of people in each neighbourhood, regardless of economic levels, backgrounds and stages of life; attraction of local services to meet daily and lifestyle needs, recreation; and density to support basic transit services. Such goals and objectives are supported by the Transportation Master Plan and



## Comprehensive Housing Strategy.

The recommendations in this report allow for more flexibility and discretion in some new neighbourhood development areas where it may not be possible or desirable to require a neighbourhood to develop at 50 pph. This may include individual concept plan areas within areas under a neighbourhood plan, or concept plan areas that may be small or isolated to attract density itself or the benefits of neighbourhood density.

### Environmental Impact

City Council set a goal for the City of Regina to achieve net-zero emissions and sourcing of net-zero renewable energy by 2050. The recently approved Energy & Sustainability Framework (ESF) includes recommendations related to actions for Regina to develop and grow sustainably, such as increasing active transportation and supporting transit nodes (Big Move 6 in the framework). Development of complete neighbourhoods as described in the OCP would help reduce energy consumption and associated greenhouse gas emissions in various ways, including:

- Encouraging active transportation and use of transit by creating communities where jobs, schools and other destinations like shopping or recreation facilities are walkable/bikeable or accessible by transit; and
- Becoming a more compact city by ensuring neighbourhoods are not entirely low-density residential with a heavy reliance on the private automobile for transportation.

### Financial Impact

There are no direct financial implications related to the recommendations of this report.

## OTHER OPTIONS ANALYSIS

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### 1) Decrease (or increase) the minimum density target

This option would involve amending the OCP to decrease the minimum density target to a lower threshold, such as 40 or 45 pph. When reviewed at time of policy creation, it was identified that exclusively low-density communities provide less housing choice or mix of land uses, are less inclusive and diverse, and community members may not benefit from the high level OCP goals of complete neighbourhoods.

It is unclear if a decreased density target would have any impact in the near term since most New Neighbourhoods (300k) are being planned by developers to surpass the 50 pph target to meet market demand. Large lots are currently available, when offset in the neighbourhood elsewhere by

higher density development, however they may only be financially available to a small segment of the market, and therefore an exclusive, large neighbourhood of such character is not likely to develop. Since the target is only a minimum standard, developers can surpass it with their plans, providing that it is supported by planned infrastructure.

Current density policies for New Neighbourhoods (300k) align with the City's overall future Growth Plan and financial strategies for paying for growth. Altering the Growth Plan could have impacts on other plans and strategies like the Transportation Master Plan and Water and Wastewater Master Plans that were developed to guide growth to a 300,000 population. The Growth Plan will be re-considered in the 10-year review of the OCP, which will include more extensive engagement and holistic analysis than was undertaken for this report.

Some stakeholders expressed support for raising the target for environmental sustainability reasons, such as reducing the expansion of the urban footprint, although it is unclear if this standard would correspond to current market demand. Logistically, this change would have similar implications to decreasing the density target such as assessing the rippling effects it would have on other policies, planning of infrastructure, and service delivery.

## 2) Eliminate the density target or make it a guideline

This option would involve repealing OCP policy 2.11.1 to eliminate the density target. The market would drive neighbourhood density of each area, like the City of Winnipeg's approach. This would provide for ultimate flexibility for developers to accommodate low-density residential. Like option 1 (i.e. reducing the required density) it is possible there would be no change in new neighbourhoods in the immediate term, since densities of current concept plans have already been exceeding the target. However, under this option there could be more variation in character and density between different neighbourhoods. If some neighbourhoods primarily accommodated low density, others may accommodate a larger proportion of the higher-density market, leading to greater variation in density between communities, less housing choice and inclusivity within each community, and differing servicing implications.

Should council wish to accommodate more flexibility for new neighbourhoods, rather than eliminating the policy entirely, it could be adapted to be a guideline instead (e.g. change "shall" to "should") of a requirement. Administration would still evaluate concept plans with the policy lens to strive toward 50 pph, but ultimately, if density targets were not achieved, the development may still be accepted based on each circumstance. A potential downside to this approach is that guidelines can be difficult to apply consistently as developers may view them as optional compared to policy requirements.

## 3) Maintain the current policy (status quo)

Stakeholder feedback was either neutral or divided on whether Regina's OCP set an appropriate target. Regina's current policy is not as aggressive as policies in Calgary, Edmonton, and Ontario cities, it provides more direction than Winnipeg, and it is similar to Saskatoon, which is Regina's closest comparable city in size and context. The current target was intentional based on approved plans/preliminary plans for new neighbourhoods, market trends, best practice research, and stakeholder consultation on the Growth Plan and key policies.

The current density policy supports amenities and services, such as transit. Research suggests that a density of least 50 residents plus jobs is required to support basic transit service whereas 80-100 people plus jobs density is required for more frequent service such as express routes planned through the Transit Master Plan and future bus rapid transit.<sup>1</sup>

Local developers are meeting objectives of the OCP in the planning of new neighbourhoods to provide a variety of housing forms, including lot sizes, and a mix of densities. For New Neighbourhoods (300K) that are subject to the density target, each neighbourhood concept plan can identify low density housing areas below 50 pph with other higher density areas elsewhere in the plan area to achieve an average of 50 pph or more. Further, residents have options to purchase larger lots within new greenfield neighbourhoods or if a household can afford it, they can purchase two side-by-side lots and consolidate them into a larger lot.

## COMMUNICATIONS

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Stakeholders and other interested parties have received a copy of the report and notification of the Regina Planning Commission and City Council meetings to appear as a delegation. They will also receive written notification of City Council's decisions.

A group of about 120 industry stakeholders were consulted on the density target for new neighbourhoods in concert with consultation on intensification incentives and discussion topics through a stakeholder session and survey. A broader group of 500+ residents and stakeholders who sign up for updates on the OCP was also engaged through the Be Heard Regina tool and invited to fill out the survey. Community associations were engaged through this process as well. A summary of stakeholder and public engagement and feedback is provided in Appendix D.

Regina housing consumers were engaged as a part of the statistical market analysis through a housing consumer survey, conducted via telephone and online, related to housing type and

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<sup>1</sup> Ontario Ministry of Transportation, Transit Supportive Guidelines, 2012, section 1.1.7, p. 24  
<http://www.mtogov.on.ca/english/transit/pdfs/transit-supportive-guidelines.pdf> [Accessed January 2022]

locational preferences. This approach ensured that residents from each Ward completed the survey. The market analysis was undertaken for the intensification annual update, addressed through a separate future report to Executive Committee, and considered for this report.

A key takeaway of stakeholder consultation compared to the market analysis is the disconnect between what customers want (i.e. personal preference) and what they can afford. There was a strong preference in the market analysis towards single detached homes; however, stakeholders raised that this preference does not match up with affordability. According to the Regina & Region Home Builders Association (RRHBA) approximately 19 percent of consumers in Regina can afford a mortgage for a single detached dwelling based on household income<sup>2</sup>. Market demand and customer preference are not necessarily the same thing as the market demand factors in what consumers can afford and are willing to pay.

## DISCUSSION

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### What is 'Density'?

Density in city planning refers to the number of persons or housing units within a geographic area such as people or units per hectare<sup>3</sup> (or square kilometre). Sometimes job density is included in the measure such as people plus jobs per hectare, which is discussed further in the jurisdictional review. The OCP uses persons per hectare for neighbourhood density.

### Origin of the Density Target

The *Design Regina* OCP, adopted by Council in late 2013, guides how the city will grow and change sustainably to a future population of 300,000. A key component of the OCP is Map 1 – Growth Plan, which identifies both residential and employment growth areas (Appendix B). Seventy per cent of growth is directed to greenfield communities on the periphery of the city called 'New Neighbourhoods (300k)' on the Growth Plan. This includes approximately 900 hectares of land for greenfield residential development that corresponds to the density target for New Neighbourhoods (300k) of 50 persons per hectare (pph) established for the OCP.

When establishing the target, the *Design Regina* project team analysed the following:

- Existing approved concept plans for developing greenfield communities (e.g. Harbour Landing, Greens on Gardiner, Hawkstone, The Creeks, etc.)
- Projected densities for preliminary plans being prepared by local developers for greenfield areas that were expected to be included in the Growth Plan (e.g. Coopertown, Westerra).

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<sup>2</sup> Regina & Region Home Builders' Association, *Accommodating Growth: The delicate balance between Greenfield and Infill Growth*, 2021, p. 16, <https://smartergrowthregina.ca/wp-content/uploads/2022/01/Accommodating-Growth-Study.pdf> [Accessed January 2022].

<sup>3</sup> One hectare of land = 2.47 acres = 0.01 km<sup>2</sup> = 10,000 m<sup>2</sup> = 107,639 ft<sup>2</sup>.

- OCP targets for other jurisdictions in Canada.

The densities of existing approved and preliminary greenfield concept plans in 2013 ranged from 41 to 58 persons per gross developable hectare. Regina's largest land developers anticipated future greenfield communities having around 25 units per hectare (10 units per acre), resulting in a density of approximately 60 pph. According to engagement with industry and Administration's own research, neighbourhood densities were increasing in most Canadian cities and will likely continue to do so over the coming decades.

Further, the former OCP, *Regina Development Plan*, set a target of 44 pph for new greenfield neighbourhoods, so a target of 50 pph was viewed as achievable and consistent with the market since most developing communities and those in the preliminary stages were already surpassing this threshold. Appendix E shows the densities planned in each concept plan for 'Built or Approved Neighbourhoods', also referred to as 235k neighbourhoods under the former OCP where the density target does not apply, compared to those of 'New Neighbourhoods (300k)' that are subject to the density target.

### **How is the Density Policy Applied?**

The density policy (OCP 2.11), requiring 50pph applies to new growth areas identified as 'New Neighbourhoods (300k)' on the Growth Plan. This includes Coopertown and the area north of Skyview/ Lakeridge Addition in the northwest, Westerra in the west, and portions of the Southeast Neighbourhood Plan. It excludes 'Built or Approved Neighbourhoods' such as the Greens on Gardiner and Harbour Landing. The Towns concept plan was originally approved under the former OCP as part of the 235k neighbourhoods. Under the new OCP as a 'Built or Approved Neighbourhood' on the Growth Plan the density target for New Neighbourhoods (300k) would not apply; however, the plan was refreshed in 2016 to achieve the target and amendments to the plan have conformed to the requirement.

New greenfield neighbourhood plans are planned with the recognition that the OCP density target will be achieved through more detailed concept plans. Neighbourhood plans establish generalized future land use patterns whereas concept plans are more detailed, showing the distribution of land uses / densities down to the block.<sup>4</sup> Review of concept plans includes an assessment of proposed land uses, where dwelling unit density is assumed and multiplied by persons per dwelling unit based on averages from Statistics Canada data (e.g. 1.7 people per unit for high density and 2.7 people per unit for low density).

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<sup>4</sup> The typical size of a new greenfield neighbourhood plan area is about a section of land (259 hectares or 2.59 km<sup>2</sup>) or larger and usually contains individual neighbourhood units that are typically about a quarter section (64 hectares or 0.64 km<sup>2</sup>) in size and adopted by City Council as concept plans.

The policy allows for flexibility for each neighbourhood to achieve the target of 50 pph based on the market. A neighbourhood concept plan may identify areas of lower density housing below 50 pph, but the average density of the concept plan must be at least 50 pph, which is achieved by including higher densities elsewhere in the plan area. For example, it could be possible for a portion of a concept plan area to accommodate large lot single detached residential, but this lower density would need to be off set by more townhouse or apartment development within the area. Alternatively, the neighbourhood could meet targets by accommodating a higher percentage of medium density residential, such as townhouses.

The density for a new concept plan area is calculated by taking the expected number of residents, typically converted from the projected housing units, divided by the gross developable land area – the total land area minus environmentally sensitive or undevelopable areas, large format retail and industrial areas.<sup>5</sup>

### **Jurisdictional Review**

Administration analysed other Canadian cities as directed by City Council to compare density targets, including a review of their policy documents and by reaching out to planning departments. A summary of the findings outlining how Regina's OCP target compares to other major western Canadian cities is provided in Appendix F.

Administration found that cities across Canada define and measure density in different ways. Cities may measure it by population per hectare like Regina, by dwelling units per hectare, or they may combine employment and population growth for a population plus jobs target in mixed-use neighbourhoods. Further, each city may net out different land uses from the calculation such as including certain types of undevelopable land and by either excluding or including employment areas in the gross developable area. The differences in how cities define/measure density makes it challenging to assess Regina's target compared to others. However, Administration has provided some commentary on whether Regina's OCP target would be higher or lower than the cities summarized in Appendix F. In summary, Calgary and Edmonton have significantly higher targets than Regina for new neighbourhoods while Winnipeg does not have a target and Saskatoon's target is relatively close to Regina's at 50 people + jobs per hectare instead of 50 persons per hectare. Kelowna's 2040 OCP does not have a density target as no new suburban neighbourhoods will be

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<sup>5</sup> True gross density refers to total land area without any features netted out. Net density typically refers to only a specific use being measured. Net density is commonly applied to check the density of a specific block, proposed development, or all of the residential parcels of land and excludes or "nets out" all other non-residential features such as local roads, local commercial, parks, etc. Regina's OCP uses gross developable density that includes residential, local roads and parks, local commercial, elementary schools, but excludes environmentally sensitive and other undevelopable land, as well as large format retail, industrial areas and regional facilities (e.g. high schools, zone level parks).

approved and they will continue developing neighbourhoods approved under the former Kelowna 2030 OCP.

A variety of options for adjusting the target were analysed to consider the potential implications of each.

### **Recommendations**

Administration recommends maintaining the overall intent of the current policy while allowing for concept plans and/or secondary plans to establish a density requirement based on circumstance. Through a secondary or concept planning process, it may be reasonable to allow for a lower density requirement for certain areas based on unique circumstances. The OCP could be amended to allow Council the ability to waive the density target in special circumstances, based on the unique factors such as the size of area, access, and limited potential to accommodate neighbourhood services. Development of such areas would naturally be less diverse and likely require some compromise to development in accordance with complete neighbourhoods' policies. However, these situations are unlikely to be common, and the overall impact to policy would not be significant. For example, the Special Study Area located adjacent to the Joanne Goulet Golf Course on Pinkie Road, as identified on the OCP Growth Plan (Appendix B), may not be suited to residential development at or exceeding 50 pph given its smaller development area and limited potential for services such as transit.

The proposed policy amendments achieve the objectives of the OCP while balancing the potential to accommodate lower-density residential areas, demanded by the market.

### **Administration's Next Steps**

- 1) Allow flexibility to establish differing targets for concept plan areas, guided by neighbourhood plan policies*

This approach will involve negotiation of concept plan area densities at the neighbourhood plan level instead of ensuring each concept plan area on its own meets the density target. Through this, sub-areas within the neighbourhood plan area may have a different target and still demonstrate how that target achieves the objectives of the OCP. For example, one concept plan area within the larger neighbourhood may be more naturally suited for higher density depending on the location within the plan, while another may be suitable for lower density. Lower density in one concept plan area may be complimented by another higher density concept plan area within the neighbourhood. This approach may be beneficial to allow for greater flexibility to develop areas to a market while maintaining the complete neighbourhoods' objectives.

To implement this, Administration will need to engage landowners, developers, and other affected

parties within each existing or future neighbourhood plan area. The Coopertown, Westerra and Southeast Regina Neighbourhood Plans may require revisions to accommodate different density thresholds in different areas, if needed. Part A – Citywide Plan of the OCP would not require any amendments as there already exists flexibility in terms of the geographic area that the target applies to (i.e., what constitutes a ‘neighbourhood’).

## 2) OCP 10 Year Review

The process to create *Design Regina*, was a four-year project that involved many touch points with the community, subject matter experts and other stakeholders. Administration has started flagging policy topics to explore in the 10-year review of the OCP that were raised by stakeholders, like how to strengthen policies guiding the design of neighbourhoods (e.g. locating higher-density along transit lines, close to parks and commercial services / mixed-use).

Administration intends to explore OCP policy improvements related to neighbourhood design, including the location of densities within neighbourhoods, as part of the OCP 10-year review as recommended in this report. The project will be scoped in late 2022 and the work undertaken in 2023.

## DECISION HISTORY

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On August 11, 2021, City Council approved a Motion made by Councillors Lori Bresciani, Bob Hawkins and Landon Mohl: Density Target for Market Choice of Housing (MN21-8).

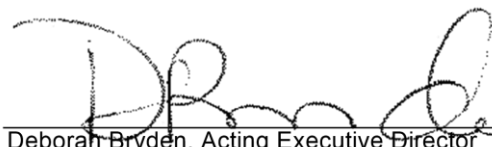
Respectfully Submitted,

Respectfully Submitted,



Autumn Lawson, Director, Planning & Development Services

6/16/2022



Deborah Bryden, Acting Executive Director

6/23/2022

Prepared by: Michael Cotcher, Senior City Planner

## ATTACHMENTS

Appendix A - Proposed Amendments

Appendix B - OCP Growth Plan

Appendix C - Complete Neighbourhood Model

Appendix D - Stakeholder and Public Engagement Summary



Appendix E - Planned Densities of 235K and 300K Neighbourhoods  
Appendix F - Jurisdictional Comparison of Density Targets

## Proposed Official Community Plan (OCP) Amendments

Amend Part A – Citywide Plan of *Design Regina: The Official Community Plan Bylaw 2013-48* as follows:

(Note: Deleted policy/text shown with strikethroughs and new policy/text shown with bold blue coloured font)

Section/ Policy	Proposed Amendment	Rationale
Section C, Policy 2.11	<p>2.11 Require <del>NEW NEIGHBOURHOODS and NEW MIXED-USE NEIGHBOURHOODS</del>, as identified on Map 1 – Growth Plan, to:</p> <p>2.11.1 Be designed and planned as <i>complete neighbourhoods</i> in accordance with Policy 7.1;</p> <p>2.11.2 Achieve a minimum gross population density of 50 persons per hectare (pph).</p> <p><b>2.11A City Council may, at its discretion, waive the requirements of Policy 2.11 where it can be demonstrated through a secondary plan or concept plan that achieving the density target and <i>complete neighbourhoods</i>' policies would be challenging and/or undesirable due to unique circumstances (i.e. smaller scale development areas that lack connection to transit and other local services/ amenities).</b></p>	<p>The proposed amendments add flexibility to consider unique situations where Council may wish to consider residential development areas at densities below 50 persons per hectare.</p> <p>The deleted text is a housekeeping correction to remove a term that no longer exists in the OCP.</p>



Map 1

**GROWTH PLAN****WITHIN BUILT OR APPROVED  
NEIGHBOURHOODS:**

235,000 persons

**TO REACH 300,000:**

65,000 persons

New Neighbourhoods:

45,000 persons

Intensification:

20,000 persons

City Centre - Downtown:

5,000 persons

City Centre - RRI:

2,500 persons

City Centre - Elsewhere:

2,500 persons

Other Parts of the City:

10,000 persons

Note: Populations indicated for new neighbourhoods are estimates

**LEGEND**

Joint Planning Area  
Perimeter

City Boundary

Major Road

Built or Approved  
Neighbourhoods

New Neighbourhoods  
(300k)

Intensification Area  
(300k)

Future Long-Term  
Growth (~500k)

City Centre

Existing Approved  
Employment Area

New Employment  
Area

Collaborative  
Planning Area

Special Study Area

Wastewater Treatment  
Plant Area

Airport Land

Express Transit  
Corridor

Urban Corridor

Urban Centre

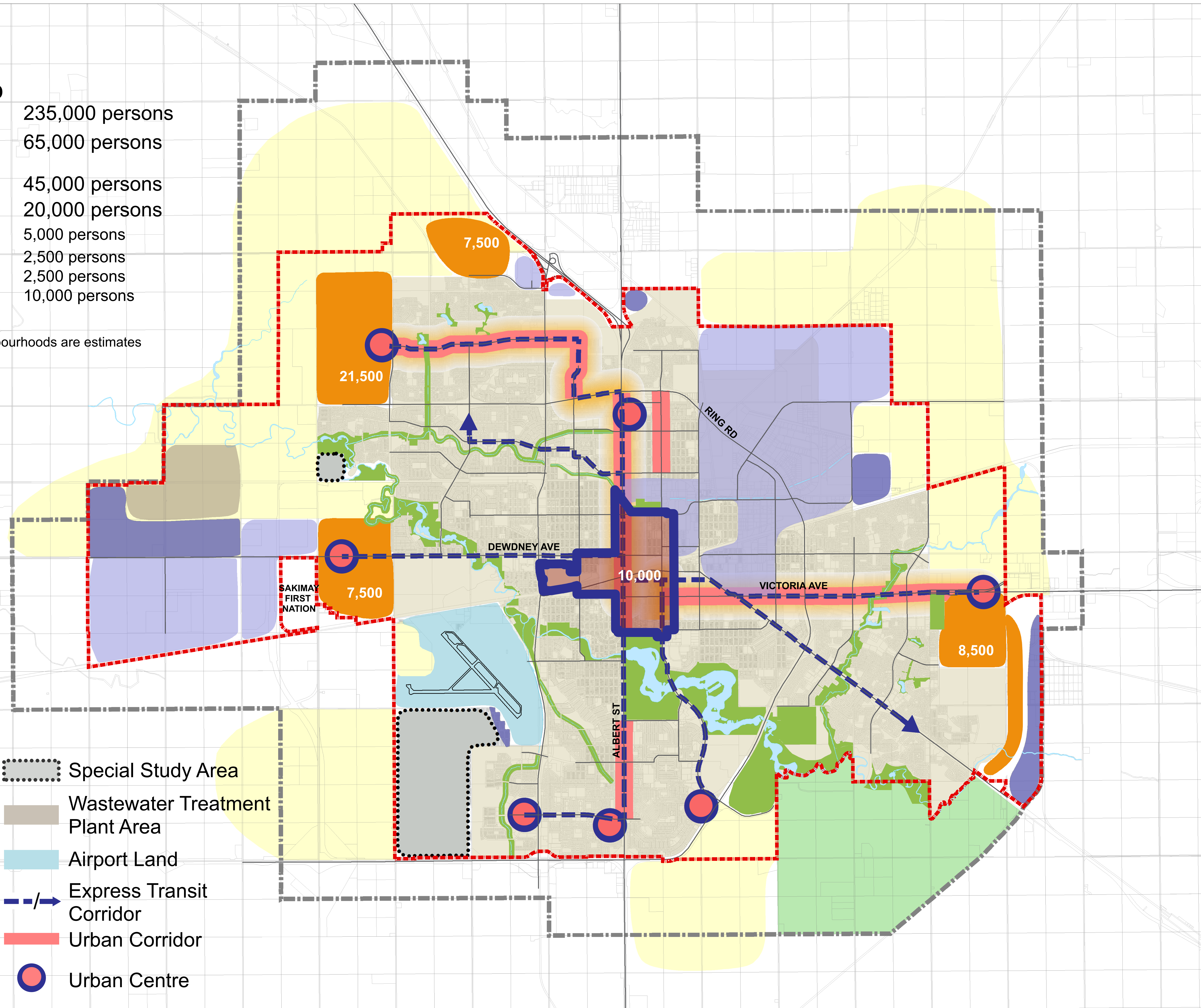
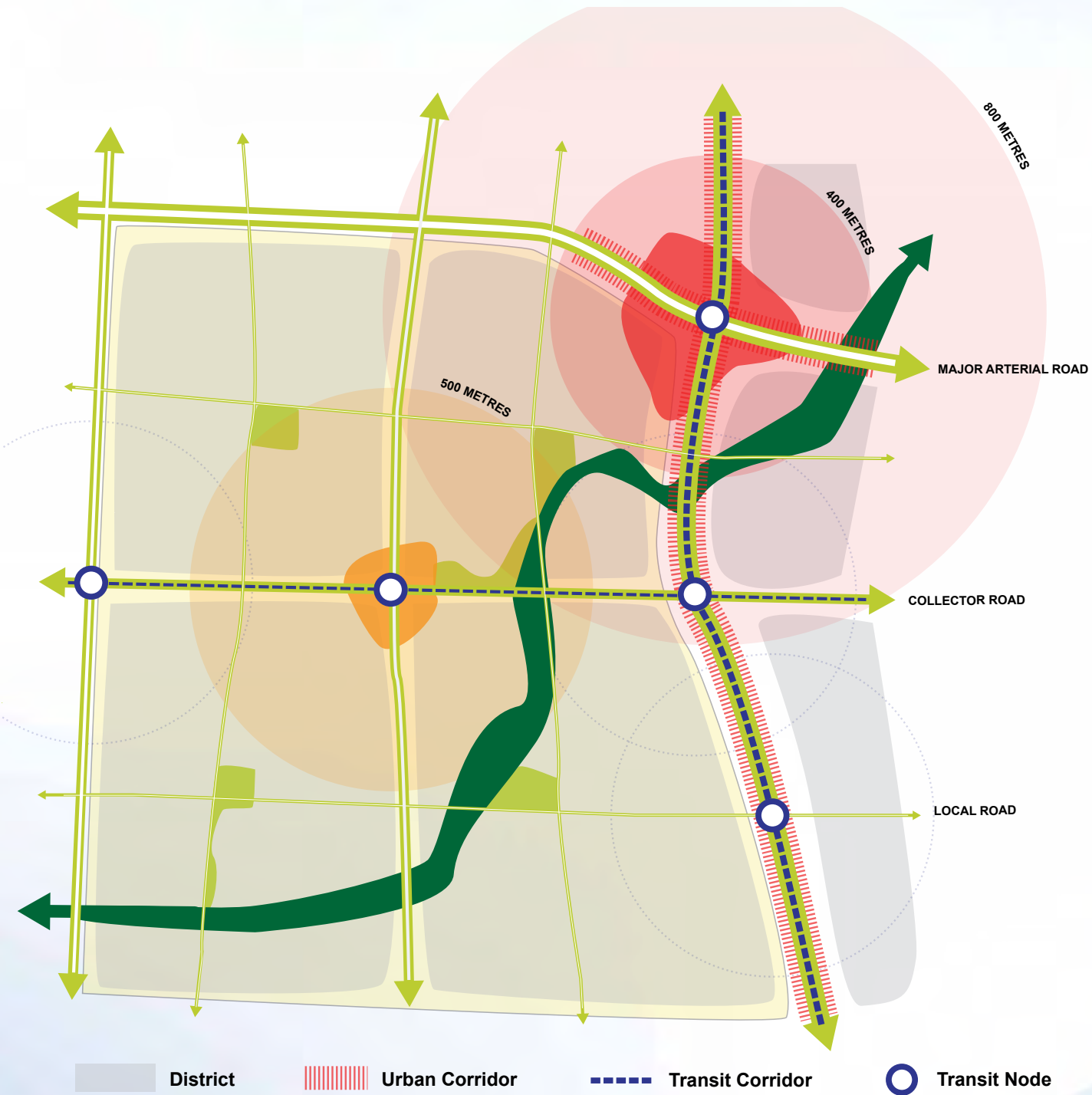




FIGURE 2: COMPLETE NEIGHBOURHOOD MODEL



## LEGEND: COMPLETE NEIGHBOURHOOD MODEL

**COMPLETE NEIGHBOURHOOD**

Diverse Housing Options  
 Commercial / Office / Services  
 Employment Areas  
 Institutional Areas (Schools)  
 Recreational Uses (Activity Centres)  
 Transportation Network  
 Parks and Open Space Network  
 Natural System  
 Distinctive Neighbourhood Characteristic  
 (Cultural Resources)

**URBAN CENTRE**

Commercial/Office Areas  
 Employment Areas  
 Higher Density Residential  
 Mixed-Use Areas  
 Transit Node

**NEIGHBOURHOOD HUB**

Activity Centres  
 Transit Nodes  
 Higher Density Residential  
 Mixed-Use Areas  
 Neighbourhood Retail / Services  
 Community Resources

**PARKS AND OPEN SPACE NETWORK**

Street Trees  
 Parks  
 Plazas  
 Squares  
 Pathways

**NATURAL SYSTEM**

Habitat Areas  
 Stormwater Ponds/Channels  
 Waterbody  
 Floodplain  
 Naturalized Corridors

**TRANSPORTATION**

Various Road Types  
 Transit Corridors  
 Express Transit Corridors  
 Transit Node  
 Bike Paths  
 Sidewalks

### Stakeholder and Public Engagement

Engagement activities were coordinated with those of a related report on intensification update and incentives report that will be addressed in a separate report to Executive Committee.

#### Stakeholder Consultation

Stakeholder consultation on intensification incentives and discussion points as well as the density target for new neighbourhoods were completed through several touchpoints summarized below.

#### *Stakeholder Workshop*

A virtual information session and workshop was held on December 14, 2021. Approximately 120 stakeholders from Regina's land, social and economic development communities were invited to the session. This included local developers, architects / designers, builders, realtors' associations, and housing advocates. Before the session, stakeholders were provided with a discussion paper package that included background information and research. Twenty-nine stakeholders attended the session.

After the session, a virtual questionnaire on the consultation topics was provided to all stakeholders invited, regardless of whether they attended or not. The City received 22 responses to the questionnaire with representation from each stakeholder community. Feedback from the session and associated questionnaire regarding density was mixed, but some recurring themes included:

- Density and housing form is largely influenced by market demand and affordability.
- Neighbourhood design and location of housing types and land uses are as important as density.
- New neighbourhoods are planned as complete communities.
- Economics influence the planning and build out of neighbourhoods.
- Policies need to be consistently applied.

Other key results from the stakeholder survey were that stakeholders were either mixed or completely split on the following issues:

- Did the OCP set an appropriate target for new neighbourhoods?
  - 50% of respondents were neutral, 27% agreed and 23% disagreed.
- Does the current target help us achieve other OCP goals and policies such as creating complete neighbourhoods, providing a mix of housing forms, and supporting amenities and services such as transit?
  - 36% were neutral, 32% agreed, and 32% disagreed.

- Open ended questions on whether to apply a citywide target or establish unique targets per area of the city (e.g. secondary plan process establishes the target) and whether to change how density is calculated and defined.

### *Be Heard Regina*

Additionally, engagement was offered through Be Heard Regina targeted to Community Associations, neighbourhood school stakeholders and those signed up for the *Design Regina* interested parties list, which has more than 500 individuals registered to receive email updates on the OCP. This included an overview of the project, access to a discussion paper package providing background on consultation topics and a non-statistical survey. The survey was open from January 6 to January 16, 2022 and completed by 213 respondents.

Findings from the Be Heard survey were very mixed, and many of the same consistent themes were raised by this group as the industry stakeholders. Comments ranged from recommending that Council increase the target, maintain status quo, lower the target, or eliminate it. Some additional recurring comments included:

- The density target of 50 persons per hectare should continue to be considered the minimum - more density may be needed to create a city that meets the renewable by 2050 sustainability targets and addresses the climate crisis.
- Housing needs to be affordable. Most people cannot afford a single detached home anymore.

### Market Analysis

The market analysis was undertaken in November-December 2021 which included both statistical data-driven analysis and a consumer housing survey. The analysis was intended for consultation on intensification; however, many of the stakeholders are the same for this report so consultation was combined.

Key findings from the statistical analysis as it relates to this report include:

- There is a mismatch between new housing products supplied to the market (e.g. multi-family dwelling) and current consumer preference which shows a preference for single-family dwellings.
- The analysis indicates that if single-family dwellings are not available within greenfield areas, consumers are willing to pursue already-built single-family homes in mature neighbourhoods.

A consumer housing survey was undertaken to supplement the statistical analysis. A total of 528 residents completed the survey.

Key findings from the housing consumer survey neighbourhood density and design include:

- Respondents ranked lot size (23 per cent), adequate square footage/space (22 per cent) and preferred style of garage (21 per cent) as the top three most important housing or property features for a household.
- Respondents ranked proximity to shopping/amenities (46 per cent), parks and playgrounds (33 per cent) and neighbourhood safety (19 per cent) as the top three most important neighbourhood features for a household.
- Only 2 percent of respondents ranked neighbourhoods with mostly single-family homes or neighbourhoods with larger lots sizes as one of the most important neighbourhood features for their household.

A key takeaway of stakeholder consultation compared to the market analysis is the disconnect between what customers want (i.e. personal preference) and what they can afford. There was a strong preference in the market analysis towards single detached homes; however, stakeholders raised that this preference does not match up with affordability. According to the Regina & Region Home Builders Association (RRHBA) approximately 19 percent of consumers in Regina can afford a mortgage for a single detached dwelling based on household income<sup>1</sup>. Market demand and customer preference are not necessarily the same thing as the market demand factors in what consumers can afford and are willing to pay.

The market analysis will be appended and addressed in more depth in a separate report to Executive Committee regarding intensification.

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<sup>1</sup> Regina & Region Home Builders' Association, Accommodating Growth: The delicate balance between Greenfield and Infill Growth", 2021, p. 16, <https://smartergrowthregina.ca/wp-content/uploads/2022/01/Accommodating-Growth-Study.pdf> [Accessed January 2022].



## Appendix E

### 235K Neighbourhoods (Not subject to OCP Density Target)

Concept Plan	Year Approved	Year Last Updated	Gross Area (ha)	Gross Developable Area (ha)**	Projected Population	Gross Density	Gross Developable Density (pph)
Harbour Landing	2007	2019	337.1	258.4	13,079	38.8	50.6
Hawkstone	2009	2018	166.3	93.8	4,535	27.3	48.3
Skyview	2009	2017	37.3	23.2	1,722	46.2	74.2
The Creeks	2007	2012	67.4	62.5	2,464	36.6	39.4
Greens on Gardiner	2007	2016	177.3	164.3	9,665	54.5	58.8
The Towns	2008/2016*	2021	129.6	129.6	7,185	55.4	55.4
Kensington Greens	2005	2013	40.2	40.2	1,650	41.0	41.0
Somerset	2013	2013	56.9	53.9	3,100	54.5	57.5

\*A Towns (south) concept plan was originally adopted in 2008; A completely revamped concept plan replaced it in 2016

### 300K Neighbourhoods (OCP Density Target Applies)

Concept Plan	Year Approved	Year Last Updated	Gross Area (ha)	Gross Developable Area (ha)	Projected Population	Gross Density	Gross Developable Density (pph)
Coopertown Phase 1	2018	2018	64.0	64.0	3,458	54.0	54.0
Rosewood Park	2017	2017	65.0	62.0	4,281	65.9	69.0
Westerra Phase 1	2013	2022	113.4	81.3	4,063	35.8	50.0

Secondary Plans	Planned Density (people/ha)
Coopertown	50.0
Westerra	51.9
South-East	50

Note: Projected populations at full build-out according to approved concept plans

\*\*Gross Developable Area (as per OCP definition) excludes ER and other environmentally sensitive land, large format retail, industrial, and undevelopable lands (e.g. pipeline corridors); it includes residential and local uses like parks, schools, retail and roads

## Jurisdictional Comparison of Density Targets

Municipality	How Density is Defined / Measured	Density Policy Targets	Notes
Regina	New neighbourhoods are to achieve a minimum overall gross population density of 50 persons per hectare (pph). Regina's OCP uses 'gross developable density' that includes residential, local commercial, institutional uses (e.g. schools), local roads and parks. It excludes any environmentally sensitive or other natural areas that will remain undeveloped (e.g. environmental reserve open space), large-format retail and industrial.	50 people per hectare (ha)	Density target applies to New 300K Neighbourhoods identified on the Growth Plan
Saskatoon	Gross developable land. Major undevelopable lands are netted out such as wetlands and major arterial roadways.	<p>Concept Plans and development plans for Residential Neighbourhood areas must achieve a minimum of:</p> <p>17.3 housing units per gross developable hectare, or 50 residents + jobs combined per gross developable hectare.</p> <p>Suburban Centres target 65 people + jobs per hectare to better support transit.</p> <p>OCP policy stating that "higher density uses should be situated strategically to support public</p>	<p>City Growth Plan focuses on growth near transit corridors</p> <p>* Saskatoon's target for new neighbourhoods in sector plans is close to Regina's target; however, it is difficult to determine whether it is marginally lower or higher than Regina's as they measure people + jobs/ hectare and include employment lands in the calculation (e.g. large format retail) while Regina just measures people/hectare and nets out major commercial districts and industrial. Both cities net out environmentally sensitive lands.</p> <p>*Saskatoon's target assumes 90% is people (residents) and 10% is jobs (employees) which breaks down to 45 people + 5 jobs per hectare (50 people + jobs per hectare).</p> <p>* Saskatoon has a separate target for suburban centres of 65 people</p>

## APPENDIX F

		transit, retail, and mixed-use areas.”	+ jobs per hectare. Regina has no target for our equivalent - urban centres.
Edmonton	Density calculations include land use designed for residential purposes only. Land uses excluded are parks, roads, commercial spaces and undeveloped vacant land.	45 dwelling units per net residential hectare (du/nrha) for developing neighbourhoods within the Edmonton Capital Region.	<p>Density target was increased from 35 du/nrha up to 45 du/nrha in 2017.</p> <p>* At 2.6 people/unit (average house size) the Edmonton target is roughly 117 people/ net residential hectare.</p> <p>* Even accounting for a difference in land netted out, the Edmonton target is much higher than Regina’s.</p>
Calgary	<p>Density is tracked by units per hectare netting out only Environmental Reserve.</p> <p>Calgary also measures intensity (jobs + population per gross developable hectare). This includes residential, local commercial, local parks, school sites, local roads, institutional uses (schools, churches, daycares) small indoor recreational sites, small fire &amp; police stations, private lakes/ponds, public utility sites and other local uses.</p>	<p>The Calgary Municipal Development Plan sets a minimum density target for new neighbourhoods of 20 units per hectare.</p> <p>New area structure plans for new communities in greenfield areas will achieve an intensity threshold of at least 60 people and jobs per gross developable hectare and demonstrate how it can intensify to 70 people and jobs per gross developable hectare over the life of the plan; an intensity of up to 100-200 people or jobs per hectare in designated activity centers.</p>	<p>Density is used for primary residential neighbourhoods.</p> <p>Intensity, as Calgary defines it, is the primary measure for mixed use environments such as the downtown, main streets, activity centres and transit-oriented development.</p> <p>* At 2.6 people/unit the Calgary target is roughly 52 people/gross hectare.</p> <p>* Since Calgary does not net out employment lands like Regina and their density target of 20 units per hectare and their intensity target of 60-70 people and jobs per hectare are much higher than Regina’s.</p>

## APPENDIX F

Winnipeg	Density calculations net out public rights-of-way, laneways, drainage ponds, floodplains, parks, larger commercial sites, and existing development.	No minimum density targets for new greenfield areas. Some select secondary plans have density targets for the purposes of planning water/wastewater services.	Winnipeg intentionally did not set a minimum density target to allow for changes in the market over time.
Kelowna	N/A	N/A	Kelowna, BC has recently adopted a new OCP called Kelowna 2040. The Plan is focussed on intensification with density ranges such as 50-100 people per hectare along transit corridors to help support the service. Kelowna's plan establishes a permanent growth boundary delineating the extent of peripheral growth. Urban development is not supported outside of the growth boundary. Through this approach they will finish developing new neighbourhoods that were approved under the former 2030 OCP but will not approve any new suburban neighbourhoods.



## Antenna Systems Protocol

<b>Date</b>	July 5, 2022
<b>To</b>	Regina Planning Commission
<b>From</b>	City Planning & Community Development
<b>Service Area</b>	Planning & Development Services
<b>Item No.</b>	RPC22-23

### RECOMMENDATION

---

Regina Planning Commission recommends that City Council:

1. Remove items RPC10-5 Cell Phone Towers and RPC15-3 Application for Sale of Dedicated Lands (15-SD-01) Portion of Qu'Appelle Park - 1301 Parker Avenue from the List of Outstanding Items.
2. Approve the Antenna System Protocol, attached as Appendix A.
3. Approve these recommendations at its meeting on July 13, 2022.

### ISSUE

---

The City of Regina (City) Administration has prepared a protocol for reviewing proposed new antenna systems. The *Antenna System Protocol* (Protocol) outlines the City's preferred location and design standards for proposed new antenna systems (primarily, cell towers), as well as expectations respecting City and public consultation. This report summarizes the Protocol and the full Protocol is attached to this report as Appendix A.

The implementation of this Protocol is timely, as antenna system applications have increased as new, advanced service and technology are introduced. The Protocol will be a public document and it is intended that antenna system proponents will refer to, and follow, the Protocol when considering new antenna systems. The Protocol will also help inform City decisions regarding the purchase or lease of City lands for antenna systems.



The Protocol was subject to stakeholder and public review and complies with applicable policy and standards: *Antenna System Siting Protocol Template, 2014* (Federation of Canadian Municipalities/ Canadian Wireless Telecommunications Association); *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular, Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols* (Government of Canada). Administration, therefore, recommends City Council approval the Protocol.

## **IMPACTS**

---

This Protocol is necessary to provide the basis for response to proposed new antenna systems. This is essential infrastructure to support economic growth and public safety in all neighbourhoods of the city. The overarching goal of the protocol is to ensure efficient cell tower coverage, while directing the location of infrastructure in preferred locations, where possible and practical.

## **OTHER OPTIONS**

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1. Amend the Protocol and then approve.
2. Direct Administration to revise the Protocol and bring back to City Council. In the interim, the City would continue to rely on the Federal Government's default notice and consultation process.
3. Deny the proposal. The City would continue to rely on the Federal Government's default notice and consultation process.

## **COMMUNICATIONS**

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The Protocol was subject to stakeholder and public review, including review by the major carriers (e.g. SaskTel, Rogers, TELUS, Access), Government of Canada officials, school boards and Saskatchewan Health Authority. Public feedback is included as Appendix B.

## **DISCUSSION**

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### **Background**

Antenna systems, such as cell towers, transmit and receive radiofrequency communication ("wireless telecommunication") and work in tandem with cell/smart phones, computers, etc. As technology evolves, antenna systems will be replaced and upgraded to provide faster, more reliable service. While antenna systems are increasingly regarded as providing essential communication service, the facilities also impact the urban environment; therefore, the proposed Protocol will inform location and design considerations.

The decision authority respecting antenna system applications is the Government of Canada

(Innovation, Science and Economic Development Canada - ISEDC) and proposed new antenna systems must be constructed in accordance with Federal Government regulations; however, ISEDC expects antenna system proponents to work with municipalities when locating and designing new antenna systems. Because of this jurisdictional situation, the Protocol serve as “guidelines” (as opposed to City regulation, like a zoning bylaw).

## **Objectives**

The key objectives of the Protocol are:

- 1) To help ensure that proposed new antenna systems:
  - a) Are co-located, when possible and practical, to minimize redundant facilities.
  - b) Minimize impacts on parks and open space from a recreation and visual perspective.
  - c) Are appropriately located in the context of schools and residential areas.
  - d) Generally, avoid lands protected for natural or wildlife habitat.
  - e) Integrate with surrounding land-use and public realm and not be visually obtrusive.
- 2) To establish a process for reviewing antenna system proposals that:
  - a) Aligns with the requirements of the Government of Canada.
  - b) Addresses public and stakeholder consultation, where applicable.
  - c) Ensures that the design and location guidelines of this Protocol are respected.
  - d) Ensures timely resolution of issues and decisions.

## **Procedure**

The aforementioned objectives are supported by an established procedure, addressed in the Protocol, which includes preliminary consultation with the City; submission of an application package; public consultation; City technical review and City recommendation.

For most antenna system applications, the proponent must inform residents, school boards, etc. within a prescribed radius and provide an opportunity to comment. For proposed antenna systems that are over 30 metres in height, the proponent must also place an ad in the local newspaper. For proposed antenna systems that challenge the Protocol location guidelines, the City may require an open house event, which would allow service providers to have dialog with affected persons to ensure that location decisions are fully understood.

The City’s decision is in the form of a recommendation, submitted to ISEDC, of either “concurrence” or “non-concurrence”. Where the City issues non-concurrence, the ISEDC can over-rule the decision respecting the proposed antenna system.

Where the antenna system proponent also wants to purchase or lease City-owned land, the Protocol acknowledges that the City reserves the right to require additional process components, or to decline the purchase or lease request for any reason.

ISEDC also reviews proposed antenna systems in terms of conformity with federal regulations. Importantly, antenna systems must meet radiofrequency exposure requirements recommended by

Health Canada and enforced by ISEDC.

### **Location**

The Protocol recognizes the key role of wireless telecommunication infrastructure and does not prohibit location contexts. Instead, the Protocol establishes a process whereby the antenna system proponent is required to consider “priority” locations first and only consider “secondary” locations when a priority location is not available.

Priority locations include:

- a) Co-location with existing antenna systems or suitable structures.
- b) Industrial, commercial, or nonresidential areas (rear of lot or behind building preferred).
- c) Utility parcels, buffers and corridors (drainage ditches and ponds shall be avoided).
- d) Major transportation corridors (e.g. major arterials or expressways), excluding parkways.

Secondary locations include:

- a) Within and adjacent to public parks and open space.
- b) Within and adjacent to residential areas
- c) Parkway corridors and identified ceremonial routes.

Areas to be avoided include:

- a) Sites of topographical prominence or important view planes.
- b) Areas protected as natural or wildlife habitat.

As the Protocol functions as guidelines, the City may waive or relax the location preferences if the service provider demonstrates that there are no preferable alternatives. Public engagement and associated feedback will be an important part of the review process, in interpreting and applying the Protocol.

Regarding the proposed residential and school setbacks: There are no recommended setbacks provided by the federal, provincial or school authorities and a review of the protocol of other cities reveals a broad spectrum of practice. The Protocol recommends a minimum setback that is equivalent to the height of the tower.

Ultimately, all proposed new antenna systems are also reviewed by the Federal Government, which is responsible for enforcing Health Canada guidelines relating to radiofrequency exposure. Further, the design of cell towers must be in accordance with structural plans approved by a qualified engineer.

### **City Lands**

Although ISEDC is the decision authority respecting proposed antenna systems, City Council is the decision authority respecting proposals to purchase or lease City-owned lands. One exception to this is the expropriation powers afforded to SaskTel, through *The Saskatchewan Telecommunications Act*, to acquire land for telecommunication infrastructure. Administration is not

aware of SaskTel having invoked this power in the past, or the circumstances in which it might use it in the future for the purpose of acquiring land for a proposed cell tower.

The Protocol does not serve as a comprehensive procedural guide for assessing and acquiring City lands; however, it does include City-owned land scenarios in the section pertaining to location and design guidelines and provides special public communication instructions where City-owned lands are involved.

### **Stakeholders**

The Protocol was subject to stakeholder and public review, including review by the major carriers (e.g. SaskTel, Rogers, TELUS, Access), Government of Canada (ISED) officials, school authorities and the Saskatchewan Health Authority - a summary follows:

- SaskTel, who develops most new antenna systems in the city, expressed some concerns regarding location and design guidelines – noting that the guidelines could prevent the installation of optimal service coverage

The Administration responded by adjusting both the location and design requirements and by emphasizing in the Protocol that the “requirements” are guidelines rather than stringently applied regulations, which can be relaxed where appropriate.

- ISED expressed no major concern with the Protocol but noted some minor inconsistencies with Federal Government requirements.

The Administration responded by revising the Protocol accordingly.

- The Regina Public Schools requested that the Protocol setbacks relating to school sites be strengthened by having setback areas added to a category, within the Protocol, relating to specific areas that should be avoided for proposed new cell towers.

While the Administration respects the interest of the school authorities to always keep cell towers far away from school sites, the Protocol retains its provision that allows setback areas to be considered where it can be demonstrated that “priority” locations are not available. Further, Administration emphasizes that the Federal Government has responsibility to review cell tower applications and is responsible for ensuring that the location meets Health Canada recommendations relating to radiofrequency exposure.

### **Summary**

Ultimately, the decision process must balance location and design considerations with the provision of essential wireless telecommunication infrastructure. Developed areas of the city are further challenged by intensification (increase service demand) and limited site options for new antenna systems. For these reasons, demand to locate on City lands and within residential areas will continue.

The Protocol is not intended to restrict wireless telecommunication service, but to guide proposed new cell towers toward preferred locations and design results where possible and practical. Thus, an important component of the Protocol is the review process, which are instructions for ensuring that antenna system proponents are working with the City and consulting the public. Moving forward, the Protocol will provide an additional procedural layer for better managing antenna systems.

## DECISION HISTORY

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- On February 24, 2010, Regina Planning Commission directed Administration to conduct a review of the policy related to the sale of parcels of City land for the installation of cell towers, including the size of the parcel and related setbacks, as well as any related Bylaw changes that may be required (RPC10-5).
- On June 3, 2015, Regina Planning Commission directed Administration to prepare a report on guidelines and/or principles for cell phone towers on City of Regina property (RPC15-31).

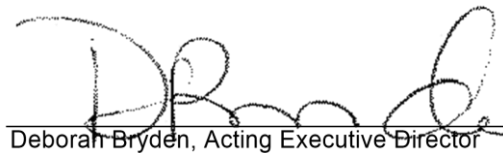
Respectfully Submitted,

Respectfully Submitted,



Autumn Lawson, Director, Planning & Development Services

6/15/2022



Deborah Bryden, Acting Executive Director

6/21/2022

Prepared by: Jeremy Fenton, Senior City Planner

## ATTACHMENTS

Appendix A - Antenna Protocol

Appendix B - Antenna Protocol



# **CITY OF REGINA**

## **Antenna System Protocol**



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Approved by City Council:



## 1. PURPOSE

This Protocol serves as guidelines for directing the location and design of, and development process associated with, new Antenna Systems in the city of Regina, Saskatchewan.

This Protocol was developed using, as a base, a template developed by the Federation of Canadian Municipalities, in conjunction with the Canadian Wireless Telecommunications Association (***Antenna System Siting Protocol Template, 2014***) and is in alignment with Innovation, Science and Economic Development Canada's (ISED) *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular* (CPC-2-0-03) and *Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols*.

This Protocol focusses on commercial and public wireless telecommunication infrastructure. For amateur radio operation and over-the-air TV reception, the City defers to the *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular* (CPC-2-0-03) - all Proponents associated with these facilities are directed to ISED.

It is expected that Proponents follow this Protocol wherever possible and, where not possible or practical, provide a rationale for non-conformity. An important requirement for achieving the objectives of this Protocol is early engagement with the City and involving the City as part of the process to identify optimal location and design solutions.

## 2. OBJECTIVES

The objectives of this Protocol are:

- 1) To contribute to the orderly development and efficient operation of a reliable, strong wireless telecommunication network in the city of Regina.
- 2) To help ensure that proposed new Antenna Systems:
  - a) Are co-located, when possible and practical, in order to minimize redundant facilities.
  - b) Minimize impacts on parks and open space, where possible.
  - c) Are appropriately located in the context of schools and residential areas.
  - d) Generally avoid lands protected for natural and wildlife habitat.
  - e) Integrate with the surrounding land use and public realm.
- 3) To establish a process for reviewing Antenna System proposals that:
  - a) Is in alignment with the requirements of the Government of Canada.
  - b) Addresses public and stakeholder consultation, where applicable.
  - c) Ensures that the design and location guidelines of this Protocol are respected.
  - d) Ensures that resolution of issues and decisions is carried out in a reasonable timeframe.
- 4) To clarify the roles and responsibilities regarding the review and approval of proposed Antenna Systems.

### 3. DEFINITIONS

- 1) **Antenna System:** an exterior transmitting device used to receive and/or to transmit radio-frequency (RF) signals, microwave signals, or other federally-licensed communications energy transmitted from, or to be received by, other antennas.

Antenna Systems include the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter. This Protocol most commonly refers to the following two types of Antenna Systems:

- a) **Freestanding Antenna System:** a structure (e.g. tower or mast) built from the ground for the expressed purpose of hosting an Antenna System or Antenna Systems.
  - b) **Building/Structure-Mounted Antenna System:** an Antenna System mounted on an existing non-tower structure, which could include a building wall or rooftop, a light standard, water tower, utility pole or other.
- 2) **Co-location:** the placement of antennas and equipment operated by one or more Proponents on an Antenna System operated by a different Proponent, thereby creating a shared facility.
  - 3) **Prescribed Distance:** The setback distance between the Antenna System, as measured horizontally from the outside perimeter of the supporting structure, and, where applicable, a school facility or residential area.
  - 4) **Proponent:** an individual, company or organization proposing to construct an Antenna System (including contractors undertaking work for telecommunications carriers and third-party tower owners) for the purpose of providing telecommunications services.
  - 5) **Residential Area:** lands used or zoned to permit residential uses, including mixed uses (i.e. where commercial use is permitted at-grade with residential above).
  - 6) **Stealth Structure:** means the installation of a telecommunication antenna structure in a manner that is designed to hide, camouflage or integrate the telecommunication antenna structure into an existing building, landscape, topography or structure.

## **4. RESPONSIBILITIES**

### **4.1. Government of Canada**

Under the *Radiocommunication Act*, the Minister of ISED has sole jurisdiction over inter-provincial and international communication facilities. The final decision to approve and license the location of Antenna Systems is made only by ISED.<sup>1</sup>

ISED requires that Proponents intending to install or modify an Antenna System notify and consult with the local authority (City of Regina), as well as with community residents within the prescribed notification radius. These processes are described herein.

### **4.2. City of Regina (City)**

The role of the City, as it relates to wireless telecommunication infrastructure, is to support the installation of Antenna Systems, as important infrastructure, and to help ensure that they integrate, optimally, within the urban fabric. The City pursues this role by:

- 1) Establishing protocol relating to the design and location of new Antenna Systems, as well the associated review and notification processes.
- 2) Reviewing proposed new Antenna Systems and communicating the City's position.
- 3) Reviewing, and deciding upon, proposals to purchase or lease City owned lands for the purpose of locating new Antenna Systems.

The City communicates its position by issuing a statement of "concurrence" or "non-concurrence" to ISED (copying the Proponent). The City's position takes into consideration adherence to this Protocol and the feedback of affected residents. Where the City opposes the location or design of a proposed Antenna System, it can indicate its non-concurrence and request dispute resolution (per Federal Government guidelines: *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)*).

The City does not assess any proposal for an Antenna System with respect to radiofrequency exposure/ health issues, or any other non-location or non-design related issues, as these matters are not within the City's jurisdiction to comment on.

#### Proposed Antenna Systems on City Owned Lands

- 1) Notwithstanding any other aspect of this Protocol, the City reserves the right to approve or refuse any request for purchase or lease of City owned land for a proposed Antenna System.
- 2) Where the City may allow the purchase or lease of City owned lands, the City may require:
  - a) Fair and appropriate financial compensation, at the City's discretion.
  - b) An agreement to ensure that the Antenna System meets any location, design, construction and decommissioning requirements, at the City's discretion.
- 3) The decision to sell or lease City owned land shall be made by City Council.

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<sup>1</sup> *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)*



### **4.3. Proponent**

- 1) The role of the Proponent, when developing new Antenna Systems, is to ensure that the requirements of the Government of Canada and the City are followed, including:
  - a) Investigating sharing or using existing infrastructure before proposing new antenna-supporting structures (and, where not possible, demonstrating why).
  - b) Consulting the City early in the process to identify optimal location and design preferences.
  - c) Consulting affected landowners and stakeholders and reporting feedback to the City.
  - d) Following the guidelines of this Protocol (and, where not possible, demonstrating why).
  - e) Where the purchase or lease of City owned lands is proposed, abiding by any financial compensation and legal agreement, as negotiated by the City and the Proponent.
  - f) Obtaining required permits from other level of government and, where applicable, the City.
- 2) Where there is a concurrence letter issued in support of a new Antenna System, the Proponent may be required to provide a Letter of Undertaking, which may include the following requirements:
  - a) A commitment to accommodate other communication providers on the Antenna System, where feasible, subject to the usual commercial terms and ISED requirements.
  - b) All conditions identified in the letter of concurrence.

### **4.4. Operators**

- 1) The City can issue a request to network operators to clarify that a specific Antenna System is still required to support communication network activity. The network operator will respond within 30 days of receiving the request and will provide any available information on the future status or planned decommissioning of the Antenna System.

Where the network operators concur that an Antenna System is redundant, the network operator and the City will mutually agree on a timeframe to remove the system and all associated buildings and equipment from the site. Removal will occur no later than 2 years from the date of when the Antenna System was deemed redundant.

Where a network operator proposes to acquire City lands for the placement of a proposed antenna system, the City may require a legal arrangement for the future decommissioning of the facility and the return of the lands to the City.

## 5. EXCLUDED STRUCTURES

### 5.1. Excluded Structures

As per the regulations of ISED, the following structures are exempt from City and public review, except for a notification process, where applicable:

- 1) **New Freestanding Antenna Systems** where the height is less than 15 metres above ground level. This exclusion does not apply to Antenna Systems proposed by telecommunications carriers, broadcasting undertakings or third party tower owners.
- 2) **Existing Freestanding Antenna Systems** where modifications are made, antennas added or the tower replaced<sup>2</sup>, including to facilitate sharing, provided that:
  - a) The total cumulative height increase is no greater than 25% of the height of the initial Antenna System installation<sup>3</sup>.
  - b) No increase in height may occur within one year of completion of the initial construction.
  - c) This exclusion does not apply to Antenna Systems using purpose-built antenna supporting structures with a height of less than 15 metres above ground level operated by telecommunications carriers, broadcasting undertakings or third party tower owners.
- 3) **Building/Structure-Mounted Antenna System:** antennas on buildings, water towers, lamp posts, etc. may be excluded from consultation provided that the height above ground of the non-tower structure, exclusive of appurtenances, is not increased by more than 25%.
- 4) **Temporary Antenna Systems** used for special events or emergency operations and are removed within three months after the start of the emergency or special event.

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<sup>2</sup> The exclusion for the replacement of existing Freestanding Antenna Systems applies to replacements that are similar to the original design and location.

<sup>3</sup> Initial Antenna System installation refers to the system as it was first consulted on, or installed.

## **5.2. Notification Process**

Notwithstanding the applicability of an exemption, Proponents are required to notify the City of exempted structures so that the City can respond to public inquiries and is aware of construction activity. Applicability of notification is as follows:

### **Building/Structure-Mounted Antenna Systems:**

The Proponent will, prior to construction, submit the following information for all new Antenna Systems or modifications<sup>4</sup> to existing Antenna Systems that are mounted to an existing structure, including (but not limited to) a building/rooftop, water tower, utility pole or light standard:

- 1) The location of the Antenna System (address; rooftop or wall-mounted, etc.).
- 2) Description of proposed screening or stealth design measures with respect to the measures used by existing systems on that site and/or the preferences outlined in Section 6.
- 3) The height of the Antenna System.

The City may notify the Proponent of inconsistencies with the preferences outlined in Section 6.

### **Additions that Increase the Height of Freestanding Antenna Systems:**

The Proponent will confirm to the City, prior to construction, that an addition that extends the height of an existing Freestanding Antenna System, as defined in Section 3, meets the exclusion criteria in Section 5 by providing the following:

- 1) The location, including its address and location on the lot or structure.
- 2) A short summary of the proposed addition including a preliminary set of drawings or visual rendering of the proposed system.
- 3) A description of how the proposal meets one of the Section 5 exclusion criteria.

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<sup>4</sup> Notice is only required where the modification materially or noticeably changes the appearance of the system. Maintenance works that do not result in such changes are excluded from notice.

## **6. GUIDELINES**

The following guidelines reflect the City's location and design preferences for proposed new Free Standing Antenna Systems. Priority locations should be selected where possible and practical and secondary locations should only be pursued where it is demonstrated that a priority location is not available to accommodate a target service coverage.

### **6.1. Location**

- 1) Before submitting a proposal for an Antenna System on a new site, the Proponent must explore the following options:
  - a) Consider sharing an existing Antenna System or modifying or replacing a structure.
  - b) Locate, analyze and attempt to use any feasible existing structures, including (but not limited to) rooftops, utility structures, signs, light standards, etc.
- 2) Priority locations for new Freestanding Antenna Systems:
  - a) Industrial, commercial, or nonresidential areas (rear of lot or behind building is preferred).
  - b) Utility parcels, buffers and corridors (drainage ditches and ponds shall be avoided).
  - c) Major transportation corridors (e.g. major arterials or expressways), excluding parkways. (Sites with a high level of visual prominence should be avoided.)
- 3) Secondary locations for new Freestanding Antenna Systems:
  - a) Within or adjacent to residential areas.
  - b) Within or adjacent to public park or open space.
  - c) Parkway corridors and identified ceremonial routes.
- 4) Areas where new Freestanding Antenna Systems should generally be avoided:
  - a) Sites of topographical prominence or important view planes.
  - b) Areas protected as natural or wildlife habitat.
- 5) The minimum setback between a proposed Freestanding Antenna System and a residential or school property should be a distance equivalent to the tower height.<sup>5</sup>
- 6) Where the Proponent determines that it is not possible or practical to meet the Section 6.1 priority locations, it must provide, as part of the submission:
  - a) A demonstrable rationale why the priority locations cannot be accommodated.
  - b) An explanation of measures to mitigate issues associated with a secondary location.
- 7) The City may, at its discretion, modify the Section 6.1 location preferences based on:
  - a) Buffering topography and vegetation.
  - b) Screening via non-residential buildings and structures and trees.
  - c) Intervening transportation and utility corridors; water courses.
  - d) Information arising from public consultation.
  - e) The provision of optimal wireless telecommunication service coverage.

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<sup>5</sup> The setback distance is measured from the outside perimeter of the supporting mechanism, building edge, face of the self-supporting tower, etc., to the property line of the nearest residential area or school. In the case of school proximity, the school authority shall be consulted when determining setback parameters.

## **6.2. Design**

- 1) Where a Freestanding Antenna System is proposed:
  - a) The City may require, where it is to be located in a designated heritage area/ property or the downtown or a prominent park/ civic area (as determined by the City), that the Antenna System be screened from view or incorporate stealth/ camouflage measures or be designed as public art or a landmark feature.
  - b) The antenna tower should, where possible and practical, allow for the installation of future co-location arrays/ equipment.
  - c) Lattice, tri-pole, and guyed structures are discouraged within Section 6.1(3) areas.

## **6.3. Landscaping**

- 1) Antenna Systems and associated equipment shelters should be attractively designed and/ or screened from ground level, or other public views, via the following screening techniques:
  - a) Attractive, well designed, graffiti-resistant fencing.
  - b) A mix of deciduous and coniferous trees in order to provide year-round coverage.
  - c) Existing vegetation, where it will not, in the case of public lands:
    - i) Result in the removal of trees, except where approved by the City.
    - ii) Degrade the ambience of an important natural landscape, as determined by the City.
- 2) Facilities proposed to be constructed on City lands used for parks and recreation, or dedicated environmental reserve, shall be required to include landscaping, unless waived by the City.
- 3) Cabinets should be designed in a manner which integrates them into their surroundings.

## **6.4. Lighting**

- 1) Unless specifically required by Transport Canada and/or NAV Canada, the display of any lighting is discouraged.
- 2) Where Transport Canada and/or NAV Canada requires a structure to be lit, the lighting should be limited to the minimum number of lights and the lowest illumination allowable.
- 3) The lighting of Antenna Systems and associated equipment shelters for security purposes is supportable provided it is shielded from adjacent residential properties, is kept to a minimum number of lights and illumination intensity, where possible, is provided by a motion detector.

## **6.5. Parking**

- 1) Parking spaces, where required, should have direct access to a public right-of-way at a private approach that does not unduly interfere with traffic flow or create safety hazards.

**Note:** Where the purchase or lease of City owned land is proposed, the City reserves the right to:

- Require specific design requirements, as established through a legal agreement, with the proviso that such requirements do not conflict with the regulations of other levels of government.
- Approve or refuse any request for to purchase or lease City lands for a proposed Antenna System.



## 7. CITY CONSULTATION

- 1) Prior to identifying a particular site and submitting an Antenna System siting proposal, the Proponent will engage in preliminary site review consultation with the City in order to:
  - a) Consider options for site location.
  - b) Identify preliminary issues of concern.
  - c) Identify requirements for public consultation.
  - d) Guide the content of the proposal submission.
- 2) The Proponent will submit the following information to the City for the preliminary site review:
  - a) Map(s) showing option(s) for site location.
  - b) The type, height and design of the proposed Antenna System.
  - c) Preliminary drawings or visual renderings of the proposed Antenna System to scale.
  - d) Documentation regarding the investigation of co-location potential on existing or proposed Antenna Systems within 500 metres of the subject proposed location(s). This must include map showing existing and proposed Antenna System(s).
- 3) The City may require, at its discretion, a meeting with the Proponent as part of the preliminary site review, and / or after the stakeholder consultation process.
- 4) Following the preliminary site review, the City will confirm with the Proponent:
  - a) Comments regarding options for site location and design.
  - b) Proposal submission requirements.
  - c) Public engagement requirements.

**Note:** Where the purchase or lease of City owned land is proposed, the City reserves the right to require alternate or additional consultation requirements, as determined by the City.

## 8. SUBMISSION REQUIREMENTS

- 1) The Proponent must include the following information when submitting an Antenna System siting proposal to the City, unless waived by the City:
  - a) A letter or report indicating:
    - i) The location of the proposed site (civic address; legal description; coordinates).
    - ii) A description of the proposed Antenna System (type; height; arrays; etc.)
    - iii) The need for the proposed Antenna System, including an explanation of co-location potential with an existing Antenna System within 500 metres of proposed site.
    - iv) The rationale for site selection, including reference to Section 6.1 of this Protocol.
    - v) Where the site location is in non-conformance of Section 6.1 of this Protocol, an explanation of why it does not comply and proposed mitigation measures.
    - vi) Health Canada; Transport Canada; environmental; engineering overview and conformity attestations.
  - b) An aerial or satellite map(s) showing the proposed site location within a minimum 500 metre radius information area, which shows:
    - i) Existing Antenna Systems.
    - ii) All schools, streets and parks (names labeled).
    - iii) Where the proposed site is City owned lands, any applicable dedication designation (e.g. municipal reserve; environmental reserve – clearly labelled).
    - iv) Scale bar, north arrow, etc.
  - c) A site plan(s) showing:
    - i) Proposed structure and site location, and, where applicable, proposed landscaping, fencing, access and parking.
    - ii) Existing buildings, structures, utilities, accesses, and other notable features, on proposed site and adjacent properties.
    - iii) Property lines and adjacent street rights-of-ways (names labelled) and setback distances between proposed structure(s) and site and property lines.
    - iv) Scale bar, north arrow, etc.
  - d) Photo simulation of the proposed Antenna System, superimposed on a photographic image of the proposed site, including height shown to scale.
  - e) For Antenna Systems requiring public consultation, a map showing all properties located within the prescribed distance for notification from the proposed Antenna System.
  - f) Confirmation of legal ownership of the lands subject to the proposal, or a signed letter of authorization from the registered property owner of the land, their agent, or other person(s) having legal or equitable interest in the land.
  - g) Where the proposed site is City owned lands, the intent to purchase or lease.
  - h) Any other documentation as identified by the City following the preliminary review.
  - i) Any prescribed fee and application form.
- 2) A determination on the completeness of an application or request for additional information will be provided within five (5) working days of receipt of the proposal. The City will not subject the submission to review until all information, as determined by the City, has been submitted.

**Note:** Where the purchase or lease of City owned land is proposed, the City reserves the right to require alternate or additional submission requirements.

## **9. PUBLIC CONSULTATION**

### **9.1. Public Notice**

Unless a proposed Antenna System is exempt from the consultation process, as per Section 5.0 of this Protocol, the Proponent must undertake notification in accordance with the following:

- 1) All landowners, community associations, school boards and adjacent municipalities shall receive notice<sup>6</sup>, by mail, within the greater distance of:
  - a) 120 metres of the proposed Antenna System site, or
  - b) In the case of a Freestanding Antenna System, 3 x the height of the tower.
- 2) The notice outlined in Section 9.1(1) shall include the following:
  - a) The requirements outlined in Section 8(1)(a)-(d).
  - b) Contact information for the Proponent; City; ISEDC.
  - c) Copy of web link/ address to ISEDC and City website information.
  - d) Deadline date and instructions for submitting feedback.
- 3) In addition to the public notification requirements noted above, the Proponent of a proposed Antenna System proposed to be 30 metres or more in height, or located in a public park or open space, or an area described in Section 6.1(4) of this Protocol, must place a notice in a local community newspaper circulating in the proposed area (Regina Leader Post), which includes:
  - a) An explanation of why public notice is required.
  - b) The proposed location and street address, including map.
  - c) A description of the proposed Antenna System, including type and height.
  - d) Contact information for the Proponent and City.
  - e) An invitation to provide comments to the Proponent, and a public comment deadline of no less than 30 days following the publication of the notice.
- 4) The Proponent shall provide the City with a copy of the notice described in Section 9.1(1); (3).
- 5) Where the proposed site is to be located on City owned land:
  - a) The notice described in Section 9.1(1); (3) shall specify the applicable dedication designation, if applicable (e.g. municipal reserve; environmental reserve).
  - b) The City shall review and approve the draft notice before it is distributed/ posted.
  - c) For the Section 9.1(1) notice, the Proponent shall use an address list supplied by the City.

**Note:** Where the purchase or lease of City owned land is proposed, the City reserves the right to require alternate or additional notification requirements, as determined by the City.

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<sup>6</sup> The Proponent may request to use the City's mapping system to obtain addresses.

## **9.2. Public Meeting**

- 1) The City may request that the Proponent chair a public information session in cases where there may be significant public interest in the proposed Antenna System, such as:
  - a) Taller Antenna Systems (e.g. 45 metres in height or more).
  - b) Locations in a public park or open space, or an area described in Section 6.1(4) of this Protocol.
  - c) Antenna Systems designed as art installations or landmark features.
- 2) The public information session shall follow a date/ time, style and form agreed upon by both the Proponent and the City.
- 3) Notice of the public information session shall be managed by the Proponent and shall:
  - a) Be in the form of mail-out letter, as per Section 9.1(1); a newspaper ad, as per Section 9.1(3) (adjusted accordingly) and any technique employed by the City.
  - b) Explain the purpose of the public information session.
  - c) Include the date, time and location (or virtual platform) of the session.
  - d) Allow an interval of 10 business days between date of mail-out delivery and the session.
  - e) Provided to the City prior to mail-out and ad posting.
- 4) Where a public information session has been conducted
  - a) The Proponent shall submit, to the City, a brief containing the following: names and addresses of all attendees; a copy of any agenda, presentation, minutes or similar record, which includes topics discussed, concerns raised, resolutions reached and, where arising, any outstanding issues that could not be resolved.
  - b) The overall City review period shall be extended to account for this undertaking.

## **9.3. Public Feedback**

- 1) For notification alone, the public shall be provided 30 days, after mail-out delivery or ad posting, to submit comments to the Proponent.
- 2) For information sessions, the public shall be provided 14 days, after information session date to submit comments to the Proponent.
- 3) Where a question or concern has been posed to the Proponent, the Proponent shall
  - a) Respond to the party, in writing, within 14 days, acknowledging receipt or providing response to the question or concern.
  - b) Respond to the party, in writing, within 60 days, by:
    - i) Providing response to all relevant questions or concerns, or explaining why the question or concern is not, in the view of the Proponent, relevant.
    - ii) Notwithstanding Section 9.3(1);(2), indicating that the party has 14 days from the date of the correspondence to reply to the Proponent's response.
  - c) Provide a copy of all public correspondence to the local ISEDC office and the City.
- 4) If the City identifies concerns, the City shall communicate this to the Proponent so that a solution or options may be discussed and potentially implemented.
- 5) The City may request a meeting with the Proponent after submission of feedback is provided

## **10. REVIEW / DECISION**

### **10.1. Review Considerations**

- 1) When reviewing a submission for a proposed Antenna System (concurrence or non-concurrence), the City may take into consideration the following:
  - a) The City's Official Community Plan; Zoning Bylaw and Antenna System Protocol.
  - b) Existing and proposed features of proposed site and adjacent properties: land-use; development; access; landscaping; utilities; etc.
  - c) Co-location potential on existing Antenna Systems within 500 metres of proposed site.
  - d) Access/egress to the facility, on-site parking facilities and vehicular movement.
  - e) Topographical, environmental and geotechnical considerations.
  - f) Design aspects, including: height; colour; potential for stealth design; design of equipment shelters(s); landscaping, lighting and signage; co-location potential.
  - g) Impact on dedicated municipal reserve and environmental reserve lands and any City Council decision to purchase or lease City owned lands.
  - h) Legitimate issues and implications identified through public consultation feedback.
- 2) The City will render a decision (concurrence or non-concurrence) within 14 days of:
  - a) Completion of the Proponent's public engagement process, including submission of the public engagement summary by the Proponent.
  - b) A Council decision to sell or lease land for a proposed antenna system.

### **10.2. Concurrence**

The City will provide a letter of concurrence to ISEDC (copying the Proponent) where the proposal addresses, to the satisfaction of the City, the requirements of this Protocol, and any other applicable technical requirements, and will include conditions of concurrence, if required.

### **10.3. Non-Concurrence**

The City will provide a letter of non-concurrence to ISEDC (copying the Proponent) where the proposal does not sufficiently address the requirements of this Protocol, and any other applicable technical requirements, and will include rationale for non-concurrence.

### **10.4. Rescinding Concurrence**

The City may rescind its concurrence if, following the issuance of a concurrence, it is determined by the City that the proposal contains a misrepresentation or a failure to disclose all the pertinent information regarding the proposal, or the plans and conditions upon which the concurrence was issued in writing have not been complied with, and a resolution cannot be reached to correct the issue. In such cases, the City will provide a letter rescinding concurrence to ISEDC (copying the Proponent) and will include rationale for rescinding concurrence.

### **10.5. Duration of a Concurrence**

A concurrence remains in effect for a maximum period of three years from the date it was issued by the City. If construction is not completed within this time period, the concurrence expires except in the case where a proponent secures the agreement of the City to an extension for a specified time period in writing.<sup>7</sup> Once a concurrence expires, and where no extension has been granted by the City of Regina, a new submission and review process, including public consultation, as applicable, is necessary prior to any construction occurring.

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<sup>7</sup> A copy of the agreement must be provided to the regional / local ISEDC office.



ANTENNA SYSTEM PROTOCOL PUBLIC FEEDBACK SUMMARY		
Subject	Comment	#
Service Coverage	<p><b>Public Comment:</b></p> <p>The Protocol location and design guidelines does not take into account service coverage and favours aesthetic considerations over service, which may result in inadequate service coverage.</p>	1
	<p><b>Administration Response:</b></p> <p>The Protocol indicates “priority” and “secondary” locations for proposed new cell towers. Priority locations are generally preferred, but secondary locations may be considered where a site, necessary to provide service coverage, that falls within the priority location category, is not available.</p> <p>SaskTel and Rogers, the major carriers operating in the Regina region, have been consulted during the process to prepare the Protocol, and the Protocol attempts to strike a balance between the necessity of providing essential communication infrastructure and supporting public concerns regarding cell tower placement, including setbacks and open space implications.</p>	
Regulatory Jurisdiction	<p><b>Public Comment:</b></p> <p>The regulation of antenna systems is the domain of the Federal Government and the City should not proceed with the Protocol, as it oversteps municipal jurisdiction.</p>	1
	<p><b>Administration Response:</b></p> <p>The Federal Government requires (<i>Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular</i>, Section 4.0 [CPC-2-0-03]) that proponents for new antenna systems consult local authorities when locating and designing new antenna systems and also requires that local location and design preferences be considered – the Protocol is a typical municipal instrument for this purpose and similar to what other cities are using.</p>	
Setback Distances	<p><b>Public Comment:</b></p> <ol style="list-style-type: none"> <li>1) The Protocol residential and school setbacks are not large enough – setbacks should equate to, at least, <b>3 x the height</b> of the proposed tower. Further, towers should be directed to the outskirts of neighbourhoods and not located in central locations.</li> <li>2) The Protocol residential and school setbacks are not large enough – setbacks should equate to, at least, <b>10 x the height</b> of the proposed tower.</li> </ol>	3

## APPENDIX B

	<p>3) The Protocol residential and school setbacks are not large enough – setbacks should equate to, at least, <b>250 metres for towers 30 metres or less</b> in height and <b>500 metres for towers between 30 and 45 metres</b> in height.</p> <p><b>Administration Response:</b></p> <p>The Protocol residential and school setbacks attempt to balance service coverage with aesthetic considerations, recognizing that:</p> <ul style="list-style-type: none"> <li>• In existing developed areas of the city, it may be necessary to locate proposed new cell towers in existing residential areas due to the absence of viable “priority” locations and the importance of providing service coverage.</li> <li>• It is the responsibility of the Federal Government to regulate health related aspects of proposed new antenna systems, such as radiofrequency exposure.</li> <li>• Through the review of similar protocol of other cities, there are no standard setback requirements and there is a broad spectrum of practice. The Protocol setbacks are not in conflict with any Federal or Provincial regulation.</li> </ul>	
Natural Environment	<p><b>Public Comment:</b></p> <p>The location and design guidelines for protecting the natural environment need to be strengthened.</p> <p><b>Administration Response:</b></p> <p>The Protocol natural environment location guidelines attempt to balance service coverage with aesthetic and environmental considerations, recognizing that:</p> <ul style="list-style-type: none"> <li>• In existing developed areas of the city, it may be necessary to locate proposed new cell towers in existing public park and open space due to the absence of viable “priority” locations and the importance of providing service coverage.</li> <li>• Public park and open space are considered “secondary” locations – meaning, they should only be considered where a “priority” location is not viable.</li> <li>• The Protocol recognizes that City Council is the decision authority for proposals to purchase or lease City owned land for the purpose of locating a proposed new cell tower, and that a public consultation process is required.</li> </ul>	2

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Health/ Safety	<b>Public Comment:</b>  Cell towers emit harmful radiation.	2
	<b>Administration Response:</b>  The issue of radiation exposure, associated with antenna systems, is a matter that the Federal Government is responsible for assessing and regulating, using Health Canada recommendations. The Protocol is an additional layer of regulation, in the form of municipal location, design and consultation guidelines; however, the Protocol does not absolve the Federal Government of its core responsibilities relating to antenna system reviews and approvals.	

5 July 2022

City of Regina Planning Committee Meeting

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Members of the City of Regina Planning Commission: Councillors John Findura, Terina Shaw and Sharon Zachidniak; and other members: John Aston, Frank Bojkovsky, Biplob Das, Cheri Moreau, Tak Pham, Maynard Sonntag, Kathleen Wilson and Celeste York.

Thank you for this opportunity to speak by teleconferencing to you about the proposed City of Regina Antenna System Protocol.

My name is Margaret Friesen.

I am speaking in opposition to the passing of this Protocol as is and instead recommend that the Planning Commission decide on

**Option 2 under OTHER OPTIONS which is to “Direct Administration to revise the Protocol and bring back to City council.”**

There are serious shortcomings in the protocol and inaccurate statements in supporting documents. This protocol should be significantly revised.

I am here today as a volunteer representing family and friends who live in Regina. I have a Master of Science degree and worked for more than 30 years as a research biologist for the federal government as well as a research technician with the University of Manitoba on cancer research.

In 2015, I delegated to City of Winnipeg Committees and Council recommending improvements to the proposed policy and am therefore familiar with its antenna siting policy as well as several other across Canada (see Appendix A).

## **REASONS TO VOTE FOR OPTION 2 TO REVISE THE PROTOCOL AND BRING BACK.**

### **1. LACK OF TRANSPARENCY, INSUFFICIENT PUBLIC NOTIFICATION AND INADEQUATE CONSULTATION OF THE PUBLIC AND ELECTED REPRESENTATIVES**

#### **A detailed protocol is needed for small cell antennas**

### **Small cell installations close to homes**

**Mission, BC:  
5 homes and  
at least 3 cell  
installations**



Nothing I have read in the proposed protocol addresses how adequate public notification and consultation will be held for a potentially massive increase in residents' exposures to radiofrequency radiation from small cell technologies. To pave the way for new generations of technology, namely 5G with millimeter waves, small cell antennas are being installed throughout all cities in Canada. A City of Winnipeg report estimates at least

3,700 small cells and perhaps more than 7,000, one every half block. Proportionally, this would be about 1,000 and perhaps more throughout Regina – the equivalent of a large cell tower on every city block. The height would be close to street level so exposure of pedestrians would be direct. Some small cell antennas have been installed as close as 15 metres from bedroom windows. These are in addition to the big cell towers we are familiar with – and there will be more of these to support the small cells.

### **Inadequate notice and public consultation**

1. One notice in a newspaper (cell towers more than 30 metres high) is not enough.

Why is notice not provided on the City of Regina website?

2. Sending of information/packages by mail is not enough – follow-up is needed. There should be confirmation of receipt of these mail outs. I can provide examples across Canada where people have not received adequate notice.

## **2. ACCOUNTABILITY.**

Three important points included in the Winnipeg policy were notification of respective elected representatives of the areas of the proposed cell tower, namely, 1) the City Councillor, 2) Member of the Legislative Assembly (MLA) as well as, 3) the Member of Parliament (MP). These are elected representatives of the public and should be aware of the process and accountable to their constituents.

## **3. CORRECTION OF STATEMENTS**

In the FAQ Frequently Asked Questions, this statement needs to be corrected: *“The consensus of the scientific community is that radiofrequency energy from cell phone towers is too low to cause adverse health effects in humans.”* In fact, the overwhelming opinion of scientists who are independent of industry influence is that safety standards must be revised to be more protective to take into account the harmful effects documented in hundreds of high quality scientific peer-reviewed studies. This is supported by physicists such as Dr. Paul Héroux, McGill University of Medicine. See Appendix B.

**HEALTH CANADA’S SAFETY LIMITS DO NOT PROTECT HUMAN HEALTH – BASED ONLY ON 6-MINUTE EXPOSURES FOR CELL ANTENNA RADIATION:** Table 5 shows this. See red circled value.

# Safety Code 6 (2015) – Power Density

Health  
Canada

Santé  
Canada

Your health and  
safety... our priority.

Votre santé et votre  
sécurité... notre priorité.

## Limits of Human Exposure to Radiofrequency Electromagnetic Energy in the Frequency Range from 3 kHz to 300 GHz

<https://www.canada.ca/en/health-canada/services/publications/health-risks-safety/limits-human-exposure-radiofrequency-electromagnetic-energy-range-3-300.html>

Table 5. Reference Levels for Electric Field Strength, Magnetic Field Strength and Power Density in Uncontrolled Environments

Frequency (MHz)	Electric Field Strength (E <sub>RL</sub> ), (V/m, RMS)	Magnetic Field Strength (H <sub>RL</sub> ), (A/m, RMS)	Power Density (S <sub>RL</sub> ), (W/m <sup>2</sup> )	Reference Period (minutes)
10 - 20	27.46	0.0728	2	6
20 - 48	58.07 / $f^{0.25}$	0.1540 / $f^{0.25}$	8,944 / $f^{0.5}$	6
48 - 300	22.06	0.05852	1.291	6
300 - 6000	3.142 $f^{0.3417}$	0.008335 $f^{0.3417}$	0.02619 $f^{0.6834}$	6
6000 - 15000	61.4	0.163	10	6
15000 - 150000	61.4	0.163	10	616000 / $f^{1.2}$
150000 - 300000	0.158 $f^{0.5}$	4.21 × 10 <sup>-4</sup> $f^{0.5}$	6.67 × 10 <sup>-5</sup> $f$	616000 / $f^{1.2}$

Frequency,  $f$ , is in MHz.

Doubled in January, 2021 to 20 W/m<sup>2</sup>

Red and yellow markings added

Based ONLY on “over-heating” of body tissue by no more than 1C within a period of 6 minutes. The assumption is that if it does not over-heat (within 6 minutes), this radiation will not harm.

Innovation, Science and Innovation Canada (ISED), which regulates the siting of cell antennas, has adopted Health Canada's Safety Code 6 as its basis for "safe exposure limits" to the radiation being emitted from radiocommunications antenna.

There are reassuring statements made on the Government of Canada's website about how safe Safety code limits are but I would direct you right to Safety code 6, specifically to Table 5 (above) for frequencies emitted by cell tower antenna,. These limits are based on averages of exposures over a 6 minute time interval. If tissue does not overheat in 6 minutes then it is deemed safe 24/7 including for children. None of the substantial body of evidence, including DNA damage at well below Safety Code 6 limits, is incorporated – just heating. So, we have limits to keep tissue from over-heating – nothing else.

1. Statements by Canadian medical doctors and international scientists for more protective Safety Code 6 guidelines
  - a) By more than 50 Canadian MDs <http://www.c4st.org/images/documents/hc-resolutions/medical-doctors-submission-to-health-canada-english.pdf>
  - b) By more than 50 international specialists working on wireless radiation research.  
<http://www.c4st.org/images/documents/hc-resolutions/scientific-declaration-to-health-canada-english.pdf>
2. Appeal by 255 scientists from 44 nations "engaged in the study of biological and health effects" to the United Nations for safer non-ionizing radiation guidelines. "The various agencies setting safety standards have failed to impose sufficient guidelines to protect the general public, particularly children who are more vulnerable ..."  
<https://www.emfscientist.org/index.php/emf-scientist-appeal>
3. An article in Canadian Medical Association Journal (CMAJ): "**Scientists decry Canada's outdated WiFi safety rules**" <http://www.cmaj.ca/content/187/9/639>

#### **FINAL COMMENT:**

The citizens of Regina need to be properly notified of exposure to wireless radiation which the World Health Organization/ International Agency for Research on Cancer (WHO/IARC) classified as a *possible* carcinogen in 2011. More recent evidence supports a *probable* and even *known* carcinogen classification (along with asbestos and cigarette smoke). People have a right to know that they are being exposed to an environmental pollutant in the same classification as DDT, lead and exhaust fumes - even though it is invisible and odourless. We go through great lengths to reduce our children's exposure to these pollutants and should do the same for radiofrequency/microwave wireless radiation.

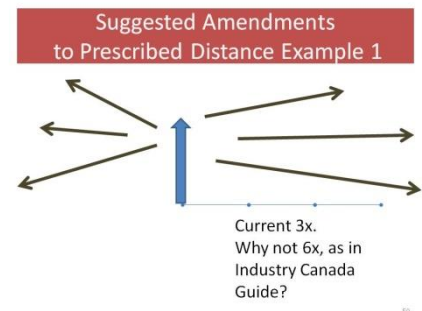


**APPENDIX A.** Examples of best practices from other Canadian municipalities- which would improve the public consultation and notification process (obtained from residents, municipality websites and C4ST website <http://www.c4st.org/>)

**City of Colwood, BC:**

"Acceptable locations for the placement of devices are to be found primarily in utility or industrial zones. Attempt to place devices in residential and school zones as well as near playgrounds and day care centres is to be avoided. Failure to give due consideration to these cautionary alerts regarding siting locations can result in Colwood's not approving the site. While siting may not be appropriate in a specific location and, therefore, not permitted, it will be permitted within that geographical area (subject to Industry Canada approval). "

"Devices that exceed Colwood's power output and power density maximums are discouraged from being on existing structures."



**City of Mississauga, ON:** Resolution passed 18 January 2012, "Notification to citizens by registered mail"; Recommendation by Commissioner of Planning (23February2012): "Situations may arise where the city may want a peer review by a specialist or consultant, such as a radio frequency engineer..."

**City of Toronto, ON:** Site Selection- ..maximizing distance from Neighbourhoods and apartment neighbourhoods; maximizing distance from Centres; avoiding sites containing sites within Parks and Open spaces ...; Procedure for Public consultation – Upon receipt of an application... city staff will consult with the Local Ward councillor to determine if it is necessary to expand the notification area"

Also - Toronto, Dec. 18, 2013:

- Toronto's *Prudent Avoidance Policy* (100 times safer than SC6) was upheld and put in the contract terms accepted by Rogers Communications for antenna on Toronto city property
- Council passed a resolution to "encourage Health Canada to actively review health evidence ..... and to revise Safety Code 6 to meet international best practices."

**Municipality of Lambton Shores, ON:** "be it resolved that the council... petitions the Government of Canada to employ the Precautionary Principle in addressing health concerns around the siting of towers by:  
... recommending to cellular providers ... nationwide plan to relocate all cellular towers that are within 200 m of ... daycares..."

**Langley, B.C.** "...notice in writing... 6x the tower height"

**Municipality of Lambton Shores, ON:** "be it resolved that the council... petitions the Government of Canada to employ the Precautionary Principle in addressing health concerns around the siting of towers by:  
... recommending to cellular providers ... nationwide plan to relocate all cellular towers that are within 200 m of ... daycares..."

**Oakville, ON:** "Siting on town-owned land- Any request to install a Radiocommunications facility on lands owned by the Town shall be made ... and subject to Council Approval."

**R.M. of Lac du Bonnet, MB:** "the ratepayers have concerns regarding health and safety... council is insisting that Telus Communications Inc. use the distance of 1.6 km from any dwellings..."

**Town of Milton, ON:** letter of non-concurrence to Industry Canada from the planning and development department: "Although the town does not have the jurisdiction to address health matters relating to the proposal... a significant number of residents provided their concerns ..on the health ... those who live nearby and attend daycare."

Effects on whildlife: A number of studies show wildlife is affected by radiofrequency radiation:

European robin study: particularly scientifically sound study showing this species navigation abilities are disturbed by ambient radiofrequency exposure (Engels, Nature 2014)

Also studies showing behavioural disturbances in honey bees, ants, frogs and other wildlife (Balmori 2009, Friesen 2014).

## APPENDIX B – WHAT PEOPLE FIND WHEN ADEQUATLEY SEARCHING FOR "RISKS OF CELL TOWER RADIATION"

STUDIES IN THE SCIENTIFIC LITERATURE: Physicians for Safe Technology

<https://mdsafetech.org/>



Physicians for Safe Technology

VIDEO: Frank Clegg former President challenges a president of Rogers to show the science he says shows safety of cell tower radiation. As of May 1, 2022, there has been no reply from Rogers.

<https://ehtrust.org/former-microsoft-canada-president-challenges-telecom-on-5g-safety/>

### 1. Partial List of Cell Tower Studies Showing Harm to Human Health

As Shown in "The Clegg Safety Challenge" Video, April 2021. C4ST.org

- Neurobehavioral effects among inhabitants around mobile phone base stations.  
*Neurotoxicology*, 28(2), 434–440. Abdel-Rassoul, et al. (2007). <https://doi.org/10.1016/j.jneuro.2006.07.012>
- Mobile phone base stations and adverse health effects: phase 1 of a population-based, cross-sectional study in

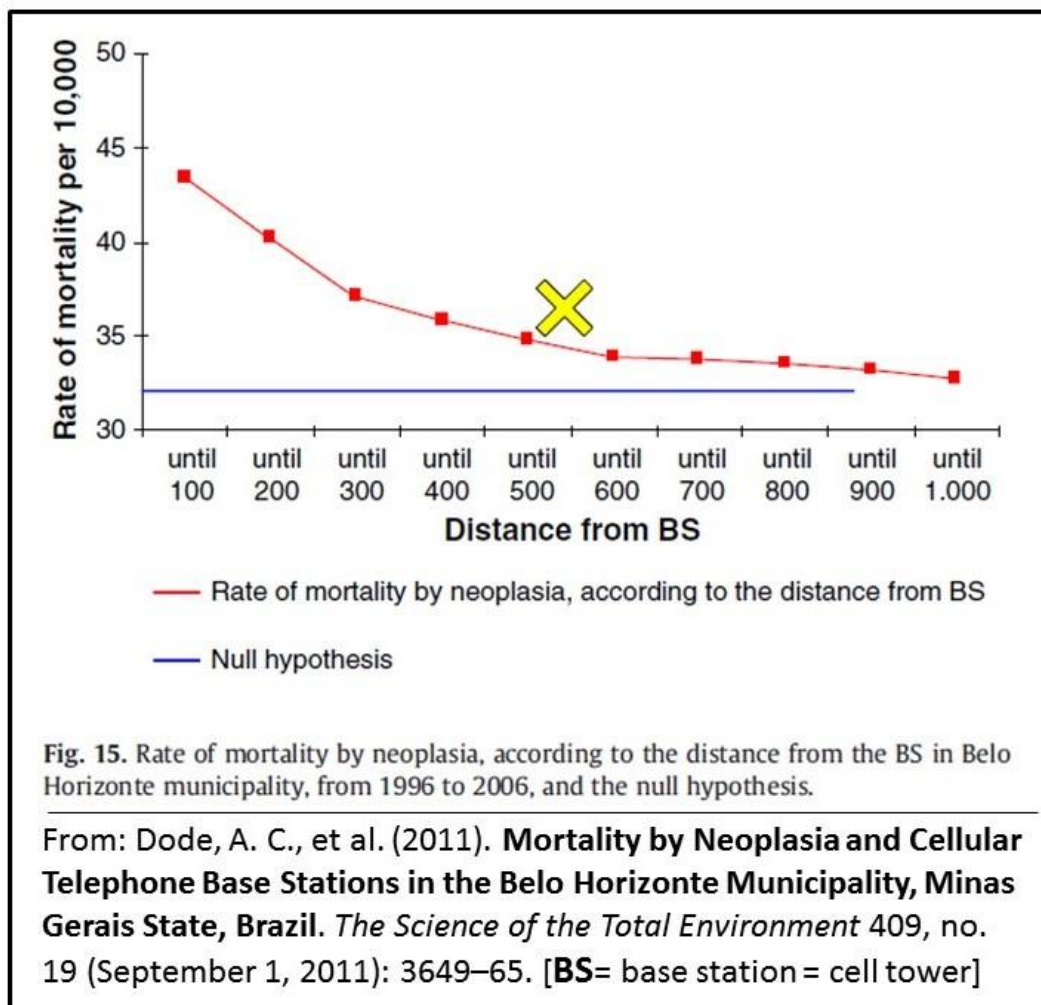
Germany. *Occupational and Environmental Medicine*, 66(2), 118–123. Blettner, M., et al. (2009).  
<https://doi.org/10.1136/oem.2007.037721>

- **Subjective complaints of people living near mobile phone base stations in Poland.**

*International Journal of Occupational Medicine and Environmental Health*, 25(1), 31–40. Bortkiewicz, A. et al. (2012).  
<https://doi.org/10.2478/s13382-012-0007-9>

- **Mortality by neoplasia and cellular telephone base stations in the Belo Horizonte municipality, Minas Gerais state, Brazil.**

*The Science of the Total Environment*, 409(19), 3649–3665. Dode, A. C., et al. (2011).  
<https://doi.org/10.1016/j.scitotenv.2011.05.051>



- **Specific Health Symptoms and Cell Phone Radiation in Selbitz (Bavaria, Germany)—Evidence of a Dose-Response Relationship.**

Eger, H., et al. (2010). *Umwelt-Medizin-Gesellschaft* 2010; 23 (2): 130-139.  
<https://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.656.8833&rep=rep1&type=pdf>

- **How does long term exposure to base stations and mobile phones affect human hormone profiles?**

*Clinical Biochemistry*, 45(1–2), 157–161. Eskander, E. F., et al. (2012).  
<https://doi.org/10.1016/j.clinbiochem.2011.11.006>

- **DNA and Chromosomal Damage in Residents Near a Mobile Phone Base Station.**

*International Journal of Human Genetics*, 14(3–4), 107–118. Gandhi, G., et al. (2014).  
<https://doi.org/10.1080/09723757.2014.11886234>

- **Subjective symptoms related to GSM radiation from mobile phone base stations: a cross-sectional study.**

*BMJ Open*, 3(12), e003836. Gómez-Perretta, C., et al. (2013). <https://doi.org/10.1136/bmjopen-2013-003836>

- **Effects of different mobile phone UMTS signals on DNA, apoptosis and oxidative stress in human lymphocytes.** *Environmental Pollution*, 267, 115632. Gulati, S., et al. (2020). <https://doi.org/10.1016/j.envpol.2020.115632>
- **Subjective symptoms, sleeping problems, and cognitive performance in subjects living near mobile phone base stations.** *Occupational and Environmental Medicine*, 63(5), 307–313. Hutter, H.-P., et al. (2006). <https://doi.org/10.1136/oem.2005.020784>
- **What is the radiation before 5G? A correlation study between measurements in situ and in real time and epidemiological indicators in Vallecas, Madrid.** *Environmental Research*, 194, 110734. López, I., et al. (2021). <https://doi.org/10.1016/j.envres.2021.110734>
- **The Effect of Continuous Low-Intensity Exposure to Electromagnetic Fields from Radio Base Stations to Cancer Mortality in Brazil.** *International Journal of Environmental Research and Public Health*, 18(3). Rodrigues, N. C. P., et al. (2021). <https://doi.org/10.3390/ijerph18031229>
- **Symptoms experienced by people in vicinity of base stations: II Incidences of age, duration of exposure, location of subjects in relation to the antennas and other electromagnetic factors.** *Pathologie-Biologie*, 51(7), 412–415. Santini, R., et al. (2003). <https://pubmed.ncbi.nlm.nih.gov/12948762/>
- **Effect of electromagnetic radiations from mobile phone base stations on general health and salivary function.** *Journal of International Society of Preventive & Community Dentistry*, 6(1), 54–59. Singh, K., et al. (2016). <https://doi.org/10.4103/2231-0762.175413>
- **Long-term exposure to microwave radiation provokes cancer growth: evidences from radars and mobile communication systems.** *Experimental Oncology*, 33(2), 62–70. Yakymenko, I., et al. (2011). <https://pubmed.ncbi.nlm.nih.gov/21716201/>
- **Impact of radiofrequency radiation on DNA damage and antioxidants in peripheral blood lymphocytes of humans residing in the vicinity of mobile phone base stations.** *Electromagnetic Biology and Medicine*, 1–11. Zothansiam, et al. (2017). <https://doi.org/10.1080/15368378.2017.1350584>

## **2. Other Scientific Evidence Showing Harm to Human Health from Exposure to Wireless Radiation**

**As shown in “The Clegg Safety Challenge” Video, April 2021. C4ST.org**

- **Scientists Call for 5G Roll Out Moratorium.** 5G Appeal. (2017). <http://www.5gappeal.eu>
- **2020 Updated Research Summaries. A Rationale for Biologically Based Exposure Standards for Low-intensity Electromagnetic Radiation.** C. Sage, and D.O. Carpenter (Eds) *BioInitiative Working Group*. BioInitiative Working Group (2020). <https://www.bioinitiative.org/updated-research-summaries>
- **References of over 200 scientific studies and six (6) reviews reporting potential harm at non-thermal (not heating) levels of radiofrequency/microwave radiation that are below Safety Code 6 (2015).** Canadians for Safe Technology. (2017). <https://c4st.org/?s=200+studies>
- **Building science and radiofrequency radiation: What makes smart and healthy buildings.** *Building and Environment*, 176, 106324. Clegg, F. M., et al. (2020). <https://doi.org/10.1016/j.buildenv.2019.106324>
- **EMF Scientist Appeal - U.N. Environment Programme Urged to Protect Nature and Humankind from Electromagnetic Fields (EMF). 4G/5G antenna densification is escalating health risks - a global crisis.** EMF Scientist Appeal - U.N. Environment Programme. (2019). [https://emfscientist.org/EMF\\_Scientist\\_Press\\_Release\\_22\\_July\\_2019.pdf](https://emfscientist.org/EMF_Scientist_Press_Release_22_July_2019.pdf)
- **Comments on the US National Toxicology Program technical reports on toxicology and carcinogenesis study in rats exposed to whole-body radiofrequency radiation at 900 MHz and in mice exposed to whole-body radiofrequency radiation at 1,900 MHz.** *International Journal of Oncology*. Hardell, L., & Carlberg, M. (2018). <https://doi.org/10.3892/ijo.2018.4606>
- **The effects of radiofrequency electromagnetic radiation on sperm function.** *Reproduction (Cambridge, England)*, 152(6), R263–R276. Houston, B. J., et al. (2016). <https://doi.org/10.1530/REP-16-0126>

- **Biological effects from exposure to electromagnetic radiation emitted by cell tower base stations and other antenna arrays.** *Environmental Reviews*, 18, 369–395. Levitt, B. B., & Lai, H. (2010). <https://cdnsiencepub.com/doi/pdf/10.1139/A10-018>
- **2020 Consensus Statement of UK and International Medical and Scientific Experts and Practitioners on Health Effects of Non-Ionising Radiation (NIR).** Mallery-Blythe, E. (2020). <https://phiremedical.org/wp-content/uploads/2020/11/2020-Non-Ionising-Radiation-Consensus-Statement.pdf>
- **Cancer epidemiology update, following the 2011 IARC evaluation of radiofrequency electromagnetic fields (Monograph 102).** *Environmental Research*, 167(673-683). Miller, A. B., et al. (2018). <https://doi.org/10.1016/j.envres.2018.06.043>
- **Risks to Health and Well-Being From Radio-Frequency Radiation Emitted by Cell Phones and Other Wireless Devices.** *Frontiers in Public Health*, 7. Miller, A. B., et al. (2019). <https://doi.org/10.3389/fpubh.2019.00223>
- **5G wireless telecommunications expansion: Public health and environmental implications.** *Environmental Research*, 165, 484–495. Russell, C. L. (2018). <https://doi.org/10.1016/j.envres.2018.01.016>
- **Re-Inventing Wires: The Future of Landlines and Networks.** Schoechle, Timothy. (2018). *National Institute for Science, Law & Public Policy Washington, DC*, 156. <http://electromagnetichealth.org/wp-content/uploads/2018/05/Wires.pdf>
- **Impacts of Wireless Technology on Health: A Symposium for Ontario's Medical Community - Video of Symposium, 31 May 2019.** <https://www.womenscollegehospital.ca/care-programs/environmental-health-clinic/presentation-conference-june2019>

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Also see: California School District Turns Off Radiation From School Cell Tower After Fourth Student Develops Cancer

<https://ehtrust.org/fourth-student-has-cancer-parents-demand-removal-of-cell-tower-from-ripon-school/>

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