



Zoning Bylaw Amendments – Various School Sites - PL202100078, PL202100079, PL202100080, PL202100081, PL202100082, PL202100083

Date	October 6, 2021
To	Regina Planning Commission
From	City Planning & Community Development
Service Area	Planning & Development Services
Item No.	RPC21-61

RECOMMENDATION

Regina Planning Commission recommends that City Council:

1. Approve and authorize the transactions necessary to complete the transfer of 4.017 hectares of land from the City of Regina to the Board of Education of the Regina School Division No. 4 to satisfy the outstanding obligations and conditions of the Central Lands Agreement between the City of Regina and the Board of Education of the Regina School Division No. 4 of Saskatchewan dated May 14, 1987 and, in particular, to authorize the transactions necessary to complete the transfer of the proposed lands as directed in accordance with City Council report CR20-56;

Dieppe School Site (0.099 hectares):

- a. authorize the transfer of a portion of the park lands located at 1010 McCarthy Boulevard, being part of Parcel XX, Plan No. 101882910 Ext 1 (in Dieppe Place), identified by the areas shaded with black dots on Appendix A-1.1, to the Board of Education of the Regina School Division No. 4 of Saskatchewan;
- b. approve the application to rezone a portion of the lands located at 1010 McCarthy Boulevard, being part of Parcel XX, Plan No. 101882910 Ext 1 (in Dieppe Place), identified by the areas shaded with black dots on Appendix A-1.1, from PS – Public Service Zone to I – Institutional Zone;

- c. approve the application to rezone a portion of the lands located at 145 Dorothy Street, being part of Parcel E, Plan No. 63R33089 (in Dieppe Place), identified by the area shaded with black cross-hatching on Appendix A-1.1, from PS – Public Service Zone to I – Institutional Zone;

Glen Elm School Site (0.53 hectares):

- d. authorize the transfer of a portion of the park lands located at 1601 Bond Street, being part of Lot 14, Block 1, Plan No. 60R01732 Ext 0 (in Glen Elm Park), identified by the area outlined in red on Appendix A-2.1, to the Board of Education of the Regina School Division No. 4 of Saskatchewan;
- e. approve the application to close a portion of the Regent Street right-of-way, identified by the area shaded with black dots on Appendix A-2.1 and transfer said lands to the Board of Education of the Regina School Division No. 4 of Saskatchewan.

Grant Road School Site (0.181 hectares):

- f. authorize the transfer of a portion of the municipal reserve lands located at 2606 Grant Road, being part of Block MR15, Plan No. 101356893 Ext 0 (in Whitmore Park), as identified by the area outlined in red on Appendix A-3.1 to the Board of Education of the Regina School Division No. 4;
- g. approve the application to rezone a portion of the lands located at 2606 Grant Road, being part of Block MR15, Plan No. 101356893 Ext 0 (in Whitmore Park), as identified by the area outlined in red on Appendix A-3.1 from PS – Public Service Zone to I – Institutional Zone.

Jack MacKenzie School Site (1.04 hectares):

- h. authorize the transfer of a portion of the municipal reserve lands located at 3860 E Buckingham Drive, being part of Parcel MR9, Plan No. 99RA19122 Ext 2 (in Windsor Park), as identified by the area outlined in red on Appendix A-4.1 to the Board of Education of the Regina School Division No. 4;

Rosemont School Site (0.814 hectares):

- i. authorize the transfer of the park lands located at 5310 4th Avenue, being Lot 30, Block 18, Plan No. FN41 Ext 0 (in Rosemont North), as identified by the area outlined in red on Appendix A-5.1 to the Board of Education of the Regina School Division No. 4;
- j. approve the application to rezone the lands located at 5310 4th Avenue, being Lot 30, Block 18, Plan No. FN41 Ext 0 (in Rosemont North), as identified by the area outlined in red on Appendix A-5.1, from PS – Public Service Zone to I – Institutional Zone;

WF Ready School Site (1.353 hectares):

- k. authorize the transfer of a portion of the public reserve lands located at 3043 E Arens Road, being part of Parcel R2, Plan No. 84R14416 Ext 1 (in Wood Meadows), as identified by the area shaded by black dots on Appendix A-6.1, to the Board of Education of the Regina School Division No. 4; and
 - l. approve the application to rezone a portion of the lands located at 3043 E Arens Road, being Parcel R2, Plan No. 84R14416 Ext 1 (in Wood Meadows), as identified by the area shaded by black dots on Appendix A-6.1, from PS – Public Service Zone to I – Institutional Zone.
2. Instruct the City Solicitor to prepare the necessary bylaw(s) required to give effect to the recommendations, to be brought forward to the meeting of City Council following approval of the recommendations by City Council and the required public notice.
3. Approve these recommendations at its meeting on October 13, 2021, following the required public notice.

ISSUE

Further to City Council's direction as approved by CR20-56 (Appendix C), the City of Regina Real Estate Branch (Applicant) proposes to transfer six parcels of land from the City of Regina (City) to the Regina Board of Education (RBE). These six parcels will serve to satisfy the City's outstanding obligations pursuant to the Central Collegiate Land Exchange Agreement (CCLEA) entered into by the City and RBE in 1987. In exchange for the lands at the former Central Collegiate school site, which were transferred from RBE to the City, the CCLEA required the City to transfer a total of 5.017 hectares of land, to be identified in the future, to the RBE, 4.017 hectares of which remain outstanding. The six parcels of land are adjacent to the following elementary schools:

- Dieppe School (0.099 ha) – Appendix A-1.1
- Glen Elm Community School (0.530 ha) – Appendix A-2.1
- Grant Road School (0.181 ha) – Appendix A-3.1
- Jack MacKenzie School (1.040 ha) – Appendix A-4.1
- Rosemont Community School (0.814 ha) – Appendix A-5.1
- W.F. Ready School (1.353 ha) – Appendix A-6.1

Because the proposed transfers require the transfer of municipal reserve and involve rezoning applications, consideration by Regina Planning Commission (RPC) and approval by City Council, as approving authority pursuant to *The Planning and Development Act, 2007* (Act), is required. These applications include a public and technical review process in advance of consideration by RPC and Council.

This application is being considered pursuant to the Act; *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP) and *Zoning Bylaw, 2019* (Zoning Bylaw). The proposal has been assessed and complies with the Act, OCP (Part A) and the Zoning Bylaw.

IMPACTS

Financial Impacts

The proposal fulfils the City's outstanding obligation to complete the transfer of future lands to the RBA as agreed to in the CCLEA. As there is no new or anticipated development related to the land transfers, there are no other anticipated financial impacts.

Environmental Impact

City Council set a community goal for the City of Regina of achieving net-zero emissions and sourcing of net-zero renewable energy by 2050. In support of this goal, City Council asked Administration to provide energy and greenhouse gas implications of recommendations so that Council can evaluate the climate impacts of its decisions. The recommendations in this report have no direct impacts on energy consumption and greenhouse gas emissions.

Policy/Strategic Impact

The proposed land transfers reflect ownership change only. The existing use of the six parcels will continue and does not conflict with any OCP – Part A policies and is consistent with the following OCP – Part A goals/ policies:

- Goal 2 – Access to Recreation Programs and Services – Ensure access to a variety of recreation programs and services in all neighbourhoods.

This proposal ensures that parks are still maintained notwithstanding a change in ownership.

OTHER OPTIONS

Alternative options would be:

1. Deny the application. This option would require that the City work with the RBE to identify other suitable lands for transfer to satisfy its obligations under the CCLEA.
2. Approve the Zoning Bylaw Amendment and/or transfer of lands of one or multiple sites and deny others. This would require that the City work with the RBE to find other suitable lands for transfer to satisfy its obligations under the CCLEA.

3. Refer the application back to Administration. If City Council has specific concerns with the proposal it may refer it back to Administration for further review.

COMMUNICATIONS

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 as well as notice of the public hearing that is required to be conducted upon consideration of the proposed bylaws, all in accordance with *The Public Notice Policy Bylaw, 2020*. The Applicant will receive written notification of City Council's decision.

DISCUSSION

Proposal

The entire proposal involves lands associated with six school sites owned by the RBE. At each site there are easements and joint use agreements also contemplated to ensure required access to City infrastructure and public facilities continues, notwithstanding the ownership change. The proposal and implications for each site is described in this section.

1. Dieppe School

The Applicant proposes to rezone and reconfigure parcel boundaries of the Dieppe School site and abutting A.E. Wilson Park. A portion of A.E. Wilson Park (1010 McCarthy Boulevard), which is open space (not dedicated land) owned by the City, would be rezoned from PS – Public Service Zone to I – Institutional Zone and would be transferred to RBE. This area would be consolidated to create Parcel AA as shown in Appendix A-1.1.

In addition, a portion of the Dieppe School site (145 Dorothy Street), owned by RBE, will be rezoned from I-Institutional to PS – Public Service Zone and transferred to the City and added to the existing A.E. Wilson Park. The purpose of this portion of the rezoning is to reconfigure the legal site boundaries of the school site to match the physical boundaries. The reconfigured Dieppe School site and adjacent open spaces are labelled on the attached Appendix A-1.2. The resulting re-subdivided legal parcel is shown as proposed Parcel BB in Appendix A-1.1.

The land transfer will ensure all public pathways within A.E. Wilson Park will remain owned by the City of Regina. The net land area proposed to be transferred is 0.099 hectares. Approval by City Council of the proposed zoning bylaw amendments and authorization of the transfer of a portion of the existing park lands will facilitate the land exchange.

2. Glen Elm Community School

The Applicant proposes to transfer a portion of 1601 Bond Street (Glen Elm Park) and a 3.4 meter wide untravelled portion of the Regent Street right-of-way to RBE. Only the existing landscaped boulevard on Regent Street would be closed. This portion of the street is not needed for use by pedestrians or other public travel and there will be no impacts to the sidewalk or developed portion of the street itself. The Glen Elm Community School site will be the re-subdivided Parcel AA, as shown in Appendix A-2.1. The land will become part of the Glen Elm Community School site at 1225 E 9th Avenue.

No rezoning is required as the entire site is already zoned I – Institutional Zone. The closure of the portion of the Regent Street right-of-way requires approval from and adoption of a bylaw by City Council.

The land area proposed to be transferred is 0.530 hectares. Approval of the street closure and authorization of the transfer of a portion of the existing park lands by City Council will facilitate the transaction.

3. Grant Road School

The Applicant proposes to transfer a portion of 2606 Grant Road (Mike Badham Park) to RBE. As this parcel is dedicated land as municipal reserve (MR15), the transfer requires City Council approval. The portion being transferred is proposed to be rezoned from PS – Public Service Zone to I – Institutional Zone, and will be re-subdivided to create Parcel AA, as shown in Appendix A-3.1. The land will become part of the Grant Road School site at 2501 Grant Road.

Most of the land proposed to be transferred is currently used as a parking lot for staff at 2606 Grant Road. The land area proposed to be transferred is 0.181 hectares. Approval of the proposed Zoning Bylaw amendment and the transfer of dedicated lands by City Council will facilitate the transaction.

4. Jack MacKenzie School

The Applicant proposes to transfer a portion of the municipal reserve MR9 at 3860 E Buckingham Drive (Prince William Park), to create Parcel AA, as shown in Appendix A-4.1. Parcel AA would be transferred to RBE.

As this parcel is dedicated land as municipal reserve (MR9), City Council's approval is required to transfer ownership. No rezoning is required as the entire parcel is already zoned I – Institutional zone.

The land area proposed to be transferred is 1.040 hectares. Approval of the transfer of dedicated lands by City Council will facilitate the transaction.

5. Rosemont Community School

The Applicant proposes to transfer 5310 4th Avenue (Lot 30 in Appendix A-5.1) to RBE. The land being transferred is proposed to be rezoned from PS – Public Service zone to I – Institutional Zone. Lots 29 and 30 will be consolidated to create Lot 31. The land will become part of the Rosemont Community School site at 841 Horace Street.

The land area proposed to be transferred is 0.814 hectares. Approval of the Zoning Bylaw amendment by City Council will facilitate the transaction.

6. WF Ready School

The Applicant proposes to transfer a portion of 3043 E Arens Road (Ready Park) as shown in Appendix A-6.1 to RBE. As this parcel is dedicated land as public reserve (R2), it requires City Council approval to transfer ownership. The portion being transferred is proposed to be rezoned from PS – Public Service zone to I – Institutional zone. The land will become part of the WF Ready School at 2710 Helmsing Street.

The land area proposed to be transferred is 1.353 hectares. Approval of the Zoning Bylaw Amendment and transfer of the dedicated lands by City Council will facilitate the land exchange.

Considerations

All the school sites are governed by facility shared use agreements between the City and RBE. This will ensure the public retains full access to any facility or public space that is proposed to be transferred and can continue to be used for public activities or programming. Maintenance of all land transferred will be the responsibility of RBE. The RBE has confirmed they intend for no further changes to these sites at this time.

Every school site is either already zoned I – Institutional zone or is proposed to be, as a result of this process. All forms of industrial, commercial, or residential activity are restricted in the I – Institutional zone.

If RBE wishes to sell these parcels at any point in the future, RBE has agreed that the City shall be given the first option to purchase the lands back. This will ensure that the City has the ability to bring these lands back into City ownership before being offered for sale in a real estate market.

Upon the completion of this project, the City's obligation's to RBE for the 1987 CCLEA will be satisfied.

Community Engagement

In accordance with the public notice requirements of *The Public Notice Policy Bylaw*,

2020 neighbouring property owners within 75 metres of the proposed developments received written notice of the application.

The Rosemont Community Association (Rosemont Community School) was contacted and responded in favour (Appendix B-1).

The Arcola East Community Association (Jack MacKenzie School and W.F. Ready School) was contacted but did not respond.

The Whitmore Park Community Association (Grant Road School) was contacted and responded in favour (Appendix B-2).

The Dewdney East Community Association (Glen Elm Community School) was contacted but did not respond.

The Dieppe-Westerra Community Association (Dieppe School) was contacted but did not respond.

Comments from neighbouring properties are captured in Appendix B and categorized by school site.

DECISION HISTORY

City Council, at its meeting on June 30, 2020 approved the Letter of Understanding for the land exchange with the Regina Board of Education (CR20-56).

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

Respectfully Submitted,

Respectfully Submitted,



Autumn Dawson, A/Executive Director

9/22/2021



Diana Hawryluk, Executive Director, City Planning & Community Dev.

9/29/2021

Prepared by: Michael Sliva, City Planner 2

ATTACHMENTS

Appendix A-1.1

Appendix A-1.2
Appendix A-2.1
Appendix A-3.1
Appendix A-4.1
Appendix A-5.1
Appendix A-6.1
Appendix B
Appendix B-1
Appendix B-2
Appendix C