

## Feedback from Stakeholders

## Charlie Toman

**From:** Jenna Hutton [REDACTED]  
**Sent:** Wednesday, September 5, 2018 3:53 PM  
**To:** designregina  
**Cc:** Jason Carlston; Evan Hunchak  
**Subject:** Underutilized Land Study Feedback [REDACTED]

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Good Afternoon,

Below are Dream's questions and comments pertaining to the Underutilized land study:

To answer the City's question of any "recommendations in the Study that you think would be particularly beneficial for encouraging the redevelopment of underutilized lands":

1. **Process improvements** – reduce uncertainty and offer assistance with process as well as clarity around available incentives etc.
2. **Pre-zoning** of land would substantially reduce risk & uncertainty in the viability of sites particularly with cost & timing concerns as it relates to often contentious public consultation in older areas
3. **Mid-rise Development** permitting 6-storey wood frame construction would support mid-rise development

Questions

- **Demonstration Projects** If zoning regulations or amendments are permitted for these demonstration projects, would they be included in the zoning bylaw for reuse on other sites?
- **Screening Incentive** – unsure of exactly what this is? Is the City performing due diligence on vacant sites and making that information available?
- **Property tax deferral incentive vs waived incentive** – deferred taxes during construction... would this not increase the likelihood of stalled projects or not incentivize construction completion (i.e. Capital Pointe)? To waive property taxes for a specified max period seems like it would catalyze the project to completion more effectively
- **Priority Review Process** – if infill projects are being fast tracked in the review will this impact the processing time of other types of applications?

Comments

- **Concentrated maintenance** – concentrating maintenance in strategic infill areas could act as a catalyst for new development however, if the area will require upgraded underground infrastructure due to the intensification the surface work will need to be reconstructed a second time.
- **Contextual Zoning** the report suggests that an overlay is a tool which could be used to negate suburban standards being implemented in an infill context. While an overlay is one tool that could provide this function, I would hope that zones within the intensification boundary have been considered through the Zone Forward new zoning bylaw and the use of often complicating overlays would not be required.
- **Pro Forma Sites** – All three sample sites do not necessarily depict an accurate review of costing on an infill site b/c the analysis does not account for any costs associated with off-site or local infrastructure improvements (analysis assumes all infrastructure is adequate when this is one of the biggest risks to infill). Also assumes that exterior improvements will be higher in greenfield scenarios – this may change with the new zoning or overlays as proposed if a "heritage" type overlay is proposed. Business case #3 (the only one which is recommended to proceed from the pro forma analysis) is reliant on extremely optimistic conditions ex. \$2,200 monthly rent for a two bedroom apartment (as well as no infrastructure improvements).

Kind Regards,

Jenna Hutton  
Specialist, Development

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**September 5, 2018**

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2476 Victoria Avenue  
PO Box 1790  
Regina, SK Canada S4P 3C8  
Attn: Mr. Charlie Toman, ULS Project Manager

**Sent by Email:** [designregina@regina.ca](mailto:designregina@regina.ca)

Dear Mr. Toman;

**Re: City of Regina Underutilized Land Study**

I am writing to you today in response to the City of Regina's recently published [Underutilized Land Study](#) (the "Study"). Canadian Fuels supports the City's efforts to consult with stakeholders and better understand how to encourage redevelopment of underutilized lands. We appreciate the opportunity to provide feedback on this excellent initiative.

The [Canadian Fuels Association](#)<sup>1</sup> is a national association of Canadian refiners and marketers of petroleum products. Our purpose is to serve and represent these sectors of the petroleum industry with respect to environment, health & safety and business issues. Our members<sup>1</sup> are knowledgeable and have considerable experience with the responsible management of contaminated (brownfield) sites.

Canadian Fuels member priorities for the management of contaminated sites are the protection of human health and the environment, full closure of regulatory liability upon remediation, and sustainable redevelopment of properties to a productive use. For Canadian Fuels members, a key driver in remediation decisions is closure of regulatory liability upon project completion. In other words, site owners want relieve to their liability to the best extent possible upon project completion.

<sup>1</sup> Canadian Fuels members: Federated Co-operatives Limited, Husky Energy Inc., Imperial Oil Limited, Irving Oil, North West Redwater Partnership, Parkland Fuel Corporation, Petro-Canada Lubricants Inc., Shell Canada Products, Suncor Energy Products Partnership, and Valero Energy Inc.

Our members strongly support contaminated site policies and guidance that include:

- The use of sound science,
- The use of risk assessment and management remediation approaches,
- Policy benefits that exceed policy costs,
- The use of inclusive and transparent processes,
- Maximum flexibility options to achieve remediation objectives.

As you know, brownfields are underdeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties. And as you are likely aware, Canadian Fuels members are responsible for a significant number of brownfield sites in municipalities across Canada, i.e. former petroleum dispensing sites like gas stations and bulk fuel plants.

I noted the reference to Tier 3 endpoints on slide 11 in the Study. Our members have varying appetites for risk depending on their corporate objectives, but in general, we advocate for encouraging more flexible Tier 3 endpoints at sites where proponents can clearly demonstrate that risk to human health and the environment are mitigated. Administrative controls such as site specific zoning and site development restrictions can play a role here as referenced on slide 68 “Site Specific Zoning”. A large and expensive dig and dump remediation is often uneconomic and wasteful, and we suggest more consideration of potential Tier 3 solutions would be welcomed by industry. The provincial Ministry of Environment would also have an important role to play in encouraging more Tier 3 project closures.

I also note the reference on slide 71 which reads: “The City of Regina could sponsor a new SUMA resolution to lobby for new Saskatchewan legislation to allow site-specific tax measures which penalize owners of vacant sites who have removed their site from the marketplace (i.e. former gas stations).” This concept is concerning to our members.

Canadian Fuels believes such a tax measure could be punitive to certain industries / sectors within the same municipality or to municipalities who choose not to exercise the authority while other municipalities do. If council within a single municipality chooses to focus on a certain company or sector, levying heavily punitive increases, there is the potential that this may actually deter progress towards remediation. Smaller entities, already facing substantial remedial bills, may choose simply to walk away from the property as the increased tax expense may be unaffordable via reasonable means. For larger entities such as Canadian Fuels member companies, who have disciplined programs to progress remediation projects nationally, this added expense could serve to redirect funds planned for remedial projects to the increased tax bills that would sustain properties in their existing state. Municipalities seeing the application of this authority by other municipalities could choose to assess even more punitive increases as an attempt to motivate the remedial action within their municipality first. This “bidding war” could further exacerbate the issue above for both smaller and larger brownfield owners.

Property developers are becoming more sophisticated at managing remedial obligations in conjunction with development projects. This is resulting in more brownfields being returned to productive use through innovative remedial strategies. All developers will evaluate the expense of developing a brownfield property versus greenfield property in determining which project to undertake. The larger the gap between these two costs, the more likely the developer is to choose the less complex, greenfield property.

We respectfully submit that if the focus of the Study is truly to promote and expedite brownfield development, consideration should instead focus on enhancing tax incentives and deferrals to developers who take these projects on. Slides 75 and 76 in the Study offer some excellent examples.

Thank you for the opportunity to provide our feedback. I would be happy to discuss any of our input, and I can be reached at (403) 266-7500 or email: [robhoffman@canadianfuels.ca](mailto:robhoffman@canadianfuels.ca)

Yours truly,



Rob Hoffman  
Director, Government & Stakeholder Relations

CC: Canadian Fuels members  
Mr. Wes Kotyk, Assistant Deputy Minister, SK Ministry of Environment  
Mr. Greg Kuntz, Manager – Environmental Services, City of Regina

**Charlie Toman**

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**From:** Callan David [REDACTED]  
**Sent:** Tuesday, September 4, 2018 10:56 AM  
**To:** designregina  
**Subject:** underutilized regina lands

**Follow Up Flag:** Follow up  
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hello

i do not know where to submit my thoughts. here they are.

please create more parks. please stop building the conexus that is taking green space away from taxpaying citizens!! there are so many other places, as this study explicitly discloses.

please have the city to the environmental reports. if clean, please invest in it and offer some to charitable organizations, start up businesses needing assistance to grow, low income housing, etc.

Sincerely,

Callan David, CM\$BB | REALTOR®

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