



Bylaw No. 2011-16

Disclaimer:

This information has been provided solely for research convenience. Official bylaws are available from the Office of the City Clerk and must be consulted for purposes of interpretation and application of the law.

Office Consolidation

THE DEVELOPMENT LEVY BYLAW, 2011

Bylaw No. 2011-16

Including Amendments to March 8, 2023

This Bylaw has been consolidated under the authority of the City Clerk. It represents proof, in absence of evidence to the contrary of:

- a) the original bylaw and of all bylaws amending it; and**
- b) the fact of passage of the original and all amending bylaws.**

AMENDMENTSDATE PASSED

| | |
|-------------------|-------------------|
| Bylaw No. 2011-64 | December 19, 2011 |
| Bylaw No. 2012-94 | October 9, 2012 |
| Bylaw No. 2013-59 | September 9, 2013 |
| Bylaw No. 2015-75 | December 21, 2015 |
| Bylaw No. 2017-52 | December 18, 2017 |
| Bylaw No. 2018-17 | April 30, 2018 |
| Bylaw No. 2018-24 | June 25, 2018 |
| Bylaw No. 2019-58 | November 25, 2019 |
| Bylaw No. 2020-10 | February 26, 2020 |
| Bylaw No. 2020-66 | October 26, 2020 |
| Bylaw No. 2021-39 | May 26, 2021 |
| Bylaw No. 2021-59 | October 13, 2021 |
| Bylaw No. 2021-76 | December 8, 2021 |
| Bylaw No. 2022-19 | March 16, 2022 |
| Bylaw No. 2023-02 | January 25, 2023 |
| Bylaw No. 2023-26 | March 8, 2023 |

BYLAW NO. 2011-16

THE DEVELOPMENT LEVY BYLAW, 2011

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

Purpose

1 The purpose of this Bylaw is:

- (a) to impose and provide for the payment of development levies;
- (b) to authorize agreements to be entered into in respect of payment of development levies;
- (c) to set out the conditions upon which the levy will be applied to specific land uses, classes of development, zoning districts or defined areas; and
- (d) to indicate how the amount of the levy is determined.

Authority

2 The authority for this Bylaw is section 169 of *The Planning and Development Act, 2007*.

Definitions

3(1) In this Bylaw:

- (a) “**Act**” means *The Planning and Development Act, 2007*;
- (b) “**building permit**” means a permit issued under the City’s building bylaw authorizing the construction of all or part of any building;
- (c) “**capital costs**” means the municipality’s estimated cost of providing, altering, expanding or upgrading the following services and facilities associated, directly or indirectly, with a proposed development:
 - (i) sewage, water or drainage works;
 - (ii) roadways and related infrastructure;
 - (iii) parks; and
 - (iv) recreational facilities.

- (d) **“City”** means the municipal corporation of the City of Regina or the geographical area within the City limits, as the context requires;
 - (e) **“Council”** means the Council of the City;
 - (f) **“development”** means the carrying out of any building, engineering, mining or other operations in, on or over land or the making of any material change in the use or intensity of the use of any building or land;
 - (f.1) **“Development Charges Policy”** means the Development Charges Policy set out in Schedule “A” attached to and forming part of this Bylaw;
 - (g) **“development lands”** means those lands (or any part thereof) within the City where no previous servicing agreement has been entered into for the specific proposed development and, in the opinion of Council, the City will incur additional capital costs as a result of the proposed development;
 - (h) **“development levy”** means the levy imposed and created by this Bylaw pursuant to the Act;
 - (i) **“development levy agreement”** means a development levy agreement as defined in the Act;
 - (j) **“Development Officer”** means the Executive Director of City Planning and Community Development and anyone acting or authorized by the Executive Director to act on his or her behalf;
 - (k) **“development permit”** means a development permit as defined in the Act;
 - (l) Repealed. (#2015-75, s. 4, 2015)
 - (m) **“proposed development”** means a permitted or discretionary use within the City of Regina *Zoning Bylaw*, for which a person has made an application for a development permit; or where no development permit is required means a permitted use for which a person has made an application for a building permit;
 - (n) **“servicing agreement”** means a servicing agreement as defined in the Act.
- (2) Any capitalized term used in this Bylaw that is not otherwise defined in this section shall have the meaning ascribed to such term in the Development Charges Policy.
 (#2011-64, s. 23, 2011, #2015-75, ss.2, 3 and 4, 2015, #2021-39, s.4, 2021, #2022-19 s. 4, 2022)

Application

- 4(1) This Bylaw applies to development lands that benefit or will benefit from municipal services installed or to be installed by or on behalf of the City.
- (2) The development levy imposed by this Bylaw is intended to recover all or a part of the capital costs incurred by the City as a result of a proposed development, as described in the Development Charges.
- (3) Pursuant to the Act, the development levy will only be applied if:
- (a) the specific proposed development was not previously subject to a servicing agreement; and
 - (b) in the opinion of the City, additional capital costs will be incurred by the City as a result of the proposed development.
- (#2015-75, s. 5, 2015, #2021-39, ss.5 and 6, 2021, #2022-19. s. 5, 2022)

Administration and Enforcement

- 5 Council hereby delegates to the Development Officer the duty and authority to enforce and administer this Bylaw, including:
- (a) administering the development levy and the development levy agreements in accordance with the Act;
 - (b) exercising the powers and duties pursuant to sections 169, 171 and 173 to 176 the Act; and
 - (c) approving and entering into development levy agreements with an applicant or owner in accordance with the Act and this Bylaw.
- (#2021-39, s.7, 2021)

Imposition of Levy

- 6(1) Any person who applies for:
- (a) a development permit for a proposed development located within the development lands; or
 - (b) a building permit for a proposed development in the case where no development permit is required;
- shall pay a development levy in the amount set out in Schedule “B” attached to and forming part of this Bylaw.
- (2) The amount of the development levy that is required to be paid is based on the levy in place at the time when:

- (a) the development permit application is submitted to the City and is deemed complete; or
- (b) the building permit application is submitted to the City in the case where no development permit is required.

(#2021-39, s.8, 2021)

Authority to Enter into Agreement

- 7(1) Any development levy agreement and the obligation to pay the applicable development levy shall be binding on successors in title to the original owner or owners, regardless of whether an interest in respect of the development levy agreement is registered by the City against the proposed development.
- (2) Nothing in this Bylaw prevents the City from imposing additional or new development levies on any portion of the development lands where the City has not previously collected the development levy or entered into a development levy agreement or servicing agreement.
- (3) The City's Development Officer may register an interest based on a development agreement in the land registry against the land that is the subject of the agreement.
- (4) Development levy agreements shall be administered in accordance with the Development Charges Policy as set out in Schedule "A" attached to and forming part of this Bylaw.

(#2021-39, ss.9-10, 2021)

Payment

- 8(1) The development levy provided in this Bylaw shall be paid, either:
 - (a) in the full amount, prior to issuance of a development permit or building permit, or
 - (b) in a fashion and timeline deemed appropriate by the City within a development levy agreement.
- (2) Where a person is required to pay a development levy prior to the issuance of a development permit or building permit and the person fails to make the payment imposed, the City may refuse to issue the applicable permit.
- (3) In the event that any development levy payment imposed by this Bylaw payable under a development levy agreement is not paid at the time or times specified within the agreement and without limiting the remedies of the City, the City may issue a stop order prohibiting further development on the development lands.

Purpose and Use of the Levy

- 9(1) The development levy is intended to reimburse the City for the capital costs associated with the construction, altering, expanding or upgrading of the following expenditures associated directly or indirectly with the proposed development:
- (a) sewage, water or drainage works;
 - (b) roadways and related infrastructure;
 - (c) parks; and
 - (d) recreational facilities.
- (2) The development levy may be utilized to pay a debt incurred by the City as a result of an expenditure listed above or to reimburse an owner described in clause 173(d) of the Act.

Calculation of Levy

- 10 The development levy adopted in this Bylaw was determined on the basis set out in Schedule “A” annexed hereto and forming part of this Bylaw.
(#2021-39, s.11, 2021)

Severability

- 11 In the event that any provision of this Bylaw is found to be null or void or contrary to law by any court of competent jurisdiction, then such provision shall be severed from this Bylaw and the remainder of this Bylaw shall continue to be of full force and effect.

Consequential Amendments and Coming into Force

- 12 Clauses 5(a), (b) and (c) in Schedule A of *The Regina Administration Bylaw*, Bylaw No. 2003-69 are repealed and the following substituted:

“5. Resources accounted for as deferred revenue include:

- (a) development levies and servicing agreement fees levied pursuant to *The Planning and Development Act, 2007*;
- (b) payments in lieu of the dedication of land received pursuant to *The Planning and Development Act, 2007*;

- (c) payments in lieu of parking received pursuant to *The Planning and Development Act, 2007*;"

13 This Bylaw comes into force on the day of passage.

READ A FIRST TIME THIS 22nd DAY OF August 2011.

READ A SECOND TIME THIS 22nd DAY OF August 2011.

READ A THIRD TIME AND PASSED THIS 22nd DAY OF August 2011.

P. FIACCO

Mayor

J. SWIDNICKI

City Clerk

(SEAL)

CERTIFIED A TRUE COPY

City Clerk

3.0 Scope

This Policy and the provisions herein generally apply to both servicing agreement fees and development levies and to Servicing Agreements and Development Levy Agreements, except as specifically noted otherwise.

This Policy provides direction to the Administration on the following topics:

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4.0 Definitions

Act: The Planning and Development Act, 2007.

Administration: The collective workforce who works under the authority and direction of the City Manager, Mayor, and City Council.

Arterial Street: A road with controlled access that carries major traffic flows to and from major trip generators and communities. Generally, it provides connections between collector streets and expressways.

Bylaw: The Development Levy Bylaw, 2011 (being Bylaw No. 2011-16), as may be amended from time to time or any succeeding bylaw;

Capacity: A limit, defined by the service or infrastructure, of the number of people, vehicles or flow that can pass through or be utilized by the infrastructure over a set period. Capacity may include a level of service that provides additional margin before a physical limit being exceeded.

Capital Costs: The estimated capital cost, pursuant to section 168 of *The Planning and Development Act, 2007*, of providing construction, planning, engineering and legal services that are directly related to the matters for which servicing agreement fees and development levies are established pursuant to sections 169 and 172 of *The Planning and Development Act, 2007*.

Capital Projects: Projects including roadways and related infrastructure, waterworks, sanitary sewer works, drainage works, parks and recreational facilities, which are constructed, altered, expanded or upgraded to add capacity to service the growth of the City.

Capital Project List: A compilation of proposed Capital Projects with their associated Capital Costs, project name, anticipated timing, and proposed funding sources.

Catchment Area: A geographical area of land to which Infrastructure Work can provide services

City: The City of Regina.

City Clerk: The person appointed by Council to the position of City Clerk pursuant to section 85 of *The Cities Act*.

Collector Street: A road designed to intercept, collect and distribute traffic between local and arterial streets. Direct access to abutting properties is permitted.

Commercial Development: Development or land use, including any accessory use, is neither a Residential Development nor Industrial Development.

Community Contributions: Contributions made towards capital projects where the sources of funding are the residents of Regina, businesses, or community organizations who have made contributions towards a capital project either through a community organization or directly to the City of Regina.

Construction Completion Certificate # 1: A certificate issued by the City to the Developer when the Infrastructure Services have been completed in accordance with the requirements of the Agreement.

Construction Completion Certificate # 2: A certificate issued by the City to the Developer when the Landscaping Services have been completed in accordance with the requirements of the Agreement.

Construction Completion Inspection: The quality assurance inspection that occurs in relation to Infrastructure Services or Landscape Services provided through Servicing Agreements and Development Levy Agreements.

Contiguous New Development(s): A subdivision or development adjacent to existing development

Council: Council of the City of Regina, acting for *The Planning and Development Act, 2007* as a municipality and an approving authority.

Current Contributions: Contributions made towards capital projects where the funding sources are derived through City generated revenue, typically taxation or fees for services.

Dedicated Lands: As ascribed in *The Planning and Development Act, 2007*.

Development: As ascribed in *The Planning and Development Act, 2007*.

Development Application: Either an application by a development proponent to the City for review and approval of a Secondary Plan, Concept Plan, Subdivision, Servicing Agreement, Development Levy Agreement, Discretionary Use, Development Permit, Building Permit or other that requires the City approval or permit before construction as required by municipal bylaw or provincial regulation.

Development Area: The area shown for construction or development in schedules to a Development Levy Agreement or a Servicing Agreement or based on the plans submitted with an application.

Development Boundaries: Either the outside boundaries or limits of a plan of subdivision and as identified within a Servicing Agreement; or the outer boundaries of a parcel of land and as specified within a Development Levy Agreement.

Development Charge: Servicing Agreement Fees and Development Levies as defined in *The Planning and Development Act, 2007*.

Development Charges Financial Cash Flow Model (SAF Model): The cash flow calculations performed over a 25-year time horizon from information including the Growth-Related Capital Project List, indexing and Servicing Agreement Fee reserve fund balances to calculate an annual Servicing Agreement Fee rate and Development Levy rate.

Development Lands: Those lands (or any part thereof) within the City where no previous servicing agreement has been entered into with the City for the specific proposed development and, in the opinion of Council, the City will incur additional capital costs as a result of the proposed development.

Development Levy: Fees adopted by Council pursuant to section 169 of *The Planning and Development Act, 2007*.

Development Levy Agreement: A development levy agreement as defined in the Act.

Development Levy Bylaw: The Council approved bylaw (#2011-16) describing when and how Development Levies are imposed.

Development Permit: A document authorizing a development issued pursuant to a zoning bylaw.

Developer: An applicant for subdivision approval who is required to enter into a Servicing Agreement pursuant to section 172 of *The Planning and Development Act, 2007*; or an applicant for a development permit or building permit who is required to enter into a Development Levy Agreement pursuant to the *City's Development Levy Bylaw, 2011* as may be amended from time to time and sections 169 and 171 of *The Planning and Development Act, 2007*.

Dwelling Unit: A self-contained living unit of one or more rooms containing cooking facilities, sanitary facilities, living quarters or sleeping quarters

Environmental Reserve: Has the meaning ascribed to such term in the Act.

Endeavour to Assist Agreement: The portion of the Servicing Agreement or Development Levy Agreement that addresses the methods by which the Initial Developer can recoup a portion of the costs relating to Excess Infrastructure Capacity.

Endeavour to Assist Payments: The portion of the costs relating to Excess Infrastructure Capacity that is attributable to the Future Benefitting Lands, which are to be paid and satisfied to the Initial Developer through an Endeavour to Assist Agreement.

Engineering Submission: Either a detailed engineering drawing submission as per the requirements outlined in the applicable sections of the City of Regina Design Standards or all studies, electronic models and modelling results, analysis and calculations required for the design of roadways and related infrastructure, waterworks, sanitary sewer works, drainage works, parks and recreational facilities in an acceptable format outlined in the City of Regina Design Standards or otherwise deemed acceptable to the City.

Established Area: The area identified as the “Established Area” on the map in Appendix B.

Executive Director: The Executive Director of City Planning and Community Development or the delegate or successor in title.

Excess Infrastructure Capacity: The portion of Infrastructure Work the Initial Developer constructs that provide capacity in excess of that required for the lands being developed by the Initial Developer or which will service or provide a benefit to Future Benefitting Lands of a Future Developer.

Final Acceptance Certificate # 1: A certificate issued by the City to the Developer when the warranty period for the Infrastructure Services has been completed in accordance with the requirements of the Agreement. Upon issuance, the services to which the certificate relates shall be dedicated to public use and maintained, operated and replaced by the City.

Final Acceptance Certificate # 2: A certificate issued by the City to the Developer when the warranty period for the Landscaping Services has been completed in accordance with the requirements of the Agreement. Upon issuance, the services to which the certificate relates shall be dedicated to public use and maintained, operated and replaced by the City.

Funding Splits: The apportioning of costs between a Developer, the City, and the Servicing Agreement Fee Reserve Fund.

Future Benefitting Lands: Lands to be developed or subdivided in the future that will directly benefit from Excess Infrastructure Capacity constructed by the Initial Developer. The total Excess Infrastructure Capacity is calculated over a defined Catchment Area.

Future Developer: The subsequent Developer or landowner who will develop the Future Benefitting Lands.

Greenfield Area: The area identified as “Greenfield Area” on the map in Appendix B to indicate where greenfield rates and Policy apply.

Greenfield Development: Any Development that occurs within the Greenfield Area or outside of the Intensification Boundary.

Gross Floor Area (GFA): The total floor area in a building or structure measured between the exterior faces of the exterior walls of the building or structure at the level of each storey:

- at and above grade, in the case of dwellings in residential zones or below, at and above grade, in the case of all other uses;
- excludes the area used for off-street unloading and parking

Grade Separation(s): Any classification of the road required to either be constructed over or under an obstacle, including but not limited to another road, railway, pipeline or building.

Grants: Funding received from sources outside of the City of Regina Current Contributions such as the Provincial or Federal Government.

Indexing: The cost inflation adjustment as calculated specifically to Regina by an independent source to be used in the Development Charges Financial Cash Flow Model calculations.

Industrial Development: Development of land or land use with an Industrial Zoning designation per *Regina Zoning Bylaw 2019*.

Infill Development: Refers to any Development that occurs within the Established Area.

Infrastructure Work or Infrastructure Services: Has the meaning ascribed to the term "Infrastructure Services" in the Standard Conditions and is generally intended to refer to work or services related to streets, roads, grading and utilities to be provided, constructed or installed by a developer of an approved subdivision, excluding Landscaping Work.

Initial Developer: The Developer who constructs the Excess Infrastructure Capacity that benefits other Future Benefitting Lands as part of the Infrastructure Work.

Intensification: The construction of new buildings or alterations to existing buildings within the Established Area resulting in a higher intensity of use.

Intensification Boundary: The boundary set by Council separating the Greenfield Area and the Established Area.

Interchanges: A junction of two or more traffic flows incorporating a system of Grade Separations that permit traffic to pass from one to another without crossing traffic streams.

Interest Rate: The City of Regina's indicative pricing rate plus two per cent at the effective date of the Endeavour to Assist Agreement.

Interim Services: Any provisional or temporary municipal services provided by the Developer to allow for the development to occur without the permanent municipal service in place.

Intersection(s): Any at grade junction of two or more traffic flows.

Institutional Development: Development or land use, including any accessory use, that is either within an Institutional Zone or provides for a facility that is intended for institutional, community or public service in nature.

Landscape Drawing Submission: A detailed landscape drawing to be submitted as per the requirements outlined in the City Design Standards, including dimensioned recreational facilities and elements within park space.

Landscaping Work or Landscaping Services: Has the meaning ascribed to the term "Landscaping Services" in the Standard Conditions and is generally intended to refer to work or services related to the establishment of parks and landscaping and irrigation of public lands such as municipal reserve, environmental reserve, municipal buffer strips, floodway fringe areas to be provided, constructed or installed by a developer of an approved subdivision, excluding Infrastructure Work.

Letter of Credit: A letter issued by a financial institution, in a form acceptable to the City's discretion, guaranteeing the financial obligations of the Developer.

Level of Service: Measured performance indicators for a targeted design capacity of a component of infrastructure, including a margin of additional capacity versus the infrastructure's total physical capacity. Level of service may be expressed with different reference points and metrics for water, wastewater, stormwater, transportation and parks and recreational facilities.

Lift or Pump Station: Mechanical/hydraulic devices used to solve flow problems that standard gravity methods cannot solve. Lift stations lift fluids to a gravity system.

Local Roads: Is per the definition within the City of Regina Transportation Master Plan and includes all constructed components required by the City of Regina's Design Standards, Construction Specifications or as directed by the Executive Director.

Master Plans: Infrastructure plans that consider the capital, operating, maintenance and replacement costs of municipal infrastructure over a period in support of the Official Community Plan.

Major Sanitary Storage, Conveyance or Treatment Facilities: The components of the City's existing sanitary collection and treatment system that serves multiple existing and future new developments external to the boundaries of a new subdivision or development. The primary facilities include the City Wastewater Treatment Plant, Sanitary Trunk Mains, McCarthy Boulevard Pump Station and Force mains and existing sanitary pump stations with or without offline storage.

Major Water Storage, Conveyance or Treatment Facilities: The components of the City's existing water treatment and distribution system that serve multiple existing and future new developments external to a new subdivision or development boundaries. The primary facilities include the Buffalo Pound Water Treatment Plant, Buffalo Pound Water Supply Lines, New or Existing Water Reservoirs, Re-pressurization Pump

Stations, pressure zone isolation components and Water Trunk Mains, including but not limited to the City loop.

Mixed-use Development: A development that contains both dwelling and non-dwelling principle land uses.

Models: Electronic computer-aided simulations utilized by the City to plan for growth and review of development applications for transportation, water, wastewater, stormwater, parks and recreational facilities.

Multi-Use Pathways: The identified pathways within the City Open Space Regina Management Strategy and the new pathways identified within the Transportation Master Plan. Multi-use pathways generally refer to an asphalt pathway surface within a landscaped area and provide a protected route for walking or cycling.

Municipal Buffer: As ascribed in *The Planning and Development Act, 2007*.

Municipal Level Parks and Facilities: As fully defined within the City Open Space Regina Management Strategy. A municipal park or facility is intended to meet the recreation needs of large sections of the population. They allow for group activities and recreation opportunities not feasible at the neighbourhood level.

Municipal Reserve: As ascribed in *The Planning and Development Act, 2007*.

Municipal Utility: A municipal utility parcel designated as such by the City in accordance with section 172.1 of the Act.

Neighbourhood Level Parks and Facilities: As fully defined within the City Open Space Regina Management Strategy. Neighbourhood-level parks and facilities are oriented toward children and youth and may include active and passive recreation facilities.

Office Development: Development or land use, of which the principle use of each type is business, administrative or managerial space for various work activities. It includes *The Regina Zoning Bylaw, 2019* definition of Industry Office and Professional Office land use.

On-Street Bikeways: A lane within a road right-of-way specifically intended for bicycle traffic movement separated from vehicular traffic with a separate painted lane or a protected lane separated by a curb, barrier or raised from general vehicular traffic.

Overall growth: In the context of the statement, "required to accommodate overall growth" means growth that occurs in multiple existing and future neighbourhoods.

Oversizing: Designing and constructing an infrastructure facility to a greater capacity than servicing a new subdivision or development requires unto itself to meet City Design Standards. The amount of oversizing is based upon design assumptions for servicing of a land area greater than the extent of the subdivision or development itself.

Parking Structure: An indoor land use where motor vehicles that are registered, insured, and working order are parked indoors or in primarily enclosed areas for temporary intervals.

Phase(s) or Phased Development: The registration and development of a portion only of an approved subdivision.

Public Work: As per the definition within *The Planning and Development Act, 2007*.

Regional Infrastructure: Infrastructure constructed for the purpose of serving a Neighbourhood or multiple neighbourhoods.

Regional service: A service provided by the City of Regina to a municipality, first nation, or other entity located outside the City's boundary.

Regional Service Partner: A participant in a Regional Service through an agreement with the City of Regina.

Residential Development: Development or use of land, including any accessory use that serves as a Dwelling Unit(s).

Residential Group Care Home: A care home that has ten or less beds, or five or less bedrooms within a single building with shared cooking and washroom facilities.

Residential Unit Type: The types of Dwelling Units into which the Intensification Levy rates are divided.

Road: The public right-of-way comprises a thoroughfare that has been paved or otherwise improved to allow travel by some form of conveyance.

Sanitary Sewer Main: A pipe that receives flows from service connections and conveys these flows to a trunk sewer. The minimum size is 200 millimetres in diameter.

Sanitary Trunk Main: A large pipe generally serves 65 hectares or more and 300 millimetres or larger in diameter.

Sanitary Service Connection: A pipe that extends from the building and conveys flow to a sanitary sewer main.

Secondary Suite: A subordinate, self-contained Dwelling, Unit within a building or portion of a building that contains a principal Dwelling, Unit, and where both dwelling units constitute a single real estate entity.

Semi-Detached: A building divided vertically or horizontally into two Dwelling Units by a common wall.

Standard Conditions: Are intended for use in conjunction with servicing agreements entered into between the City of Regina and applicants for subdivision approval and developments, pursuant to section 172 of the Act.

Servicing Agreement: The form of Servicing Agreement, including Standard Conditions, adopted by the Council from time to time, and referred to in Administrative Reports respecting subdivision or development applications as the City's "Standard Servicing Agreement"; all subject to changes as circumstances or subdivision or development application require and as may be approved or directed by Council.

Servicing Agreement Fee(s), Servicing Fee, SAF, or Development Levy(ies): The charges or levies adopted by Council from time to time pursuant to Part VIII of *The Planning and Development Act, 2007*.

Servicing Agreement Fee Rate, Development Levy Rate: The fees adopted by Council pursuant to section 169 and 172(3)(b) of *The Planning and Development Act, 2007*, that apply to development.

Servicing Agreement Fee Reserve Fund or SAF Reserve Fund: An account or accounts established by the City for the deposit of Servicing Agreement Fees/Development Levies, as required pursuant to section 174 of *The Planning and Development Act, 2007*.

Single-Detached: A building that contains only one Dwelling Unit. Where a Secondary Suite is a Permitted Use in a zone, a detached Dwelling Unit in that zone may also contain a Secondary Suite which, for this Policy, is considered a Second Dwelling Unit.

Site Detention: The requirements for individual developments to detain a portion of the rainfall within the development site's property lines and release the water at a controlled rate into the stormwater collection system.

Site Specific Infrastructure: Infrastructure constructed to service a single subdivision or development.

Storm Water Collection System: A pipe greater than 200 mm in diameter, pump station, detention facility, retention facility or channel that manages stormwater.

Storm Channel: A receiving stream constructed to convey stormwater and a Major Drainage System element.

Stormwater Detention Facility: A stormwater detention facility does not permanently retain a portion of the facility's collected stormwater runoff. Water is contained in the facility for only a short period. The storage in the facility attenuates the inflow peak flow resulting in a smaller outflow peak. The Stormwater Detention Facility is commonly referred to as a dry pond. A major system element.

Storm Sewer Non-Point Water Quality Control Infrastructure: Permanent or temporary devices or infrastructure utilized to capture sediments or other non-desirable contaminants before outflow into a natural or engineered conveyance channel, creek, river, tributary or lake. Such infrastructure may be incorporated into stormwater major system elements such as detention or retention ponds or separated from other components of the overall system.

Stormwater Retention Facility: A stormwater retention facility retains a portion of the stormwater runoff permanently in the facility. Stormwater Retention Facilities are commonly referred to as a wet pond. A major system element.

Streetscaping: Landscaped visual elements of a street, including street furniture, trees and boulevard treatments.

Study: Studies undertaken by the City on a citywide or area basis to determine long-range infrastructure required as a result of growth, including but not limited to transportation studies, wastewater studies, water studies, drainage studies, parks and recreation studies, and serviceability studies.

Subdivision: The definition within *The Planning and Development Act, 2007*.

Site Access Driveways and Crossings: Is per the definition within the City of Regina Design Standards and includes all requirements and components as required by the Transportation Design Standard, Construction Specifications or as directed by the Executive Director or delegate.

Total Construction Value: The sum of costs attributed to the construction of Infrastructure or Landscaping Services that include the expense of design, labour and materials.

Tower Crossing Plan Area: This is the area of lands located north of Victoria Avenue, on the east periphery of the City as described in Design Regina: Official Community Plan Bylaw, Part B.15 Tower Crossing Secondary Plan. These lands are excluded from the Greenfield Area and the Established Area as defined in this Policy.

Traffic Signals: Any type of electrically powered signalization devices used to direct or control the flow of vehicular, cycle or pedestrian traffic and includes but is not limited to poles, signal heads, lamps, controllers, electrical conduits, wiring and pedestal bases.

Trunk Watermain (or trunkmain): A pipe over 450 millimetres nominal diameter that delivers potable water within the distribution system network. Service connections to trunkmains are not permitted.

Upgrades: Upgrades required to provide additional capacity to a service to accommodate the additional demands placed on the infrastructure due to growth. Upgrades do not include projects resulting from a regulatory change or level or service improvement not previously identified within the calculation of previous Servicing Agreement Fees or Development Levy.

Utility Service Provider: A provider of systems for distributing, storing, or transmitting electricity or natural gas and oil. It also includes providers of systems for providing telecommunications.

Water Service Connection: A service connection extends from the connection point of the watermain to the property line.

Distribution Water Main: Is a pipe between 150 millimetres and 250 millimetres that delivers potable water within the distribution system network.

Feeder Water Main: Or *feedermain* is a pipe between 300 millimetres and 450 millimetres that delivers potable water within the distribution system network.

Water Pump Station & Reservoir: Infrastructure where the water supply is delivered to and held within a reservoir and re-pressurized through one or more hydraulic pumps to the distribution network.

Water Quality Source Control Measures: Permanent or temporary devices or infrastructure utilized to capture sediments or other non-desirable contaminants before runoff and discharge into the City storm sewer collection system.

Zone Level Parks and Facilities: Zone parks are larger in size than neighbourhood parks and serve a broader purpose. The athletic facilities provided are of higher quality and will allow for higher-tiered athletics.
(#2022-19, s. 6, 2022)

5.0 Legislative Authority

The Planning and Development Act, 2007 authorizes municipalities to charge development levies and servicing agreement fees. In relation to development levies, this authority requires that the City authorize the use of such fees in its official community plan and that the fees be established by bylaw.

Pursuant to this authority, Council has adopted *Design Regina: The Official Community Plan Bylaw 2013-48* commonly referred to as the OCP. Section B of the OCP contains our Financial Policies. This section aims to achieve direction on the capital infrastructure investments, growth infrastructure budgeting, and growth financing. Section C of the OCP contains the Growth Plan, which establishes our community's goals and growth initiatives. This Section includes direction for intensification targets and long-term growth initiatives. Section E, Goal 5 of the OCP contains specific guidance for the phasing and financing of growth. This section further defines the intensification targets and long-term growth initiatives and provides criteria to achieve orderly development. All of these sections considered together drive the need for this policy and provide the direction of the content.

Council has also adopted *The Development Levy Bylaw, 2011* pursuant to section 169 of *The Planning and Development Act, 2007* which establishes the development levies and servicing agreement fees to be imposed to recover all or part of the City's capital costs directly or indirectly related to a proposed development. This Policy is incorporated in and forms part of the Bylaw.

6.0 General Policy

6A Delegated Authority

The Executive Director is authorized to:

- prepare and approve Servicing Agreements and Development Levy Agreements in accordance with Standard Conditions adopted by Council from time to time, and arrange for the execution of these agreements by the City Clerk;
- administer Servicing Agreements and Development Levy Agreements; and
- determine the Capital Projects that are to be included in the Servicing Agreement Fee/Development Levy rate all in accordance with the Bylaw and the provisions of this Policy.

6B Application of Servicing Agreement Fees and Development Levies

The City of Regina differentiates between greenfield development and infill development. The map in Appendix B illustrates the geographic areas used to determine what rates shall be applied to the development. Development applications on lands outside the Intensification Boundary (Greenfield Area) shall be charged the greenfield rate. The map is provided to illustrate where the boundary is generally located. For specific details or clarifications, the City maintains a Geographic Information System (GIS) map that it will utilize to confirm where the lands are located, such determination shall remain at the City's sole discretion.

These development charges are imposed and collected in accordance with the Act, and are in the form of:

Servicing Agreement Fees – These are fees required to be paid by an applicant where proposed development involves the subdivision of land pursuant to section 172 of *The Planning and Development Act, 2007*.

Servicing Agreement Fees are established by Council and set annually.

Development Levies – These are fees required to be paid by an applicant where proposed development does not involve the subdivision of land pursuant to section 169(1) of *The Planning and Development Act, 2007*.

Applicants shall pay a Development Levy established by Council for:

- a development permit for a proposed development located within the development lands; or
- a building permit for a proposed development in the case where no development permit is required.

7.0 Greenfield Area Policy

7A Greenfield Area Development Charges

All lands in Regina are subject to the rates set forth by Council and in *The Development Levy Bylaw, 2011* and subject to the applicable Servicing Agreements Fees and Development Levies unless deemed exempt by this Policy or by Council.

No refunds or reimbursements will be issued for Servicing Agreement Fees or Development Levies paid, but no development occurs. In these cases, the City would issue a credit in the applicable units to be registered on the affected property title.

The amounts of the Servicing Agreement Fees and Development Levies are determined as follows:

- for Development Levy, the date of the application of the development permit; and
- for Servicing Agreements, the date that the City confirms the formal submission requirements as per Section 7.B.1 of this policy.

If the Development Levy Agreement or Servicing Agreement expires, and the development is not completed, new fees will be assessed when the agreement is renewed or reissued.

With respect to any Development on lands located outside of the intensification boundary, the City shall impose Servicing Agreement Fees or Development Levies, as the case may be, determined based on the following formula:

$$\begin{aligned} & \text{Net Development Area (Hectares)} \\ & \times \text{Approved Rate (Dollars per Hectare) per Applicable Infrastructure Type} \\ & = \text{Total Development Charges (Dollars)} \end{aligned}$$

Where:

$$\begin{aligned} & \text{Net Development Area (Hectares)} \\ & = \text{Gross Development Area (Hectares)} - \text{Total Exempt Area (Hectares)} \end{aligned}$$

In addition to the calculated rates based on capital projects, administration costs are calculated on Servicing Agreements and Development Levy Agreements to offset the City's costs for "planning, engineering and legal services" pursuant to Section 168, 169 and 172 of *The Planning and Development Act, 2007*.

With respect to any Development on lands located outside the intensification boundary, the City shall impose Servicing Agreement and Development Levy Administration Fees, determined based on the following formula:

$$\begin{aligned} & \text{Gross Development Area (Hectares)} \\ & \times \text{Approved Administration Fee (Dollars per Hectare)} \\ & = \text{Total Administration Fee Charges (Dollars)} \end{aligned}$$

Goods and Services Tax (GST) applies to these charges.

7.A.1 Exemptions

Servicing Agreements Fees and Development levies apply to development in all areas of the City except for the following, which are exempt:

- lands designated as Environmental Reserves;
- lands dedicated as road right of way and designated for freeways, expressways, and grade separations;
- natural lakes or rivers;
- Development on lands that were previously subject to servicing agreement fees and where no development has occurred, unless the City will incur additional capital costs as a result of the proposed development;
- lands designated as Municipal Utility;
- lands dedicated as Municipal Buffer;
- Development related to or associated with any Public Work, but only to the extent that such Public Work does not include a building or structure intended for occupancy or habitation; and
- subject to the collection of development charges in accordance with section 7.A.4, development within the Tower Crossing Plan Area.

(#2022-19, s. 7, 2022)

7.A.2 Deferrals

Servicing Agreements Fees and Development Levies apply to development in all areas of the City except for the following, which may be partially deferred:

- where the City permits development that is not required to connect to the City's water service at the time of initial development, payment of the water infrastructure portion of the Servicing Agreement Fees or Development Levies related to the development may be deferred; and
- where the City permits development that is not required to connect to the City's wastewater service at the time of initial development, the wastewater infrastructure portion of the Servicing Agreement Fees or Development Levies related to the development may be deferred;

provided that, at such time as the development applies or is required to connect to the City water or wastewater services, the landowner shall be required to pay a fee equal to the water or wastewater portion of the Servicing Agreement Fees or Development Levies that are in effect at that time of application for such connection.

The City shall register an interest against the affected title(s) of the lands related to developments that have deferred the payment of fees in accordance with this section at the time of development approval. The registered interest shall identify the type of infrastructure, the total amount owing in hectares and the landowner's obligation to make payment of the deferred fees to the City before obtaining any connection to infrastructure services that are owing.

Unless stated in the previous Section 7.A.1, development shall not be exempt from or be permitted to defer the payment of the transportation, parks & recreation or the administration portions of the Servicing Agreement Fees or Development Levies.

7.A.3 Reductions Applicable to Industrial Land

Industrial Development within the Greenfield Area will be eligible for a 2/3 reduction of any applicable Servicing Agreement Fees or Development Levies, provided that as a condition of any application to rezone the lands related to the Development which would result in a zoning designation other than industrial, the applicant or landowner shall be required to pay the reduced portion of the applicable fees or levies.

The City shall register an interest against the affected title(s) related to any development that has had a reduction applied in accordance with this section. The registered interest shall identify the obligation to make payment to City of the reduced portion of the applicable fees or levies in the event the zoning designation changes to a zone other than industrial.

7.A.4 Tower Crossing Plan Area Development Charges

For the purposes of this section:

"Tower Crossing Area Rate" means the area specific rate applicable to the Tower Crossing Plan Area that is equal to the quotient of the Tower Crossing Infrastructure Costs divided by 115.323, being the net development area of the lands within the Tower Crossing Plan Area;

$$\text{Tower Crossing Area Rate} = \frac{\text{Tower Crossing Infrastructure Costs}}{\text{Tower Crossing Plan Area (in hectares)}}$$

"Tower Crossing Established Area" means all of those lands within the Tower Crossing Plan Area that are outlined by red dashed lines on Figure 7.A.4-1; and

"Tower Crossing Greenfield Area" means all of those land within the Tower Crossing Plan Area except for lands with the Tower Crossing Established Area;

“Tower Crossing Infrastructure Costs” means the total capital cost of the City providing sanitary sewer services to the Tower Crossing Plan Area, estimated at approximately \$59,000 per hectare, but to be determined based on actual costs incurred by the City;

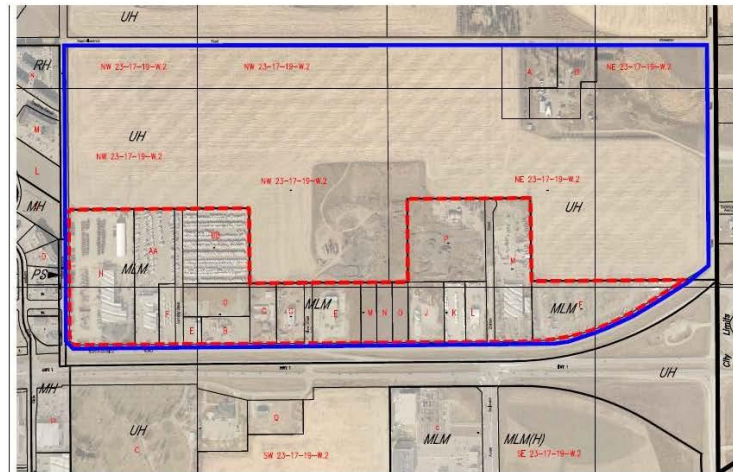


Figure 7.A.4-

Development approval of all lands within the Tower Crossing Plan Area is subject to collection of Servicing Agreement Fees and Development Levies determined as follows:

- With respect to lands located within the Tower Crossing Established Area, development charges shall be imposed based on the following formula:

$$\text{Total Development Charges (Dollars)} = \text{Net Development Area (Hectares)} \times \text{Approved Tower Crossing Area Rate (Dollars per Hectare)};$$

- With respect to lands located within the Tower Crossing Greenfield Area, development charges shall be imposed based on the following formula:

$$\begin{aligned} \text{Total Development Charges (Dollars)} = & (\text{Net Development Area (Hectares)} \times \text{Approved Tower Crossing Area Rate (Dollars per Hectare)}) \\ & + \text{Greenfield Area Development Charges calculated in accordance with section 7A.} \end{aligned}$$

(#2022-19, s. 8, 2022)

7B Greenfield Area Agreements

Lands in Regina that are subject to Servicing Agreements Fees and Development Levies may be required to enter into a Servicing Agreement or Development Levy Agreement.

Requirements for the Servicing Agreement are subject to the terms of section 21 of *A Bylaw of The City of Regina to Regulate and Control the Subdivision of Land*.

7.B.1 Application Requirements

Before the issuance of a Servicing Agreement number, the Developer must make the following submissions to the satisfaction of the City:

- Secondary Plan or Concept Plan approval if deemed required per Policies 14.23 and 14.27 of *Design Regina, The Official Community Plan Bylaw 2013-48*;
- zoning approval;
- application for subdivision;
- receipt by the City of an Engineering Submission;
- receipt by the City of a Landscape Drawing Submission;
- a formal written request to enter into a servicing agreement or development levy agreement.

Any amendments to the above submission requirements may be considered and approved at the discretion of the City.

Upon confirmation that the above submissions have been received to the City's satisfaction, the City will assign a Servicing Agreement number to the application.

The Developer will have six months from the date the Servicing Agreement number is assigned to execute the Agreement with the City of Regina.

If the Developer fails to enter into a Servicing Agreement or Development Levy Agreement within six months from the date that the application number is assigned, the associated Agreement will be deemed invalid and cancelled.

7.B.2 Payment of Servicing Agreement Fees and Development Levies

Servicing Agreement Fees must be paid at the time of execution of the agreement. The City will accept instalment payments on Servicing Agreement Fees and Development Levies that have a total payment value greater than \$50,000.

Instalment payments shall be as follows:

- for assessments concerning Servicing Agreement Infrastructure:
 - 30 per cent upon execution of the Servicing Agreement;
 - 40 per cent upon the earlier of the issuance of a Certificate of Completion for Infrastructure Work; or twelve (12) months from the date of the Servicing Agreement;
 - 30 per cent upon the earlier of the issuance of a Financial Acceptance Certificate for the Infrastructure Work; or twenty-four (24) months from the date of the Servicing Agreement.
- for assessment concerning Servicing Agreement Parks and Recreation Facilities:
 - 50 per cent upon the earlier the issuance of a Certificate of Completion for Landscaping Work or eighteen (18) months from the date of the Servicing Agreement;
 - 50 per cent upon the issuance of Final Acceptance Certificate for the Landscaping Work or twenty-four (24) months from the Servicing Agreement's date.

Payment of the unremitted portion(s) of Servicing Agreement Fees shall at all times be secured by Letters of Credit in an approved form. The Letters of Credit may be reduced or surrendered, as the case may be, upon remittance by the Developer of an installment or payment of the Servicing Agreement Fees' balance or as may be otherwise set out in the Servicing Agreement.

7.B.3 Financial Assurances for Completion of Work

The performance of all work required to be installed or constructed by a Developer as a term of any Development Levy Agreement or Servicing Agreement, shall be required to be secured by security satisfactory to the City in accordance with the City's Standard Conditions. The Developer shall deliver such securities to the City upon entering into the respective agreement, in an approved form and in the amount determined by the performance category the City has assigned to the Developer.

The City, in its sole discretion, will categorize the Developer based on its history with respect to any of the following:

- Servicing Agreements with the City of Regina
- Development Levy Agreements with the City of Regina
- Development Agreements with other municipalities through the provision of references

The amount of security required to be provided further to this section is to be assessed based on a percentage of the estimated total construction cost of the work to be completed further to the related agreement. The required security is the percentage of Total Construction Costs. Estimated Total Construction Costs must be submitted by a professional engineer licensed to practice in Saskatchewan. Total Construction Costs can be calculated as follows:

$$\begin{aligned} \text{Total Construction Costs} \\ &= \text{Total Park and Landscaping Work Costs} \\ &+ \text{Total Infrastructure Work Costs} + \text{Engineering and Testing Costs} \end{aligned}$$

Where:

$$\begin{aligned} \text{Engineering and Testing Costs} \\ &= 0.135 \times (\text{Total Park and Landscaping Work Costs} \\ &+ \text{Total Infrastructure Work Costs}) \end{aligned}$$

The table below provides the applicable percentages based on developer categorization:

| Category | Criteria | Required Security |
|----------|---|-------------------|
| A | <ul style="list-style-type: none"> two (2) or more Servicing Agreements that have received Final Acceptance Certificates within the last seven (7) years with the City of Regina where: <ul style="list-style-type: none"> all Construction Completion Certificates were issued within the timelines of the agreement; all deferred payments were made on time; or references from another municipality certifying the completion of two (2) or more Development Agreements in the past seven (7) years where: <ul style="list-style-type: none"> all Construction Completion Certificates were issued within the timelines of the agreement; the aggregate Total Construction Value of the reference agreements shall be a minimum of \$2,000,000. | 25% |
| B | <ul style="list-style-type: none"> one (1) or more Servicing Agreements that have received Final Acceptance Certificates within the last seven (7) years with the City of Regina where: <ul style="list-style-type: none"> all Construction Completion Certificates were issued within the timelines of the agreement; all deferred payments were made on time; or references from another municipality certifying the completion of one (1) or more Development Agreements in the past seven (7) years where: <ul style="list-style-type: none"> all Construction Completion Certificates were issued within the timelines of the agreement; | 50% |

| | | |
|----------|--|-------------|
| | <ul style="list-style-type: none"> the aggregate Total Construction Value of the reference agreements shall be a minimum of \$2,000,000. | |
| C | <ul style="list-style-type: none"> no previous Servicing Agreements with the City of Regina in the past seven (7) years or Development Agreements with other municipalities in the past seven (7) years; or entered into agreements where not all Construction Completion Certificates have been issued in order to qualify as Category B. | 75% |
| D | <ul style="list-style-type: none"> a developer who has been involved in a major breach of the terms and conditions of previous Servicing Agreements with the City of Regina and has not provided a remedy. | 100% |

The categorization of a developer may be adjusted based on positive performance as follows:

- a developer will be re-categorized from Category C to Category B once Category B's criteria have been met, as per the table.
- a developer will be re-categorized from Category B to Category A once the Category A criteria have been met, as per the table.
- a developer will be re-categorized from Category D to Category C once the conditions of the Servicing Agreement for which the developer was held in default are met or at the discretion of the Executive Director.

A developer who is re-categorized from Category D to Category C will not be able to be re-categorized for positive performance for a minimum of two years.

The categorization of a developer may be adjusted based on negative performance as follows:

- a developer will be re-categorized from Category A to Category B or from Category B to Category C for repeated minor breaches of the terms of a Servicing Agreement(s).
- a developer will be re-categorized from Category A, Category B or Category C directly to Category D for a major breach of the terms of a Servicing Agreement.

In considering a Developer's past performance, the following items are considered a minor breach:

- commencing construction before the required regulatory approvals have been obtained.
- failure to notify the City of contractual changes that result in a significant change to the Total Construction Costs or change to the approved design drawings.
- any non-compliance order that is issued to the City by a Provincial or Federal regulator in relation to work which the Developer (or its contractors) is responsible for.

In considering a Developer's past performance, the following items are considered a major breach:

- commencing construction before the approval of Engineering Drawings or without a signed servicing agreement.
- failure to complete construction with the timelines set out in the applicable Agreement.
- failure to provide for any deferred payments or other payments set out in the applicable Agreement.
- failure to renew performance securities in accordance with the terms of the applicable agreement.

Upon the completion of the Infrastructure Services and the issuance of a Construction Completion Certificate to such effect, the security required pursuant to this section may be reduced to an amount equaling:

- 10 per cent of the total estimated cost of the Infrastructure Services;
- plus the full per cent value of the required security for the total estimated cost of all remaining Landscaping Services;
- plus the estimated cost to remedy any Infrastructure Services deficiencies listed in the Construction Completion Inspection; and
- provided that the amount of the security as varied in accordance with this clause shall not exceed the original amount of security provided at the time of entering into the applicable Agreement, nor shall the security be reduced to an amount less than the aggregate of 10 per cent of the total cost of the Infrastructure Services and 10 per cent of the total cost of the Landscaping Services.

Upon completion of the Landscaping Services and the issuance of a Construction Completion Certificate to such effect, the security required pursuant to this section may be further reduced to and amount equaling:

- 10 per cent of the total estimated cost of the Infrastructure Services;
- plus 10 per cent of the total estimated cost of the Landscaping Services;

- plus, the estimated cost to remedy any Infrastructure Services deficiencies listed in the Construction Completion Inspection; and
- plus, the estimated value to remedy any Landscaping Services deficiencies listed in the Construction Completion Inspection.

Upon delivery of the Final Acceptance Certificate of the Infrastructure Services to the City, the security required pursuant to this section may be further reduced to:

- 10 per cent of the total estimated cost of the Landscaping Services;
- plus, the estimated cost to remedy any Landscaping Services deficiencies listed in the Construction Completion Inspection;
- this security reduction assumes that the Completion Certificate for the Landscaping Services has been issued. If no Completion Certificate for the Landscaping Services has been issued, the full per cent value of the required security for the total estimated cost of all remaining Landscaping Services is required.

Upon delivery of the Final Acceptance Certificate of the Landscaping Services to the City, the security required pursuant to this section may be released in its entirety provided that a Final Acceptance Certificate of the Infrastructure Services has also been issued.

The provisions of this section apply to all Servicing Agreements and Development Levy Agreements unless otherwise approved by City Council.

7.B.4 Endeavour to Assist

Where pursuant to a Servicing Agreement or Development Levy Agreement, an Initial Developer provides Excess Infrastructure Capacity, and upon application of the Initial Developer, the City may agree to include Endeavour to Assist provisions to apply concerning Benefitting Lands within the Catchment Area serviced by this Excess Infrastructure Capacity.

The City will review all applications relating to Endeavour to Assist in accordance with its policies and development standards then in effect. It will work with the Initial Developer to detail any arrangements in an Endeavour to Assist Agreement to be included within the Servicing Agreement or Development Levy Agreement. The City reserves the right and sole discretion to determine the format of and what will qualify for an Endeavour to Assist Agreement.

Under the Endeavour to Assist, the City will agree to endeavor to collect additional levies or fees from Future Developers and to reimburse the Initial Developer the amounts collected for the value of the Excess Infrastructure Capacity as a condition of providing development approvals or entering into a Servicing Agreement relating to the first phase of development for the area relating to the Future Benefitting Lands.

For further certainty, the City will require collection of all amounts payable relating to the full value of Excess Infrastructure Capacity built (or paid for) for the initial Developer from the Future Developer. This value of Excess Infrastructure Capacity shall be payable by the Future Developer as part of the first Servicing Agreement related to the subdivision containing the Future Benefitting Lands.

The Future Developer will be required to pay the City or Initial Developer for the full amount of Excess Infrastructure Capacity associated with all remaining Future Benefitting Lands.

Where the City collects payment from the Future Developer relating to Endeavour to Assist Payments the City will pay all sums received to the Initial Developer within 30 days of receiving such payment.

Costs related to the Excess Infrastructure Capacity shall be calculated based on a proportionate land area of the benefitting lands unless indicated otherwise.

The Excess Infrastructure Capacity's value relating to Endeavour to Assist Payments shall be based on the actual unit costs detailed in the cost estimate included in the Initial Developer's Servicing Agreement. Only the following items shall be eligible to be included within Endeavour to Assist Payments:

- land or rights-of-way acquisition costs;
- construction costs;
- design and inspection costs for the works.

The following infrastructure types may be eligible for Endeavour to Assist Payments:

- sanitary pump (or lift) stations;
- sanitary mains;
- water mains;
- stormwater collection systems;
- traffic signals;
- intersections;
- roads that require more than a 22.0 metre dedicated right-of-way.

Sanitary mains with lateral connections are cost-shared proportionately to the areas provided with a direct service. Mains intended for conveyance are cost-shared by proportionate land area for the entire benefitting land catchment area.

Stormwater systems with lateral connections are cost-shared proportionately to the areas provided with a direct service. Systems intended for conveyance, detention or retention are cost-shared by proportionate land area for the entire benefitting land catchment area.

Traffic signals warranted through the development and share an intersection with both the Initial Developer and Future Benefitting Lands are eligible to be valued as Excess Infrastructure Capacity within this Policy.

Roads that are greater than 22.0 metres in dedicated right-of-way width are eligible to be valued as Excess Infrastructure Capacity within this Policy. The eligible cost shall be determined by the roadway's actual cost, less the average cost of a typical collector roadway (22.0 metres). Benefitting Lands that are within 200 metres of a lateral intersecting road are included in the contributing catchment area. Lands that require the extension of the same road within them would not be eligible for cost-sharing.

A Road less than 22.0 metres right-of-way that exists on two properties is cost-shared by both landowners. Intersections that share at least one point of intersect between the initial Developer and future Developer are eligible within this Policy. Both at-grade or grade-separated intersections are eligible. Grade separated intersections shall be calculated based on a proportionate land catchment area of the benefitting lands unless indicated otherwise.

The Executive Director is authorized to determine the allocation of costs relating to Excess Infrastructure Capacity amongst the Initial Developer and the Future Developer. Generally, the City shall allocate costs associated with all Excess Infrastructure Capacity defined in the Endeavour to Assist Agreement over a proportionate Catchment Area.

The Endeavour to Assist Payments shall be escalated at a rate of interest equal to the Interest Rate defined within the Policy.

The maximum term of an Endeavour to Assist Agreement shall be for 20 years; however, it will expire once all Endeavour to Assist Payments have been received. The Endeavour to Assist Agreement may be renewed by the mutual Agreement between the City and the Initial Developer before its expiry, as initiated by the Initial Developer. No payment shall be made to the Initial Developer or required of the Future Developer after the Endeavour to Assist Agreement has expired. The City shall have no obligation or liability relating to the collection or payment of Endeavour to Assist Payments following the termination of the Endeavour to Assist Agreement.

The Initial Developer shall acknowledge that the City is not responsible for the payment of any Endeavour to Assist Payments to the Initial Developer if Future Benefitting Lands do not develop within the term of the Endeavour to Assist Agreement.

Upon execution of an Endeavour to Assist Agreement, the City shall register an interest on the title against the Future Benefitting Lands in favour of the City specifying that those lands' development is subject to Endeavour to Assist payment.

All developers are cautioned that the standards and levels of service required by the City of Regina change from time to time. As a result, the City does not and cannot guarantee that the services provided under the Endeavour to Assist Agreement will meet the standards required at the time of subdivision approval, development permit or building permit issuance for the Future Benefitting Lands.

If the capacity of infrastructure originally intended for the Future Benefitting Lands is no longer available due to development that has occurred, then the City shall not collect funds from the Future Developers to contribute to the Initial Developer's costs for that infrastructure.

The City may require additional Infrastructure Services when the Future Benefitting Lands develops. The Future Developer will be responsible for all such costs relating to the Future Benefitting Lands as applicable at that time.

8.0 Established Area Policy

8A Established Area Development Charges

Development within the Established Area shall be exempt from the imposition and collection of Servicing Agreement Fees and Development Levies. With respect to any Development on lands located within the Established Area that result in Intensification, the City shall annually transfer the incremental municipal tax revenue from any such Development to the Intensification Infrastructure Reserve to fund the infill share of the Capital Projects as identified in the Capital Project List.

8B Established Area Agreements

Notwithstanding the exemption established by section 8A, applicants for development permits within the Established Area may be required to enter into a Servicing Agreement or Development Levy Agreement with respect to matters other than the payment of fees that may be required for development. The Developer must adhere to all requirements and conditions that form part of the Development Permit approval and such conditions or requirements may form part of any agreement required by this section.

9.0 Capital Projects

Many required Infrastructure Services are excluded from the calculation of Servicing Agreement Fees and Development Levies. These include Infrastructure Services that a Developer must install or construct under a Servicing Agreement as provided in section 172(3)(a) of *The Planning and Development Act, 2007*. Services that provide for Excess Infrastructure Capacity may be eligible for inclusion within the Endeavour to Assist Agreement as per Section 7.B.4 of this Policy.

The detailed list of projects the costs of which are included for recovery is developed by City Administration based on technical studies and infrastructure master plans and reviewed in consultation with development industry members. The City will consider additional projects proposed by individual developers subject to review and consideration against the criteria established in this Policy.

9A Costs Eligible for Payment with Development Charges

Appendix A outlines projects that are eligible for payment with Servicing Agreement Fees and Development levies.

The Funding Criteria and Summary Charts within Appendix A are intended to cover the majority of typical wastewater, water, drainage and other utility services, roads and other related infrastructure, or park and recreational facilities that the

Developer may encounter which are either not funded or funded in whole or in part by Servicing Agreement Fees or Development Levies.

Infrastructure projects, studies, designs and models that are not outlined in Appendix A are not funded by Servicing Agreement Fees or Development Levies unless determined by the Executive Director or delegate and subject to compliance with the requirements of section 169 and 172(3)(b) of the Act.

Infrastructure projects, studies, designs and models that are not outlined in Appendix A that are required for subdivision and development as determined by the Executive Director or delegate, for, within, adjacent to or extending to the subdivision or development boundaries shall be assumed to be funded 100 per cent by the Developer.

Infrastructure projects, studies, designs and models not outlined in Appendix A that are not required for one or more specific development or overall growth of the City shall be assumed to be funded 100 per cent by the City.

Infrastructure projects required for subdivision and development but are deemed interim services until a permanent solution is constructed and in operation shall be funded 100 per cent by the Developer, including the interim services' ongoing operational and maintenance costs unless determined otherwise by the Executive Director or delegate. Construction of interim services does not preclude the Developer from making a financial contribution to a permanent servicing solution.

Upgrades constructed within, adjacent to or extending to the development boundaries to provide service shall be 100 per cent funded by the Developer.

9B Determining Cost Share

For each Capital Project, the Administration must allocate eligible costs between the Greenfield Area development and development within the Established Area that results in Intensification. Capital Projects can be allocated based on:

- the expected share of development in the Greenfield Area and to Intensification within the Established Area;
- attributed 100 per cent to the development of the Greenfield Area; or
- attributed to 100 per cent to Intensification of the Established Area.

The Executive Director is authorized to determine how Capital Projects are allocated, applying the following criteria:

- projects that primarily facilitate the development of the Greenfield Area should be allocated 100 per cent to Greenfield Development.
- projects that primarily facilitate Intensification within the Established Area should be allocated 100 per cent to Intensification.

- projects required to facilitate growth in general and provide a citywide benefit should be allocated to both development of the Greenfield Area and Intensification within the Established Area based on their share of growth.

Capital Projects are considered to provide a citywide benefit if they meet any of the following criteria:

- projects that serve the broader city population, such as, but not limited to, a water treatment plant or wastewater treatment plant;
- studies or plans that consider the City as a whole instead of a specific area, such as a neighbourhood;
- transportation projects that add capacity and are within the area bound by the expressway portions of Lewvan / Pasqua and the Ring Road / 9th Avenue North or as determined by the Executive Director but not including projects 'on' the expressway portions of Ring Road or Lewvan Drive / Pasqua Street (as shown in Appendix B); or
- parks and recreation projects that provide new municipal level services, serving most areas of the City, including Greenfield Areas and Established Areas.

For projects that are allocated based on the share of development, the formula for calculating greenfield and intensification shares are:

$$\begin{aligned} \text{Intensification Share} &= \frac{\text{Assumed Intensification Hectares}}{\text{Greenfield Hectares} + \text{Assumed Intensification Hectares}} \\ \text{Assumed Intensification Hectares} &= \text{Greenfield Residential Hectares} * \frac{\text{Intensification Population Share}}{\text{Greenfield Population Share}} \\ \text{Greenfield Share} &= 100 \text{ Per Cent} - \text{Intensification Share} \end{aligned}$$

9C Estimate of Costs

The Administration shall project capital costs associated with projects funded by Servicing Agreement Fees and Development Levies for 25 years into the future. If an individual development requires a Capital Project in advance of the project being triggered or planned for by the City to accommodate overall growth, funding of the project either in whole or in part, including land acquisition, shall become 100 per cent funded by the Developer.

9.C.1 Infrastructure

Costs of the infrastructure shall be determined by using values expressed in studies or reports. Costs will be inflated annually using the same inflation rate

determined in the Development Charges Financial Cash Flow Model. Costs will assume a rate of 13.5 per cent for consulting services when they are assumed as part of the project estimate.

Grants for capital projects shall be addressed as follows:

$$\text{Net Project Cost} = \text{Total Project Cost} - \text{Confirmed Grant Amount}$$

- Net Project Cost is used in determining Servicing Agreement Fees or Development Levies.
- if the grant amount is unknown or not confirmed, the Total Project Cost is used in determining Servicing Agreement Fees or Development Levies.
- if the project is dependent on receiving a grant and will not proceed without the grant amount, the Net Project Cost is used in determining Servicing Agreement Fees or Development Levies.

Alternative funding sources for capital projects shall be addressed as follows:

$$\text{Net Project Cost} = \text{Total Project Cost} - \text{Alternative Funding Amount}$$

- If a regional service partner has agreed to pay for a portion of the capital costs of a project, the Net Project Cost is used in determining Servicing Agreement Fees or Development Levies.
- Community Contributions are considered a City general fund contribution, not an alternative funding amount.

9.C.2 Land

Cost of the land required for services that developers are required to construct within, adjacent to, or extending to the development boundaries, whether through acquisition, dedication, easement or other legal mechanisms, shall be 100 per cent funded by the Developer.

All lands required for Capital Projects that directly or indirectly support the City's growth shall be 100 per cent funded by the Servicing Agreement Fees or Development Levies.

Land value shall be determined by a Professional Appraiser as defined by the Appraisal Institute of Canada.

10.0 Fund Management

In accordance with the Act, the City maintains multiple Servicing Agreement Fee/Development Levy deferred revenue accounts. The accounts record revenue and expenditures for three specific areas, Utility, Roads, Parks and Administration. Utility related fees include, but are not limited to, water, wastewater and drainage projects. The Administration costs are recognized annually based on confirmed

actual expenditures. These accounts are kept separate and apart from other funds. These amounts will be recognized as revenue once earned as determined by Public Sector Accounting Board standards.

Interest is calculated annually on the combined balance of the Servicing Agreement Fee/Development Levy deferred revenue accounts in accordance with principles as provided in Section 10.A.1 of this Policy. The Administration shall include the repayment plus interest terms of external and internal borrowing in calculating the rate.

While it may not be possible always to maintain these deferred revenue balances in a positive position, the City should make best efforts to achieve this.

10A Development Charges Financial Cash Flow Model

To ensure the most effective, efficient and economical use of available cash, the City operates a cash flow model. The model supports the planning and forecasting of available funding for Capital Projects. The model incorporates the impacts of interest on reserves, inflation on Capital Projects and expenditures and revenue projections related to growth trends.

The City will prepare an annual report indicating the reconciliation of completed Capital Projects within the Development Charges Financial Cash Flow Model. This report shall be shared publicly and made available to developers.

The Development Charges rates set forth by Section 7A of the Policy are reviewed from time to time and presented to Council for approval.

The review will include:

- consultation with development industry members;
- review of the current Servicing Agreement Fee balance and interest due;
- determination of pace of development to establish the Capital Projects list and developable area;
- the current population and population projections to calculate appropriate funding splits for new projects added to the list;
- review of greenfield development Capital Projects to calculate the greenfield rate;
- review of citywide development Capital Projects to ensure cost estimates, capacity and timing are accurate to calculate both the greenfield rate and portion of Capital Projects funded through the Established Area Policy (section 8);
- review for alignment to Master Plans and OCP Growth Phasing;

- adjustment, addition, and removal of Capital Projects projected over the 25-year time horizon; and
- indexing for inflation.

10.A.1 Inflation Rates and Interest Rates

The City determines the inflation rate that will be applied to project costs at least every two years. If the City does not have the expertise to determine the inflation rate, an external consultant will be contracted, and a report will be commissioned.

This inflation rate will be applied to inflate capital project costs over time and inflate Servicing Agreement Fees and Development Levies over time. This rate will also index Servicing Agreement Fee rates and Development Levy rates in years between the commissioned report.

The City will determine the assumed interest rate for the interest generated and paid based on the City of Regina Debt Management Policy and supporting procedures. The rate will accurately reflect the repayment plus interest terms of any external and internal borrowing for capital projects and will be included in calculating the rate.

10.A.2 Opening Balance

The Administration shall set the opening balance within the Model by referencing the year-end cash balance from the accounts referenced in Section 10.0. If a regional partner has agreed generally to pay Servicing Agreement Fees, in whole or in part, the opening balance will reflect the revenue from the regional partner for future rate calculations.

The result is utilized as the 'Opening Balance' for the Servicing Agreement Fee and Development Levy rate calculation.

10.A.3 Revenue Projections

The City shall establish 25-year projections for the Intensification of the Established Area and development of the Greenfield Area. These trends should be based on recent growth estimates and detailed growth studies, and growth policy.

To estimate the revenue from Industrial Development, the calculation model will use the projected Industrial growth divided by three (3) to reflect the exemption in Industrial Development fees.

The value of outstanding Servicing Agreement Fees and Development Levies to be collected is established through a review of executed Servicing Agreement and Development Levy Agreements. The cash flow model represents these expected

revenues as annual payments in the year in which the payments are due. These scheduling of these payments are subject to Section 7.B.2 and 8.B.2 of this Policy.

10.A.4 Expense Projections

The City shall establish 25-year projections for the expected expenditures related to the delivery of growth-related Capital Projects listed in the model. The existing Capital Project List for each infrastructure type shall be reviewed and updated as per Section 9.0 of this Policy.

The adjustments should reflect new information based on updated studies, master plans, updated current year cost estimates and the timing required to allocate capital project funding as influenced by the pace of growth and other factors. Cost allocations for any projects added must conform to the criteria detailed in Appendix A of this Policy.

The sum of total projected costs allocated to Greenfield growth and Intensification should be quantified separately and based on the cost-share determined by Section 9B of this Policy.

10.A.5 Servicing Agreement Fees and Development Levy Rate Calculation

The City imposes Servicing Agreement Fees and Development Levies in accordance with Section 6B of the Policy. These fees are collected to offset the Capital Project List costs for both the greenfield and the established areas of the City.

10.A.5.1 Greenfield Rate

The estimated per hectare Servicing Agreement Fee and Development Levy rate for the Greenfield Areas shall be calculated as follows:

$$\text{Greenfield Estimated Rate} = \frac{\text{Total Greenfield Costs}}{\text{Total Greenfield Hectares}}$$

Total Greenfield Costs are determined by the sum of the projected costs for greenfield areas as per Section 10.A.4. Total Greenfield Hectares is the sum of the hectares for the remaining unsubdivided Greenfield Area.

The final greenfield rate shall be rounded to the nearest one thousand dollars (\$1,000).

10.A.5.2 Administration Rate

The Administration costs associated with subdivision and development is estimated with the following formula:

$$\text{Estimated Annual Administration Costs} = \frac{\text{Total SAF Administration Costs}}{\text{Estimated Annual Amount of Development}}$$

The administration costs are recognized annually based on confirmed actual expenditures.

11.0 Policy Review

This Policy is to be reviewed once every five years. The Administration may also review it upon request by Council or as directed by the Executive Director.

12.0 Reviews

| Date of Policy Owner's Review | High-Level Description |
|-------------------------------|--|
| 1996/12/16 | Initial Release (Report CR96-311). |
| 1997/03/24 | Revised by Resolution of City Council (Report CR97-81). |
| 2010/11/29 | Revised by Resolution of Council (Report CR10-105). |
| 2015/12/14 | Revised by Resolution of City Council to add 6.15 and 6.16 (Report CM15-14). |
| 2017/11/27 | Revised by Resolution of Council to add Appendix A (Report CR17-121). |
| 2020/02/26 | Revised to update Endeavour to Assist (Report CR20-12). |
| 2021/04/28 | Revised by Resolution of Council (Report CR21-73) |

13.0 Amendments

| Date of Council Decision | Council Report # | Main Committee | Date of Main Committee Review | Description |
|--------------------------|------------------|---------------------|-------------------------------|--|
| 2018/04/30 | CR18-40 | Executive Committee | 2018/04/18 | Clarified application of Endeavour to Assist Policy to sanitary pump or lift stations. |
| 2018/06/25 | CR18-55 | Executive Committee | 2018/06/13 | Revised to reflect terms for collecting intensification levies. |
| 2021/04/29 | CR21-73 | Executive Committee | 2021/04/21 | Introduced new amalgamated policy |
| 2021/11/24 | CR21-161 | Executive Committee | 2021/11/17 | Revised to remove the Intensification Levy |

14.0 Appendix A: Funding Criteria and Summary Charts

The Funding Criteria and Summary Charts include numbered references, which are outlined below.

- (1) the funding criteria specified in this table do not supersede any previous arrangements for Capital Projects that have been agreed to in writing by the City and the Developer before the Policy's effective date.
- (2) **SAF / DL** refers to Servicing Agreement Fee / Development Levy funding percentage share of funding infrastructure work.
- (3) **Dev.** refers to Developer funding percentage share of funding infrastructure works.
- (4) **City** refers to the funding percentage share of funding infrastructure work through general or utility capital allocations through the budget process. In this case, City does not refer to funding percentage share by the City where the City is acting as a developer.
- (5) Applicability of per cent share determined will apply to engineering design, construction and commissioning. Construction may include but is not limited to temporary and permanent materials and excavations. Level of Service improvements for existing development is not intended to be provided for by Servicing Agreement Fee / Development Levy Funding unless it is demonstrated a project has been deferred and subsequently growth has deteriorated the current population level of service.
 - a. New Pop. = New Population Growth intended to be serviced by project
 - b. Ext. Pop. = Existing Population intended to be serviced by a project that may directly or indirectly benefit from new or improvements to existing infrastructure.
 - c. Total Pop. = New Population + Existing Population
 - d. Should a project only be intended to service a New Population, then Servicing Agreement Fee / Development Levy Funding = 100 per cent.
 - e. In the absence of any substantiated population actuals or estimates, the administration may utilize a default placeholder funding split share of 30 per cent SAF/DL Funding, 70 per cent City Funding in the interim to calculate a SAF/DL Rate.
- (6) Upgrades to existing Arterial Roads, Intersections and Traffic Signals shall deduct the rehabilitation cost from the gross cost if rehabilitation is warranted within three (3) years from the time the capacity increases are triggered to maintain a targeted level of service.

| Sanitary Sewer Infrastructure Projects ⁽¹⁾ | | | | | |
|---|---|-------------------------|---------------------|---------------------|--|
| Description | Location | Funding Split (%) | | | Comments |
| | | SAF / DL ⁽²⁾ | Dev. ⁽³⁾ | City ⁽⁴⁾ | |
| Sanitary Service Connection | Internal / External to development boundaries | 0% | 100% | 0% | |
| New Sanitary Main | Internal / External to development boundaries. External is where an extension is required to service one or more contiguous new development(s). | 0% | 100% | 0% | |
| New Sanitary Trunk Main | Internal/External to development boundaries and intended to serve one or more contiguous specific new developments. May provide service level improvement for existing residents. | 0% | A ⁽⁵⁾ | B ⁽⁵⁾ | A = (New Pop / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |
| New Sanitary Trunk Main | Internal/External to development boundaries, and not intended to serve one or more contiguous specific new developments but required to accommodate overall growth. May provide service level improvement for existing residents. | A ⁽⁵⁾ | 0% | B ⁽⁵⁾ | A = (New Pop / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |
| Existing Sanitary Trunk Main Upgrades | Internal/External to development boundaries and intended to serve one new development. May provide service level improvement for existing residents. | 0% | A ⁽⁵⁾ | B ⁽⁵⁾ | A = (New Pop / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |
| Existing Sanitary Trunk Main Upgrades | Internal/External to development boundaries, and not intended to serve one or more contiguous specific new developments but required to accommodate overall growth. May provide service level improvement for existing residents. | A ⁽⁵⁾ | 0% | B ⁽⁵⁾ | A = (New Pop / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |
| New Sanitary Mains and Trunk Mains Oversizing | Internal / External to development boundaries. Oversizing is required to service one or more contiguous new development(s). | 0% | 100% | 0% | |
| New Sanitary Pump Stations (with or without storage) | Internal / External to development boundaries where a station is required to service one or more contiguous new development(s). May provide service level improvement for existing residents. | 0% | A ⁽⁵⁾ | B ⁽⁵⁾ | A = (New Pop / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |

| Sanitary Sewer Infrastructure Projects ⁽¹⁾ | | | | | |
|--|---|-------------------------|---------------------|---------------------|---|
| Description | Location | Funding Split (%) | | | Comments |
| | | SAF / DL ⁽²⁾ | Dev. ⁽³⁾ | City ⁽⁴⁾ | |
| New Sanitary Pump Stations (with or without storage) | Internal / External to development boundaries, and not intended to serve one or more contiguous specific new developments but required to accommodate overall growth. May provide service level improvement for existing residents. | A ⁽⁵⁾ | 0% | B ⁽⁵⁾ | A = (New Pop. / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |
| Existing Sanitary Pump Station Upgrades (with or without storage) | Internal / External to development boundaries where an existing station is required to be upgraded to service one or more contiguous new development(s). May provide service level improvement for existing residents. | 0% | A ⁽⁵⁾ | B ⁽⁵⁾ | A = (New Pop. / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |
| Existing Sanitary Pump Station Upgrades (with or without storage) | Internal / External to development boundaries, and not intended to serve one or more contiguous specific new developments but required to accommodate overall growth. May provide service level improvement for existing residents. | A ⁽⁵⁾ | 0% | B ⁽⁵⁾ | A = (New Pop. / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |
| Existing Sanitary Storage, Conveyance or Treatment Facility Upgrades | Internal / External to development boundaries, and not intended to serve one or more contiguous specific new developments but required to accommodate overall growth. May provide service level improvement for existing residents. | A ⁽⁵⁾ | 0% | B ⁽⁵⁾ | A = (New Pop. / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |
| New Sanitary Storage, Conveyance or Treatment Facilities | Internal / External to development boundaries, and not intended to serve one or more contiguous specific new developments but required to accommodate overall growth. May provide service level improvement for existing residents. | A ⁽⁵⁾ | 0% | B ⁽⁵⁾ | A = (New Pop. / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |

| Water Infrastructure Projects ⁽¹⁾ | | | | | |
|--|---|-------------------------|---------------------|---------------------|--|
| Description | Location | Funding Split (%) | | | Comments |
| | | SAF / DL ⁽²⁾ | Dev. ⁽³⁾ | City ⁽⁴⁾ | |
| Water Service Connection ⁽⁶⁾ | Internal / External to development boundaries | 0% | 100% | 0% | |
| New Water Main | Internal / External to development boundaries. External is where an extension is required to service one or more contiguous new development(s). | 0% | 100% | 0% | |
| New Water Trunk Main | Internal / External to development boundaries and intended to serve one or more contiguous specific new developments. May provide service level improvement for existing residents. | 0% | A ⁽⁵⁾ | B ⁽⁵⁾ | A = (New Pop / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |
| New Water Trunk Main | Internal / External to development boundaries, and not intended to serve one or more contiguous specific new developments but required to accommodate overall growth. May provide service level improvement for existing residents. | A ⁽⁵⁾ | 0% | B ⁽⁵⁾ | A = (New Pop / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |
| Existing Water Trunk Main Upgrades | Internal/External to development boundaries and intended to serve one new development. May provide service level improvement for existing residents. | 0% | A ⁽⁵⁾ | B ⁽⁵⁾ | A = (New Pop / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |
| Existing Water Trunk Main Upgrades | Internal/External to development boundaries, and not intended to serve one or more contiguous specific new developments but required to accommodate overall growth. May provide service level improvement for existing residents. | A ⁽⁵⁾ | 0% | B ⁽⁵⁾ | A = (New Pop / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |
| New Water Mains and Trunk Mains Oversizing | Internal / External to development boundaries. Oversizing is required for the development of additional new development. | 0% | 100% | 0% | |
| New Water Pump Stations & Reservoirs | Internal / External to development boundaries where a station is required to service one or more contiguous new development(s). May provide service level improvement for existing residents. | 0% | A ⁽⁵⁾ | B ⁽⁵⁾ | A = (New Pop / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |

| Water Infrastructure Projects ⁽¹⁾ | | | | | |
|---|--|-------------------------|---------------------|---------------------|--|
| Description | Location | Funding Split (%) | | | Comments |
| | | SAF / DL ⁽²⁾ | Dev. ⁽³⁾ | City ⁽⁴⁾ | |
| New Water Pump Stations & Reservoirs | Internal / External to development boundaries, and not intended to serve one or more contiguous specific new developments but required to accommodate overall growth. May provide service level improvement for existing residents. | A ⁽⁵⁾ | 0% | B ⁽⁵⁾ | A = (New Pop / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |
| Existing Water Pump Station & Reservoirs Upgrades | Internal / External to development boundaries where an existing station is required to be upgraded to service one or more contiguous new development(s). May provide service level improvement for existing residents. | 0% | A ⁽⁵⁾ | B ⁽⁵⁾ | A = (New Pop / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |
| Existing Water Pump Station & Reservoir Upgrades | Internal / External to development boundaries, and not intended to serve one or more contiguous specific new developments, but required to accommodate overall growth. May provide service level improvement for existing residents. | A ⁽⁵⁾ | 0% | B ⁽⁵⁾ | A = (New Pop / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |
| New or Existing Water Storage, Conveyance or Treatment Facilities | Internal / External to development boundaries, and not intended to serve one or more contiguous specific new developments but required to accommodate overall growth. May provide service level improvement for existing residents. | A ⁽⁵⁾ | 0% | B ⁽⁵⁾ | A = (New Pop / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |

| Storm Sewer Infrastructure Projects ⁽¹⁾ | | | | | |
|--|--|-------------------------|---------------------|---------------------|--|
| Description | Location | Funding Split (%) | | | Comments |
| | | SAF / DL ⁽²⁾ | Dev. ⁽³⁾ | City ⁽⁴⁾ | |
| Storm Service Connection, Water Quality Source Control Measures and Site Detention | Internal / External to development boundaries | 0% | 100% | 0% | |
| New Storm Sewer Main | Internal / External to development boundaries. External is where an extension is required to service one or more contiguous new development(s). | 0% | 100% | 0% | |
| New Site-Specific Storm Sewer Trunk Main, Lift Station or Channel | Internal / External to development boundaries. External is where an extension is required to service one or more contiguous new development(s). | 0% | 100% | 0% | |
| New Regional Storm Sewer Trunk Main, Lift Station or Channel | Internal/External to development boundaries, and intended to serve land outside the internal boundary by conveying existing and future regional stormwater flows to accommodate overall growth and improve existing residents' service levels. | A ⁽⁵⁾ | 0% | B ⁽⁵⁾ | A = (New Pop / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |
| Existing Storm Sewer Trunk Main, Lift Station, or Channel Upgrades | External to development boundaries, where an extension is required to service one or more contiguous new development(s). | 0% | 100% | 0% | |
| Existing Storm Sewer Trunk Main, Lift Station, or Channel Upgrades | External to development boundaries, and not intended to serve one or more contiguous specific new developments but required to accommodate overall growth and improve existing residents' service levels. | A ⁽⁵⁾ | 0% | B ⁽⁵⁾ | A = (New Pop / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |
| New Storm Sewer Mains, Trunk Mains, Lift Stations or Channel Oversizing | Internal / External to development boundaries. Oversizing is required for the development of additional new development. | 0% | 100% | 0% | |
| New Storm Sewer Detention Ponds and Outlet Infrastructure | Internal / External to development boundaries where a pond and outlet is required to service one or more contiguous new development(s). | 0% | 100% | 0% | |

| Storm Sewer Infrastructure Projects ⁽¹⁾ | | | | | |
|---|---|-------------------------|---------------------|---------------------|--|
| Description | Location | Funding Split (%) | | | Comments |
| | | SAF / DL ⁽²⁾ | Dev. ⁽³⁾ | City ⁽⁴⁾ | |
| New Storm Sewer Retention Ponds and Outlet Infrastructure | Internal / External to development boundaries where a pond and outlet is required to service one or more contiguous new development(s). | 0% | 100% | 0% | |
| New Storm Sewer Non-point Water Quality Control Infrastructure | Internal / External to development boundaries required to service one or more contiguous new development(s). | 0% | 100% | 0% | |
| Existing Storm Sewer Non-point Water Quality Control Infrastructure | External to development boundaries, and not intended to serve one or more contiguous specific new developments but required to accommodate overall growth and improve existing residents' service levels. | A ⁽⁵⁾ | 0% | B ⁽⁵⁾ | A = (New Pop / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |

| Transportation Infrastructure Projects ⁽¹⁾ | | | | | |
|---|---|-------------------------|---------------------|---------------------|----------------|
| Description | Location | Funding Split (%) | | | Comments |
| | | SAF / DL ⁽²⁾ | Dev. ⁽³⁾ | City ⁽⁴⁾ | |
| New or Upgraded Site Access Driveways and Crossings | Internal or External to development boundaries | 0% | 100% | 0% | |
| New Local Roads | Internal / External to development boundaries. External is where an extension or upgrade is required to service one or more contiguous new development(s). | 0% | 100% | 0% | |
| New Collector Roads | Internal / External to development boundaries. External is where an extension or upgrade is required to service one or more contiguous new development(s). | 0% | 100% | 0% | |
| New Arterial Roads | Internal / External to development boundaries. External is where an extension or upgrade is required to service one or more contiguous new development(s). | 0% | 100% | 0% | |
| New or Upgrades to Existing Collector or Arterial Roads – as warranted. | External to development boundaries, and not intended to serve one or more contiguous specific new developments but required to accommodate overall growth. | 100% | 0% | 0% | ⁽⁶⁾ |
| Reconstruction of Existing Roads | External to development and cost of City's portion | 0% | 0% | 100% | ⁽⁶⁾ |
| New or Upgrades to Existing Intersections - Immediate | Internal / External to development boundaries. External is where the intersection provides access into the development boundaries. | 0% | 100% | 0% | ⁽⁶⁾ |
| New or Upgrades to Existing Intersections - Immediate | External to development boundaries where the intersection does not provide direct access into development boundaries but is warranted at the time of development. | 0% | 100% | 0% | ⁽⁶⁾ |
| New or Upgrades to Existing Intersections – as warranted | External to development boundaries where the intersection does not provide direct access into a development boundary and is not warranted at the time of development. Project completed as capacity warrants. | 100% | 0% | 0% | ⁽⁶⁾ |

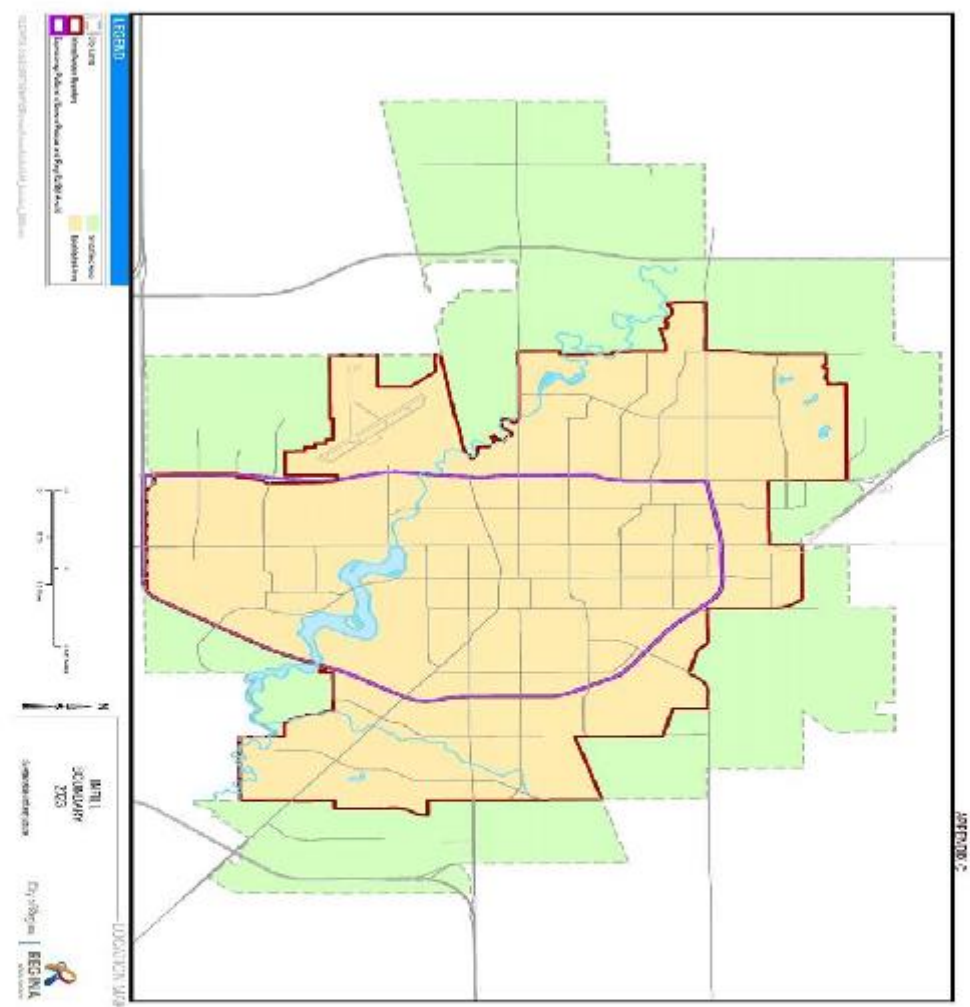
| Transportation Infrastructure Projects ⁽¹⁾ | | | | | |
|---|---|-------------------------|---------------------|---------------------|----------|
| Description | Location | Funding Split (%) | | | Comments |
| | | SAF / DL ⁽²⁾ | Dev. ⁽³⁾ | City ⁽⁴⁾ | |
| New Traffic Signals - Immediate | Internal / External to development boundaries. External is where the intersection provides access into the development boundaries. | 0% | 100% | 0% | |
| New Traffic Signals - Immediate | External to development boundaries where the intersection does not provide direct access into a development boundary but is warranted at the time of development. | 0% | 100% | 0% | |
| New Traffic Signals – as warranted | Internal / External to development boundaries where new signals are not warranted at the time of development. Project completed as capacity warrants. | 100% | 0% | 0% | |
| Grade Separations - immediate | Internal / External to development boundaries. External is where the grade separation provides access into the development boundaries and is warranted by City standards. | 0% | 100% | 0% | |
| Grade Separations – as warranted. | Internal / External to development boundaries where a grade separation is not warranted at the time of development. Project completed as capacity warrants. | 100% | 0% | 0% | |
| Interchanges – immediate | Internal / External to development boundaries. External is where the interchange provides access into the development boundaries and is warranted by City standards. | 0% | 100% | 0% | |
| Interchanges – as warranted. | Internal / External to development boundaries where an interchange is not warranted at the time of development. Project completed as capacity warrants. | 100% | 0% | 0% | |
| Streetscaping - immediate | Internal / External to development boundaries. External is where an extension or upgrade is required to service one or more contiguous new development(s). | 0% | 100% | 0% | |

| Transportation Infrastructure Projects ⁽¹⁾ | | | | | |
|---|--|-------------------------|---------------------|---------------------|--|
| Description | Location | Funding Split (%) | | | Comments |
| | | SAF / DL ⁽²⁾ | Dev. ⁽³⁾ | City ⁽⁴⁾ | |
| Streetscaping – as warranted. | External to development boundaries, and not intended to serve one or more contiguous specific new developments but required to be consistent with streetscape policy but required to accommodate overall growth. | 100% | 0% | 0% | |
| On-Street Bikeways and Multi-Use Pathways | Internal to development boundaries. | 0% | 100% | 0% | |
| On-Street Bikeways and Multi-Use Pathways | External to development boundaries. External is where an extension or upgrade is required to service one new development. | 0% | 100% | 0% | |
| On-Street Bikeways and Multi-Use Pathways | External to development boundaries. External is where an extension or upgrade is required to service two or more new development(s). | 100% | 0% | 0% | |
| On-Street Bikeways and Multi-Use Pathways | External to development boundaries, and not intended to exclusively service any new developments, but required to link overall growth and extend the network to existing neighbourhoods. | A ⁽⁵⁾ | 0% | B ⁽⁵⁾ | A = (New Pop / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |

| Parks and Recreational Facilities Infrastructure Projects⁽¹⁾ | | | | | |
|--|--|-------------------------------|----------------------------|----------------------------|--|
| Description | Location | Funding Split (%) | | | Comments |
| | | SAF / DL⁽²⁾ | Dev. ⁽³⁾ | City ⁽⁴⁾ | |
| Neighbourhood Level Parks and Facilities | Internal to new development boundaries, typically associated with the dedication of Municipal Reserve space. | 0% | 100% | 0% | |
| Zone Level Parks and Facilities | New zone parks and associated recreation facilities within new development areas or capacity upgrades to existing zone parks needed to provide a similar service level to the future population of a new development area. | 100% | 0% | 0% | |
| Municipal Level Parks and Facilities | New or capacity upgrades to existing municipal level parks or recreational facilities (includes off-leash dog parks). | A ⁽⁵⁾ | 0% | B ⁽⁵⁾ | A = (New Pop / Total Pop.) * 100% B = (Ext. Pop. / Total Pop.) * 100% |

| Studies, Modelling, Design Standards, Policy or Specifications | | | | | |
|---|---|-------------------------------|----------------------------|----------------------------|--|
| Description | Location | Funding Split (%) | | | Comments |
| | | SAF / DL⁽²⁾ | Dev. ⁽³⁾ | City ⁽⁴⁾ | |
| Studies, Serviceability, Conceptual, Functional, Pre-Design and Detailed Design | Development proponent required study or design required by the City as part of a development application. | 0% | 100% | 0% | Studies and designs specific to advancing servicing of new development are funded directly by the Developer. |
| Studies, Serviceability, Conceptual, Functional, Pre-Design and Detailed Design | Internal or External to development boundaries intended to provide City regulatory guidance for water, sanitary, storm, roads, parks or recreational facility infrastructure required for growth. | 100% | 0% | 0% | |
| Infrastructure Models | Internal or External to development boundaries intended to provide City regulatory guidance for water, sanitary, storm, roads, parks or recreational facility infrastructure required for growth. | 100% | 0% | 0% | |
| Engineering Specifications, Standards, Policy development or update | Development-driven documents which guide developers and their consultants, either new or updates to existing as the documents pertaining to water, sanitary sewer system, storm sewer system or parks and open space or recreational facilities design. | 100% | 0% | 0% | |

15.0 Appendix B: SAF and DL Boundaries



SCHEDULE B

1. In accordance with section 6 of this Bylaw on or after June 1, 2023, a person who applies for a development permit or a building permit for a proposed development within the Greenfield Area shall pay a development levy based on the following formula:
 - a. $\text{Net Development Area (per hectare)} \times \$319,000 = \text{Total Development Levy for residential and commercial development; and}$
 - b. $\text{Net Development Area (per hectare)} \times \$106,000 = \text{Total Development Levy for industrial development}$

calculated in accordance with the Application of Servicing Agreement Fees and Development Levies as described in Schedule A, being *The Development Charges Policy*.
2. In accordance with section 6 of this Bylaw on or after January 1, 2022, a person who applies for a development permit or a building permit for a proposed development outside of the Greenfield Area shall pay a development levy calculated in accordance with the Application of Servicing Agreement Fees and Development Levies as described in Schedule A, being *The Development Charges Policy*.
(#2021-59, s. 4, 2021, #2021-76, s. 4, 2021, #2022-19, s. 9, 2022, #2023-02, s. 4, 2023)

SCHEDULE C

Repealed (#2021-39, s.12, 2021)

Schedule D

Repealed (#2021-39, s.12, 2021)

ABSTRACT

BYLAW NO. 2011-16

THE DEVELOPMENT LEVY BYLAW, 2011

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| PURPOSE: | The purpose of this Bylaw is to impose and provide for the payment of development levies as well as set out the administrative structure for development levy agreements. |
| ABSTRACT: | This Bylaw allows the City of Regina to impose development levies on those proposed developments that have not been subject to a servicing agreement and that are not located within the exempt area. Development levies are charged so as to reimburse the City for the capital costs associated with the construction, altering, expanding or upgrading of the following expenditures associated directly or indirectly with development: sewage, water or drainage works; roadways and related infrastructure; parks; and recreational facilities. The intent is for the development levies to be the same as the servicing agreement fees. The difference between a servicing fee and a development levy is that servicing fees are triggered where land is subdivided and development levies are triggered where a developer applies for a development permit or building permit. |
| STATUTORY AUTHORITY: | Section 169 of <i>The Planning and Development Act, 2007</i> |
| MINISTER'S APPROVAL: | The Minister's approval is not required pursuant to subsection 170(3) of <i>The Planning and Development Act, 2007</i> because the City of Regina is an approving authority. |
| PUBLIC HEARING: | A public hearing is required pursuant to subsection 207(2) of <i>The Planning and Development Act, 2007</i> between the first and second reading of this Bylaw. |
| PUBLIC NOTICE: | Public Notice is required pursuant to section 207 of <i>The Planning and Development Act, 2007</i> . An advertisement for this bylaw appeared in the Leader Post on July 30, 2011 and August 6, 2011. |
| REFERENCE: | Report EX11-32 from the August 10, 2011 meeting of the Executive Committee. |

AMENDS/REPEALS: New bylaw but does amend *The Regina Administration Bylaw*, Bylaw No. 2003-69

CLASSIFICATION: Administrative

INITIATING DIVISION: Planning and Development

INITIATING DEPARTMENT: Development Engineering