PL202000030 Zoning Bylaw Amendment - The Towns - Lane Access Overlay

Date	May 6, 2020
To	Regina Planning Commission
From	City Planning & Community Development
Service Area	Planning & Development Services
Item No.	RPC20-11

RECOMMENDATION

Regina Planning Commission recommends that City Council:

1. Approve the Zoning Bylaw Amendment for a proposed Lane Access Overlay located at SW1/4 Sec 14, Twp 17, Rge 19, W2, Lots 1 - 18, Block 29, in The Towns Subdivision on the condition that *Regina Zoning Bylaw No. 2019-19* amendment respecting LA - Lane Access Overlay Zone regulations is passed at the May 27, 2020 City Council meeting.

2. Approve these recommendations at its May 27, 2020 meeting.

ISSUE

Terra Developments (the Applicant) on behalf of the City of Regina (the Property Owner) proposes to apply an LA - Lane Access Overlay Zone over an existing RL – Residential Low-Rise Zone under *Regina Zoning Bylaw No. 2019-19* (Zoning Bylaw). This overlay zone allows for front vehicular access for properties that have rear lane access. This development is located within the Towns Subdivision.

The proposal has been reviewed under the applicable provisions of the Zoning Bylaw and *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP).

IMPACTS

Financial Impacts

The subject area currently receives a full range of municipal services, including water, sewer and storm drainage. The applicant will be responsible for the cost of any new, or changes to existing, infrastructure that may be required to directly or indirectly support any proposed development that may follow, in accordance with City of Regina (City) standards and applicable legal requirements.

Policy/Strategic Impact

The proposed development supports the following OCP goals/ policies:

- Section D6, Goal 3, Policy 8.12: Allow for flexibility and adaptability in the design and function of housing and consider enabling regulation to increase innovation within the housing stock to accommodate the changing needs of households.

OTHER OPTIONS

Alternative options would be to:

1. Approve the application with amendments to the plan

2. Refer the proposal back to Administration. If City Council has specific concerns with the proposal it may refer it back to Administration for further review. Referral of the report back to Administration will delay approval of the development until requested information has been gathered or changes to the proposal have been made.

3. Deny the application.

4. If *Regina Zoning Bylaw No. 2019-19* amendment respecting LA – Lane Access Overlay Zone regulations is not passed at the May 27, 2020 City Council meeting, then this application be referred back to Administration for development of a Concept Plan amendment.

The Zoning Bylaw was approved prohibiting front access on residential properties except where the Lane Access Overlay is applied. The Lane Access Overlay can only be approved by City Council. There are no criteria for assessing the eligibility of a specific block, outside of being identified in the Concept Plan and being zoned residential, for the zoning overlay. Therefore, City Council is at full discretion to approve or deny this application for any reason. The City will assess proposals to apply the Lane Access Overlay on a case-by-case basis.

COMMUNICATIONS

The applicant and other interested parties will receive a copy of the report and notification of their right to appear as a delegation at the Council meeting when the application will be considered. The applicant will receive written notification of City Council's decision in accordance with *The Planning and Development Act, 2007*.

DISCUSSION

The Application proposes to apply an LA - Lane Access Overlay Zone over an existing RL – Residential Low-Rise Zone. The underlying RL – Residential Low-Rise Zone was approved by City Council on November 1, 2017 (CR17-112). The proposed development will include two and three-unit developments as Building, Row with both front and rear vehicular access.

This block was approved under *City of Regina Zoning Bylaw No. 9250* (previous zoning bylaw) for development that included front and rear vehicular access (i.e. street and back lane). The lot size and street widths were designed and approved to accommodate these developments. The City of Regina entered into a servicing agreement with the applicant allowing for front and rear vehicular access.

Clause 8M.2(1)(b) of the new Zoning Bylaw requires a LA - Lane Access Overlay Zone to be identified within the Concept Plan or Secondary Plan. Due to the existing servicing agreement, Administration is recommending that a Concept Plan Amendment is not needed. Administration is considering an amendment to section 8M.2(1)(b) of *Zoning Bylaw 2019-19* under a separate report to remove the requirement that the Concept Plans or Secondary Plans identify locations for front and rear access as it can be assessed through rezoning applications.

The proposal being brought forward in this report is conditional on the approval of that Zoning Bylaw amendment. If that amendment is not approved by City Council, then this application will need to be referred back to Administration for development of a Concept Plan amendment. This is the first LA - Lane Access Overlay Zone to be applied since the adoption of *Regina Zoning Bylaw No. 2019-19.*

In accordance with the public notice requirements of *The Planning and Development Act, 2007,* neighbouring property owners within 75 metres of the proposed development received written notice of the application and a sign was posted on the subject site. Administration did not receive any comments from the community regarding the proposed development. The Arcola East Community Association was contacted but did not respond.

This application is deemed to be in compliance with all applicable policies, height, setbacks, landscaping, site coverage and other regulations, and procedures regarding communications and engagement.

DECISION HISTORY

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

Respectfully submitted,

Fred Scarlo, Director, Planning & Development Services 4/30/2020

Respectfully submitted,

Diana Hawryluk, Executive Director, City Planning & Community Dev. 4/30/2020

Prepared by: Michael Sliva, City Planner II

ATTACHMENTS

PL202000030 Appendix A-1
PL202000030 Appendix A-2