



REGINA PLANNING COMMISSION

**Wednesday, August 3, 2016
4:00 PM**

Henry Baker Hall, Main Floor, City Hall



Office of the City Clerk

**Public Agenda
Regina Planning Commission
Wednesday, August 3, 2016**

Approval of Public Agenda

Minutes of the meeting held on July 7, 2016.

Administration Reports

RPC16-43 Discretionary Use Application (15-DU-27) – Extension of Approval - Shopping Centre at 4501 Armour Road

Recommendation

1. That the Discretionary Use application for a Shopping Centre located at 4501 Armour Road, being Parcel A, Lots PCL be approved and that a Development Permit be issued subject to the following conditions:
 - a. The development shall be consistent with the plans attached to this report as Appendix A3.1 to A.3.3 inclusive, prepared by McElhanney Consulting Services Ltd. and dated June 13, 2013; and
 - b. The development shall comply with all applicable standards and regulations in *The Zoning Bylaw No. 9250*
2. That this report be forwarded to the August 29, 2016 meeting of City Council for approval.

RPC16-44 Discretionary Use Application (16-DU-13) Shopping Centre – 600 East Victoria Avenue

Recommendation

1. That the Discretionary Use Application for a proposed Shopping Centre located at 600 East Victoria Avenue, being Lot/Parcel L, Plan No. 102004434, Ext 1, Tuxedo Park Subdivision be approved, and that a Development Permit be issued subject to the following conditions:
 - a. The development shall be consistent with the plan attached to this report as Appendix A-3.1 prepared by PDSS Inc. and dated April 2016 and last revised on June 6, 2016; and
 - b. The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.
2. That this report be forwarded to the August 29, 2016 meeting of City Council for approval.



Office of the City Clerk

RPC16-45 Discretionary Use Application (16-DU-15) Proposed Mixed-Use Building – 1440 11th Avenue

Recommendation

1. That the Discretionary Use application for a Mixed-Use Building, three restaurants with less than 50 seats and a grocery store located at 1440 11th Avenue, being Condo Plan 102176715 Ext 0, Old 33 be approved, and that a Development Permit be issued subject to the following conditions:
 - a) The development shall be consistent with the plans attached to this report as Appendix A-3.1 to A-3.5 inclusive, prepared by KRN Tolentino Architecture Ltd. and dated May 17 and June 21, 2016;
 - b) The applicant shall provide a 1.8 metre high fence or masonry wall along the north property line to ensure visual screening and buffering requirements; and
 - c) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.
2. That this report be forwarded to the August 29, 2016 meeting of City Council for approval.

RPC16-46 Discretionary Use Application (16-DU-08) Religious Institution – 2318 East Assiniboine Avenue

Recommendation

1. That the Discretionary Use Application for a proposed Religious Institution located at 2318 East Assiniboine Avenue, Block/Parcel B, Plan 86R27624 Ext 5, Richmond Place Subdivision be approved and that a Development Permit be issued subject to the following conditions:
 - a) The development shall be consistent with the plans attached to this report as Appendix A-3.1 and A-3.2 submitted along with the Discretionary Use Application form;
 - b) The Religious Institution shall accommodate no more than 20 patrons (seats) at one time; and
 - c) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.
2. That this report be forwarded to the August 29, 2016 meeting of City Council for approval.

Adjournment

AT REGINA, SASKATCHEWAN, THURSDAY, JULY 7, 2016

AT A MEETING OF THE REGINA PLANNING COMMISSION
HELD IN PUBLIC SESSION

AT 4:00 PM

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

Present: Councillor Mike O'Donnell, in the Chair
Councillor Jerry Flegel
Councillor Barbara Young
Phil Evans
Simon Kostic
Adrienne Hagen Lyster
Ron Okumura
Daryl Posehn
Laureen Snook
Kathleen Spatt

Regrets: Pam Dmytriw

Also in Attendance: Council Officer, Elaine Gohlke
Solicitor, Cheryl Willoughby
Director of Planning, Shauna Bzdel
Manager, Current Planning, Fred Searle
Manager, Development Engineering, Dustin McCall
Senior City Planner, Autumn Dawson
Senior City Planner, Ben Mario

APPROVAL OF PUBLIC AGENDA

Phil Evans moved, AND IT WAS RESOLVED, that the agenda for this meeting be approved, as submitted, and that the items and delegations be heard in the order they are called by the Chairperson.

ADOPTION OF MINUTES

Simon Kostic moved, AND IT WAS RESOLVED, that the minutes for the meeting held on June 8, 2016 be adopted, as circulated.

ADMINISTRATION REPORTS

RPC16-36 Application for Discretionary Use (16-DU-10) Restaurant – 1501 11th Avenue

Recommendation

1. That the Discretionary Use Application for a proposed Restaurant located at 1501 11th Avenue, being Lots 35-40, Block 301, Old 33 be approved, and that a Development Permit be issued subject to the following conditions:
 - a) The development shall be consistent with the plans attached to this report as Appendix A-3.1 to A-3.3 inclusive, prepared by Haipeng Guan and dated April 27, 2016; and
 - b) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.
2. That this report be forwarded to the July 25, 2016 meeting of City Council for consideration and approval.

Haipeng Guan and Winnie Leung addressed the Commission.

Kathleen Spatt moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in.

RPC16-37 Contract Zone Application (16-CZ-03) - Additional Dwelling Units in Existing Low-Rise Apartment Building - 1914, 1920 and 1924 Halifax Street

Recommendation

1. That the application to amend *Regina Zoning Bylaw No. 9250* by amending an existing C-Contract Zone Agreement for 1914, 1920 and 1924 Halifax Street, being Lots 34, 36, 37, 41 & 42 in Block 349, Plan No. Old 33 to increase the number of dwelling units within a Low-Rise Apartment Building approved under the conditions of the Agreement from 39 to 45 be approved and that the amended Contract Zone Agreement between the City of Regina and the applicant/owner of the subject properties be executed.
2. That further to recommendation 1, the proposed Contract Zone Agreement shall include the following terms:
 - a. The development shall conform to the attached plans labelled Appendix A-3.1 to A-3.3, prepared by Walker Projects dated November 15, 2015;

- b. Any zoning related detail not specifically addressed in the Contract Zone Agreement shall be subject to applicable provisions of the *Regina Zoning Bylaw No. 9250*; and
 - c. The Agreement shall be registered in the City of Regina's interest at the applicant's cost pursuant to Section 69 of *The Planning and Development Act, 2007*.
3. That the City Solicitor be directed to prepare the necessary bylaws to authorize the respective *Regina Zoning Bylaw No. 9250* amendment.
 4. That this report be forwarded to the July 25, 2016 City Council meeting for approval, which will allow sufficient time for advertising of the required public notices for the respective bylaws.

Stephen Onda, representing Sundog Developments Ltd., addressed the Commission.

Adrienne Hagen Lyster moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in.

RPC16-38 Zoning Bylaw Amendment Application (16-Z-05) - Former Diocese of Qu'Appelle Lands Direct Control District (DCD-9) - Amendment to Low-Density Residential Policy Area – Supportive Living Homes

Recommendation

1. That the proposed amendment to Direct Control District (DCD-9) Former Diocese of Qu'Appelle Lands of the *Regina Zoning Bylaw No. 9250* be approved as follows:
Section 3.15 (5)(b) Low-Density Residential Policy Area, Permitted Use:
 - ☐ Supportive Living Home to a maximum of twenty persons (notwithstanding the limitation to ten persons in the definition)
2. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment; and
3. That this report be forwarded to the July 25, 2016 City Council meeting for approval, which will allow sufficient time for advertising of the required public notices for the respective bylaws.

Liam Clarke and Piper New, representing Fiorante Homes & Commercial Ltd., addressed the Commission.

Councillor Flegel moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in.

RPC16-39 Discretionary Use Application (16-DU-11) Shopping Centre – Chuka
Drive in the Greens on Gardiner

(Laureen Snook declared a conflict of interest on this item, citing her employment with Crosby Hanna & Associates, abstained from discussion and voting and temporarily left the meeting.)

Recommendation

1. That the discretionary use application for a proposed Shopping Centre located on the east side of Chuka Boulevard, being portion of SE-11-17-19-2, Block A, Plan 101880277 Ext 1, be approved, and that a Development Permit be issued subject to the following conditions:
 - a) The development is contingent on subdivision approval of the subject lots and subsequent title creation.
 - b) The development shall be consistent with the plans attached to this report as Appendix A-3.1, prepared by DIALOG and dated June 1, 2016.
 - c) The development shall comply with all applicable standards and regulations in the *Regina Zoning Bylaw No. 9250*.
2. That this report be forwarded to the July 25, 2016 meeting of City Council for approval, which will allow sufficient time for advertising of the required public notices for the respective bylaws.

The following addressed the Commission:

- Chad Novak;
- Lorne Yagelniski, representing Yagar Developments; and
- Blair Forster, representing Forster Projects, and Denis Jones, representing Deveraux Developments.

Ron Okumura moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in.

(Laureen Snook returned to the meeting.)

RPC16-40 Discretionary Use Application (16-DU-12) – Live/Work Units - Zoning
Amendment Application (16-Z-03) Westerra Phase 1 Stage 1A

Recommendation

1. That the application to rezone proposed Lots 23A, 24, 25A in Block 1, Lots 23A, 24, 25A in Block 2 and Lot 20A in Block 3, located within

the Westerra Concept Plan Area, which is part of the N ½ Section 21-17-20 W2M as shown on the attached plan of proposed subdivision (Appendix A-3), from UH - Urban Holding Zone to R5- Residential Medium Density Zone, be approved.

2. That the Discretionary Use for the proposed Live/Work Units located on Lot 23A, Block 1 and Lot 23A, Block 2 in the Westerra Subdivision be approved subject to the following conditions:
 - a. The development shall be consistent with the plans attached to this report as Appendix A-5.1-5.3 inclusive.
 - b. That the Live/Work Units are subject to *The Licensing Bylaw, 2007* and the *2010 National Building Code* for Mixed Use Buildings, or equivalent;
 - c. The development is contingent on subdivision approval of the subject lots and subsequent title creation; and
 - d. The development shall comply with all applicable standards and regulations in the *Regina Zoning Bylaw No. 9250*.
3. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective *Regina Zoning Bylaw No. 9250* amendment.
4. That this report be forwarded to the July 25, 2016 meeting of City Council for approval, which will allow sufficient time for advertising of the required public notices for the respective bylaws.

Munir Haque, representing Harvard Developments Ltd., addressed the Commission.

Kathleen Spatt moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in.

P16-41	Concept Plan Amendment (15-CP-08) - Zoning Amendment Application (15-Z-18) - SomerSet Phase 1
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Recommendation

1. That the application to amend the SomerSet Concept Plan depicted in Appendix A-3.1 to A-3.7, by replacing the phasing plan in Appendix A-3.7 and the land use plan for Phase 1 in A.3.1 with the proposed Phasing and Land Use Plan contained in Appendix A-4 and by removing Appendix A-3.2 and 3.4 to 3.6 inclusive from the Concept Plan, be approved.
2. That the *Regina Zoning Bylaw No. 9250* be amended by rezoning from UH - Urban Holding:

- a. Block 27, Lots 50-86, Block 28, Lots 87-119 and Block 29, Lots 1-13 to DCD 12 - Direct Control District Suburban Narrow Lot Residential.
- b. Block 24, Lots 121-172 to R5 (RW13.5) - Residential Medium Density (Railway Setback Overlay Zone).
- c. Block 26, Lots 14-48 to R5 - Residential Medium Density.
- d. Block 24, Lot 120 to R6 (RW13.5) - Residential Multiple Housing (Railway Setback Overlay Zone).
- e. Block 26, Lot 49 to R6 - Residential Multiple Housing.
- f. Block 48 to DSC (RW13.5) - Designated Shopping Centre (Railway Setback Overlay Zone).
- g. MR3, MU1, MB6 and MB7 to PS - Public Service.

within Phase 1 of the SomerSet Concept Plan Area, which is part of the NE 06-18-19 W2M and SW 07-18-19-W2M as shown on the attached plan of proposed subdivision (Appendix A-5).

3. That the *Regina Zoning Bylaw No. 9250* be amended by adding the Railway Setback Overlay Zone, as stated in Appendix B-1.
4. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective *Regina Zoning Bylaw No. 9250* amendments.
5. That this report be forwarded to the July 25, 2016 City Council meeting for approval to allow sufficient time for advertising of the required public notice for the respective bylaws.

James Pernu, representing Earth King Investments, made a PowerPower presentation, a copy of which is on file in the Office of the City Clerk.

Councillor Flegel moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in.

RPC16-35 Closure Application (16-CL-02) Lane Adjacent to 2833 Angus Street

(Laureen Snook declared a conflict of interest on this item, citing her employment with Crosby Hanna & Associates, abstained from discussion and voting and temporarily left the meeting.)

Recommendation

1. That the application for the closure and sale of a portion of lane within Plan BC1132 as shown on the attached plan of proposed subdivision

(Appendix A-3) prepared by Malcolm Vanstone, dated February 11, 2016 and legally described as follows, be approved:

“Proposed subdivision of part of Lane (Plan BC1132) and consolidation with Lot 12, Block 510, Plan BC1132 & Lot 45, Block 510, Plan 101162933 within NE 13-17-20-W2M in Regina Saskatchewan”

2. That the City Solicitor be directed to prepare the necessary bylaw.
3. That this report be forwarded to the July 25, 2016 City Council meeting for approval, which will allow sufficient time for advertising of the required public notice for the respective bylaw.

Councillor Flegel moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in.

(Laureen Snook returned to the meeting.)

RECESS

Adrienne Hagen Lyster moved, AND IT WAS RESOLVED, that the Commission recess until 6:15 p.m.

The Commission recessed at 6:10 p.m.

(Councillor Flegel left the meeting.)

The Commission reconvened at 6:18 p.m.

RPC16-42 Official Community Plan Amendment, Zoning Amendment and Discretionary Use Applications (15-OCP-02) – Mixed-Use Building 3504 13th Avenue and 2064 Elphinstone Street

Recommendation

1. That the following amendment to the Cathedral Area Neighbourhood Plan, being Part B.6 of *Design Regina: The Official Community Plan Bylaw No. 2013-48*, be approved:

That the following item be added to Section 6.0 – Exception:

Civic Address	Legal Description	Development/Use
2064 Elphinstone Street	Lot 21, Blk/Par 381, Plan DV4420 Ext 0, Old 33	LC3 - Local Commercial

2. That the application to rezone Lot 21, Block 381, Plan DV4420, Old 33 Subdivision located at 2064 Elphinstone Street from R1A- Residential

Older Neighborhood Zone to LC3 - Local Commercial Zone be approved.

3. That the discretionary use application for a proposed Mixed-Use building located at 2064 Elphinstone Street, being Lot 21 in Block 381, Plan DV4420, Old 33 Subdivision and 3504 13th Avenue, being Lots 22-25 in Block 381, Plan DV 4420, Old 33 Subdivision be approved and that a Development Permit be issued subject to the following conditions:
 - a. The development shall be consistent with the plans attached to this report as Appendix A-3.1 to A-3.5 inclusive, prepared by JMA Architecture and dated November 17, December 17 and December 23, 2015 respectively.
 - b. The applicant shall provide a landscaped buffer along the north property line and subject to the approval of the Director of Development Services and shall include tree species, which will adequately protect against privacy concerns.
 - c. The applicant shall provide a 1.8m high fence or masonry wall along the north property line to ensure visual screening and buffering requirements.
 - d. Landscaping along 13th Avenue shall include street trees with adequate soil volume to support tree root growth unless demonstrated impractical due to proximity to utility services.
 - e. Parking abutting 13th Avenue be screened from view from 13th Avenue.
 - f. The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.
4. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective zoning bylaw amendment.
5. That this report be forwarded to the July 25, 2016 meeting of City Council for approval, which will allow sufficient time for advertising of the required public notices for the respective bylaws.

The following addressed the Commission:

- Punya Marahatta, City Planner, made a PowerPoint presentation, a copy of which is on file in the Office of the City Clerk;
- Barbara Kahan and Abby Ulmer, representing Protect Cathedral Neighbourhood Group;
- Brenda Niskala, representing Protect Cathedral Neighbourhood Group;
- Molly Moss, representing Protect Cathedral Neighbourhood Group;

- Pamela LaBelle, representing Save Cathedral Group;
- Barbara Kahan read a communication on behalf of Terry Martens;

(Laureen Snook left the meeting.)

- Amy Petrovitsch, representing École Connaught Community School Council;
- Theresa Walter, representing Cathedral Area Community Association;
- Catherine Gibson, on behalf of Jeannie Mah;
- Gary Robins;
- Jane Anweiler;
- John Hopkins, representing Regina and District Chamber of Commerce;
- Catherine Gibson; and
- Jay Jones, Richard and Mary Jane McGrath, and John McGinn, representing Peter-Richard Consulting and Ledcor Group.

Phil Evans moved that this report be received and filed.

Phil Evans withdrew his motion of receive and file.

Phil Evans moved that the recommendation contained in the report be concurred in.

The motion was put and declared LOST.

ADJOURNMENT

Councillor Young moved, AND IT WAS RESOLVED, that the meeting adjourn.

The meeting adjourned at 8:34 p.m.

Chairperson

Secretary

August 3, 2016

To: Members,
Regina Planning Commission

Re: Discretionary Use Application (15-DU-27) – Extension of Approval
Shopping Centre at 4501 Armour Road

RECOMMENDATION

1. That the Discretionary Use application for a Shopping Centre located at 4501 Armour Road, being Parcel A, Lots PCL be approved and that a Development Permit be issued subject to the following conditions:
 - a. The development shall be consistent with the plans attached to this report as Appendix A3.1 to A.3.3 inclusive, prepared by McElhanney Consulting Services Ltd. and dated June 13, 2013; and
 - b. The development shall comply with all applicable standards and regulations in *The Zoning Bylaw No. 9250*.
2. That this report be forwarded to the August 29, 2016 meeting of City Council for approval.

CONCLUSION

The developer is seeking a re-approval of a previous Discretionary Use Application (13-DU-23) which was issued for this development, but has since expired.

The site is proposed to be developed as a Shopping Centre consisting of four buildings, two of which are intended for retail, one for a restaurant and one for a hotel. The subject lands are located in the HC – Highway Commercial Zone.

The proposal is compliant with all regulations and development standards contained in *The Zoning Bylaw No. 9250* (Zoning Bylaw) and the policies contained in *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP) pertaining to appropriate locations for employment areas and commercial development. Accordingly, the Administration is recommending approval.

BACKGROUND

This is an application to request a re-approval of a discretionary use development permit which was previously approved by City Council on November 6, 2013 under project number 13-DU-23. A development permit is only valid for two years from the date of approval. Since the proposed development did not commence within the two year period, the development permit previously issued by City Council is deemed expired.

This application contains the same plans and site layout as in the development permit approved by City Council and issued in 2013 and as such a re-approval of the previous discretionary use approval is requested by the applicant.

This application is being considered pursuant to the Zoning Bylaw, OCP and *The Planning and Development Act, 2007*.

Pursuant to Subsection 56(3) of *The Planning and Development Act, 2007*, City Council may establish conditions for discretionary uses based on the nature of the proposed development (e.g. site, size, shape and arrangement of buildings) and aspects of site design (e.g. landscaping, site access, parking and loading), but not including the colour, texture or type of materials and architectural details.

DISCUSSION

The subject lands are located within the HC – Highway Commercial Zone and the proposed development is classified as a Shopping Centre and is accommodated in the HC Zone as a discretionary use.

This type of development is appropriate at this location given its close proximity to the Highway 11 interchange at Pasqua Street.

The land use and zoning related details of this proposal are summarized in the following table:

Land Use Details	Existing	Proposed
Zoning	HC	HC
Land Use	Vacant	Shopping Centre
Building Area	N/A	10,050 m ²

Zoning Analysis	Required	Proposed
Number of Parking Stalls Required	216 stalls	221 stalls
Minimum Lot Area (m ²)	750 m ²	16,190 m ²
Minimum Lot Frontage (m)	22.5 m	81 m
Maximum Building Height (m)	15 m	15 m
Maximum Floor Area Ratio	2.0	0.62
Maximum Coverage (%)	50 %	23%

Surrounding land uses include agricultural operations and the Highway 11 interchange.

The proposed development is consistent with the purpose and intent of the HC Zone with respect to providing retail, business and personal services to the travelling public near major highway routes and controlled access arterials.

RECOMMENDATION IMPLICATIONS

Financial Implications

Any municipal infrastructure required for development will be the sole responsibility of the developer. Any municipal infrastructure that is built and funded by the developer will become the City's responsibility to operate and maintain through future budgets.

Environmental Implications

None with respect to this report.

Policy/Strategic Implications

The proposal is consistent with Map 1- Growth Plan within OCP with respect to:

- Existing Approved Employment Area

Existing approved employment areas are comprised of commercial or industrial lands that are either built or approved to accommodate a full range of employment-related uses.

Other Implications

The Transit Department has advised that the development falls within the 400 metre walking distance to transit services, but that the provision of a safe walk environment for pedestrians is not supported by sidewalks at this time. Sidewalks will be considered when the adjacent lands are developed.

In accordance with the Memorandum of Agreement (MOA) between the City of Regina and the Rural Municipality of Sherwood No. 159 (RM), Administration has circulated the application in accordance with the agreed upon circulation process outlined in the MOA. The RM provided support for the proposed use and a recommendation that an updated traffic impact assessment (TIA) be completed to understand the cumulative effects from this development on both Armour Road and Highway 11 and future development in the area.

The Administration is satisfied that the exiting road network has capacity to support the development based on the initial TIA when the development was first approved. Conditions in the immediate area have not changed substantially since the initial discretionary use approval of this development. The City will work with Joint Planning Area (JPA) partners to ensure traffic impacts from future development are evaluated and addressed as further development and planning occurs in the area.

Accessibility Implications

The Zoning Bylaw requires two per cent of the required parking stalls be provided for persons with disabilities, which is equivalent to four parking stalls. The proposed development provides seven parking stalls for persons with disabilities which exceed the minimum requirements by three stalls.

COMMUNICATIONS

Public notification signage posted on	December 17, 2015
Letter set to adjacent landowners	December 15, 2015
Number of public comments sheets received	0
Will be published in the Leader Post on	N/A


The application was circulated to the Walsh Acres/Lakeridge Community Association and no comments were received from the association. The application was also circulated to the neighbouring property owners. There were no public comments received during the public notification period.

The applicant and other interested parties will receive a copy of the report and notification of the meeting to appear as a delegation in addition to receiving written notification of City Council's decision.

DELEGATED AUTHORITY

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

Respectfully submitted,

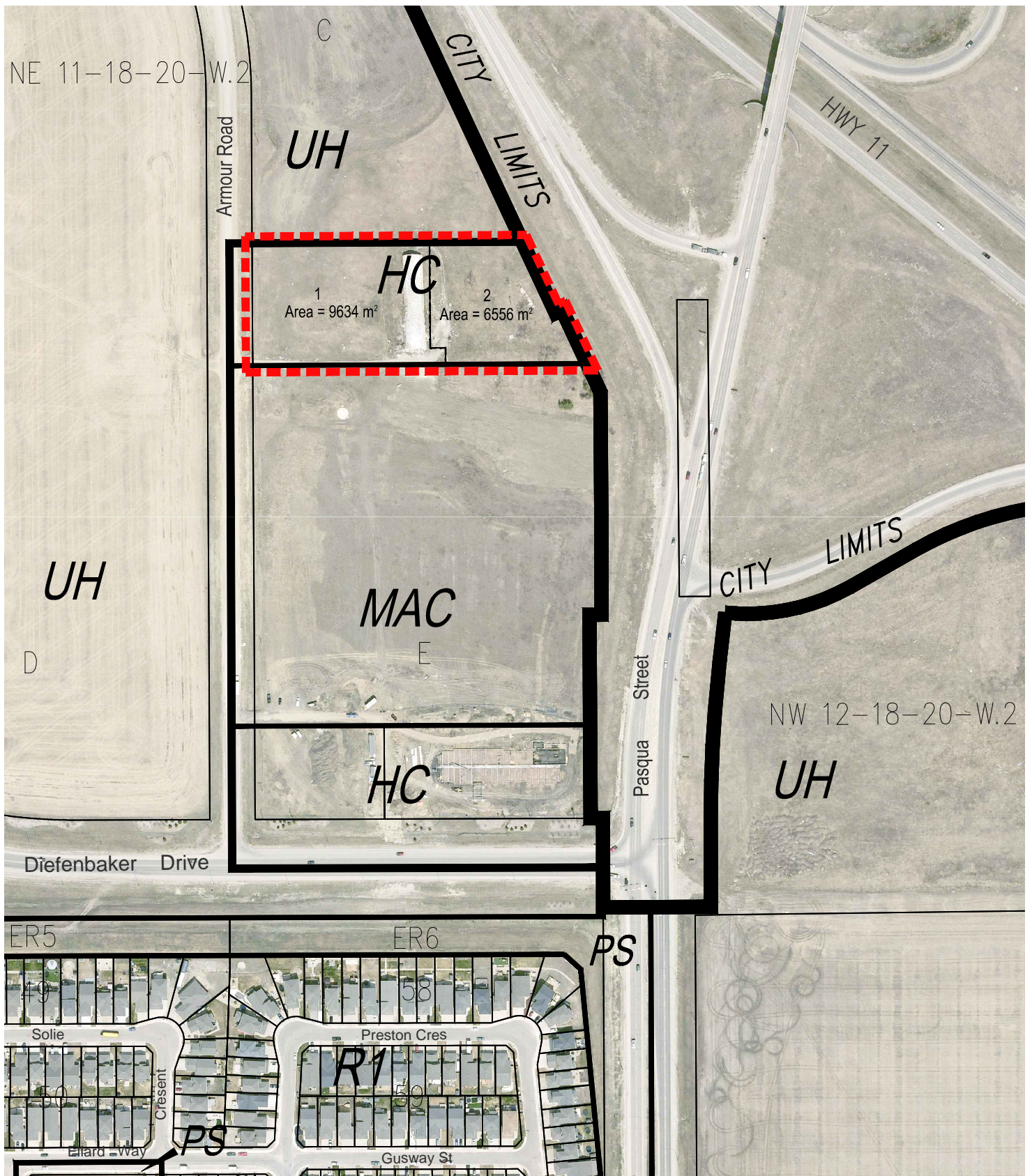
A handwritten signature in black ink, appearing to read 'Louise Folk', with a stylized flourish at the end.

Louise Folk, Director
Development Services

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Diana Hawryluk', with a stylized flourish at the end.

Diana Hawryluk, Executive Director
City Planning & Development



Subject Property





Subject Property

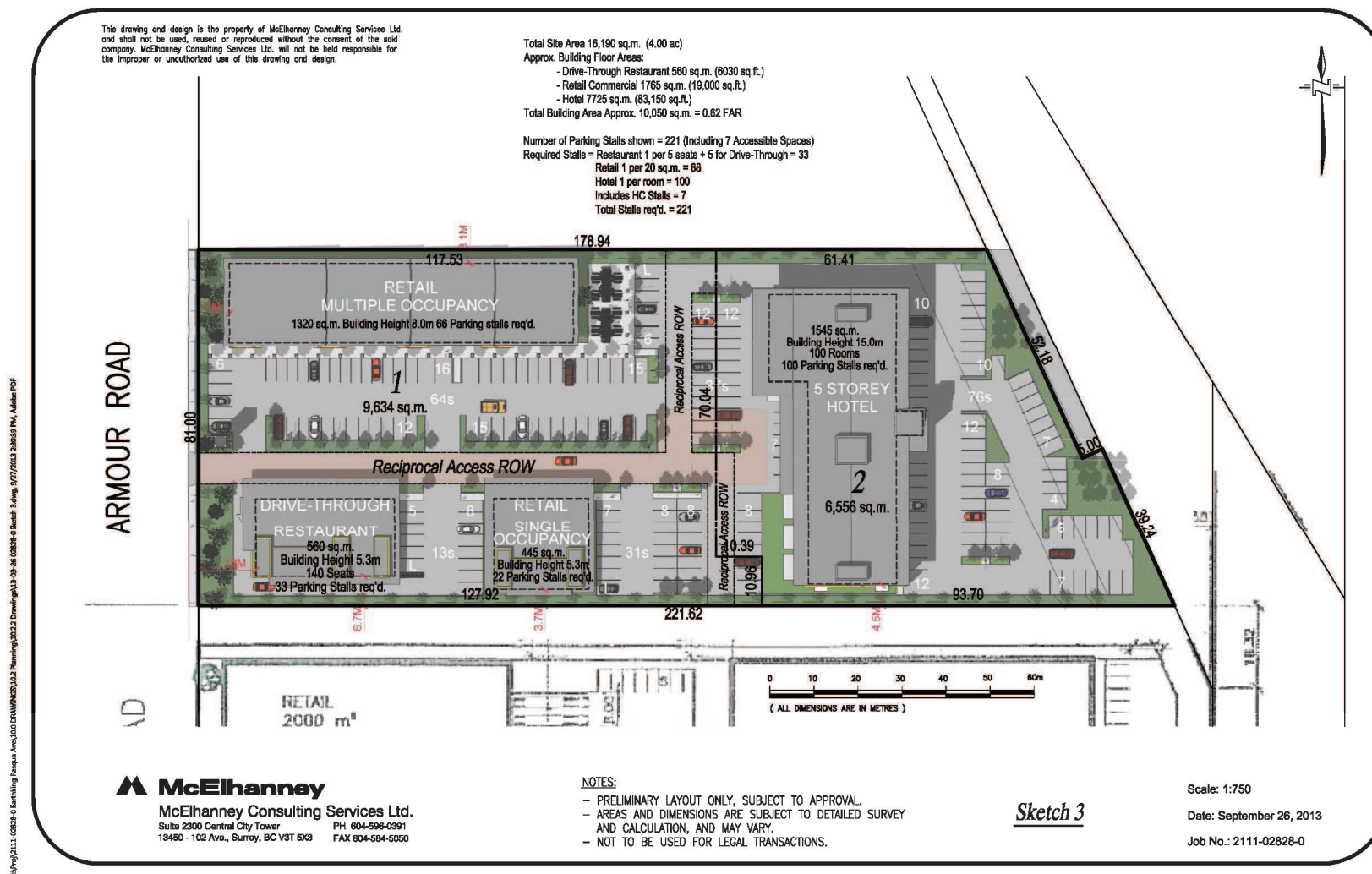
Date of Photography: 2014



Project 15-DU-27

Civic Address/Subdivision 4501 Armour Road

Appendix A-3.1



Appendix A-3.2



Appendix A-3.3



August 3, 2016

To: Members,
Regina Planning Commission

Re: Discretionary Use Application (16-DU-13)
Shopping Centre – 600 East Victoria Avenue

RECOMMENDATION

1. That the Discretionary Use Application for a proposed Shopping Centre located at 600 East Victoria Avenue, being Lot/Parcel L, Plan No. 102004434, Ext 1, Tuxedo Park Subdivision be approved, and that a Development Permit be issued subject to the following conditions:
 - a) The development shall be consistent with the plan attached to this report as Appendix A-3.1 prepared by PDSS Inc. and dated April 2016 and last revised on June 6, 2016; and
 - b) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.
2. That this report be forwarded to the August 29, 2016 meeting of City Council for approval.

CONCLUSION

The applicant proposes to develop the subject property as a Shopping Centre. The development will consist of the existing building and two new buildings. The existing building has four units, two used as medical clinics, one used as a dental clinic and one as retail. The new buildings are proposed to have a medical clinic, retail and a 150 seat restaurant.

The subject property is currently zoned MAC-Major Arterial Commercial. Shopping Centres containing more than 1,000 square metres of building area are discretionary uses.

The proposal complies with the development standards and regulations contained in *Regina Zoning Bylaw No. 9250* (Zoning Bylaw) and is consistent with the policies contained in *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP). Accordingly, the Administration recommends approval.

BACKGROUND

An application has been received for discretionary use approval to accommodate a Shopping Centre exceeding 1,000 square metres of building area located at 600 East Victoria Avenue. This application is being considered pursuant to the Zoning Bylaw, OCP and *The Planning and Development Act, 2007*.

Pursuant to Subsection 56(3) of *The Planning and Development Act, 2007*, Council may establish conditions for discretionary uses based on nature of the proposed development (e.g. site, size, shape and arrangement of buildings) and aspects of site design (e.g. landscaping, site access, parking and loading), but not including the colour, texture or type of materials and architectural details.

DISCUSSION

The subject property contains one building containing four commercial units. The applicant proposes an additional 683.74 square metres of commercial space for a medical clinic, retail and a 150 seat restaurant.

The land use and zoning related details of this proposal are summarized in the following table:

Land Use Details	Existing	Proposed
Zoning	MAC- Major Arterial Commercial	MAC- Major Arterial Commercial
Land Use	Commercial	Commercial
Number of Dwelling Units	N/A	N/A
Building Area	964.47 m ²	1648.21 m ²

Zoning Analysis	Required	Proposed
Number of Parking Stalls	48, if all existing units were retail (1/20 m ² of total retail area)	85
Minimum Lot Area (m ²)	250 m ²	6787.8 m ²
Minimum Lot Frontage (m)	6 m	224.15 m
Maximum Building Height (m)	15 m	5.79 m
Maximum Floor Area Ratio	3	0.24
Maximum Coverage (%)	90 %	24 %

Surrounding land uses include industrial uses to the north, the Regina Leader-Post building to the east and other commercial uses to the south and west.

The proposed development is consistent with the purpose and intent of the MAC Zone with respect to development of businesses serving the travelling public and residents of the city at large, which require locations with good visibility and accessibility along major arterial roadways.

RECOMMENDATION IMPLICATIONS

Financial Implications

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 additional or changes to existing infrastructure that may be required to directly or indirectly support the development, in accordance with City standards and applicable legal requirements.

Environmental Implications

None with respect to this report.

Policy/Strategic Implications

The proposal is consistent with the policies contained within Part A: Citywide Plan of the OCP with respect to:

Urban Centers and Corridors

- Supporting the redevelopment of existing retail areas to higher density, mixed-use, and transit-oriented development with densities appropriate to servicing capacity.

Employment Areas

- Requiring new large-format retail to be located on urban corridors or within identified urban centres and designed;
- Allowing for change and intensification over time.

The proposed development is intended to maximize the use of the site within the available servicing capacity. The property is well connected with transit and sidewalks along Victoria Avenue.

Other Implications

None with respect to this report.

Accessibility Implications

The Zoning Bylaw requires two per cent of the required 50 parking stalls or one parking stall be provided for persons with disabilities. The proposed development provides four parking stalls for persons with disabilities which exceeds the minimum requirement.

COMMUNICATIONS

Communication with the public is summarized as follows:

Public notification signage posted	May 13, 2016
Letter sent to immediate property owners	May 13, 2016
Number of public comments sheets received	0


The subject property is not located within the boundaries of a community association.

The applicant and other interested parties will receive written notification of City Council's decision.

DELEGATED AUTHORITY

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Louise Folk".

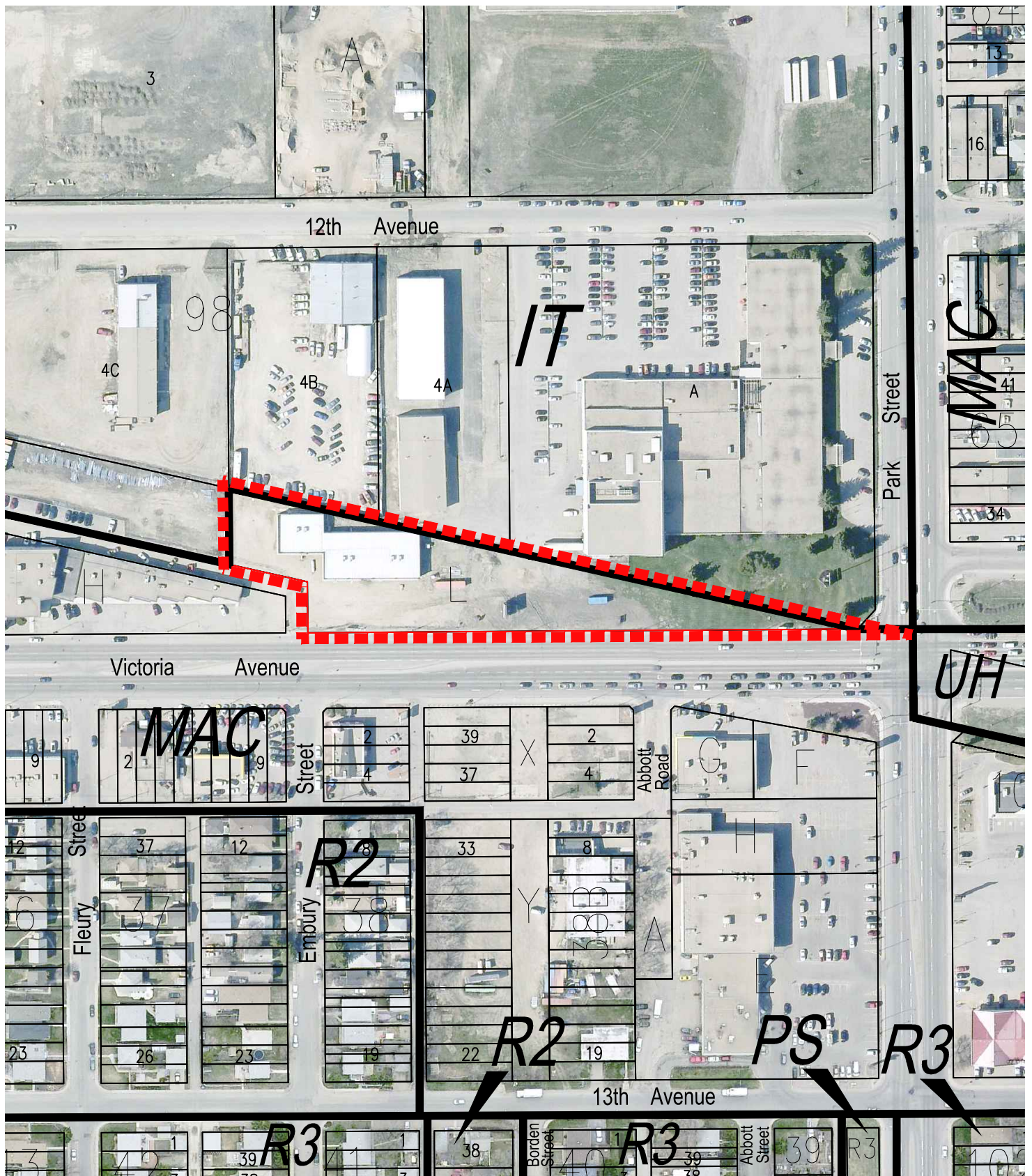
Louise Folk, Director
Development Services


Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Diana Hawryluk".

Diana Hawryluk, Executive Director
City Planning & Development

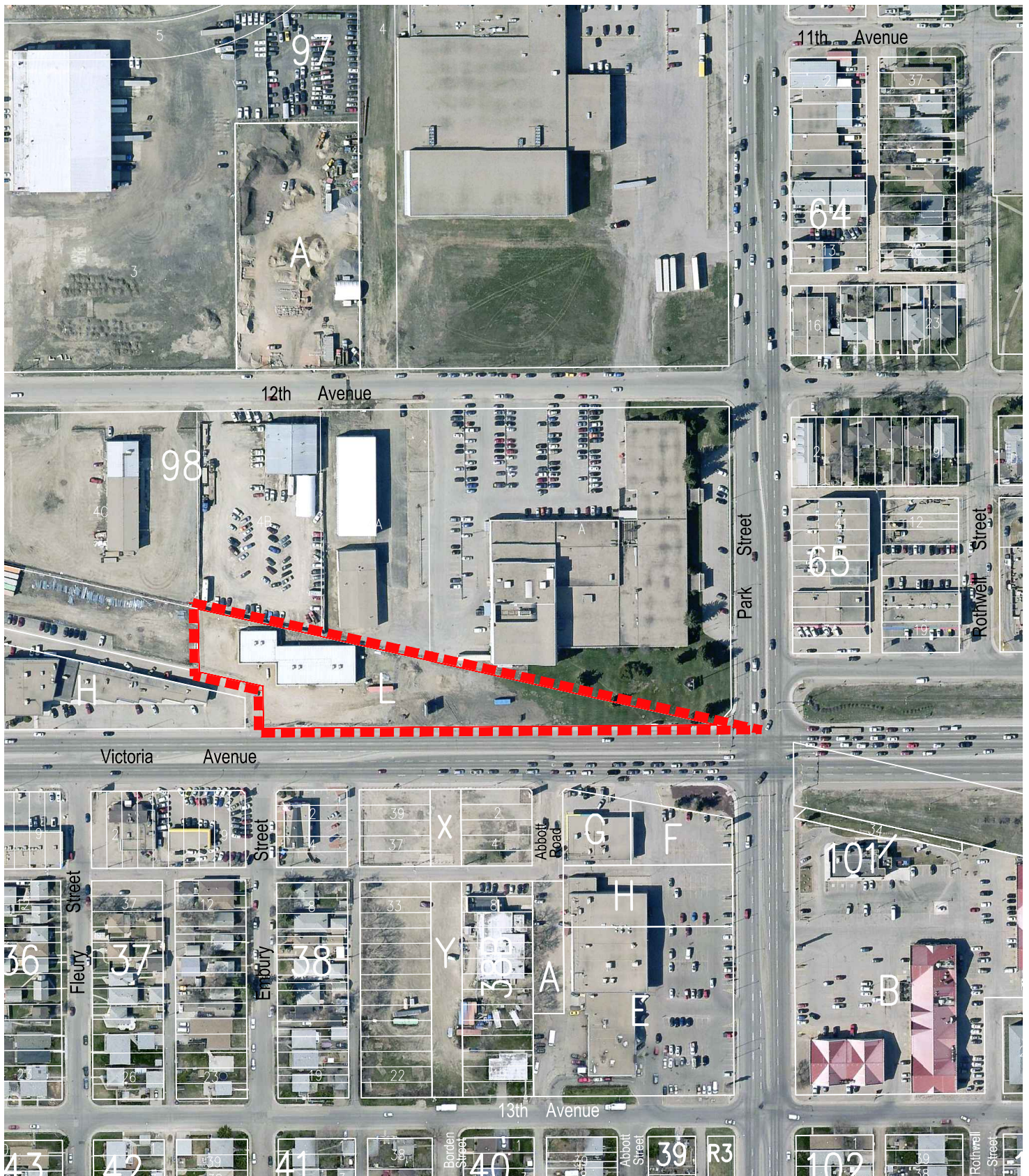
Prepared by: Punya Sagar Marahatta



 Subject Property



Project 16-DU-13 Civic Address/Subdivision 600 E Victoria Avenue



Subject Property

Date of Photography: 2014



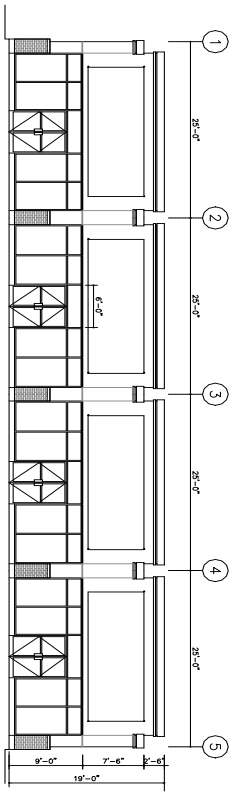
Project 16-DU-13

Civic Address/Subdivision 600 E Victoria Avenue

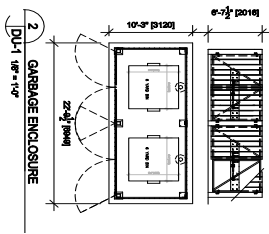
CITY ZONING CRITERIA			
EXISTING ZONE:	MUC		
PROPOSED ZONE:	MEDICAL CLINIC / RETAIL / FOOD		
SITE AREA:	73,683 S.F. (8,378.2 M ²)		
BUILDING AREA: (3 BLDGS. PH.1, PH.2 & PH.3)	17,742 S.F. (1,642.1 M ²)		
SITE REQUIREMENTS (CHAPTER 6):			
MINIMUM LOT AREA	REQUIRED: 250.0 M ²	PROVIDED: 6,177.3 M ²	
MINIMUM FRONTAGE	REQUIRED: 6m	PROVIDED: 229.34m (existing)	
MINIMUM FRONT YARD SETBACK	REQUIRED: nil	PROVIDED: nil	
MINIMUM REAR YARD SETBACK	1/2 adjacent wall	1.76m	
MINIMUM SINGLE SIDE YARD SETBACK	nil	nil	
MINIMUM SITE COVERAGE	90%	24.6% (proposed)	
MAXIMUM FLOOR AREA RATIO	3.0	0.246	
MAXIMUM BUILDING HEIGHT	15.0m	8.64m	
PARKING REQUIREMENTS (CHAPTER 14):			
RETAIL (4,330.35 sq/ 385.71 m ² / 2,896.2 = 15)	REQUIRED: 19	PROVIDED: 19	
MEDICAL / DENTAL CLINIC (11,256.45 sq/ 1,046.28 m ² / 6,692.2 = 17)	17	17	
FOOD/2,346 sq/ 217.16 m ² / Maximum Max. 150 seats at 1:5 seats = 30	30	47	
TOTAL PARKING STALLS	66	83	
BARRETT-FRUE PARKING STALLS (included in total)	2	4	
LANDSCAPING REQUIREMENTS (CHAPTER 10):			
GRASS SITE AREA:	REQUIRED: 73,683 S.F. (6,787.2 M ²)	PROVIDED: 73,683 S.F. (6,787.2 M ²)	
SITE LANDSCAPING (MIN. 10% OF GROSS SITE AREA)	679 M ²	1,044 M ²	
SITE TREES (MIN. 1 PER 4,000 OF RECD SITE LANDSCAPING)	17	33	
SITE SHRUBS (1 PER 2,000 OF RECD SITE LANDSCAPING)	34	140	
GOODS PARKING AREA, INTERIOR:			
INTERIOR AREA LANDSCAPING (MIN. 10% OF PARKING AREA)	382 M ²	37,258 S.F. (3,431.5 M ²)	
INTERIOR TREES (MIN. 1 PER 3,000 OF RECD INTERIOR LANDSCAPING)	12	12	
INTERIOR SHRUBS (MIN. 1 PER 1,000 OF RECD INTERIOR LANDSCAPING)	35	50	

LANDSCAPING PLANT LIST

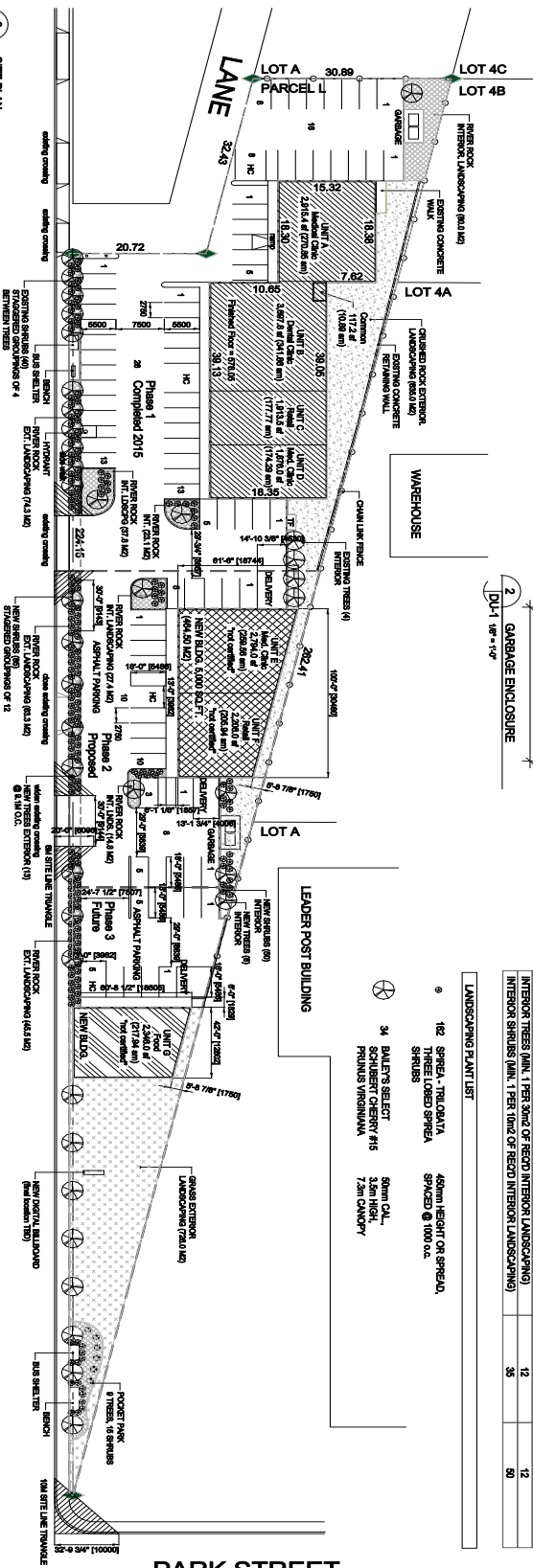
- 162 SPREA - TRELOVIA
THREE LOBED SPREA
SPACED @ 1000 o.c.
- 34 BULBUL SELECT
SCURBERT CHERRY #15
PRUNUS VIRGINIANA
50mm CAL.
3.5m HIGH
7.2m CANOPY



1 PHASE 2 - SOUTH ELEVATION
DU-1 1/8" = 1'-0"



2 GARAGE ENCLOSURE
DU-1 1/8" = 1'-0"



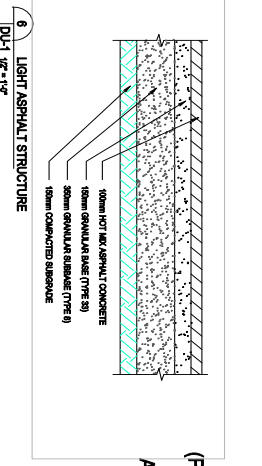
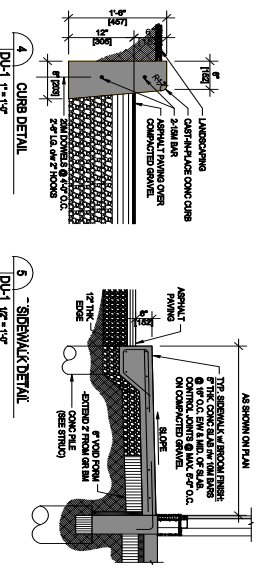
VICTORIA AVENUE



GRAPHIC SCALE 1"=30'
10' 30' 50' 100'
3M 9M 15.2M 30.5M

Land Parcel #202833266
(Parcel L, Plan 102004434, Ex 1)

Active Surface Title #144310991
City of Regina, Saskatchewan



6 LIGHT ASPHALT STRUCTURE
DU-1 1/8" = 1'-0"

REVISION #	DATE	BY	DESCRIPTION
R2	2016-15	RAZ	ISSUED FOR REVIEW
DU-1	APRIL 2016	RAZ	ISSUED FOR REVIEW

REVISION #	DATE	BY	DESCRIPTION
R2	2016-15	RAZ	ISSUED FOR REVIEW
DU-1	APRIL 2016	RAZ	ISSUED FOR REVIEW

PROJECT TITLE
600 Victoria Ave.
Regina, Sask.
Proposed:
Commercial Dev.
DU Application
SHEET TITLE
Site Plan
Notes

[illegible]

August 3, 2016

To: Members,
Regina Planning Commission

Re: Discretionary Use Application (16-DU-15)
Proposed Mixed-Use Building – 1440 11th Avenue

RECOMMENDATION

1. That the Discretionary Use application for a Mixed-Use Building, three restaurants with less than 50 seats and a grocery store located at 1440 11th Avenue, being Condo Plan 102176715 Ext 0, Old 33 be approved, and that a Development Permit be issued subject to the following conditions:
 - a) The development shall be consistent with the plans attached to this report as Appendix A-3.1 to A-3.5 inclusive, prepared by KRN Tolentino Architecture Ltd. and dated May 17 and June 21, 2016;
 - b) The applicant shall provide a 1.8 metre high fence or masonry wall along the north property line to ensure visual screening and buffering requirements; and
 - c) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.
2. That this report be forwarded to the August 29, 2016 meeting of City Council for approval.

CONCLUSION

The applicant proposes to develop the existing building for Mixed-Use by adding one floor for five rental dwelling units to the top of the building. On the ground floor, the applicant proposes to use Units 1, 4 and 5 as restaurants, Unit 2 as a convenience store and Unit 3 as a grocery store.

The proposal complies with the development standards and regulations contained in *Regina Zoning Bylaw No. 9250* (Zoning Bylaw) and is consistent with the policies contained in *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP). Accordingly, the Administration is recommending approval.

BACKGROUND

On March 23, 2015 City Council approved a discretionary use application for five commercial rental units within an existing single-storey building on this subject property to develop Unit 1 as a restaurant, Unit 2 as a retail unit, Unit 3 as Convenience Store and Units 4 and 5 as retail units (CR 15-31).

A revised application has been submitted for discretionary use for a Mixed-Use Building as a second floor is intended to be added to the building containing dwelling units. The revised application also includes adjustments in the intended use of the commercial units including the

use of Units 1, 4 and 5 as restaurants and Unit 3 as a grocery store. Restaurants with maximum seating capacity of 50 persons is a discretionary use in LC3 – Local Commercial Zone. Unit 2 is proposed to be a convenience store which is permitted use in the LC3 zone and does not require City Council’s approval.

This application is being considered pursuant to the Zoning Bylaw, OCP and *The Planning and Development Act, 2007*.

Pursuant to Subsection 56(3) of *The Planning and Development Act, 2007*, Council may establish conditions for discretionary uses based on nature of the proposed development (e.g. site, size, shape and arrangement of buildings) and aspects of site design (e.g. landscaping, site access, parking and loading), but not including the colour, texture or type of materials and architectural details.

DISCUSSION

The applicant proposes to add a second floor to the existing building for residential use to create a Mixed-Use Building. The proposed land uses within the existing building are identified in the table below:

Proposed Land Use	Land Use Status	Discretionary Use Approval Required
Unit 1: Restaurant (less than 50 seats)	Discretionary	Yes
Unit 2: Convenience Store	Permitted	No
Unit 3: Grocery	Discretionary	Yes
Unit 4: Restaurant (less than 50 seats)	Discretionary	Yes
Unit 5: Restaurant (less than 50 seats)	Discretionary	Yes

A Mixed-Use building, a restaurant with maximum seating capacity of 50 persons and a grocery store are discretionary uses in LC3 – Local Commercial zone.

The land use and zoning related details of this proposal are summarized in the following table:

Land Use Details	Existing	Proposed
Zoning	LC3 – Local Commercial	LC3 – Local Commercial
Land Use	Commercial	Mixed-Use Building
Number of Dwelling Units	N/A	5
Building Area	517.4 m ²	517.4 m ²

Zoning Analysis	Required	Proposed
Number of Parking Stalls Required	10 stalls	12 stalls
Minimum Lot Area (m ²)	100 m ²	1161.44 m ²
Minimum Lot Frontage (m)	5 m	38.08 m
Maximum Building Height (m)	13 m	6.328 m
Gross Floor Area	N/A	1199.33 m ²
Maximum Floor Area Ratio	2	1.03
Maximum Coverage (%)	100 %	55%

The subject property is located in Heritage neighbourhood. Surrounding land uses include a variety of local commercial use along 11th Avenue to the east, south and west and residential use to the north.

The proposed development is consistent with the purpose and intent of the LC3 – Local Commercial Zone with respect to the location of businesses that are appropriate in scale and use to the adjacent neighbourhood. The proposed development makes use of an existing building and will contribute to the revitalization of the 11th Avenue commercial corridor. The residential component will also support the business community.

Screening

The proposal requires screening and buffering along the north property line as the subject property abuts the residential property to the north. A 1.8 metre high fence or masonry wall along the north property line would be required to ensure visual screening and buffering requirements.

Encroachment

The roof overhang of the proposed development will encroach the sidewalk by 0.6 metres. The Real Estate Branch has expressed no concerns with the encroachment and will support the application with an encroachment agreement to be arranged through the building permit process.

RECOMMENDATION IMPLICATIONS

Financial Implications

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 additional or changes to existing infrastructure that may be required to directly or indirectly support the development, in accordance with City standards and applicable legal requirements.

Environmental Implications

None with respect to this report.

Policy/Strategic Implications

Part A: Citywide Plan

The proposal is consistent with the policies contained within Part A: Citywide Plan of the OCP with respect to:

Complete Neighbourhoods:

- Including opportunities for daily lifestyle needs, such as services, convenience shopping and recreation.
- Including a diversity of housing types to support residents from a wide range of economic levels, backgrounds and stages of life, including those with specific needs.

- Designing and locating the building to enhance the public realm and contribute to a better neighbourhood experience.
- Providing convenient access to areas of employment.

Urban Centres and Corridors:

- Redeveloping existing retail areas to higher density, mixed-use and transit-oriented development with densities appropriate to servicing capacity.

Employment Area:

- Providing local commercial within residential areas.

Housing Supply and Affordability:

- Redeveloping former commercial properties that are appropriate for housing.
- Creating intensification in an existing neighbourhood to create complete neighbourhoods.

Diversity of Housing Forms:

- Providing a greater mix of housing to accommodate households of different incomes, types, stages of life and abilities.

The mixed-use building incorporates housing options in the neighbourhood that will accommodate households at different stages of life. The proposal will strengthen the 11th Avenue corridor by adding additional residents to the neighbourhood and providing services and amenities to the surrounding community.

Other Implications

None with respect to this report.

Accessibility Implications

The Zoning Bylaw requires two per cent of the required 10 parking stalls or one parking stall be provided for persons with disabilities. The proposed development provides two parking stalls for persons with disabilities which exceeds the minimum requirement.

COMMUNICATIONS

Communication with the public is summarized as follows:

Public notification signage posted on	June 2, 2016
Letter sent to immediate property owners	June 2, 2016
Number of public comments sheets received	2
Will be published in the Leader Post on	N/A

There were two public comments received on this application which indicated support for the proposed development. A more detailed accounting of the respondents' comments and the Administration's response to them is provided in Appendix B.

The application was circulated to the Heritage Community Association (HCA). Following circulation, the Administration attempted follow-up contact with the Community Association but did not receive a response prior to the deadline for submission of this report.

The applicant and other interested parties will receive a copy of the report and notification of the meeting to appear as a delegation in addition to receiving written notification of City Council's decision.

DELEGATED AUTHORITY

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Louise Folk".

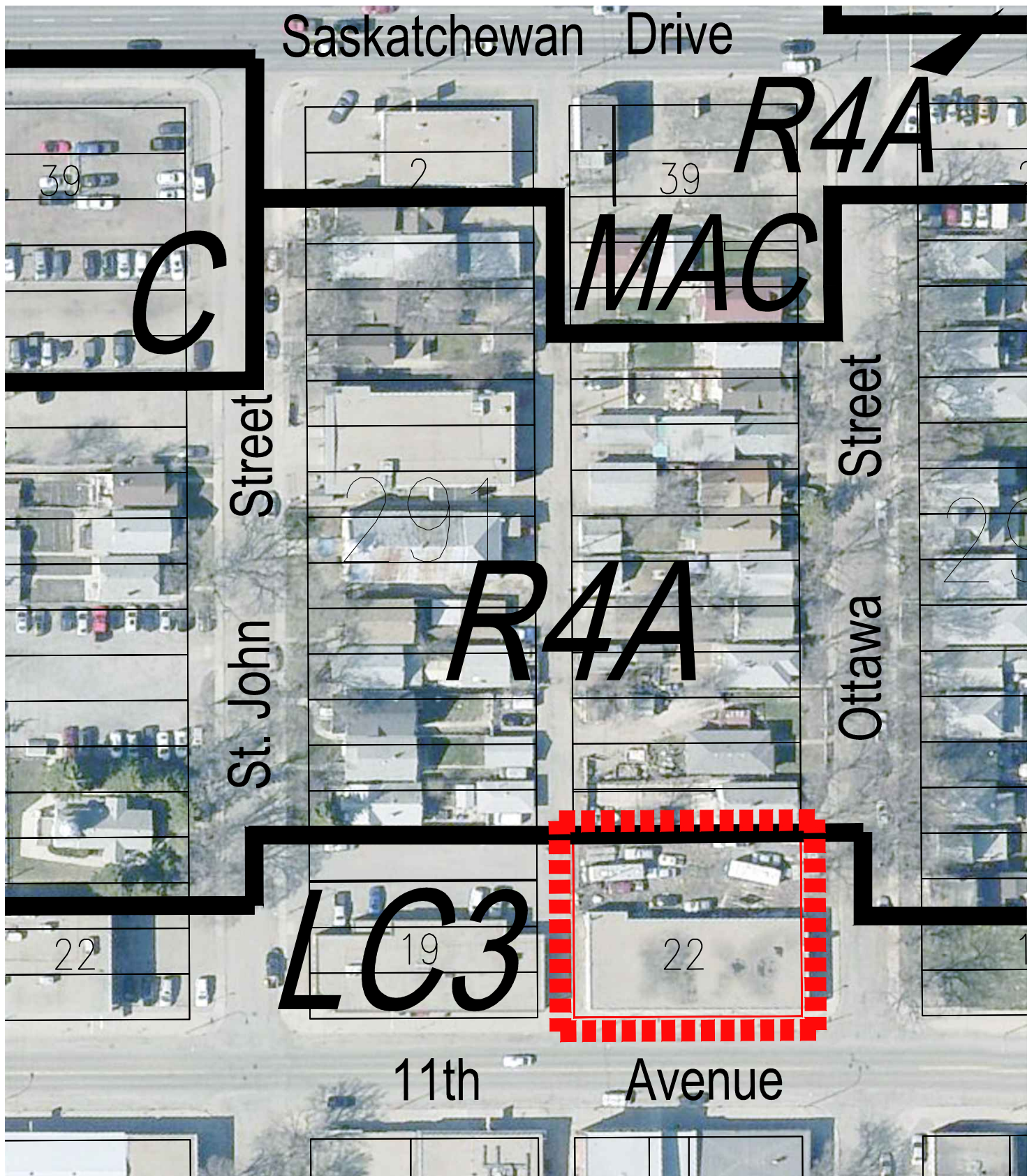
Louise Folk, Director
Development Services

Respectfully submitted,

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Diana Hawryluk, Executive Director
City Planning & Development

Prepared by: Punya S Marahatta



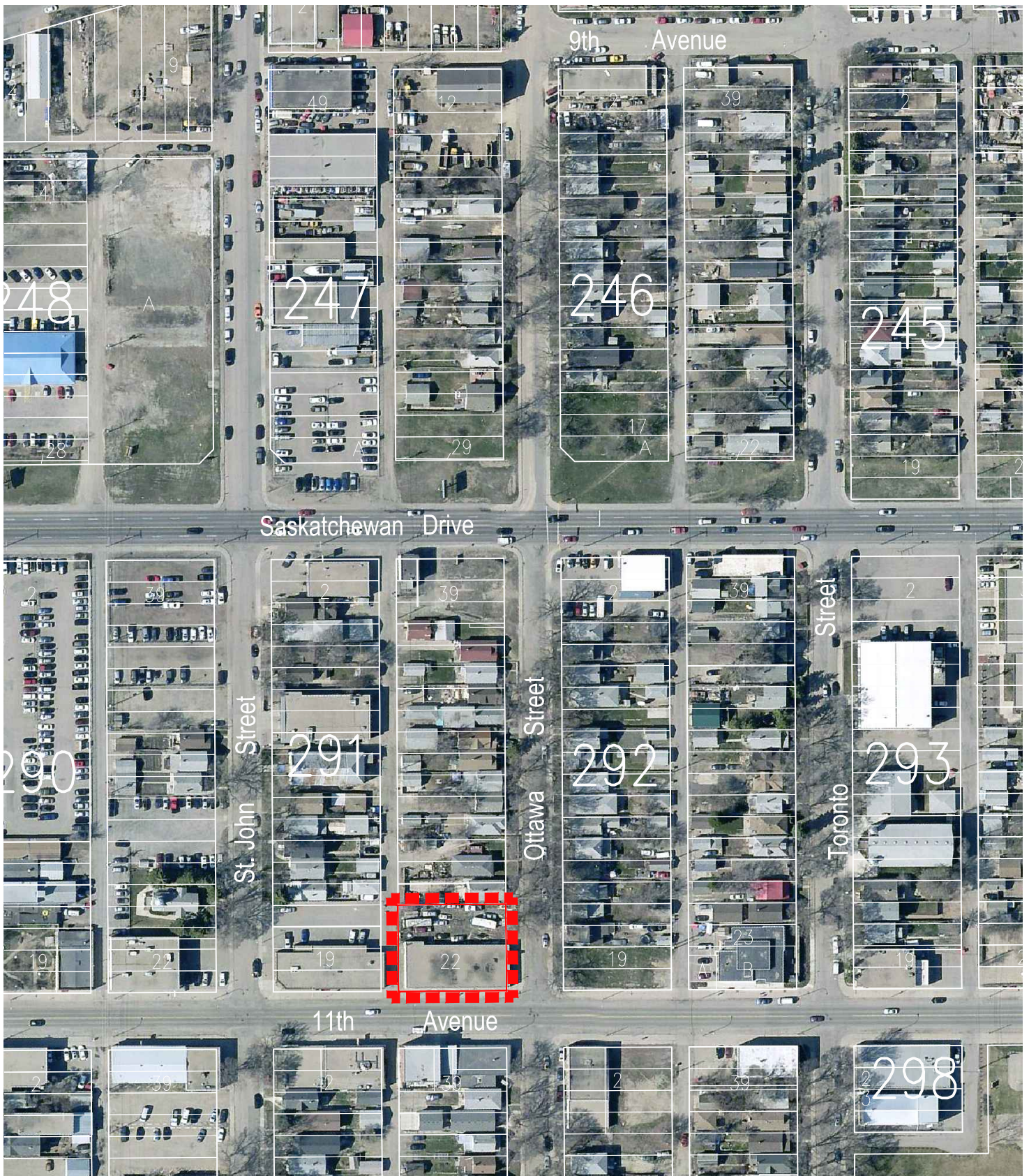
Subject Property



Project 16-DU-15

Civic Address/Subdivision

1440 - 11th Avenue



Subject Property

Date of Photography: 2014

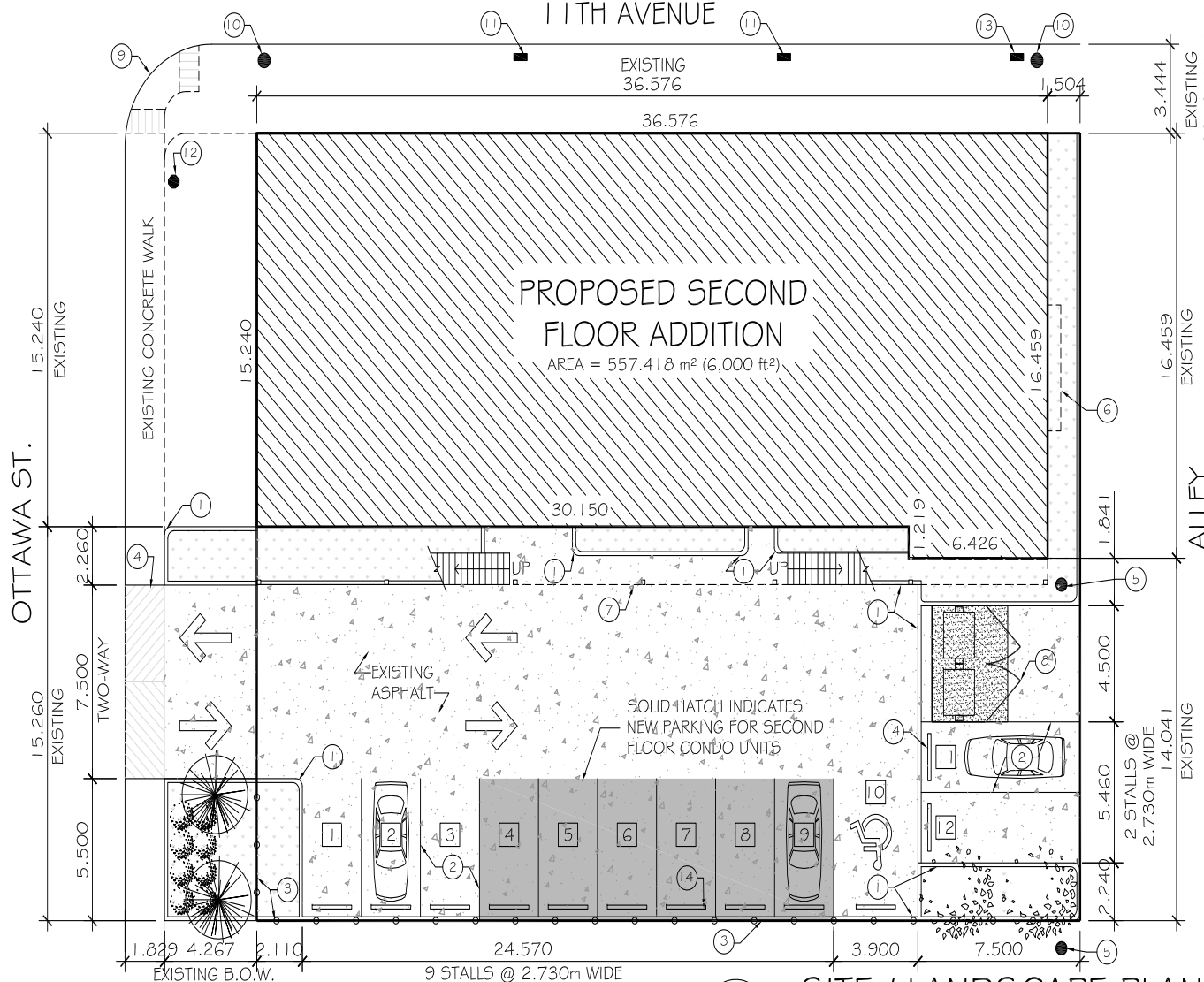


Project 16-DU-15

Civic Address/Subdivision 1440 - 11th Avenue

1440 11TH AVENUE

- SECOND FLOOR ADDITION -



ZONING BYLAW ANALYSIS:

THE FOLLOWING ANALYSIS IS BASED UPON THE CITY OF REGINA ZONING BYLAW NO. 9250.

1. BUILDING AREA :	562 m ² (6,085 ft ²)
2. LOT AREA :	1,161 m ² (12,502 ft ²)
3. LAND USE ZONE :	LOCAL COMMERCIAL SHOPPING STREET (LC3)
4. LAND USE TYPES :	EXISTING: OFFICE & RETAIL USE (MAIN LEVEL) PROPOSED: MIXED-USE BUILDING (MULTI-FAMILY DWELLING AT NEW SECOND FLOOR ADDITION)
5. SETBACKS REQTS. :	
FRONT YARD:	REQUIRED: NIL PROVIDED: NIL
REAR YARD:	REQUIRED: NIL PROVIDED: 1.4m.
EAST SIDE:	REQUIRED: NIL PROVIDED: NIL
WEST SIDE:	REQUIRED: NIL PROVIDED: 1.5m.
6. BUILDING HEIGHT :	MAX. ALLOWED = 13m PROVIDED = 8.3m
7. FLOOR AREA RATIO :	MAX ALLOWED = 2 PROVIDED = 0.25
8. SITE COVERAGE :	MAX ALLOWED = 100% PROVIDED = 49%
9. SITE LANDSCAPING :	REQUIRED (MIN.) = 15% OF SITE AREA = 174m ² PROVIDED = 182m ²
10. PARKING REQUIREMENTS :	REQUIRED = 11 STALLS PROVIDED = 12 STALLS
- CONDOMINIUM UNITS AT SECOND LEVEL (1 SPACE PER DWELLING UNIT)	= 6 STALLS
- OFFICE (195 m ²) NO REQUIREMENTS FOR LESS THAN 325 m ²	= NO REQ
- RETAIL SPACE (370 m ²) 1 SPACE IN EXCESS OF 325 m ² IN THE GROSS FLOOR AREA	= 1 STALL
- STORAGE (1 SPACE PER 150 m ²)	= 4 STALLS

LANDSCAPE LEGEND

	NEW GRASS/SOD
	EXISTING CONIFEROUS TREES
	NEW DECIDUOUS TREE
	NEW 1829mm (6'-0") PVC FENCE
	PROPERTY LINE
	EXISTING ASPHALT PAVEMENT

PRELIMINARY - NOT FOR CONSTRUCTION

KRN
TOILETINO
ARCHITECTURE

LEGAL DESCRIPTION

UNIT 1
PLAN: 102176715

CIVIC ADDRESS

1440 11TH AVENUE,
REGINA, SASK.

SITE AREA

1,161m² (12,502ft²)

R1a - JUNE 21, 2016
- REVISED SITE PLAN

R1 - MAY 17, 2016
- ISSUED FOR DISCRETIONARY USE APPLICATION

PROJECT
NEW SECOND FLOOR
- ADDITION -

UNIT: 1
PLAN: 102176715

1140 11th Avenue
Regina, Saskatchewan

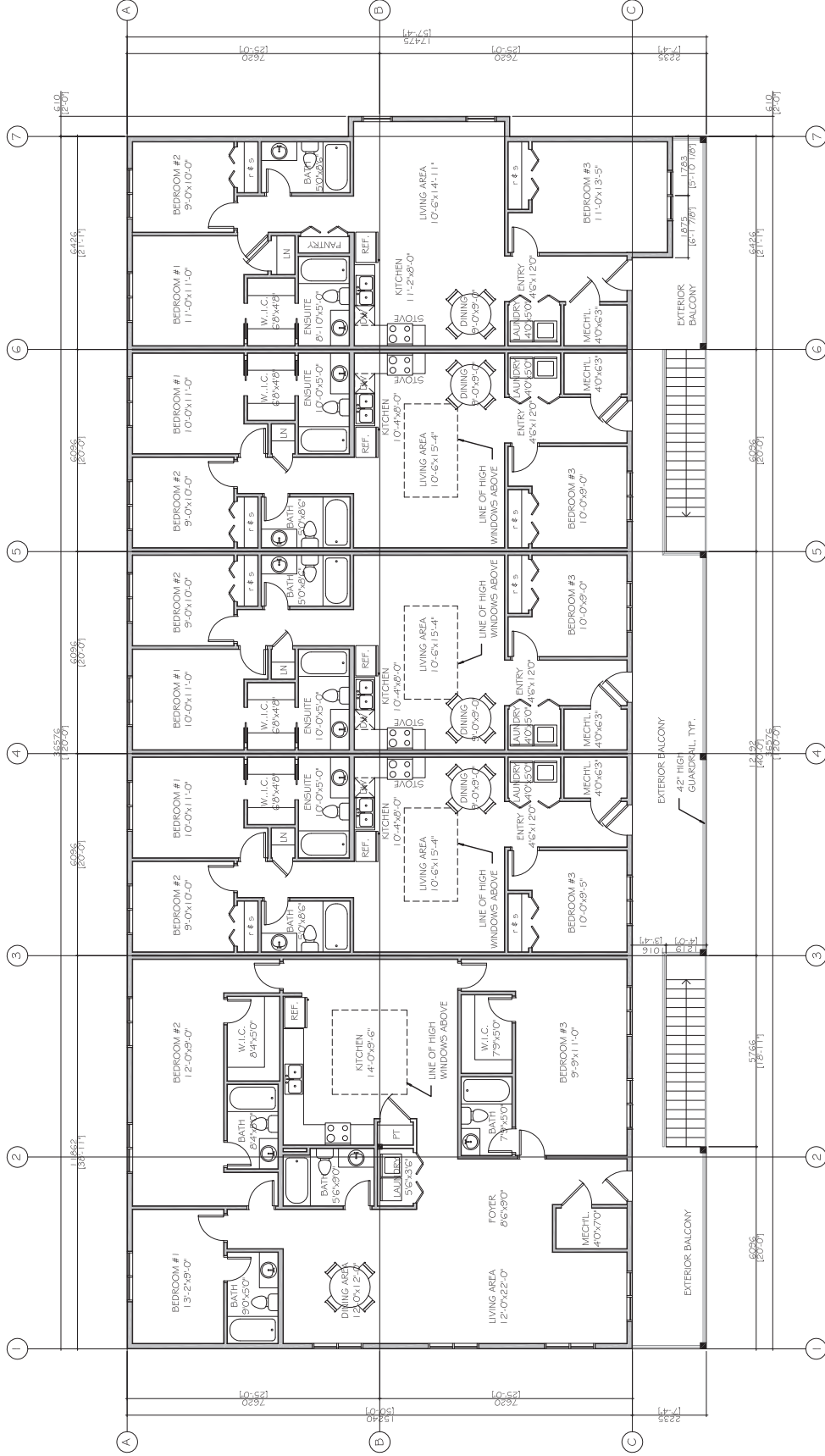
DRAWING
SITE, LANDSCAPE
PLAN & ZONING
BYLAWS

SCALE
1:200

DESIGN
DRAWN
DATE
PROJECT

SHEET NO
REVISION

A1.1 R1a



PROPOSED SECOND FLOOR PLAN
SCALE 1/8" = 1'-0"

- NOTES:
- EXISTING BUILDING DRAWN FOR ILLUSTRATION PURPOSES ONLY.
 - THE CONTRACTOR SHALL CHECK ALL DIMENSIONS AND OTHER DATA FROM THE PROJECT AND REPORT ANY DISCREPANCY TO THE CONSULTANTS BEFORE PROCEEDING.

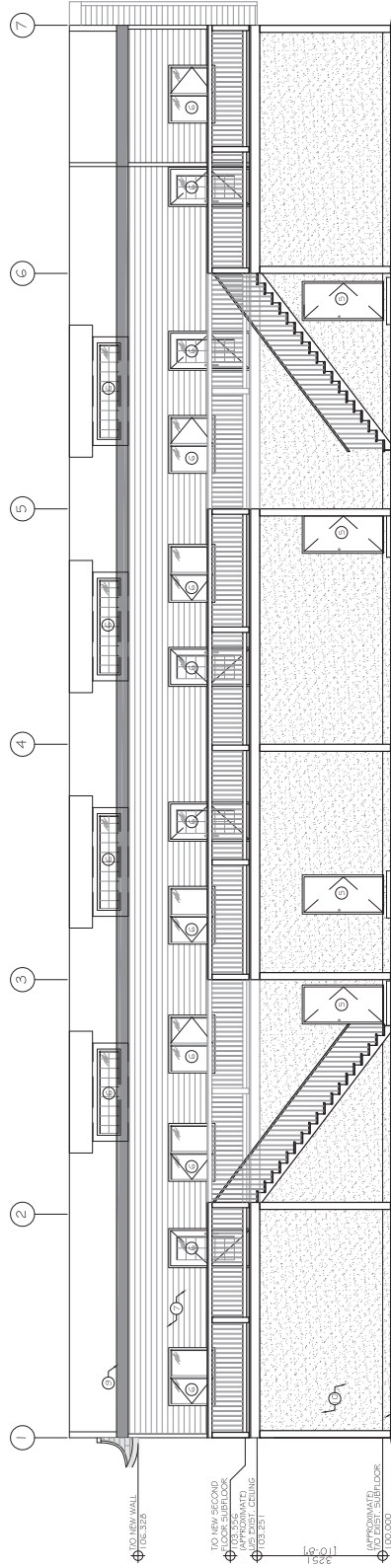
CONSTRUCTION LEGEND:

- DENOTES EXISTING CONSTRUCTION
- DENOTES NEW CONSTRUCTION

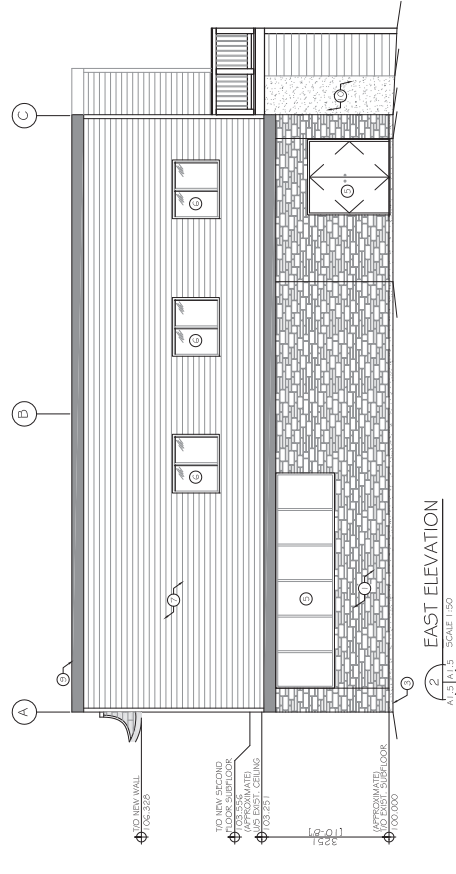
PRELIMINARY - NOT FOR CONSTRUCTION

PROJECT	NEW SECOND FLOOR - ADDITION -
UNIT:	1
PLAN:	102176715
	1140 11th Avenue Regina, Saskatchewan
DRAWING	PROPOSED SECOND FLOOR PLAN
SCALE	1:125
DESIGN	
DRAWN	• NPM
DATE	• MAY 17, 2016
PROJECT	• 162224
SHEET NO	• REVISION
	A1.3 R1

RI - MAY 17, 2016
- ISSUED FOR
DISCRETIONARY
USE APPLICATION



NORTH ELEVATION
SCALE 1:125



EAST ELEVATION
SCALE 1:250

EXTERIOR FINISH LEGEND:

- | | | | |
|---|----------------------|----|------------------------------|
| 1 | EXISTING BRICK | 6 | NEW WINDOW |
| 2 | EXISTING SIDING | 7 | NEW SIDING TO MATCH EXISTING |
| 3 | EXISTING PARKING | 8 | ARCHITECTURAL CHINESE ROOF |
| 4 | EXISTING STUCCO BAND | 9 | NEW STUCCO BAND |
| 5 | EXISTING WINDOWDOOR | 10 | EXISTING STUCCO FINISH |

PRELIMINARY - NOT FOR CONSTRUCTION

Public Consultation Summary

Response	Number of Responses	Issues Identified
<i>Completely opposed</i>	0	
<i>Accept if many features were different</i>	0	
<i>Accept if one or more features were difference</i>	0	
<i>I support this proposal</i>	2	<ul style="list-style-type: none"> • Appropriate development in the area

1. Issue: Appropriate development in the area

Administration's Response: The proposed development is appropriate in the area. It will contribute in promoting such innovative concepts. The proposed aesthetics of the building will contribute positively to the neighbourhood which has significant cultural diversity. Core Neighbourhood Plan also has identified this area to be appropriate for mixed-use development. This type of development will create new job opportunities and increase residential living options in the area. Putting a grocery/ convenience store in this area will also add convenience to nearby neighbours.

August 3, 2016

To: Members,
Regina Planning Commission

Re: Discretionary Use Application (16-DU-08)
Religious Institution – 2318 East Assiniboine Avenue

RECOMMENDATION

1. That the Discretionary Use Application for a proposed Religious Institution located at 2318 East Assiniboine Avenue, Block/Parcel B, Plan 86R27624 Ext 5, Richmond Place Subdivision be approved and that a Development Permit be issued subject to the following conditions:
 - a) The development shall be consistent with the plans attached to this report as Appendix A-3.1 and A-3.2 submitted along with the Discretionary Use Application form;
 - b) The Religious Institution shall accommodate no more than 20 patrons (seats) at one time; and
 - c) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.
2. That this report be forwarded to the August 29, 2016 meeting of City Council for approval.

CONCLUSION

The applicant proposes to reuse a vacant unit within an existing commercial development as a Religious Institution. Through the review process there was opposition expressed by nearby residents and property owners related to a several issues including traffic impacts, parking availability, potential size of congregation and overall appropriateness of the location. Administration has considered these concerns and, on the basis that the congregation size is limited to 20 persons at any one time and that there is sufficient parking on site in accordance with the regulations of *Regina Zoning Bylaw No. 9250* (Zoning Bylaw), is supporting the applicant's proposal.

The proposal complies with the development standards and regulations contained in the Zoning Bylaw and is consistent with the policies contained in *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP). Accordingly, the Administration recommends approval.

BACKGROUND

An application has been received for discretionary use to accommodate a Religious Institution within an existing commercial development located at 2318 East Assiniboine Avenue. This application is being considered pursuant to the Zoning Bylaw, OCP and *The Planning and Development Act, 2007*.

Pursuant to Subsection 56(3) of *The Planning and Development Act, 2007*, Council may establish conditions for discretionary uses based on nature of the proposed development (e.g. site, size, shape and arrangement of buildings) and aspects of site design (e.g. landscaping, site access, parking and loading), but not including the colour, texture or type of materials and architectural details.

DISCUSSION

The applicant proposes to develop a Religious Institution within an existing commercial development (unit E as identified in Appendix A-3.1)

The applicant has indicated that the expected number of patrons will vary depending on the time of day but that the maximum number of persons at any one prayer session would be 20. In accordance with Islamic tradition, the prayer times would be held five times per day: generally at dawn, immediately after noon, mid-afternoon, at sunset and at night. The duration of prayer times would be approximately ten to fifteen minutes.

The land use and zoning related details are provided in the table below.

Land Use Details	Existing	Proposed
Zoning	NC- Neighborhood Convenience	NC- Neighborhood Convenience
Land Use	Shopping Centre	Religious Institution (Within commercial rental unit E)
Number of Dwelling Units	N/A	N/A
Building Area	718.18 m ²	718.18 m ²

Zoning Analysis	Required	Proposed
Number of Parking Stalls Required	20 stalls	26 stalls
Minimum Lot Area (m ²)	250 m ²	294.7 m ²
Minimum Lot Frontage (m)	6 m	62.4 m
Maximum Building Height (m)	11 m	6.8 m
Maximum Floor Area Ratio	1.75	0.34
Maximum Coverage (%)	65%	34%

The proposal is consistent with the purpose and intent of the NC-Neighbourhood Convenience Zone with respect to:

- Providing locations for business establishments that serve the day to day commercial and personal service needs of households and residents of new or established residential neighbourhoods.

Surrounding land uses include detached dwellings to the north, south, and west and a multi-unit townhouse development to the east.

RECOMMENDATION IMPLICATIONS

Financial Implications

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 additional or changes to existing infrastructure that may be required to directly or indirectly support the development, in accordance with City standards and applicable legal requirements.

Environmental Implications

None with respect to this report.

Policy/Strategic Implications

The proposal is consistent with the policies contained within Part A of the OCP with respect to:

- Providing opportunities for daily lifestyle needs, such as services, convenience shopping and recreation.

The proposal is also consistent with the policies contained in Part D: Southeast Sector Plan of the OCP with respect to facilitating the sense of community by providing the elements which foster identity of place, areas for social interaction and streets for an active vibrant community.

Other Implications

None with respect to this report.

Accessibility Implications

The Zoning Bylaw requires two per cent of the required 20 parking stalls or one parking stall be provided for persons with disabilities. The proposed development provides two parking stall for persons with disabilities which exceeds the minimum requirement.

COMMUNICATIONS

Communication with the public is summarized as follows:

Public notification signage posted on	May 2, 2016
Letter sent to immediate property owners	April 28, 2016
Number of public comments sheets received	22
Will be published in the Leader Post on	N/A

Administration circulated the application to the nearby property owners with a deadline of May 27, 2016 to provide comments. A total of 66 nearby property owners and occupants were notified who fall within a 75 metre radius of the subject property. Through the notification process there were some public concerns regarding the deadline for submitting comments. In response, the Administration extended the deadline for public comment to June 30, 2016. A more detailed accounting of the respondents' concerns and the Administration's response to them is provided in Appendix B.

In response to comments received, a meeting was held on June 20, 2016 with nearby property owners/residents and the applicant. At the meeting, residents reiterated concerns and objection to the proposal as outlined in Appendix B to this report. Representatives from the Administration responded to the questions and provided information related to the regulations and development standards in the Zoning Bylaw and provided information on the balance of the discretionary use application process.

The application was circulated to the Arcola East Community Association who responded that they do not have any concerns as long as the regulations are met.

The applicant and other interested parties will receive a copy of the report and notification of the meeting to appear as a delegation in addition to receiving written notification of City Council's decision.

DELEGATED AUTHORITY

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

Respectfully submitted,

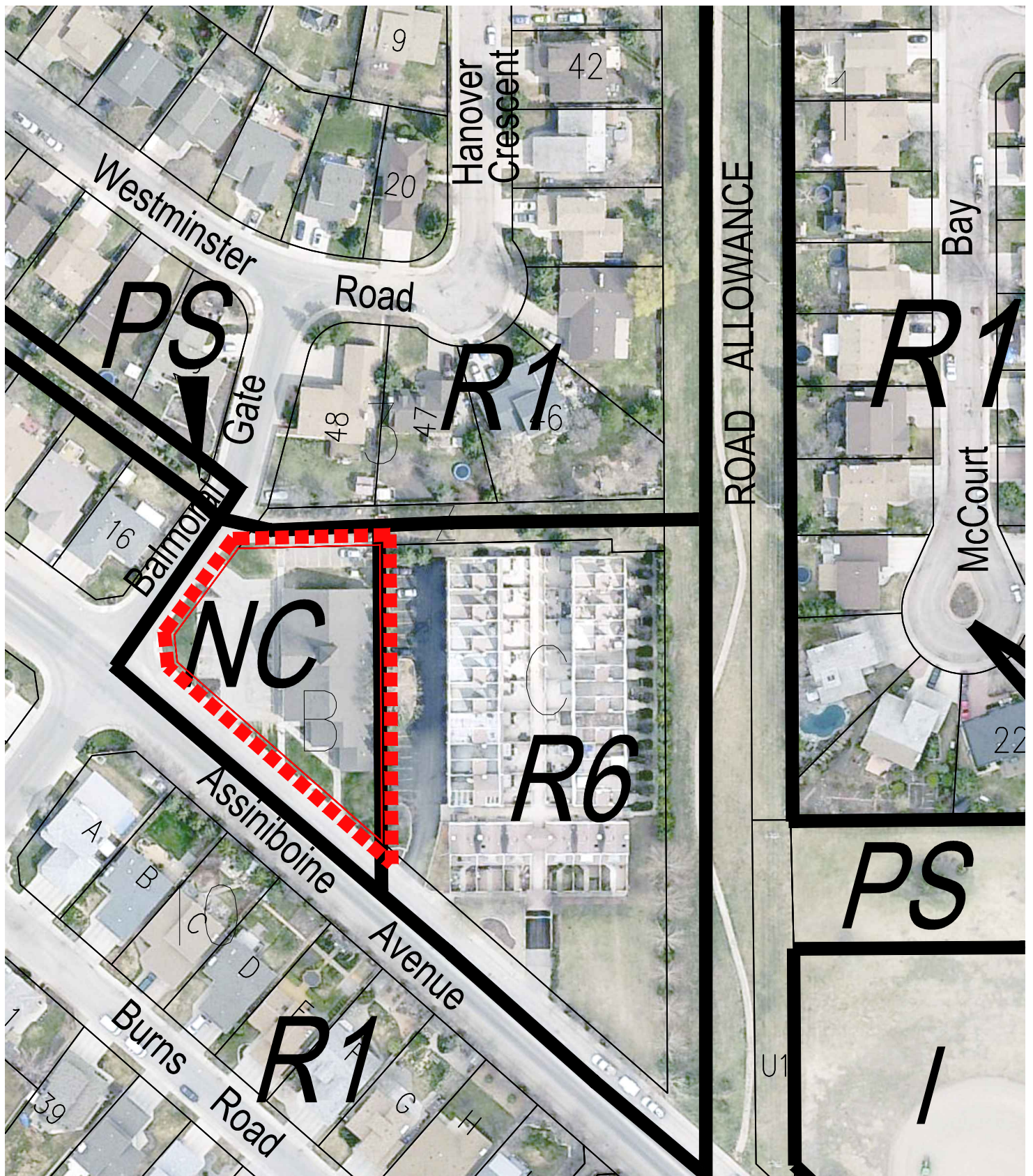


Louise Folk, Director
Development Services

Respectfully submitted,



Diana Hawryluk, Executive Director
City Planning & Development



Subject Property



Project 16-DU-08

Civic Address/Subdivision

2318 Assiniboine Avenue E



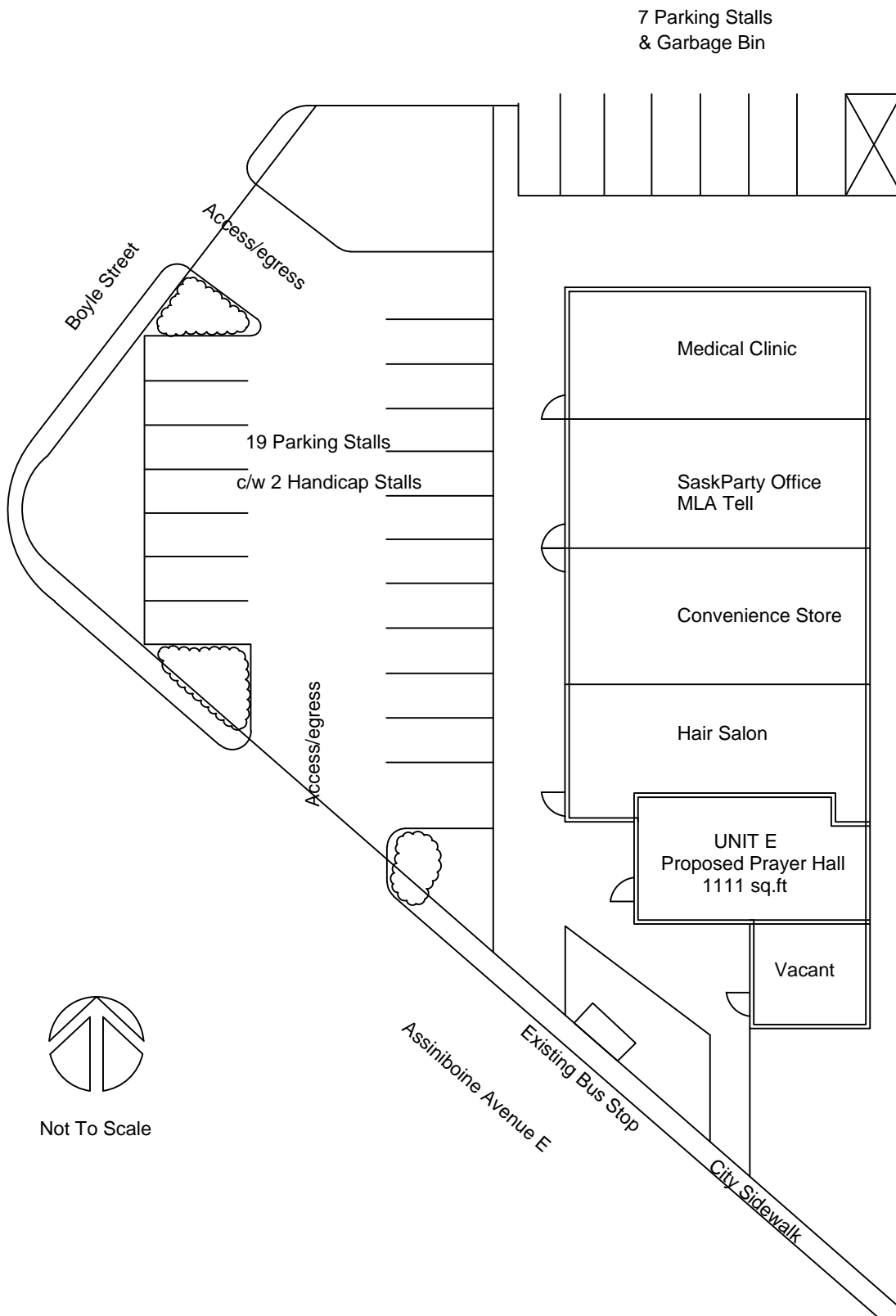
Subject Property

Date of Photography: 2014



Project 16-DU-08

Civic Address/Subdivision 2318 Assiniboine Avenue E



2318 Assiniboine Avenue East, Unit E

Discretionary Use Application - Religious Facility/Prayer Hall
May 5, 2016



Assiniboine Medical Clinic
238 A
1000 University Avenue, Winnipeg, Manitoba R3T 5Y6
Tel: 222-1111 Fax: 222-1112

Christine Tell MLA
CONSULT

Something 4 U
CONFECTIONERY

the fixx
HOME DESIGN

Pest Control

Public Consultation Summary

Response	Number of Responses	Issues Identified
<i>I support this proposal</i>	1	<ul style="list-style-type: none"> Prayer is a basic need
<i>Accept if one or two features were different</i>	0	
<i>Accept if many features were different</i>	0	
<i>Completely opposed</i>	21	<ul style="list-style-type: none"> Traffic in the neighbourhood is already too heavy There is not sufficient parking and it will spill over onto adjacent streets Noise Inappropriate location Size of congregation and future use

1. Issue: Traffic in the neighborhood is already too heavy

Administration's Response: Assiniboine Avenue is classified as an urban collector roadway which can maintain traffic volumes up to 12,000 vehicles per day. According to the City's most recent traffic counts in this area, this section of Assiniboine Avenue experiences traffic volumes of 5,100 vehicles per day. Traffic increase on Assiniboine Avenue as a result of the development will be minimal. The application was reviewed for traffic safety and no concerns were raised.

Given that an addition is not being proposed to the existing development, the Administration's assessment is that there will be no impact on the existing road network capacity in the immediate area and on Assiniboine Avenue.

2. Issue: Parking lot is too small inviting spill-over parking on the adjacent streets.

Administration's Response:

The proposal meets the minimum parking requirements under *Regina Zoning Bylaw No. 9250*. *Regina Zoning Bylaw 9250* requires one parking stall for four seats for a Religious Institution. There are currently 26 parking stalls located on the subject property. With the development of the Religious Institution, which would require 5 stalls, the total development will require 20 parking stalls under *Regina Zoning Bylaw No. 9250*.

The applicant has indicated that Religious Institution would be used five times a day for about 10 to 15 minutes at a time and that the prayer times are not overlapping. Therefore, there is less chance of spill over parking on the adjacent streets. On-street parking is available on adjacent streets. Transit stops are immediately adjacent to the property on Assiniboine Avenue.

Considering the public comments and concerns raised by the nearby residents, the Administration conducted a survey on the parking stalls during the noon hour on June 9, 2016 and morning and afternoon hours on June 10, 2016 and June 22, 2016. The following table identifies the number of parking stalls used on-site during the survey period:

Date	Time	No. of cars parked	No. of vacant parking stalls
June 9, 2016	12:15-12:30 p.m.	13	13
June 10, 2016	8:15-8:30 a.m.	2	24
June 10, 2016	5:15-5:30 p.m.	13	13
June 22, 2016	5:55 -6:40 p.m.	10	16

3. Issue: Noise

Administration's Response: As per the Islamic calendar, the earliest time and latest prayer times are presented below:

Month	Earliest prayer time	Latest Prayer time
September, 2016	5:51 a.m.	7:38 p.m.
October, 2016	5:31 a.m.	8:05 p.m.
November, 2016	6:20 a.m.	7:05 p.m.
December, 2016	7:00 a.m.	6:45 p.m.
January, 2017	7:01 a.m.	7:23 p.m.
February, 2017	6:13 a.m.	8:09 p.m.
March, 2017	5:04 a.m.	9:02 p.m.
April, 2017	3:42 a.m.	10:10 p.m.
May, 2017	3:01 a.m.	10:50 p.m.
June, 2017	3:03 a.m.	11:00 p.m.
July, 2017	3:03 a.m.	11:00 p.m.
August, 2017	3:23 a.m.	10:44 p.m.

(Source: <http://www.islamicfinder.org/prayerDetail.php?country=canada&city=Regina&state=SK&monthly=1>)

The table shows that the earliest prayer time in a year would be 3 a.m. in the morning and the latest would be 11 p.m. As per the information provided by the applicants, the congregation prefers to pray at home in those early and late hours and therefore, there could be less traffic anticipated. The traffic of congregation is directly related to the noise during early and late hours of the day. Likewise, the applicants have confirmed that there would not be use of loudspeakers outside of the building. The applicant might use microphone/ speaker system for internal use. Volumes are required to be set low so as not to disturb other tenants in the building or nearby owners.

This prayer hall is not considered to be a mosque, meaning that it is not intended for larger, more formal services, normally held on Friday. No outdoor loudspeakers would be used at this facility, as may be the case with a traditional mosque.

4. Issue: Inappropriate location

Administration's Response: A Religious Institution is discretionary use in the NC-Neighborhood Convenience Zone. The intent of the NC zone is to serve the day-to-day service needs of households and residents of new or established residential neighborhoods. The small scale and short duration nature of the use suits the intent of NC zone where a nearby resident can stop by, pray for few minutes and go.

Such facilities do not interrupt the existing businesses rather contribute in increase of customer traffic.

5. Issue: Future concerns - change in congregation size and future similar use.

Administration's Response: A condition of approval limits the size of the congregation of the Religious Institution to no more the 20 persons at one time. In the event that another Religious Institution were to occupy this space in the future it would be bound by this same condition.