



REGINA PLANNING COMMISSION

**Wednesday, March 13, 2013
4:00 PM**

Henry Baker Hall, Main Floor, City Hall



Office of the City Clerk

**Public Agenda
Regina Planning Commission
Wednesday, March 13, 2013**

Approval of Public Agenda

Minutes of the meeting held on February 13, 2013.

Administration Reports

RPC13-18 Application for Zoning Bylaw Amendment (12-Z-18) Hawkstone Phase 3

Recommendation

1. That the application to rezone property located in the Hawkstone subdivision located north of Rochdale Boulevard, as shown on the attached plan of proposed subdivision in Appendix A-3, be APPROVED as follows:
 - a) proposed parcel T1 from partially UH-Urban Holding Zone and partially R6-Residential Multiple Housing Zone to R6-Residential Multiple Housing Zone in entirety, and
 - b) proposed parcel X1 from UH-Urban Holding Zone to R6-Residential Multiple Housing Zone.
2. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.
3. That this report be forwarded to the April 8, 2013 City Council meeting, which will allow sufficient time for advertising of the required public notices for the respective bylaws.
4. That pursuant to Section 18D.1.1 of the Zoning Bylaw, City Council waive the requirement to post a public notification sign on the subject lands, due to their remote location and the current unavailability of direct public access.

RPC13-19 Application for Discretionary Use (12-DU-34) Proposed Office Building Greater than 2.0 in the D-Downtown Zone – 1800, 1842, and 1850 Hamilton Street

Recommendation

1. That the discretionary use application for a proposed office building greater than Floor Area Ratio (F.A.R.) 2.0 located at 1800, 1842, and 1850 Hamilton Street, being Lots 28-35 inclusive, and 42, Block 306, Old 33 Subdivision, be APPROVED, and that a Development Permit be issued subject to the following conditions:



Office of the City Clerk

- a) The development shall be consistent with the plans attached to this report as Appendix A-3.1 to A-3.4 inclusive, prepared by Gibbs Gage Architects and dated December 15, 2012;
 - b) The applicant/owner shall enter into an agreement with the City of Regina, in a form satisfactory to the City Solicitor, to provide the balance of required parking stalls not provided on site at an off-site location to meet the minimum parking requirements of *Regina Zoning Bylaw No. 9250*. This agreement will provide that the off-site parking serve the proposed development in perpetuity. The agreement shall be executed prior to issuance of a building permit, and be registered on title in the City's interest at the applicant/owner's cost;
 - c) The building permit plans shall clearly identify the minimum required parking stalls for persons with disabilities;
 - d) The applicant/owner shall comply with all applicable regulations and standards under *Regina Zoning Bylaw No. 9250*; and
 - e) The applicant/owner shall enter into an agreement with the City of Regina, in a form satisfactory to the City Solicitor, for the provision of public amenities consistent with Chapter 17 of *Regina Zoning Bylaw No. 9250* and equivalent to the amount of \$517, 626. This agreement shall be executed prior to issuance of a building permit, and shall be registered on title in the City's interest at the applicant/owner's cost.
2. That this report be forwarded to the March 18, 2013 meeting of City Council.

Adjournment

AT REGINA, SASKATCHEWAN, WEDNESDAY, FEBRUARY 13, 2013

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

AT 4:00 PM

Present: Councillor Mike O'Donnell, in the Chair
Councillor Jerry Flegel
Councillor Shawn Fraser
David Edwards
Phil Evans
Ron Okumura
Phil Selenski
Laureen Snook

Regrets: Dallard LeGault
Sherry Wolf

Also in Attendance: Committee Assistant, Elaine Gohlke
Solicitor, Cheryl Willoughby
Deputy City Manager, Community Planning & Development, Jason Carlston
Director of Planning, Diana Hawryluk
Manager of Current Planning, Fred Searle
Manager of Infrastructure Planning, Geoff Brown
Manager of Environmental Engineering, Rob Court
Manager of Long Range Planning, Jill Beck
Manager of Real Estate, Chuck Maher
Senior City Planner, Michael Cotcher
City Planner II, Rylan Graham

APPROVAL OF PUBLIC AGENDA

Phil Evans moved, AND IT WAS RESOLVED, that the agenda for this meeting be approved, as submitted, and that the delegations be heard at the call of the Chairperson.

ADOPTION OF MINUTES

David Edwards moved, AND IT WAS RESOLVED, that the minutes for the meeting held on January 30, 2013 be adopted.

ADMINISTRATION REPORTS

RPC13-14 Application for Discretionary Use (12-DU-27) - Proposed Warehousing of
Hazardous Materials - 1121 E Pettigrew Avenue

Recommendation

1. That the discretionary use application for a proposed warehouse and distribution facility involving hazardous materials on the property

located at 1121 E Pettigrew Avenue, being, Block 15, Plan No. 101922049, Ross Industrial 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, prepared by McGinn Architecture Limited and dated September 26, 2012;
 - b) Prior to the issuance of a building permit, the applicant shall submit for review a comprehensive fire safety plan, and a spill mitigation plan to the Fire & Protective Services Department;
 - c) The development shall comply with the applicable performance regulations contained in Table 10.3 of the Zoning Bylaw, for properties located within the Low Sensitivity Aquifer Protection Overlay Zone; and
 - d) The development shall comply with all other applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.
2. That this report be forwarded to the February 25, 2013 meeting of City Council.

The following addressed the Commission:

- Rylan Graham, City Planner, made a PowerPoint presentation, a copy of which is on file in the City Clerk's Office;
- Brent Fuller, representing McKesson Canada; and
- Patrick McGinn, representing McGinn Engineering Ltd., and Rob Sharratt, representing North 49 Lubricants.

Phil Selenski moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in.

RPC13-15 Supplemental Report - Somerset Official Community Plan Amendments (RPC12-82)

Recommendation

That this report be forwarded to City Council for information.

Michael Cotcher, City Planner, made a PowerPoint presentation, a copy of which is on file in the City Clerk's Office.

Councillor Flegel moved, AND IT WAS RESOLVED, that this report be forwarded to City Council for information.

RPC12-82 Somerset Official Community Plan Amendments

Recommendation

1. That the proposed amendments to Bylaw 7877 (The Regina Development Plan), as outlined in Appendix A-3 of this report, be APPROVED.

2. That the City Solicitor be directed to prepare the necessary bylaw to enact the amendments referenced in recommendation 1 of this report.
3. That this report be forwarded to the March 18, 2013 City Council meeting to allow for the required public advertising of the proposed amendments to occur.

The following addressed the Commission:

- Nancy Sawa;
- Matt Sawa;
- Ryan Bender;
- Ranj Deol, representing Terra Group Investments Inc.;
- James Pernu, representing McElhanney Consulting Services Ltd., made a PowerPoint presentation, a copy of which is on file in the City Clerk's Office;
- Rob McCurdy, representing McElhanney Consulting Services Ltd.;
- Bobby Pawar, representing Earth King Investments; and
- Rick Mitchell, representing Earth King.

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

RPC13-13 Application for Zoning Bylaw Amendment (12-Z-28) – PS to R1A - 2370
Elphinstone Street

Recommendation

1. The application to rezone 2370 Elphinstone Street, being Lot X, Block 456A, Plan No. 80R18091 as shown on the attached subject property map from PS – Public Service to R1A – Residential Older Neighbourhood Detached, be APPROVED;
2. That the City Solicitor be directed to prepare the necessary bylaws for rezoning and selling of public service land; and
3. That this report be forwarded to the March 18, 2013 City Council meeting to allow for sufficient time for the required public advertising of the proposed bylaw.

The following addressed the Commission:

- Mark Andrews, City Planner, made a PowerPoint presentation, a copy of which is on file in the City Clerks Office; and
- Cheryl Grzeda.

Councillor Fraser moved that the recommendation contained in the report be concurred in.

(Councillor Flegel left the meeting.)

The motion was put and declared CARRIED.

RECESS

Phil Selenski moved, AND IT WAS RESOLVED, that the Commission recess for five minutes.

The Commission recessed at 6:48 p.m.

The Commission reconvened at 7:01 p.m. in the absence of Councillor Fraser.

RPC13-10 Application for Discretionary Use (12-DU-35) Proposed Planned Group of Townhouses, Parcels C & D, NW corner James Hill Road and Gordon Road

Recommendation

1. That the discretionary use application for a proposed planned group of townhouses located at the NW corner of James Hill Road and Gordon Road, being Parcels C and D, located in Harbour Landing Phase 8 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-3.2 inclusive, titled Oak Park Living Life Town homes dated November 13, 2012;
 - b) The entrance at Gordon Road shall be rights-in and rights-out only; 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 February 25, 2013 meeting of City Council.

Sue Luchuck, City Planner, made a PowerPoint presentation, a copy of which is on file in the City Clerk's Office.

(Councillor Fraser arrived during Ms. Luchuck's presentation.)

Neil Braun, representing Oak Park Living, made a PowerPoint presentation, a copy of which is on file in the City Clerk's Office.

David Edwards moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in.

RPC13-11 Application for Zoning Bylaw Amendment (12-Z-29) 1902 Heseltine Road, Parcel A, Riverbend

Recommendation

1. That the application to rezone 1902 Heseltine Road (Parcel A, Plan No. 101550406 and a portion of SW 1/4 22-17-19 W2M) within the Riverbend Concept Plan Area, as shown on the attached plan of

proposed subdivision (See Attachment A-3.1), from UH - Urban Holding to R1-Residential Detached, be APPROVED.

2. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.
3. That this report be forwarded to the March 18, 2013 City Council meeting, which will allow sufficient time for advertising of the required public notices for the respective bylaws.

The following addressed the Commission:

- Lauren Miller, City Planner, made a PowerPoint presentation, a copy of which is on file in the City Clerk's Office; and
- Katherine Godwin, representing AECOM on behalf of Cindercrete Products.

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

RPC13-12 Application for Contract Zone Approval (12-CZ-8) Proposed Temporary
Parking Lot in the Downtown, 1755 Hamilton Street

Recommendation

1. That the application to amend *Regina Zoning Bylaw No. 9250* to rezone 1755 Hamilton Street, being Lots 42-47, Block 286, Plan Old 33. from D-Downtown to C – Contract be APPROVED and that the 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 property shall be permitted to operate as a temporary parking lot or construction staging area for three years from the date of City Council's approval;
 - b. The parking lot shall meet all standards for "parking lot, paved" except that:
 - i. Surface may be minimum 150 mm densely packed gravel or asphalt planings with a dust inhibitor to the satisfaction of the Director of Construction and Compliance;
 - ii. Drainage to catch basin connection in an alley will be permitted, but drainage shall not flow over the fronting sidewalk or other pedestrian access; and
 - iii. The parking lot must meet the requirements of the City of Regina Standard for Drainage from Building Site and Parking Lot Developments in order to obtain a building permit.

- c. The development shall conform to the attached plans labelled A01, prepared by Number 10 Architecture, and dated August 16, 2012, Appendix A-3;
 - d. Any zoning related detail not specifically addressed in the contract zone agreement shall be subject to applicable provisions of the Zoning Bylaw;
 - e. The agreement shall be registered in the City'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 Zoning Bylaw amendment.
 4. That this report be forwarded to the March 18, 2013 City Council meeting, which will allow sufficient time for advertising of the required public notices for the respective bylaws.

The following addressed the Commission:

- Ben Mario, City Planner, made a PowerPoint presentation, a copy of which is on file in the City Clerk's Office; and
- Shawn Farrow, representing Westland Ventures and Mark Flasch, representing Number 10 Architecture.

Phil Selenski moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in.

RPC13-16 Application for (12-CL-10) – Portion of 20th Avenue, Adjacent to 2875 Argyle Street and 2874 Elphinstone Street

Recommendation

1. That the application for the closure and sale of a portion of 20th Avenue as shown on the attached plan of proposed subdivision prepared by Prakhar Shrivastava, dated July 4, 2012 and legally described as follows, be APPROVED:

(a) "All that portion of 20th Avenue, Regina, Saskatchewan, Registered Plan No. FB5838 as shown on a plan of proposed subdivision by Prakhar Shrivastava S.L.S. and dated July 4th, 2012."
2. That the City Solicitor be directed to prepare the necessary bylaw;
3. That this report be forwarded to the February 25, 2013 City Council meeting, which will allow sufficient time for advertising of the required public notice for the subject street closure bylaw.

Rylan Graham, City Planner, made a PowerPoint presentation, a copy of which is on file in the City Clerk's Office.

David Edwards moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in.

RPC13-17 Applications for Zoning Bylaw Amendment and Lane Closure (12-Z-25/12-CL-9.) Portion of the East-West Lane, Block 332 - Located between 1916 and 1922 Elphinstone Street

Recommendation

1. That the application to amend *Regina Zoning Bylaw No. 9250* as follows be APPROVED:
 - (a) That the property located at 1922 Elphinstone Street (south of existing lane) and comprised of Lots 11 and 12, Block 332, Plan No. DV4420, be rezoned from C - Contract to MAC - Major Arterial Commercial;
 - (b) That the contract zone agreement as authorized by Bylaw No. 9813 for 1922 Elphinstone Street be struck from Table 9.1 (Current Contract Zoning Agreements).
2. That the application for the closure and sale of a portion of the lane described as "all that portion of the east-west Lane in Block 332, Registered Plan No. DV4420 in Regina, Saskatchewan, as shown on the Plan of Proposed Subdivision, prepared by P. Shrivastava S.L.S. and dated July 31, 2012", be APPROVED.
3. That the City Solicitor be directed to discharge the contract zone agreement registered on the title.
4. That the City Solicitor be directed:
 - (a) to prepare the required Zoning Bylaw amendments and the bylaw to authorize closure and sale of the aforementioned lane; and
 - (b) to arrange for discharge of the interest registered on the titles to the aforementioned Lots 11 and 12, pertaining to the existing contract zone agreement.
5. That this report be forwarded to the March 18, 2013 City Council meeting, which will allow sufficient time for advertising of the required public notices for the respective bylaws.

Rylan Graham, City Planner, made a PowerPoint presentation, a copy of which is on file in the City Clerk's Office.

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

The motion was put and declared LOST.

Laureen Snook moved, AND IT WAS RESOLVED, that:

- 1. The application for the proposed amendments to the *Regina Zoning Bylaw No. 9250*, as contained in this report be DENIED.**
- 2. The application for the closure and sale of a portion of the lane as contained in this report be DENIED.**

ADJOURNMENT

Phil Selenski moved, AND IT WAS RESOLVED, that the meeting adjourn.

The meeting adjourned at 8:01 p.m.

Chairperson

Secretary

March 13, 2013

To: Members,
Regina Planning Commission

Re: Application for Zoning Bylaw Amendment (12-Z-18) Hawkstone Phase 3

RECOMMENDATION

1. That the application to rezone property located in the Hawkstone subdivision located north of Rochdale Boulevard, as shown on the attached plan of proposed subdivision in Appendix A-3, be APPROVED as follows:
 - a) proposed parcel T1 from partially UH-Urban Holding Zone and partially R6-Residential Multiple Housing Zone to R6-Residential Multiple Housing Zone in entirety, and
 - b) proposed parcel X1 from UH-Urban Holding Zone to R6-Residential Multiple Housing Zone.
2. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.
3. That this report be forwarded to the April 8, 2013 City Council meeting, which will allow sufficient time for advertising of the required public notices for the respective bylaws.
4. That pursuant to Section 18D.1.1 of the Zoning Bylaw, City Council waive the requirement to post a public notification sign on the subject lands, due to their remote location and the current unavailability of direct public access.

CONCLUSION

The applicant proposes to rezone to accommodate:

- Rental apartments
- The subject property is currently zoned UH-Urban Holding. Proposed zoning is R6-Residential Multiple Housing
- The subject property is located within the Hawkstone subdivision.

The Administration is recommending approval as this proposal is compliant with the Zoning Bylaw, Official Community Plan (OCP) and the Hawkstone Concept Plan.

BACKGROUND

The applicant submitted a Zoning Bylaw amendment application and plan of proposed subdivision in relation to Hawkstone Phase 3 in June 2012. During the review it was noted that City Council had not approved the sale of the most northerly 32.7 metres of proposed Parcels T and X to the applicant. As a result, the area of the Zoning Bylaw amendment was altered to exclude that portion of Parcels T and X. City Council approved Zoning Bylaw amendment No. 2012-83 for the altered area at their meeting on October 9, 2012.

At its meeting on February 25, 2013 City Council authorized the sale of this property to the applicant which enables the Administration to proceed with this report which addresses the rezoning of the entire parcels.

This application is being considered pursuant to *Regina Zoning Bylaw No. 9250, Regina Development Plan Bylaw No. 7877 (Official Community Plan -OCP)*, and *The Planning and Development Act, 2007*.

The related subdivision application is being considered concurrently in accordance with Bylaw No. 2003-3, by which subdivision approval authority has been delegated to the Administration. A copy of the plan of proposed subdivision is attached for reference purposes only.

DISCUSSION

Zoning and Land Use Details

Parcel T1 is being rezoned from UH- Urban Holding (the most northerly 32.7 metres) and R6- Residential Multiple Housing to R6-Residential Multiple Housing in entirety. Parcel X1 is being rezoned from UH-Urban Holding to R6-Residential Multiple Housing to correct an Administrative error in Bylaw No. 2012-83 which referred to Parcel W instead of Parcel X.

The rezoning will enable the development of rental apartments on both parcels.

The surrounding land uses, within the Hawkstone subdivision, include planned low density residential development to the north, proposed medium density residential development to the east and south and future commercial development to the west.

The proposed development is consistent with the purpose and intent of the R6-Multiple Housing Zone which supports a variety of residential development options with a net density in excess of 50 dwelling units per hectare.

RECOMMENDATION IMPLICATIONS

Financial Implications

Capital funding to provide municipal infrastructure that is required for subdivision and development in the concept plan area will be the sole responsibility of the developer. The municipal infrastructure that is built and funded by the developer will become the City's responsibility to operate and maintain through future budgets.

Any infrastructure that is deemed eligible for Servicing Agreement Fee funding will be funded by the City of Regina in accordance with the *Administration of Servicing Agreements Fees and Development Levies* policy. Utility charges are applied to the costs of water, sewer and storm drainage services.

Environmental Implications

None with respect to this report.

Policy/Strategic Implications

The proposal is consistent with the policies contained within Part A: Policy Plan of *Regina Development Plan, Bylaw No. 7877 (Official Community Plan)* with respect to:

- 3.3– To achieve a mix of housing types and densities to suit different lifestyles, income levels and special needs in existing and future neighbourhoods.
- 7.1 d) – To promote the development of sustainable suburban neighbourhoods.
- 7.12 a) – That the City should encourage/require developers to provide a greater mix of housing to accommodate households of different incomes, types, stages of life and capabilities within each new neighbourhood.

The proposed development responds to the current market demand for higher density residential development and accommodates a demographic that chooses not to or is unable to purchase a dwelling.

The proposal is also consistent with the policies contained in Part C – Northwest Sector Plan of the OCP with respect to the policies regarding staged and sequential growth in the northwest part of the City.

Other Implications

None with respect to this report.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

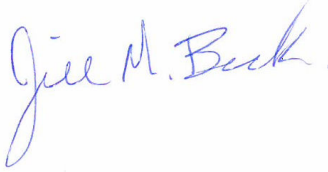
Public notification signage posted on:	The subject lands were not sign posted, due to their remoteness from surrounding urban development and the current unavailability of direct public access to the site. The Administration acknowledges that according to Section 18D.1.1 of <i>Regina Zoning Bylaw No. 9250</i> , the authority to waive the signposting requirement rests exclusively with City Council. Although occurring after the fact, a recommendation has been provided for Council to waive those requirements.
Will be published in the Leader Post on:	March 16, 2013 March 23, 2013

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*.

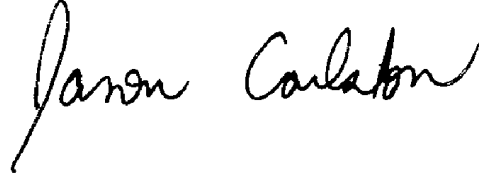
Respectfully submitted,

A handwritten signature in blue ink that reads "Jill M. Beck".

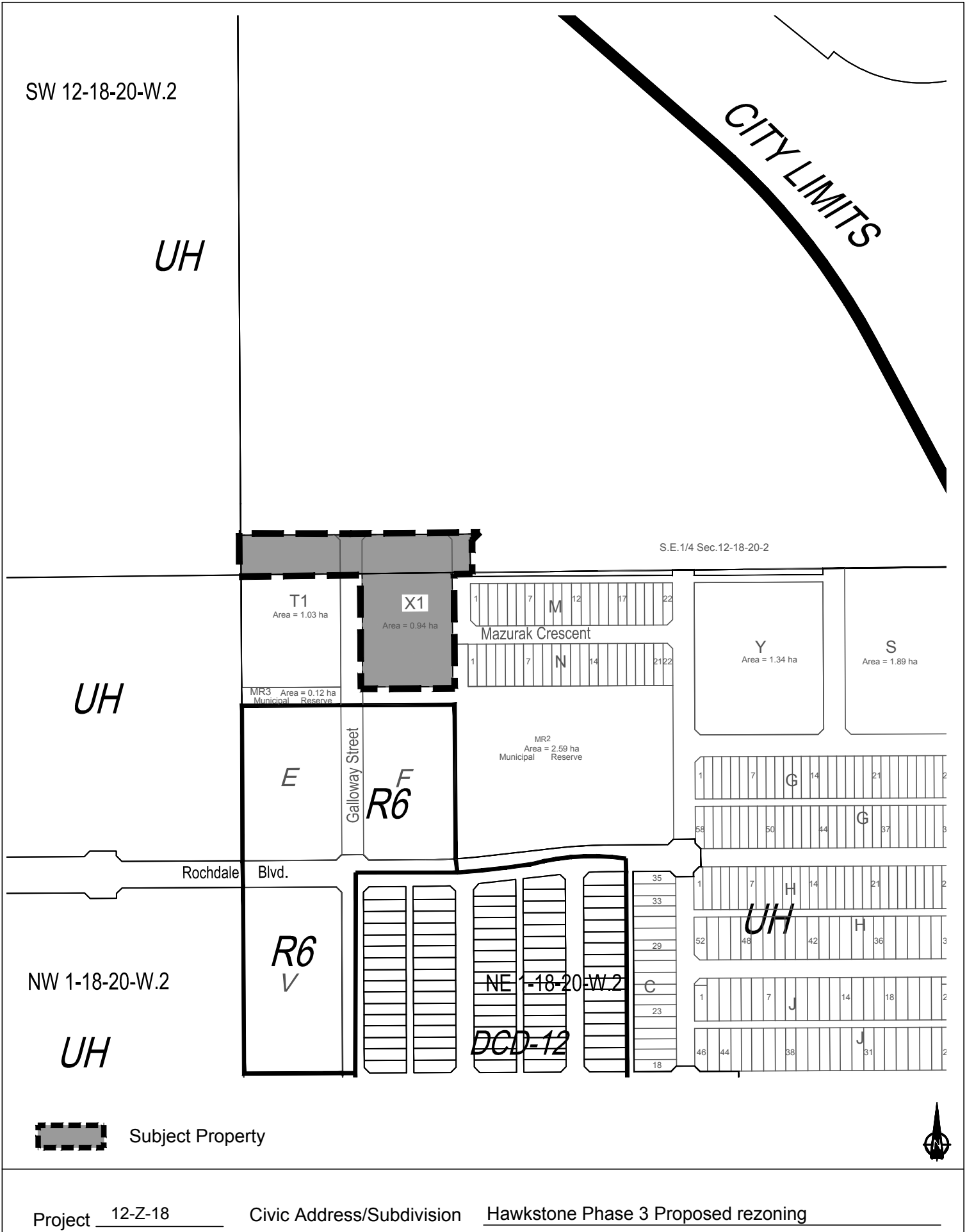
For Diana Hawryluk
Director, Planning

Prepared by: Sue Luchuck

Respectfully submitted,

A handwritten signature in black ink that reads "Jason Carlston".

Jason Carlston, Deputy City Manager
Community Planning and Development





Subject Property

Date of Photography : 2012

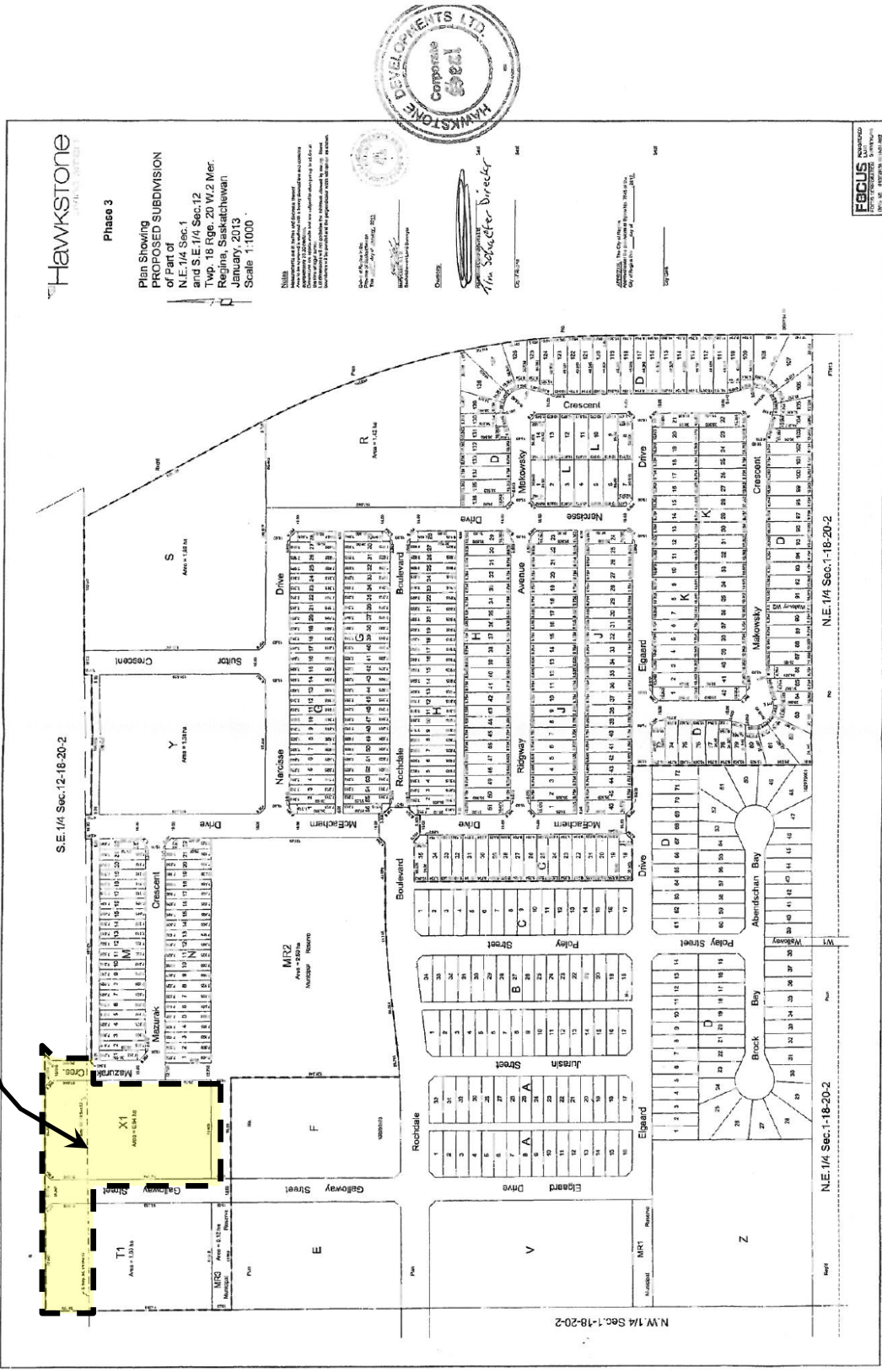


Project 12-Z-18

Civic Address/Subdivision

Hawkstone Phase 3 Proposed rezoning

Subject Property



March 13, 2013

To: Members,
Regina Planning Commission

Re: Application for Discretionary Use (12-DU-34) Proposed Office Building Greater than 2.0
in the D-Downtown Zone – 1800, 1842, and 1850 Hamilton Street

RECOMMENDATION

1. That the discretionary use application for a proposed office building greater than Floor Area Ratio (F.A.R.) 2.0 located at 1800, 1842, and 1850 Hamilton Street, being Lots 28-35 inclusive, and 42, Block 306, 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-3.4 inclusive, prepared by Gibbs Gage Architects and dated December 15, 2012;
 - b) The applicant/owner shall enter into an agreement with the City of Regina, in a form satisfactory to the City Solicitor, to provide the balance of required parking stalls not provided on site at an off-site location to meet the minimum parking requirements of *Regina Zoning Bylaw No. 9250*. This agreement will provide that the off-site parking serve the proposed development in perpetuity. The agreement shall be executed prior to issuance of a building permit, and be registered on title in the City's interest at the applicant/owner's cost;
 - c) The building permit plans shall clearly identify the minimum required parking stalls for persons with disabilities;
 - d) The applicant/owner shall comply with all applicable regulations and standards under *Regina Zoning Bylaw No. 9250*; and
 - e) The applicant/owner shall enter into an agreement with the City of Regina, in a form satisfactory to the City Solicitor, for the provision of public amenities consistent with Chapter 17 of *Regina Zoning Bylaw No. 9250* and equivalent to the amount of \$517,626. This agreement shall be executed prior to issuance of a building permit, and shall be registered on title in the City's interest at the applicant/owner's cost.
2. That this report be forwarded to the March 18, 2013 meeting of City Council.

CONCLUSION

The applicant proposes to develop:

- A building (office use) greater than F.A.R. 2.0 in the D-Downtown Zone.
- The building would be 11 storeys (plus penthouse) and would be approximately 15,000m² in size;
- No technical concerns were identified throughout the review process;

- The development is consistent with the urban design standards in the Regina Downtown Neighbourhood Plan; and
- The public stakeholder feedback was mixed. Most were generally accepting of a new office building in this location. Concerns related to ongoing construction nuisance and parking were commonly cited.

The proposal complies with the development standards and regulations contained in Regina Zoning Bylaw No. 9250 and is consistent with the policies contained in Regina Development Plan Bylaw No. 7877 (Official Community Plan).

BACKGROUND

This application is being considered pursuant to *Regina Zoning Bylaw No. 9250, Regina Development Plan Bylaw No. 7877 (Official Community Plan)*, and *The Planning and Development Act, 2007*.

Pursuant to subsection 56(3) of the Act, Council may establish conditions for discretionary uses based on; nature of the proposed (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

Land Use Details		
	Existing	Proposed
Zoning	D-Downtown	D-Downtown
Land Use	Retail and Office	(Office) Building Greater than Floor Area Ratio (F.A.R.) 2.0 in the D Zone
Number of Dwelling Units	N/A	N/A
Building Area	N/A	15,156m ²

Zoning Analysis		
	Required	Proposed
Number of Parking Stalls Required	137 stalls Office= 1/100 after 325m ² @ 13,235.9/100= 132.3 Retail=1/50 after 325m ² @ 226/50=4.5 Restaurant= nil	137 (62 on site and 75 located at 1860 Rose Street through off-site caveated parking agreement)
Minimum Lot Area (m ²)	n/a	2335m ²
Minimum Lot Frontage (m)	n/a	50.6m
Maximum Building Height (m)	Unlimited (Subject to Office Contribution Gradient)	48.15m
Gross Floor Area	n/a	15,156m ²
Maximum Floor Area Ratio (F.A.R*)	Unlimited (Subject to Office Contribution Gradient)	6.49
Maximum Coverage (%)	n/a	96.7%
*Floor Area Ratio (F.A.R) is a ratio of gross floor area to site area. The purpose of the standard is to control the density of building.		

The surrounding land uses are a combination of office and retail in all directions, as well as residential to the east.

The applicant's proposal represents the second phase of the Agriculture Place building, the first of which was originally constructed in 1991. The second phase would be connected to the first phase through the lobby, through the underground parking garage, and a connection on the 7th floor. The new tower would also have access to the existing pedway connection to the office building on the east side of Hamilton Street.

The proposed development is consistent with the purpose and intent of the D-Downtown Zone with respect to:

- Strengthening the Downtown as the economic and cultural hub of the City by making it an attractive place to work, shop, visit, and live;
- Facilitating and encouraging developments that contain ground floor and pedestrian-oriented streets, clusters of retailing and eating and drinking establishments etc.; and
- To create a human-scaled environment, characteristic of all great downtown.

Urban Design Review- Built Form Framework

The D-Downtown Zone standards as amended by City Council on August 20, 2012 provide development and design standards/regulations not found in other zones in the city. The regulations implement the intent of the Downtown Zone as described in the section above. Important aspects of positive downtown built environment include building within contextual surroundings, contribution to pedestrianism, interactive facades through clearer glass treatment, multiple entrances, and active storefront uses. This section discusses some key development regulations that require further explanation.

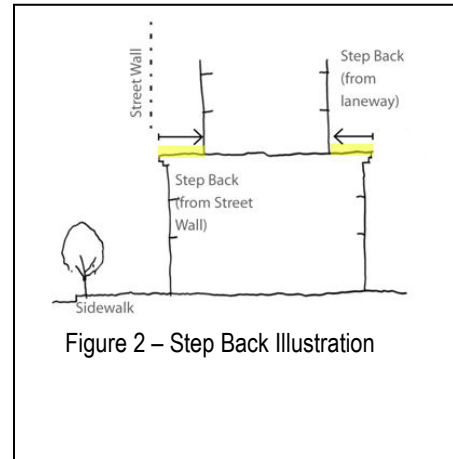
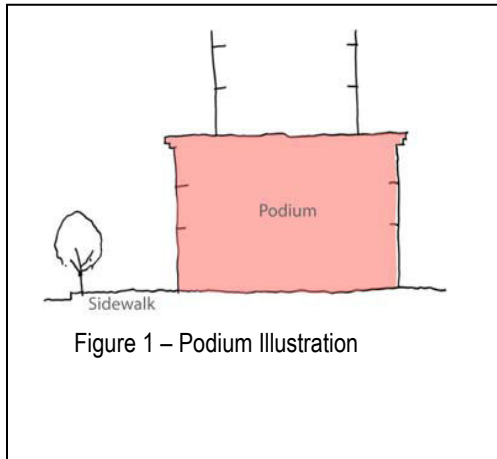
Frontage Condition

This block of Hamilton Street is identified for *Required Street Level Storefront Frontage*, meaning buildings along these streets shall provide storefront uses at street level. Non-storefront features, such as common building lobbies or entrances to above grade uses should be minimized.

Approximately 85 percent of the building frontage is considered to be storefront frontage and is therefore consistent with this section of the bylaw. The applicant originally proposed an open public space to the south of the main building noted as "single storey CRU" (Commercial Retail Unit) on the site plan. The commercial space creates opportunity for consistent street retail frontage to develop. The CRU space to the north of the lobby is intended for a café type tenant with flexible space for lobby use or restaurant use. The CRU space to the south of the lobby is intended for a retail type tenant. Furthermore as part of the construction of this building approximately 26m of less active or passive frontage that is currently part of the existing office building would be demolished and reconstructed and used in accordance with current zoning standards, which require more pedestrian level interaction.

Above Street Wall and Podium Development Standards

Each building in the downtown is required to include a podium, which is the lower portion of the building that defines the street edge or public realm as shown in Figures 1 and 2 below.



The building has a defined podium consistent with applicable standards. The typical standard of the tower stepback from the podium is 2.5m. This standard helps to create a human scale to buildings that otherwise dominate the streets of the downtown and also to mitigate wind that blows down the tower and onto the sidewalk (pedestrian realm). However, the bylaw allows for flexibility at the discretion of City Council providing a wind analysis demonstrates there would be no adverse conditions to the pedestrian realm as a result. In this proposed building, some tower elements deviate from the minimum standard and protrude closer than the required 2.5m. The Administration is supportive of the deviations of the tower step back because it addresses other urban design objectives including good transition between the new tower and existing tower to the north. A wind analysis prepared by a qualified professional has confirmed the deviations in tower step back would have no negative impact on the pedestrian realm.

In addition to these basic standards, the podium is consistent with additional design guidelines that encourage a fine grain of streetscape by articulating the façade in a vertical rhythm (to accommodate storefronts) that is consistent with the historical character of storefronts having frontage of approximately 6 to 12 metres spacing.

Office Contribution Gradient (Public Amenities)

The subject property is located within the Central Business District as identified in the Downtown Zone. The height and F.A.R of office buildings in the Central Business District is unlimited providing that the applicant provides public amenity contributions of \$4.00/ square foot or amenities of equivalent value in accordance with Chapter 17 – Development Alternatives and Incentives. The building is worth \$517,626 in public amenity contributions.

In finalizing the public amenity agreement the Administration is giving priority to pedestrian realm (sidewalk) redevelopment, including landscaping, street furniture, a mini park or parkette given the recent investments made in public realm improvements adjacent to the Mosaic Tower. The value associated with these public amenities is still being negotiated along with other potential amenities. If there is a balance remaining upon completion of these negotiations it would be payable to the City and assigned to an account that has been established for projects of public benefit in the downtown.

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

No particular environment implications were identified through the review of this proposal. The subject property is located within the core of Downtown, which is well-served by public transit.

Policy/Strategic Implications

The proposal is consistent with the policies contained within Part A: Policy Plan of *Regina Development Plan, Bylaw No. 7877 (Official Community Plan)* with respect to:

The proposal is consistent with the policies contained within Part A: Policy Plan of *Regina Development Plan, Bylaw No. 7877 (Official Community Plan)* with respect to:

- Section 4.10 – That the City of Regina shall encourage the retention and enhancement of the downtown as the primary business, office, cultural and administrative centre of the city.

The proposal has been evaluated with policies contained in Part G –Downtown, which implements Policy 22, the intent of which is to ensure that new development:

- a) Makes a positive contribution to the city, to the Downtown, and to the streetscape.
- b) Relates to, and builds upon, its existing context.
- c) Contributes to pedestrianism.
- d) The façade is as interactive as possible at street level, through transparency, multiple entrances, and storefront and active uses.
- e) Will stand the test of time.

Other Implications

None with respect to this report.

Accessibility Implications

The proposal provides four additional parking stalls for persons with disabilities, which exceeds the minimum required by the Zoning Bylaw.

COMMUNICATIONS

Communications strategy has been developed to address the community issues.

Public notification signage posted on:	November 15, 2012
Letter sent to immediate property owners	November 16, 2012
Public Open House Held	N/A
Number of Public Comments Sheets Received	17

A more detailed accounting of the respondents' concerns and the Administration's response to them is provided in Appendix B. Also included are the Administration's response to those issues. The Downtown Business Improvement District also responded in support of the project as follows:

"Regina Downtown Business Improvement District offers general support for the proposed development for:

- Helping to address the pressing current need for A Class office in downtown Regina;
- The provision of high quality at grade retail space in an important retail area of downtown; and
- The proponent has demonstrated continuing commitment to a vital and vibrant downtown.

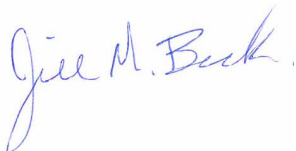
The Applicant is to be commended in these regards.

Regina Downtown strongly encourages the proponent to make every effort to ensure compliance with the Regina Downtown Neighbourhood Plan, for which Regina Downtown BID has expressed its full endorsement. "

DELEGATED AUTHORITY

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

Respectfully submitted,

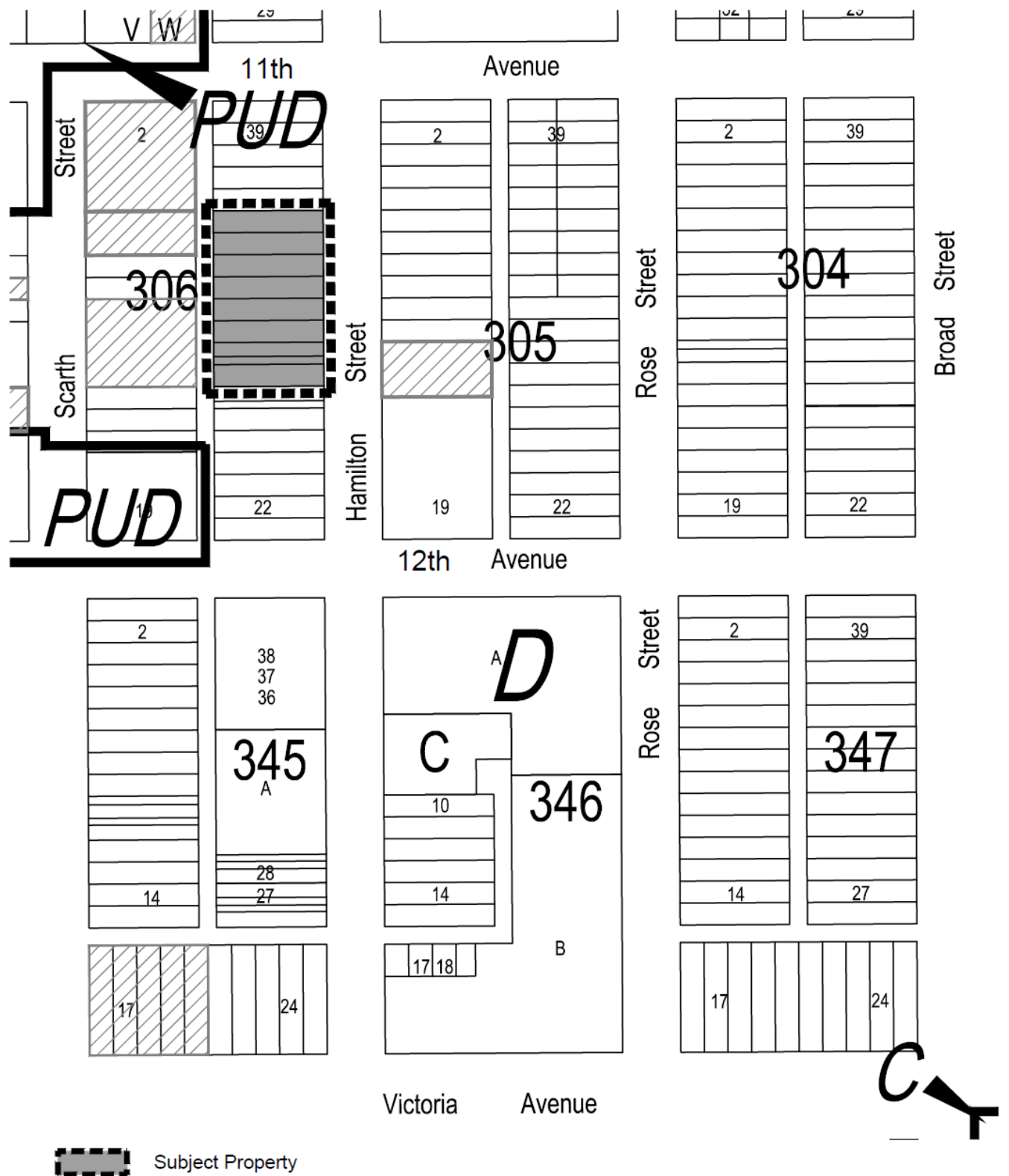


For Diana Hawryluk,
Director, Planning

Respectfully submitted,

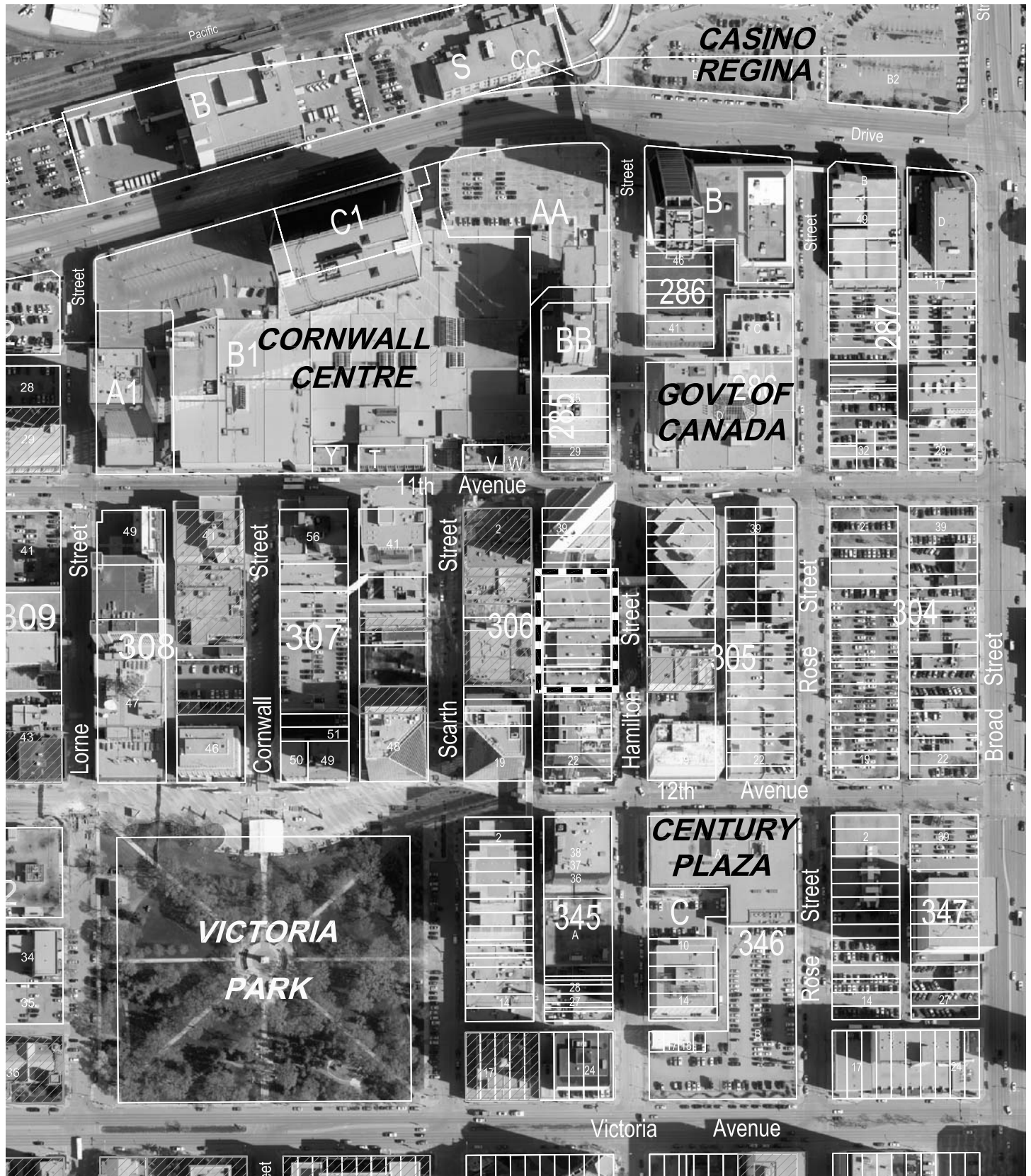


Jason Carlston, Deputy City Manager
Community Planning and Development



Planning Department

Project 12-DU-34 Civic Address/Subdivision 1800, 1842, and 1850 Hamilton Street

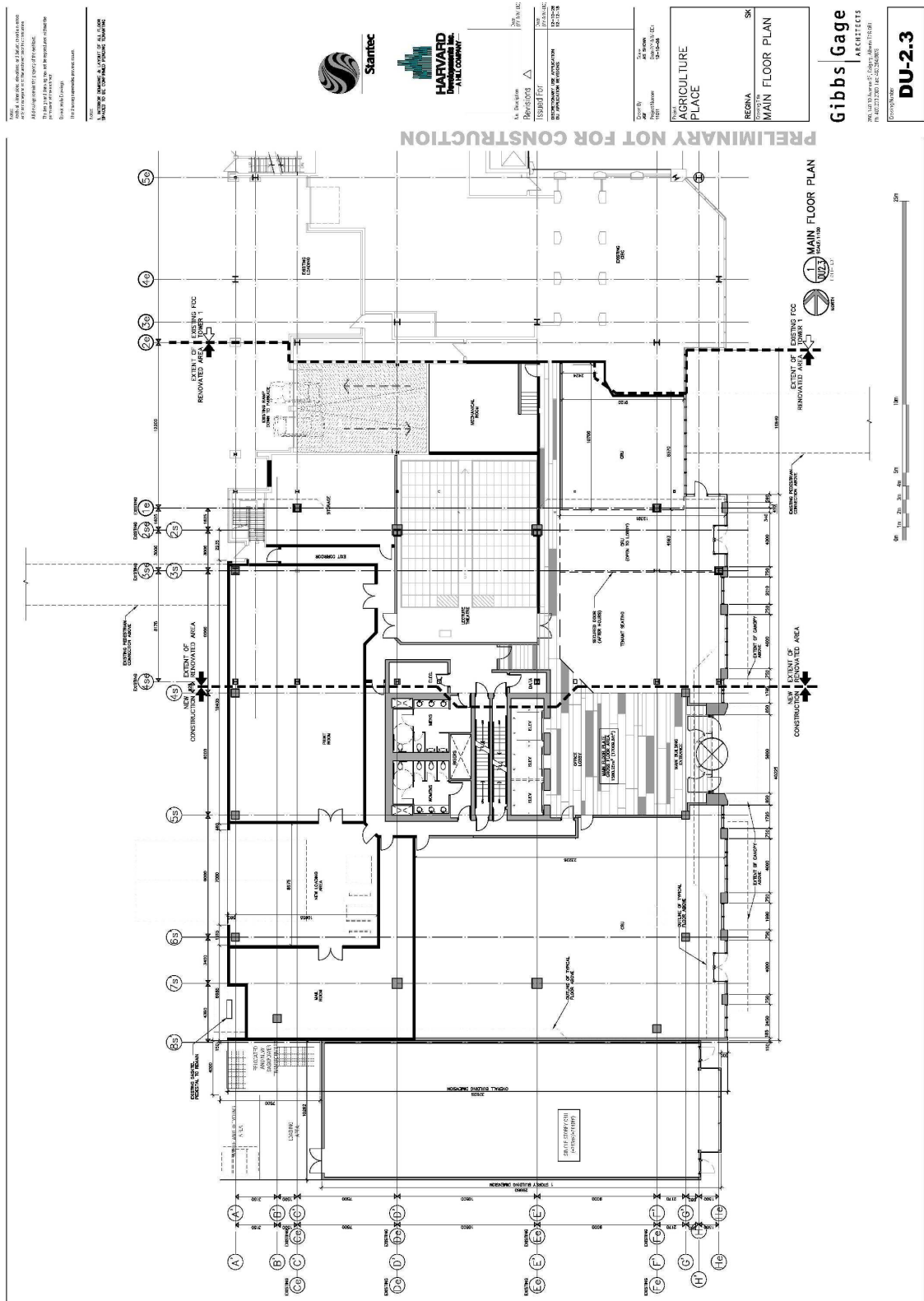


Subject Property
Heritage Property

Date of Photography : 2012



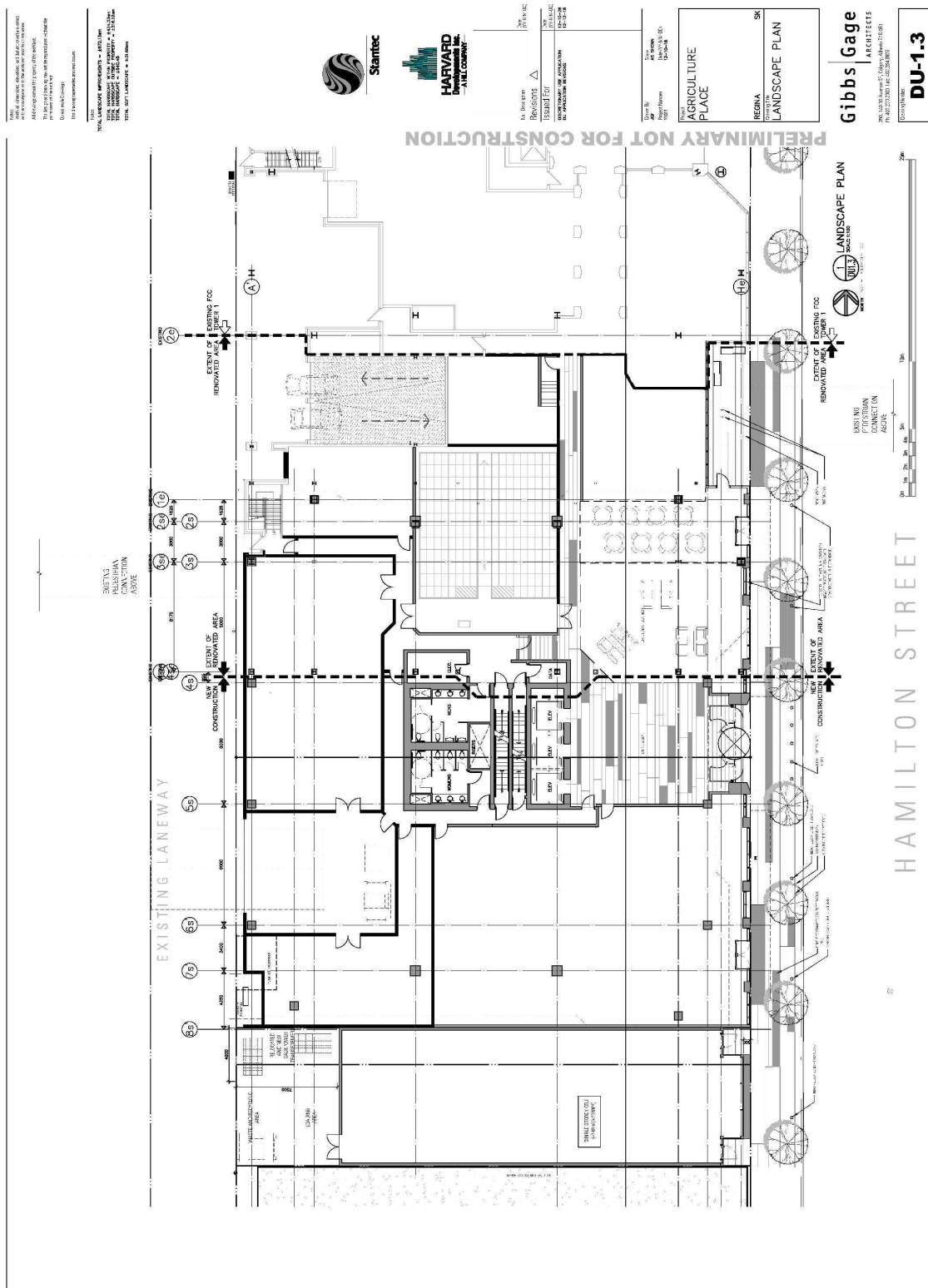
Project 12-DU-34 Civic Address/Subdivision 1800, 1842 and 1850 Hamilton Street



Planning Department

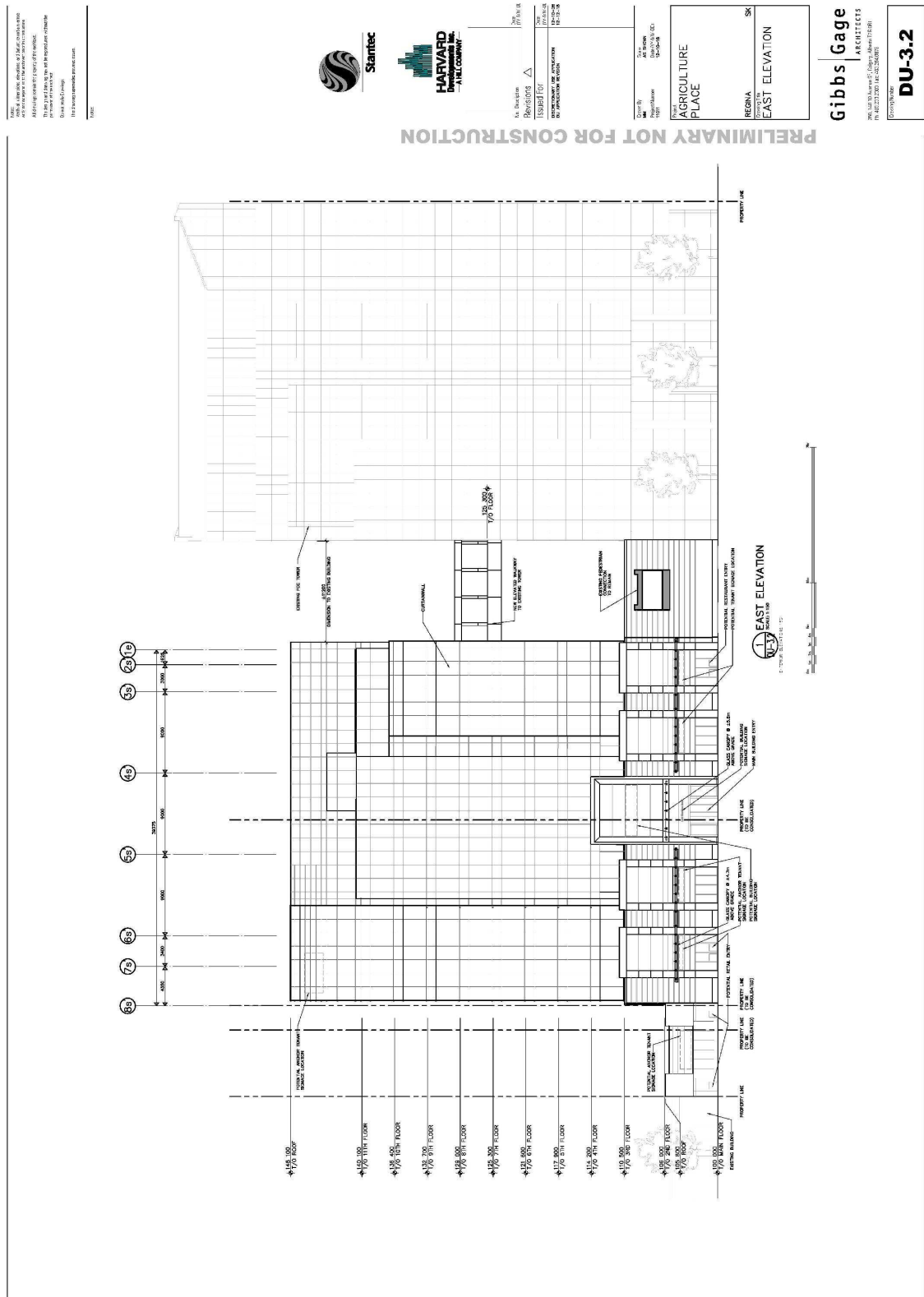
Project 12-DU-34

Civic Address/Subdivision	1800, 1842, and 1850 Hamilton Street
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**Planning Department**

Project 12-DU-34

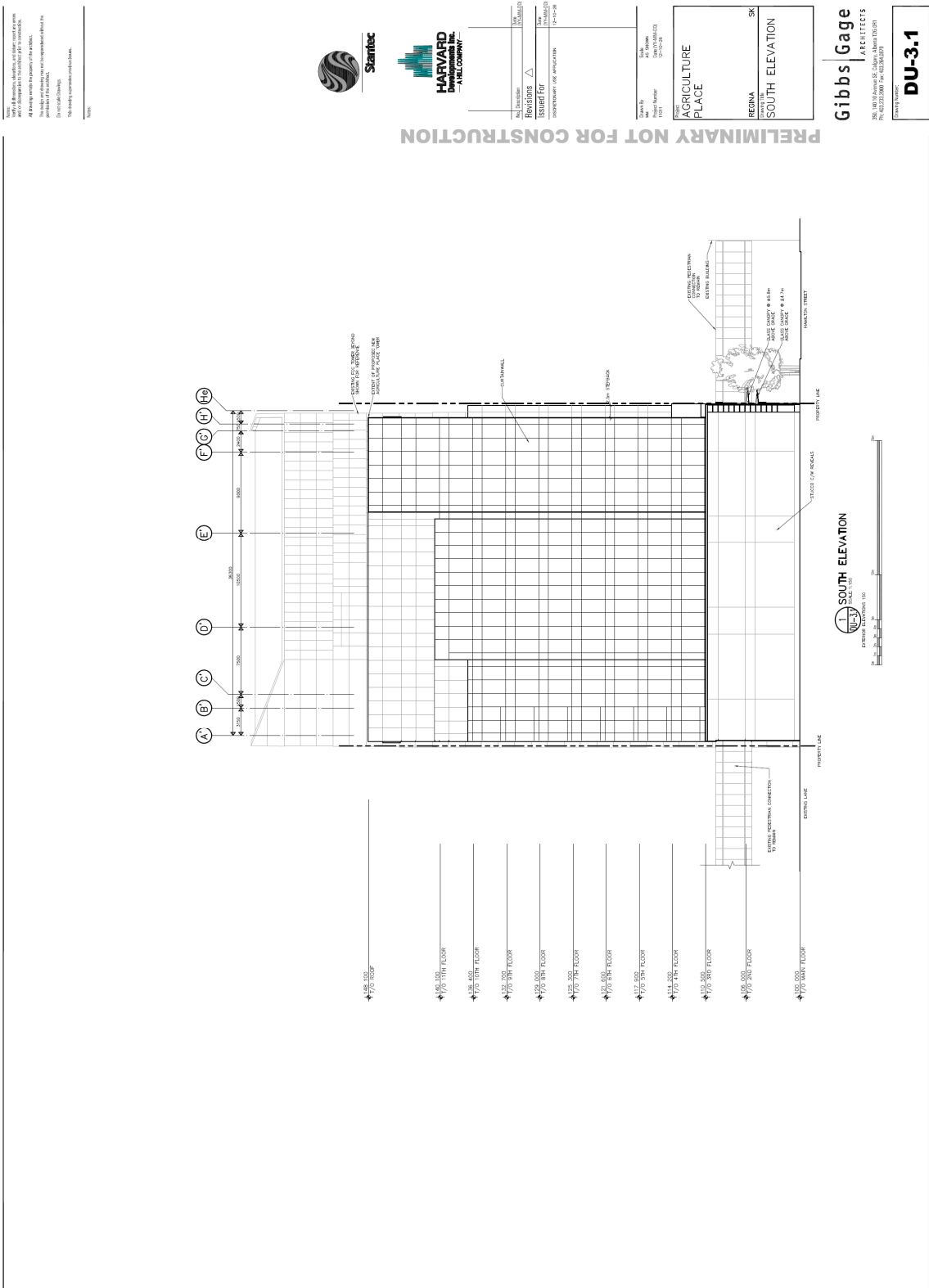
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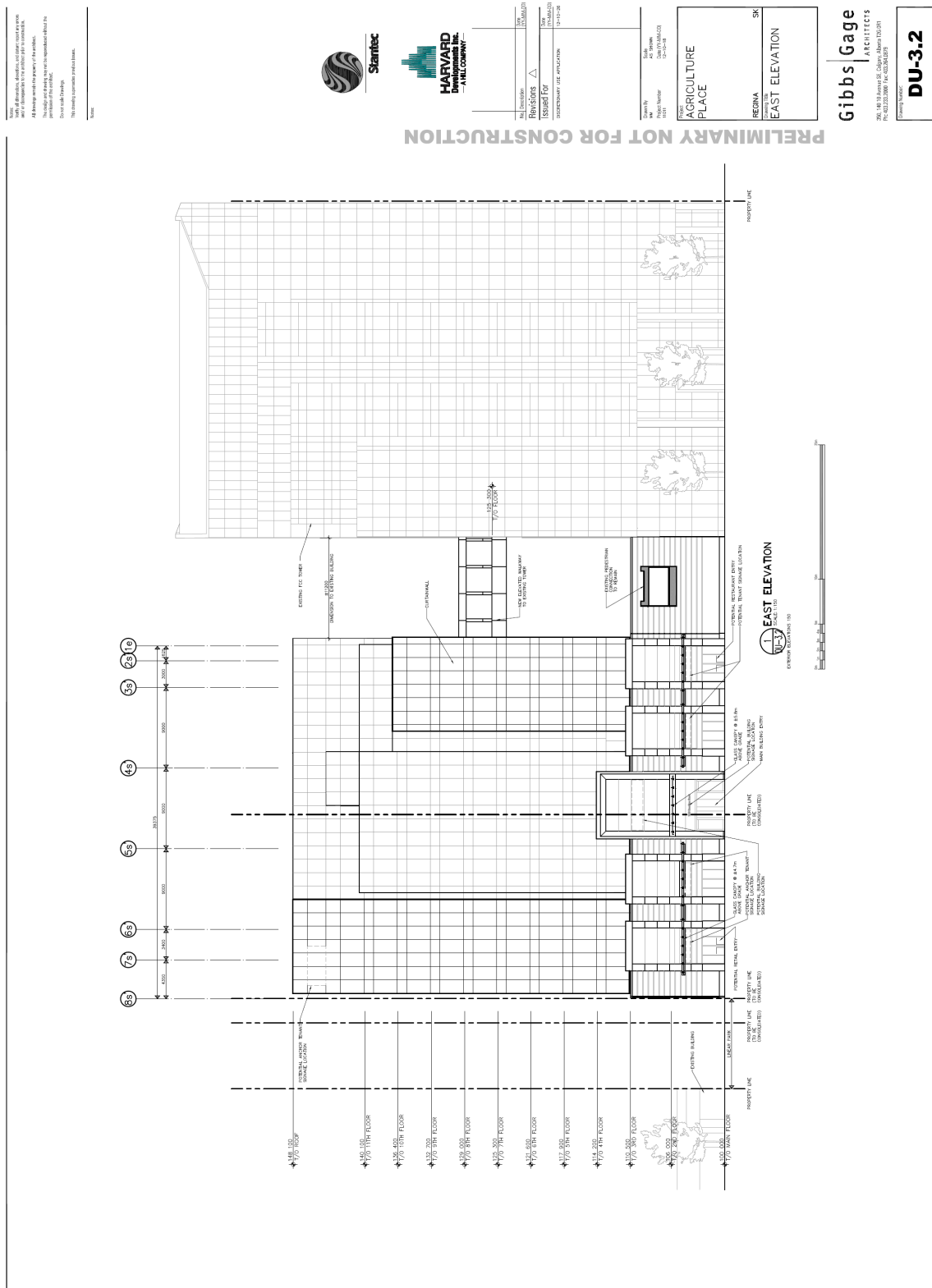


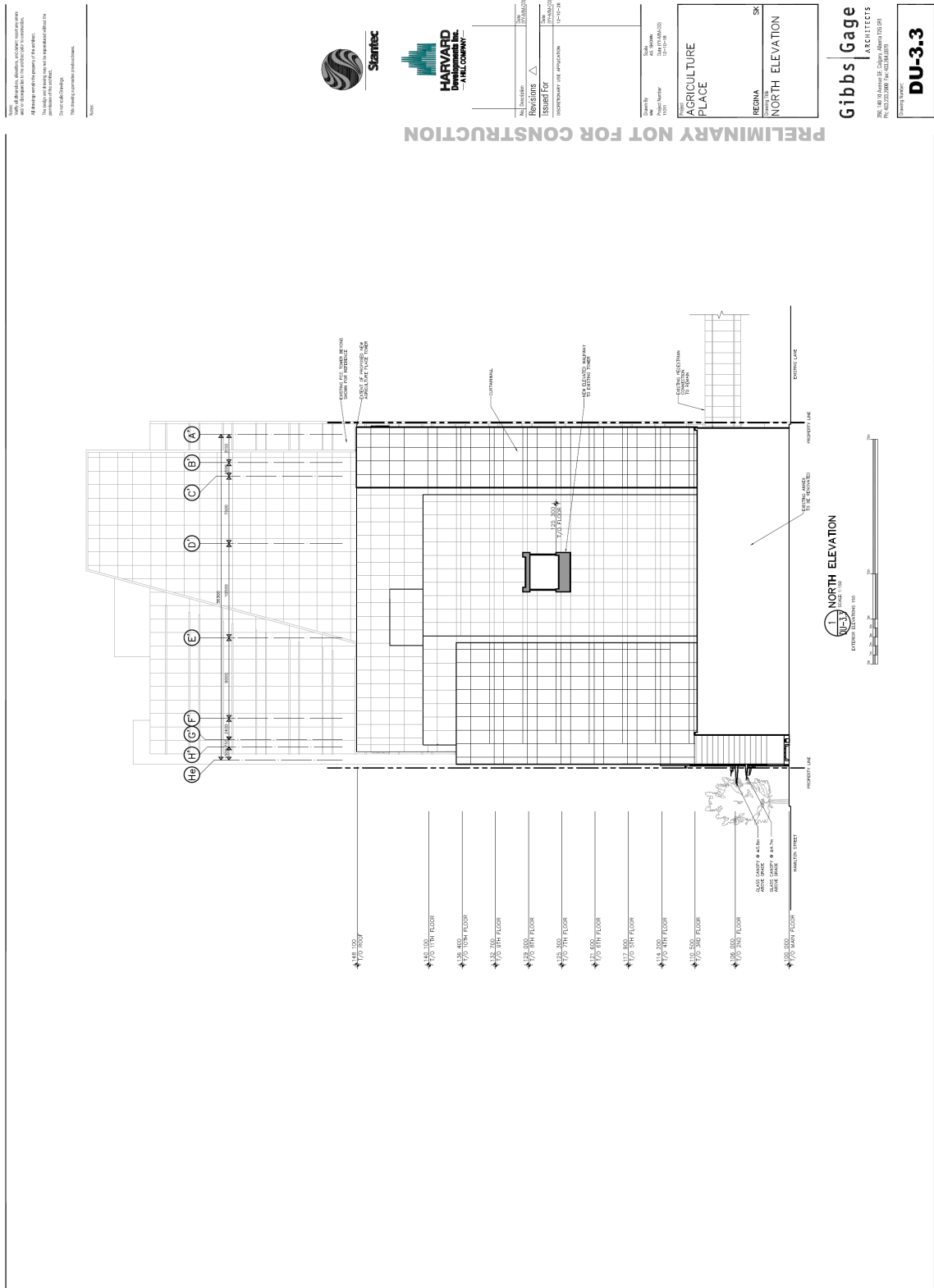
Planning Department

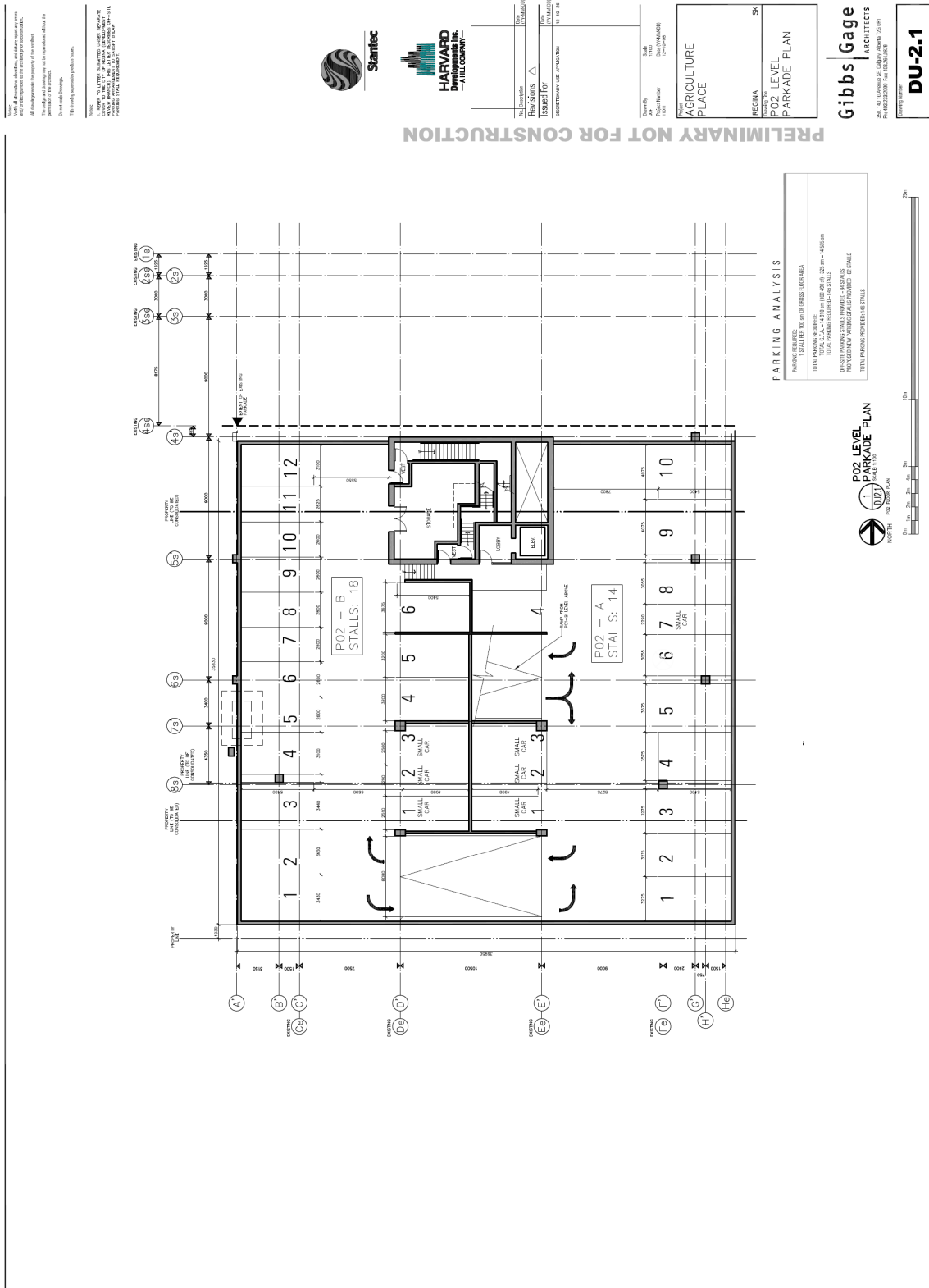
Project 12-DU-34

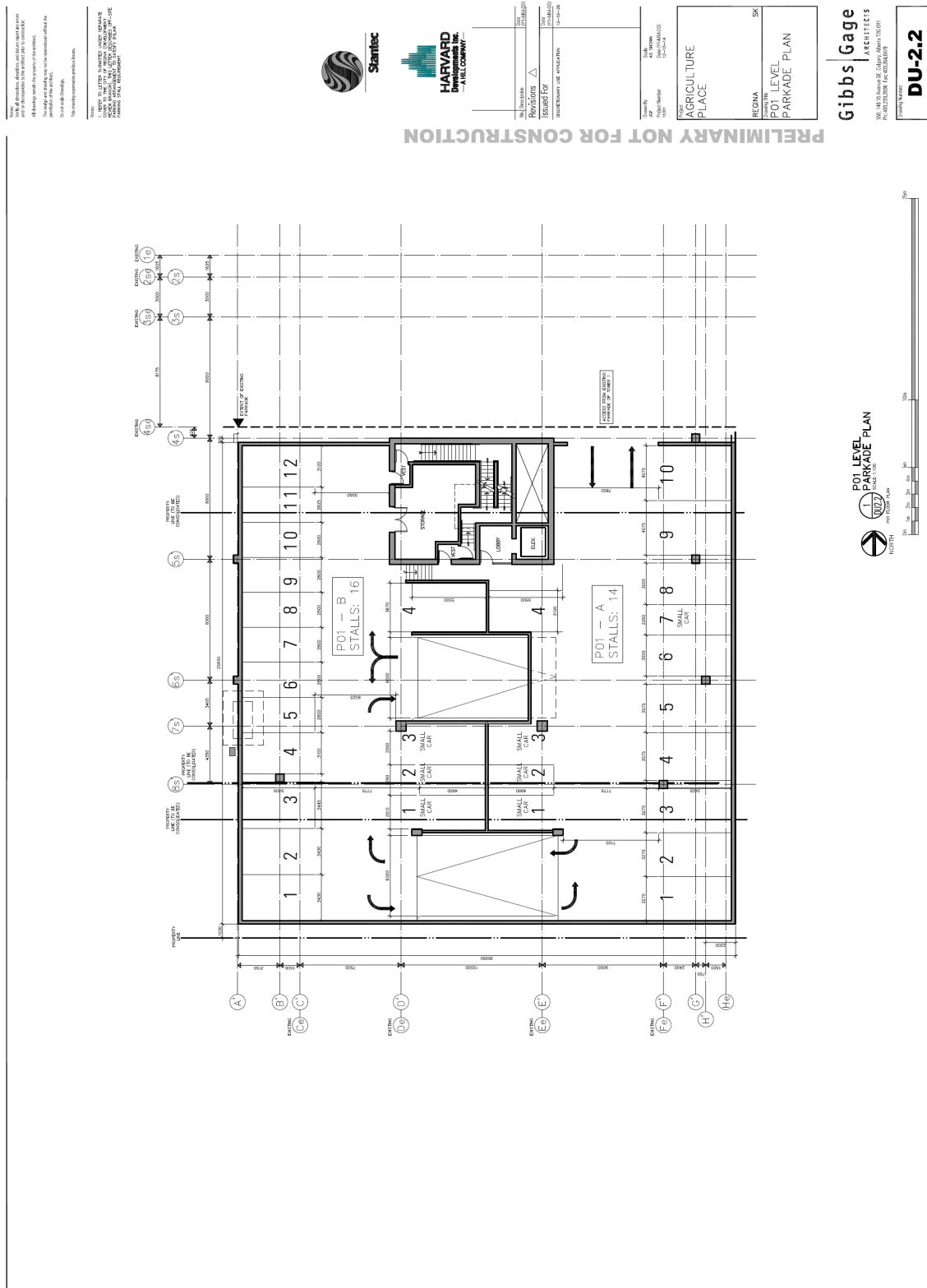
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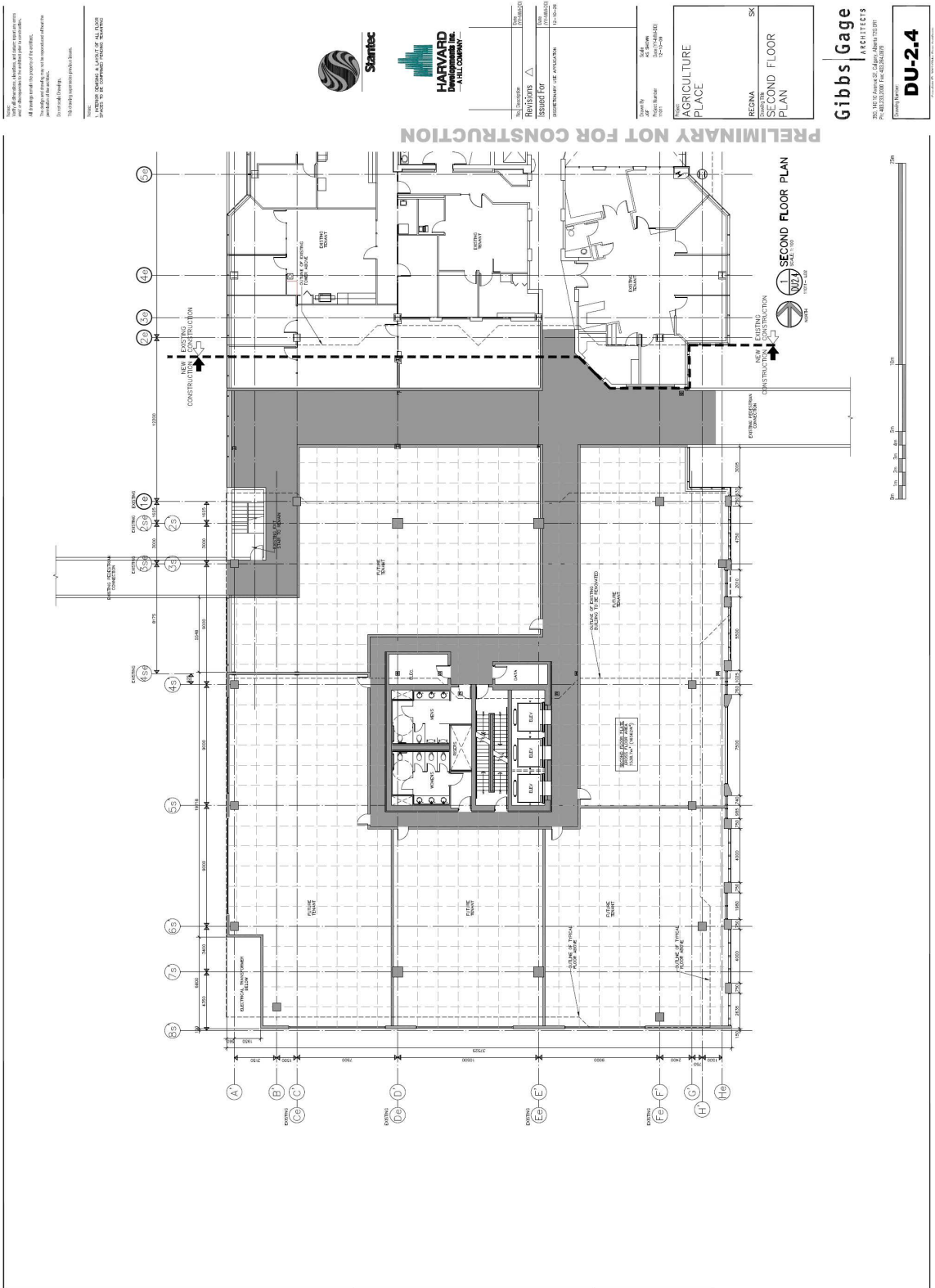






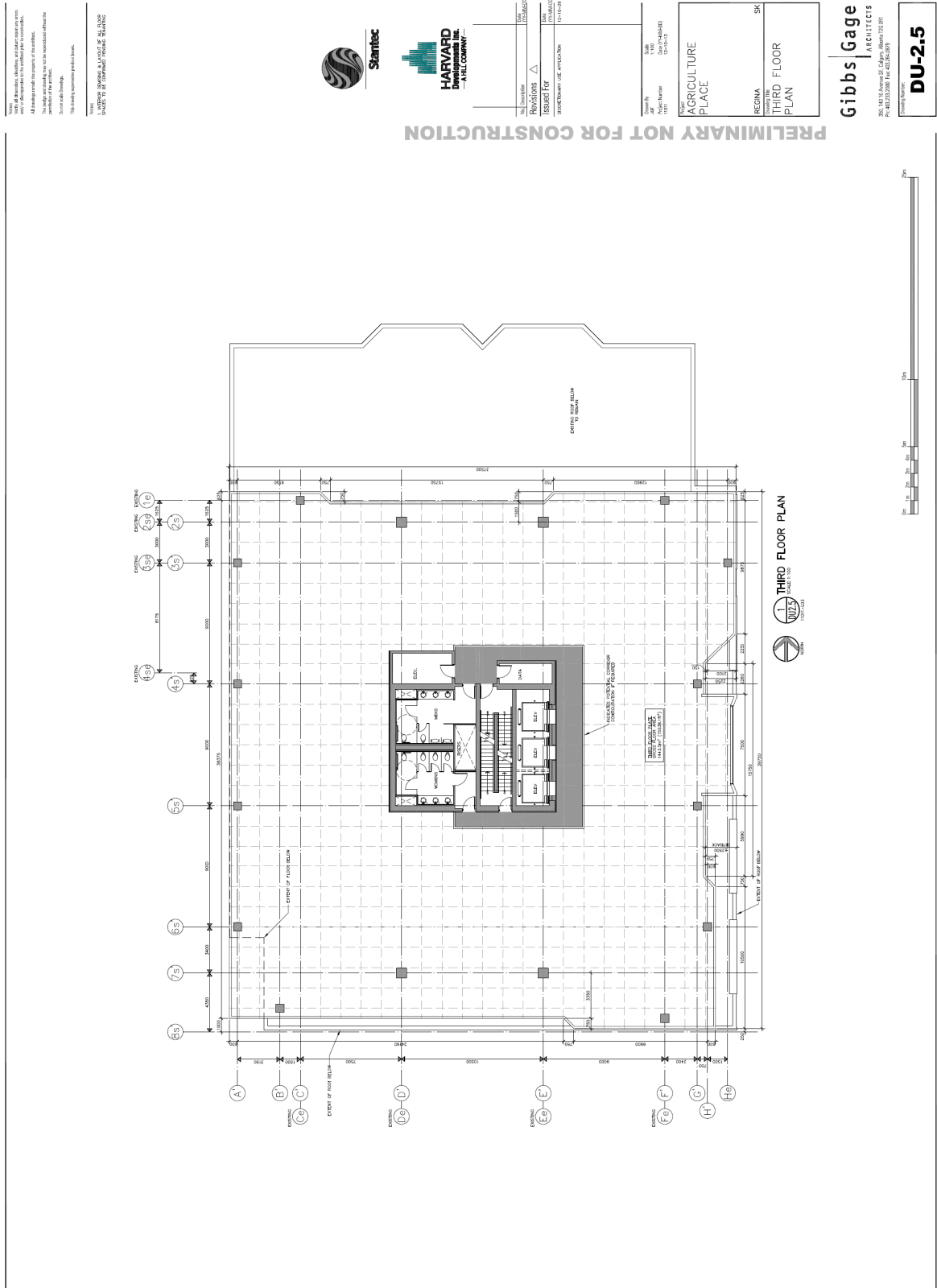






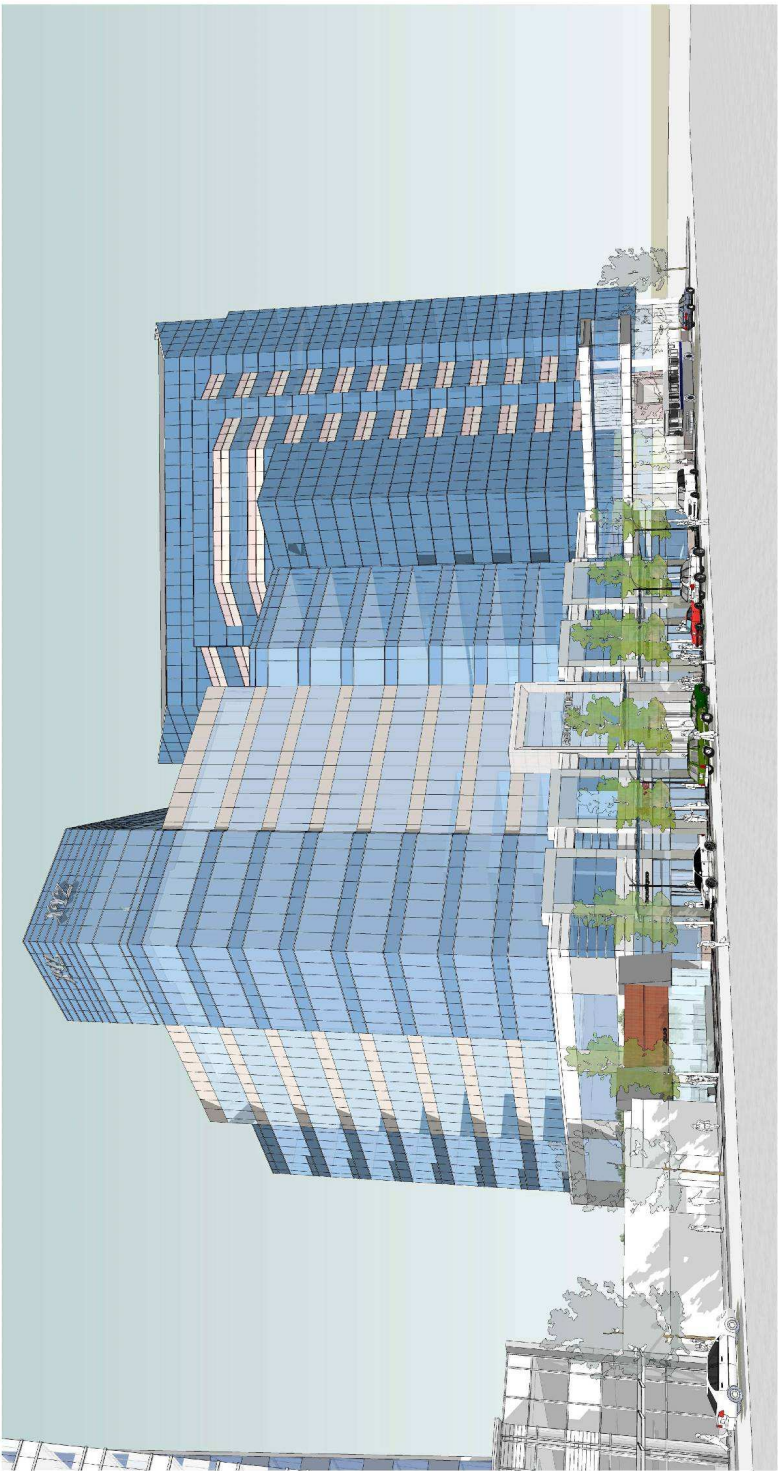
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Project 12-DU-34 Civic Address/Subdivision 1800, 1842, and 1850 Hamilton Street

**Planning Department**

Project 12-DU-34

Civic Address/Subdivision 1800, 1842, 1850 Hamilton Street



AGRICULTURE PLACE
Regina, Saskatchewan



Planning Department

Project 12-DU-34 Civic Address/Subdivision 1800, 1842, and 1850 Hamilton Street

Public Consultation Summary

Response	Number of Responses	Issues Identified
<i>Completely opposed</i>	0	
<i>Accept if many features were different</i>	2	<ul style="list-style-type: none"> -Alleviate construction nuisance during construction -Access to the lane should be guaranteed during the construction period -Financial relief is provided to residents and business during the construction period.
<i>Accept if one or two features were different</i>	3	<ul style="list-style-type: none"> -Concern with loss of lane access during construction -Closure of the existing walkway from Hamilton Street. -More parking should be provided. -There is a lack of patron parking for the downtown. Underground lots generally are reserved for office workers, but there is not enough parking for retail or restaurant patrons.
<i>I support this proposal</i>	5	<ul style="list-style-type: none"> -Construction workers should not sit on the ledge of the building while taking a break -General concerns with the behaviour of construction workers. -The building should have adequate parking on-site. -Retailers should be charged a reasonable rent for space as to cater to independent retailers. -lack of on-site parking is a concern. -City should take note that construction has a large impact on residents in the downtown, which it hopes to attract. -More development in the downtown the better, rather than it going into a suburban location. -City needs to do a better job of enforcing landscape requirements and maintaining trees downtown.
<i>Not stated</i>	7	<ul style="list-style-type: none"> -lack of rental apartments in the central part of the city -no need for another office tower in the Downtown -contributes to the Downtown as a economic hub, but not as a cultural hub. -ongoing inconvenience and nuisance associated with construction. -loss of sunlight -Construction in the alley was a major inconvenience during construction of Tower III and will continue through this construction process. -City must guarantee access through the alley for business and residents during construction. -Loss of parking during period of high construction. -Parking should be provided to the total supply for the downtown, not just using the existing supply in a public parkade.

1. **Issue:** Construction activity will cause significant disruption to the immediate vicinity of the site and have a negative impact on surroundings.

Administration's Response:

The permissible hours of construction are from 7:00 am to 10:00 pm (seven days a week). Construction of a project of this scale, if it proceeds, will certainly cause some temporary disruption during the construction period including temporary road closures, access and sidewalk restrictions. Efforts will be made to have pedestrian access around the site through covered passages and ensuring that impacts on access to adjacent properties are minimized.

2. **Issue:** The proposed development should provide its full complement of parking required under zoning provisions on site and not impact on other parking structures in the area

Administration's Response:

Under current provisions in *Regina Zoning Bylaw* property owners are permitted to fulfill parking requirements for their developments through off-site caveated parking in the Downtown zone. This is conditional upon demonstration that the off-site parking being utilized is not required to meet parking requirements for other developments (land uses) and that there are sufficient parking stalls at the proposed parking location. The off-site caveated parking agreement is registered on title and the required parking for the development must be provided in perpetuity at that location.

The new Regina Downtown Neighbourhood Plan contains actions on parking management. Specifically, the plan identifies an action to conduct a comprehensive parking study in Downtown including a review of parking policy. The parking study is currently underway and recommendations will be finalized in 2013.

3. **Issue:** The proposed development will add to traffic and delivery congestion in the lane at the rear of the subject property.

Administration's Response: The proposed development provides two loading stalls off the lane. Parked vehicles located within the physical lane is a traffic enforcement issue and is outside the scope of what can be considered under land use planning and zoning.

4. **Issue:** The lane must remain open during the construction period.

Administration's Response: The City agrees that the lane must remain open during the construction of the building. However, there will likely be periods of temporary closures to the lane for unavoidable circumstances such as relocation of utilities or safety concerns. The applicant has indicated that they intend to coordinate utility work with utility companies who have their own procedures for public notification and that they would prefer to maintain one-way access during these disruptions.

5. **Issue:** The existing walkway connection will be lost

Administration's Response: The existing walkway is not a public access and was private property. While a mid-block access is not required at this location it is recognized that it may provide benefit for some residents or workers of the downtown. The downtown plan requires that storefronts occupy 100 percent of frontage as to create a more dense and vibrant street retailing environment.

6. **Issue:** General behaviour of construction workers.

Administration's Response: The potential negative behaviour of construction workers is beyond the scope of a development review or approval. If any illegal behaviour of construction workers is witnessed residents are advised to call the police.

7. **Issue:** Retailers should be charged responsible rent as to allow local retailers into the market.

Administration's Response: The City has no ability to control rent of commercial space. The Zoning Bylaw does not distinguish between local and non-local businesses.

8. **Issue:** The City needs to do a better job of enforcing landscape requirements and maintaining trees downtown.

Administration's Response: Landscape requirements and improvements to the public realm are recognized as a major priority of the new Downtown Plan. The Administration will ensure minimum requirements are met and encourages exceeding of requirements through bonusing mechanisms.

9. **Issue:** The development does not contribute needed rental apartments in the downtown nor does it contribute to the downtown as a cultural hub.

Administration's Response: The City recognizes the provision of housing as a key component in achieving the vision of downtown reaching its full potential and is working towards that goal through implementation of the Downtown Plan and the forthcoming Official Community Plan. However, the City also recognizes the cluster of major office development as a major strength of the downtown and the city has a whole. Clustering of major office use and high density residential are complimentary goals in achieving the downtown vision.

- 10 **Issue:** Loss of sunlight:

Administration's Response: The property is located in the Central Business District of the Downtown, which permits unlimited height and density of office buildings subject to bonusing. As such, some sun shadow impacts are inevitable. The applicant has prepared a sun shadow study that shows the building would cause loss of morning light to adjacent residential property to the west. The building would not have a particularly negative impact on adjacent public realm during active months.