

# Regina Planning Commission

Wednesday, September 9, 2020 4:00 PM

Henry Baker Hall, Main Floor, City Hall



### Public Agenda Regina Planning Commission Wednesday, September 9, 2020

### **Approval of Public Agenda**

### **Adoption of Minutes**

Minutes of the meeting held on August 13,2020,

### **Administration Reports**

RPC20-29 4801 E. Victoria Avenue - Discretionary Use and Removal of Holding Overlay Zone Application (PL202000117)

### Recommendation

- Approve the application to rezone the property located at 4801 E. Victoria Avenue, as shown in Appendix A-1, by removing the H – Holding Overlay Zone from the MLM – Mixed Large Market Zone for the property.
- 2. Approve the discretionary use application to allow a proposed "Retail Trade, Shop," greater than 6,000 square meters located at 4801 E. Victoria Avenue as shown in Appendix A-2.
- 3. Direct the Development Officer to issue a development permit subject to the following conditions:
  - a. The development shall generally be consistent with the plans attached to this report as Appendix A-2 inclusive, prepared by P3A and dated April 8, 2020.
  - b. The applicant will be required to fully execute the servicing agreement and obtain an executed subdivision plan prior to the issuance of a development permit.
  - c. Parking shall not be allowed along the drive aisle abutting Optimist Drive.
  - d. The development shall comply with all applicable standards and



regulations in the Regina Zoning Bylaw 2019-19.

- 4. Direct the City Solicitor to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.
- 5. Approve these recommendations at its September 30, 2020 meeting, following the required public notice.

RPC20-30 5601 Parliament Avenue - Concept Plan Amendment/ Zoning Bylaw Amendment/ Discretionary Use - PL202000116

### Recommendation

- Approve the application to amend the Harbour Landing Concept Plan to re-designate the property located at 5601 Parliament Avenue from High-Density Residential to Low-Density Residential, in accordance with the Concept Plan shown in Appendix A-3.1.
- Approve the application to rezone the property located at 5601
   Parliament Avenue, legally described as Block BB, Plan No.
   102177503, from RH Residential High-Rise Zone to RU Residential Urban Zone.
- Approve the discretionary use application for the proposed development of Building, Planned Group located at 5601 Parliament Avenue, being Block BB, Plan No. 102177503 in the Harbour Landing neighbourhood.
- 4. Direct the Development Officer to issue a development permit subject to the following conditions:
  - The development shall be generally consistent with the plans attached to this report as Appendix A-3.2, prepared by StreetSide Developments, dated June 18, 2020; and
  - b. The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw 2019-19*.
- 5. That the City Solicitor be directed to prepare the necessary bylaws to authorize the respective Zoning Bylaw amendment.
- 6. Approve these recommendations at its September 30, 2020 meeting, after giving the required public notice.



RPC20-31 1971 Albert Street Contract Zone Application (PL202000118)

### **Recommendation**

- 1. Approve the application to rezone the property located at 1971 Albert Street, Lot 50, Blk/Par 342, Plan 102032255 from DCD-D Downtown Direct Control District Zone to Contract Zone.
- 2. Approve execution of a contract zone agreement between the City of Regina and the applicant/owner of the subject properties, which shall include the following terms:
  - The agreement shall allow for the carrying out of a specific proposal on the lands described as a temporary "Transportation, Parking Lot" lot a period of one year from the date of execution of the Contract Zone agreement.
  - ii. That issuance of development permits and the execution of the contract zone agreement shall be conditional on the applicant being confirmed as the registered owner of the property or the consent of the owner being obtained.
  - iii. That construction of a centre median along Albert Street shall be required to permit the optional right-in-right-out access.
  - iv. The parking lot shall meet all standards for "Transportation, Parking Lot" except that:
    - Surface may be minimum 150 mm densely packed gravel or asphalt planings with a dust inhibitor to the satisfaction of the Director of Planning and Development Services;
    - 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.
  - v. The development shall generally conform to the attached plans as labelled Appendix A-2 of this report, prepared by Property Development Support Services Inc. and dated May 12, 2020.
  - vi. Signage on the subject property shall comply with the development standards for the DCD-D Downtown Direct Control District Zone.
  - vii. Any zoning-related detail not specifically addressed in the contract zone agreement shall be subject to applicable provisions of the *Regina Zoning Bylaw 2019-19*.
  - viii. 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. Direct the City Solicitor to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.
- 4. Approve these recommendations at its September 30, 2020 meeting, and consider the proposed bylaw at a succeeding meeting after giving the required public notice.

### Adjournment

### AT REGINA, SASKATCHEWAN, THURSDAY, AUGUST 13, 2020

# AT A MEETING OF 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 Barbara Young

Councillor Jerry Flegel (Videoconference) Adrienne Hagen Lyster (Videoconference)

Jacob Sinclair (Videoconference)
Celeste York (Videoconference)
Tak Pham (Videoconference)
Steve Tunison (Videoconference)

Regrets: Councillor Andrew Stevens

Frank Bojkovsky Biplob Das Cheri Moreau

Also in Council Officer, Elaine Gohlke

Attendance: City Clerk, Jim Nicol

Legal Counsel, Cheryl Willoughby (Videoconference)

A/Executive Director, City Planning & Community Development,

Karen Gasmo

Director, Planning & Development Services, Fred Searle Manager, East Planning, Munir Haque (Videoconference) Manager, Social & Cultural Development, Emmaline Hill

Senior City Planner, Femi Adegeye

Historical Information & Preservation Supervisor, Dana Turgeon

### APPROVAL OF PUBLIC AGENDA

Steve Tunison 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 forwarded by the Chairperson.

### **ADOPTION OF MINUTES**

Celeste York moved, AND IT WAS RESOLVED, that the minutes for the meeting held on July 8, 2020 be adopted, as circulated.

### **ADMINISTRATION REPORTS**

### RPC20-28 2017 2018 2019 Annual Report

### Recommendation

Regina Planning Commission recommends that City Council receive and file this report.

Adrienne Hagen Lyster moved that this report be forwarded to City Council for information.

Adrienne Hagen Lyster	Yes
Tak Pham	Yes
Jacob Sinclair	Yes
Steve Tunison	Yes
Celeste York	Yes
Councillor Jerry Flegel	Yes
Councillor Barbara Young	Yes

The motion was put and declared CARRIED.

RPC20-26 Heritage Designation - 1938 Dewdney Avenue

### Recommendation

- 1. Approve the application for designation of the Cameron & Heap Wholesale Grocery building located at 1938 Dewdney Avenue (as shown in Appendix A-1 and A-2), being Lots 16 20, Block 201L, Plan OLD33, as a Municipal Heritage Property.
- 2. Instruct the City Solicitor to issue and serve notice of Council's intention to consider a bylaw to designate the Cameron & Heap Wholesale Grocery building as Municipal Heritage Property in accordance with *The Heritage Property Act*.
- 3. Instruct the City Solicitor to prepare the necessary Municipal Heritage Property bylaw to be considered by Council at its first meeting following the statutory notice period to:
  - a. designate the subject property as Municipal Heritage Property;
  - b. identify the reasons for designation and character-defining elements as stated in Appendix C, Statement of Significance, to this report;
  - c. provide that any subsequent alterations to the property be consistent with the "Standards and Guidelines for the Conservation of Historic Places in Canada."
- 4. Upon adoption of a bylaw designating the subject property as Municipal

Heritage Property, remove the property from the Heritage Inventory and add it to the register of designated property in Regina.

5. Approve these recommendations at its meeting on August 26, 2020.

Leasa Gibbons, representing Regina's Warehouse Business Improvement District, addressed the Commission.

# Jacob Sinclair moved that the recommendation contained in the report be concurred in.

Jacob Sinclair	Yes
Steve Tunison	Yes
Celeste York	Yes
Councillor Jerry Flegel	Yes
Adrienne Hagen Lyster	Yes
Tak Pham	Yes
Councillor Barbara Young	Yes

### The motion was put and declared CARRIED.

(Celeste York declared a conflict of interest on:

RPC20-25, Discretionary Use - 1915 & 1955 Retallack Street - PL202000087, citing her daughter's partnership in 1080 Architecture Planning + Interiors, and

RPC20-27, Heritage Inventory Removal – 56 Angus Crescent, citing an employee of her daughter being hired by the developer to write a statement of significance for the property,

abstained from discussion and voting, and left the meeting.)

### RPC20-25 Discretionary Use - 1915 & 1955 Retallack Street - PL202000087

### Recommendation

- 1. Approve the discretionary use application for the proposed development of Dwelling, Group Care, Dwelling, Unit and Assembly, Community land uses located at 1915 and 1955 Retallack Street, being Lot A and B, Block 339, Plan No. 101887623 in the Cathedral neighbourhood.
- 2. Direct the Development Officer to issue a development permit subject to the following conditions:
  - a. The development shall be generally consistent with the plans attached to this report as Appendix A-3.1 to A-3.2 inclusive, prepared by 1080 Architecture Planning + Interiors, dated April 23,

2020;

- b. The applicant shall enter into a Development Levy Agreement; and
- c. The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw 2019-19*.
- 3. Approve these recommendations at its August 26, 2020 meeting.

Melissa Coomber-Bendtsen, representing YWCA Regina, addressed the Commission.

Adrienne Hagen Lyster moved that the recommendation contained in the report be concurred in.

Adrienne Hagen Lyster	Yes
Tak Pham	Yes
Jacob Sinclair	Yes
Steve Tunison	Yes
Councillor Jerry Flegel	Yes
Councillor Barbara Young	Yes

The motion was put and declared CARRIED.

RPC20-27 Heritage Inventory Removal – 56 Angus Crescent

### Recommendation

Regina Planning Commission recommends that City Council:

- 1. Remove the property known as the Bagshaw Residence, located at 56 Angus Crescent (as shown in Appendix A-1 and A-2), from the City's Heritage Inventory.
- 2. Approve this recommendation at its meeting on August 26, 2020.

The following addressed the Commission:

- Trish Elliott, representing the Cathedral Area Community Association;
- Jackie Schmidt, representing Heritage Regina; and
- Al Bashutski and Kaitlin Bashutski, representing Crawford Homes.

Steve Tunison moved that the recommendation contained in the report be concurred in.

Steve Tunison	Yes
Councillor Jerry Flegel	Yes
Adrienne Hagen Lyster	No
Tak Pham	Yes
Jacob Sinclair	No
Councillor Barbara Young	Yes

The motion	was	nut	and	declared	CARRIED.
	was	Dut	ana	acciaica	

### **ADJOURNMENT**

Adri	enne	Hagen	Lyster moved,	AND IT WAS	RESOLVED,	, that the me	eting
adjo	urn.						

adjourn.		
The meeting adjourned at 5:26 p.m.		
Chairperson	Secretary	



# 4801 E. Victoria Avenue - Discretionary Use and Removal of Holding Overlay Zone Application (PL202000117)

Date	September 9, 2020
То	Regina Planning Commission
From	City Planning & Community Development
Service Area	Planning & Development Services
Item No.	RPC20-29

### RECOMMENDATION

Regina Planning Commission recommends that City Council:

- Approve the application to rezone the property located at 4801 E. Victoria Avenue, as shown in Appendix A-1, by removing the H – Holding Overlay Zone from the MLM – Mixed Large Market Zone for the property.
- Approve the discretionary use application to allow a proposed "Retail Trade, Shop," greater than 6,000 square meters located at 4801 E. Victoria Avenue as shown in Appendix A-2.
- 3. Direct the Development Officer to issue a development permit subject to the following conditions:
  - a. The development shall generally be consistent with the plans attached to this report as Appendix A-2 inclusive, prepared by P3A and dated April 8, 2020.
  - b. The applicant will be required to fully execute the servicing agreement and obtain an executed subdivision plan prior to the issuance of a development permit.
  - c. Parking shall not be allowed along the drive aisle abutting Optimist Drive.
  - d. The development shall comply with all applicable standards and regulations in the Regina Zoning Bylaw 2019-19.

Page 1 of 5 RPC20-29

- 4. Direct the City Solicitor to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.
- 5. Approve these recommendations at its September 30, 2020 meeting, following the required public notice.

### **ISSUE**

The applicant Aurora Retail Corp. proposes a "Retail Trade, Shop," which is a discretionary use if greater than 6,000 square metres per unit in this location and identified as buildings E4, E5, and E6 in Appendix A-2. The subject property is zoned MLM (H) - Mixed Large Market Zone with a H - Holding Overlay Zone. Removal of the H – Holding Overlay Zone requires City Council approval in accordance with Section 71 of *The Planning & Development Act, 2007*. The proposal supports the goals and objective of *Design Regina: The Official Community Plan Bylaw 2013-48* (OCP).

### **IMPACTS**

### **Financial Impacts**

The applicant will be responsible for the cost of any additional infrastructure 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. The applicant will be responsible for payment of any applicable levies.

### **Accessibility Impacts**

The proposed development provides eight accessible parking stalls, which exceeds the minimum requirement of three accessible parking stalls.

### **Transit Impacts:**

The proposed development is located in near proximity to the proposed Transit Center identified within the OCP Part B.16 Southeast Regina Neighbourhood Plan. The development of other commercial services within Aurora has increased demand for transit service to the area; however, the existing development has not yet created sufficient demand to extend service to the area.

### **Policy / Strategic Impacts**

The proposed development supports the following OCP goals/policies:

- Section D5, Goal 3, policy 7.17 "Require new large-format retail to be located on Urban Corridors or within identified Urban Centres and designed."
- Southeast Regina Neighbourhood Plan (OCP Part B.16);
  - Policy 4.9(b): "The Urban Centre should be comprehensively planned to integrate":
    - Small, medium, and large format retail uses
    - Medium to high density residential developments
    - An amenity space

Page 2 of 5 RPC20-29

- A transit hub
- Policy 4.9(g) "Residential and commercial development shall be appropriately integrated within the Urban Centre, providing compatible interfaces and transitions between uses".

### **OTHER OPTIONS**

Administration recommends approval to remove the H - Holding Overlay Zone and the discretionary use application to accommodate "Retail Trade, Shop," with area greater than 6,000 square meters.

Alternatives options would be:

- 1. Approve the application with specific amendments to the plan.
- If City Council has specific concerns with the proposal, it may be referred back to Administration for further review. Referral of the report back to Administration will delay approval of the development until requested information is gathered or changes to the proposal have been made.
- 3. Deny the application. Development of "Retail Trade, Shop," land use will not proceed on the subject property if City Council denies the application.

### COMMUNICATIONS

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

### DISCUSSION

### **Applicant's Proposal**

The applicant (Aurora Retail Corp.) proposes to develop a "Retail Trade, Shop," with a combined floor area of 12,367 square metres on the subject property shown in Appendix A-1 and identified as building areas E4, E5, and E6 on the plans shown in Appendix A-2. *The Regina Zoning Bylaw 2019-19* defines "Retail Trade, Shop" as an indoor land use intended for the sale or lease of food, beverages, goods, products, merchandise, articles or things to members of the general public but used or consumed off-site".

The Buildings identified as E1, E2, and E3 are not part of this application and would be processed as separate development permits.

### Zoning and Land Use

The subject property is zoned MLM (H) - Mixed Large Market Zone with an H – Holding Zone designation. A Retail Trade, Shop exceeding 6,000 square metres is a discretionary

Page 3 of 5 RPC20-29

use in the MLM Zone. The Holding Overlay Zone was applied to the site at the time of rezoning of the broader area. The intent of the Holding Overlay Zone is to allow for rezoning of a site, but to withhold approval of specific developments until a servicing agreement is executed and the property subdivided. Administration recommends removal of the H - Holding Overlay Zone as subdivision and servicing of the site is being reviewed by the Administration consistent with the plan of proposed subdivision (Appendix A-3). The applicant will be required to fully execute the serving agreement and obtain an executed subdivision plan prior to the issuance of a development permit. This process is running concurrently with the consideration of the discretionary use application.

The land use and zoning details of this report are summarized in the following tables:

Land Use Details	Existing	Proposed
Zoning	MLM-Mixed Large Market with Holding Overlay Zone	MLM- Mixed Large Market
Land Use	Vacant	Retail Trade, Shop

Zoning Analysis	Required	Proposed
Min. Lot Area	1,500 m <sup>2</sup>	46,553 m <sup>2</sup>
Building Area E1-E3	6,000 m <sup>2</sup>	1,291 m <sup>2</sup> (Permitted)
(Combined)		
Building E4-E6 (Combined)	6,000 m <sup>2</sup>	12,367 m <sup>2</sup> (Discretionary)
Number of Parking Stalls	155	430
Loading Stalls	2	3
Min. Lot Area (m²)	1,500 m <sup>2</sup>	46,553 m <sup>2</sup>
Min. Lot Frontage (m)	22.5m	223 m
Max. Building Height (m)	30m	8.5 m
Max. Floor Area Ratio	1.5	0.29
Max. Coverage (%)	65%	29.3 %
Minimum total site	10% (4,653 M <sup>2</sup> )	17% (7,945m²)
landscaping area		

The landscaping shown in Appendix A-2 complies with *the Regina Zoning Bylaw 2019-19* that any lot in the Mixed Large Market Zone requires a minimum total site landscaping area of 10 per cent. The proposed development provides 17 per cent site landscaping which exceeds the minimum requirement.

This application is being considered pursuant to the *Planning and Development Act* 2007 (Act); *Design Regina: The Official Community Plan Bylaw No.* 2013-48 (OCP) and for suitability based on the prescribed evaluation criteria for discretionary uses established in Sub Part IE.3 of The Zoning Bylaw. The proposal has been assessed and is deemed to comply with all applicable policies, regulations and standards.

### **Aurora Concept Plan**

The proposed development aligns with the approved Aurora Concept Plan (Appendix A-4) which identifies the subject property for commercial use. The surrounding land uses are Retail Trade, Shop (Costco) and Aurora Boulevard to the east; Anaquod Road and multi-

Page 4 of 5 RPC20-29

use commercial currently under development to the north (Landmark Cinema); and undeveloped lands to the south and west. A landscape buffer will be provided along the south property line to reduce visual impact to the future residential development to the south (Appendix A-5).

### **Community Engagement**

In accordance with the public notice requirements of *The Planning and Development Act, 2007*, neighbouring property owners within 75 metres of the proposed development received written notice of the application and a sign was posted on the subject site. No comments were received from the community through the process.

### **DECISION HISTORY**

On October 17, 2016, City Council approved the rezoning of the development area from UH - Urban Holding to MAC - Major Arterial Commercial and MAC (H) - Major Arterial Commercial (Holding Overlay) Zone (CR16-123).

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

Respectfully Submitted,

Respectfully Submitted,

Freu Scarle, Director, Planning & Development Services

8/28/2020 Dia

Diana Hawnyluk, Executive Director, City Planning & Community Dev

9/2/2020

Prepared by: Binod Poudyal, City Planner II

### **ATTACHMENTS**

Appendix A-1 (Aerial Map)

Appendix A-2 (Proposed Site Plan)

Appendix A-3 (Proposed Subdivision Plan)

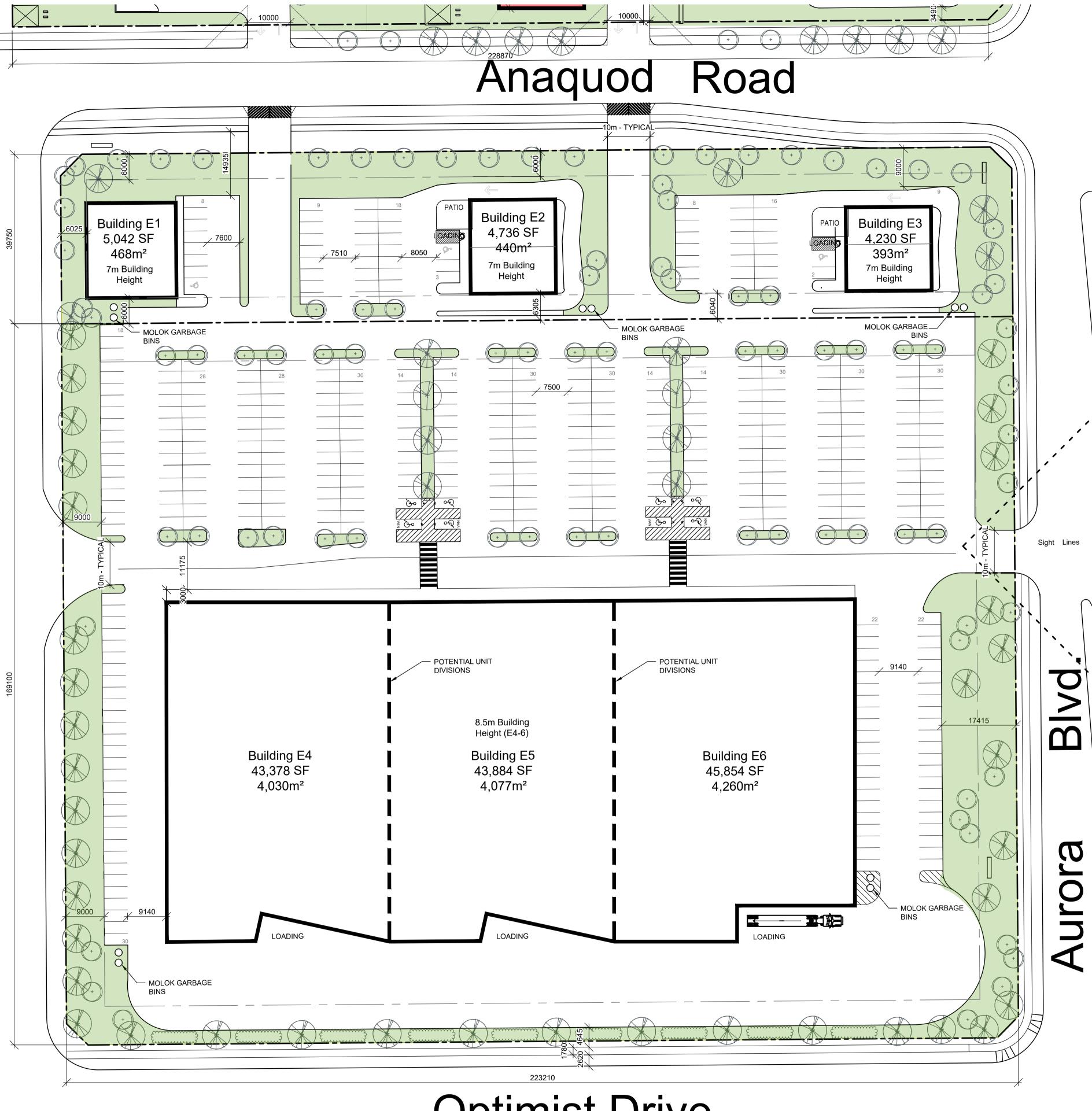
Appendix A-4 (Approved Concept Plan)

Appendix A-5 (Landscape Buffer Schematic)

Page 5 of 5 RPC20-29

## Appendix A-1

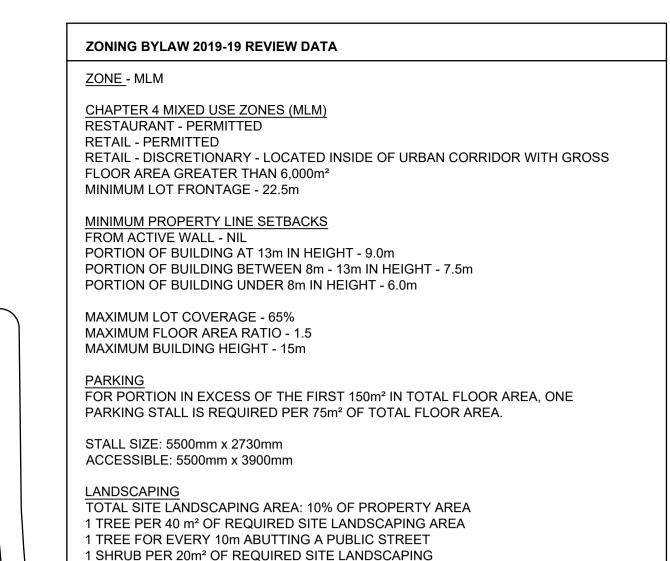




# Optimist Drive



# **Appendix A-2**

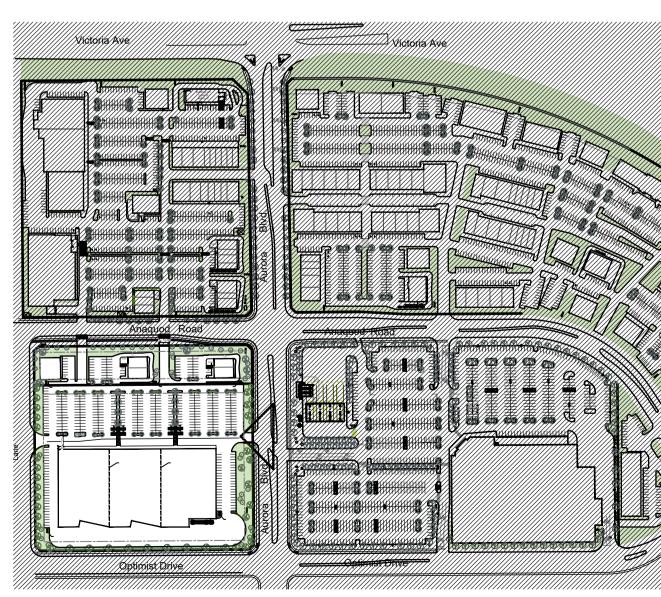


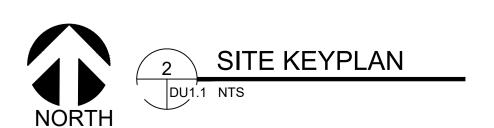
PARCEL E **AURORA - BUILDINGS E4, E5, & E6** 38,937m<sup>2</sup> PROPERTY AREA: **BUILDING AREA:** 12,367m<sup>2</sup> (COMBINED) SITE COVERAGE: **PARKING COUNT** Bicycle (Short-Term) 15 Req'd / 15 Provided 142 Reg'd / 376 Provided 3 Reg'd / 8 Provided Loading Stalls 2 Req'd / 3 Provided Note: Parking stalls sized 5500mm X 2730mm unless noted otherwise 10% OF PROPERTY AREA REQUIRED: 38,937m<sup>2</sup> X 10% = 3,894m<sup>2</sup> PROVIDED: 4,931m<sup>2</sup> TREES REQUIRED: 98 Req'd 98 Provided

SHRUBS REQUIRED: 195 Req'd 195 Provided

SHRUBS REQUIRED: 39 Req'd

PARCEL E **AURORA - BUILDINGS E1, E2, & E3** PROPERTY AREA: 1,291m<sup>2</sup> (COMBINED) **BUILDING AREA:** SITE COVERAGE: PARKING COUNT: Bicycle (Short-Term)
1 Req'd / (1) Provided
1 Req'd / (1) Provided
1 Req'd / (1) Provided Standard
Bldg E1: 5 Req'd / 8 Provided
Bldg E2: 4 Req'd / 27 Provided Note: Parking stalls sized 5500mm X 2730mm unless noted otherwise 10% OF PROPERTY AREA REQUIRED: 7,616m<sup>2</sup> X 10% = 762m<sup>2</sup> PROVIDED: 3,014m<sup>2</sup> TREES REQUIRED: 20 Req'd 20 Provided

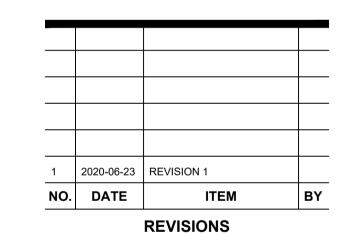






Canada S4R 1H3 306-757-1669

P3ARCH.COM







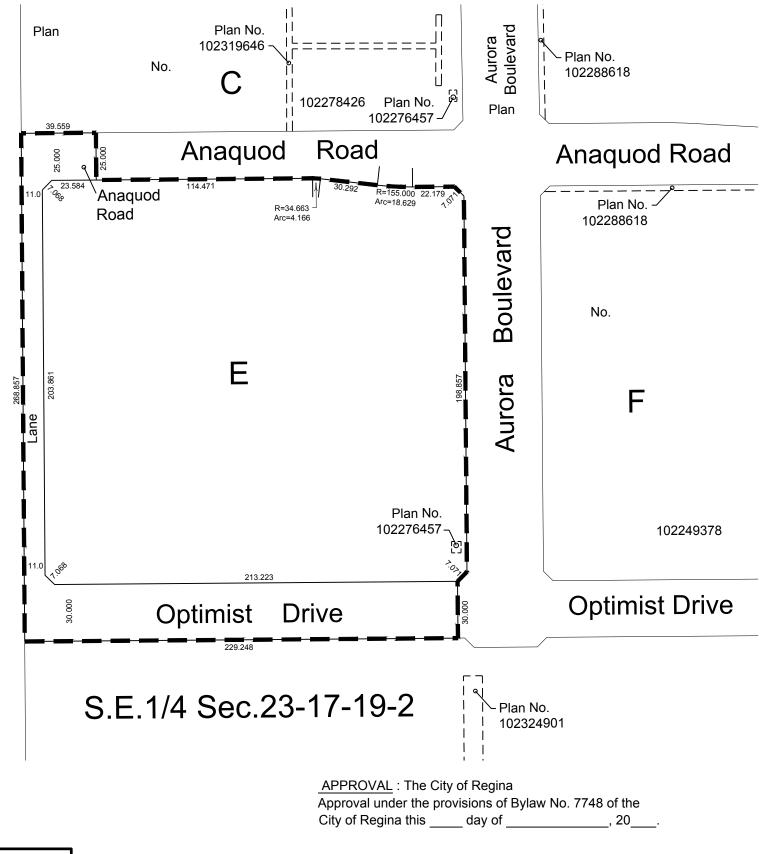


SHEET TITLE

PARCEL E SITE **OVERALL SITE PLAN** - OPTION A

1812	DU1.1
FILE NO.	DRAWING NO.
DATE	2020-04-08
SCALE	AS NOTED
OWNER	AURORA RETAIL CORP.
APPROVED	-
CHECKED	-
DRAWN BY	-
DESIGN BY	-

# Sec.23-17-19-2 S.W.1/4



City Clerk

**Appendix A-3** 



Phase 1 Stage 3

Plan Showing PROPOSED SUBDIVISION of Part of S.E.1/4 Sec.23 Twp.17 Rge.19 W.2 Mer. Regina, Saskatchewan 2020 Scale 1:2000

### **Notes**

Measurements are in metres and decimals thereof.

Area to be approved is outlined with a heavy dashed line and contains approximately 5.763 hectares (14.24 Ac.).

Dimensions are approximate and are subject to changes up to ±2.000m at the time of legal survey.

Parcel dimensions will not go below the minimum allowed by zoning.

Dated at Regina in the Province of Saskatchewan This 9th day of June, 20 20



Scott L. Colvin, S.L. Saskatchewan Land Surveyor

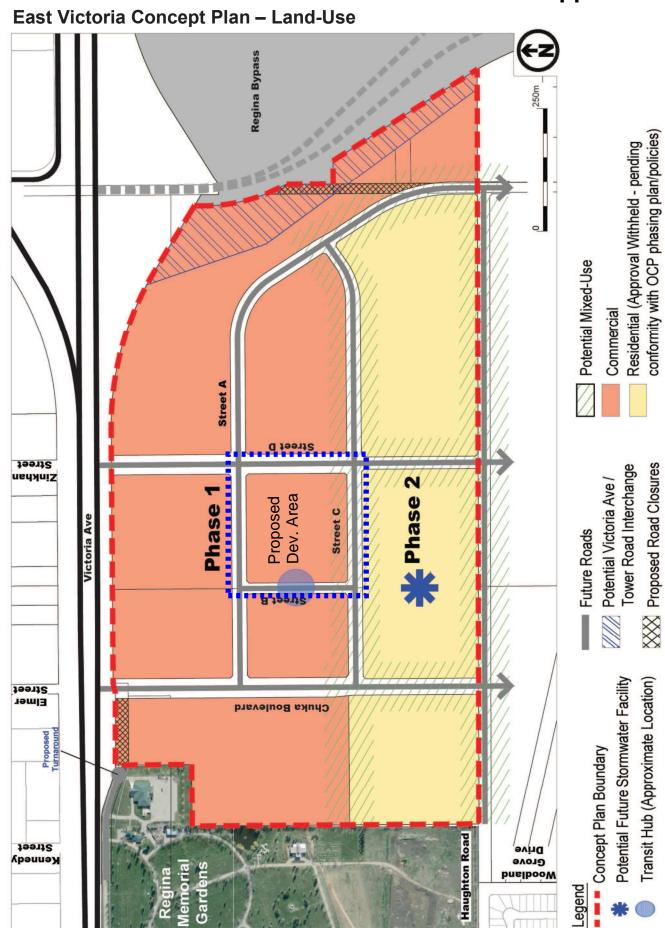
Owner:

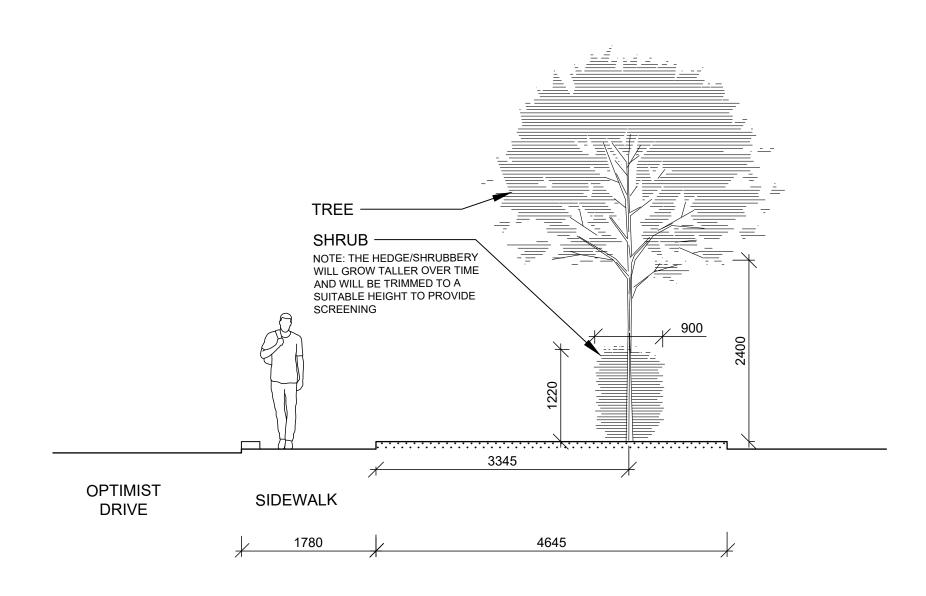
Aurora Retail Corp.

DWG. NO. 201-05846-00-000-00-SUBTN001-R0

Seal

### **Appendix A-4**





Plot time: Jul 24, 202 G:\2018 Projects\2018-1:	Plot time: Jul 24, 2020 – 10:22am G:\2018 Projects\2018-12 Aurora Site\DWG\PRELIMINARY\Discretionary Use DWGs\Parcel E\Option A_AURORA-ParcelE DU_2020-07-23.4wg;:\2017 Projects\2017-45 Aurora Master Plan\DWG\COSTCO\20170830-xref-Regina
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PROJECT	AURORA - PARCEL E	DRAWN BY	LL	DRAWING NO.
		SCALE	1:50	
TITLE	SIDEWALK CROSS SECTION	DATE	04-23-2020	DU2.1
		FILE NO.	2018-12	





# 5601 Parliament Avenue - Concept Plan Amendment/ Zoning Bylaw Amendment/ Discretionary Use - PL202000116

Date	September 9, 2020	
То	Regina Planning Commission	
From	City Planning & Community Development	
Service Area	Planning & Development Services	
Item No.	RPC20-30	

### RECOMMENDATION

Regina Planning Commission recommends that City Council:

- 1. Approve the application to amend the Harbour Landing Concept Plan to re-designate the property located at 5601 Parliament Avenue from High-Density Residential to Low-Density Residential, in accordance with the Concept Plan shown in Appendix A-3.1.
- 2. Approve the application to rezone the property located at 5601 Parliament Avenue, legally described as Block BB, Plan No. 102177503, from RH Residential High-Rise Zone to RU Residential Urban Zone.
- 3. Approve the discretionary use application for the proposed development of Building, Planned Group located at 5601 Parliament Avenue, being Block BB, Plan No. 102177503 in the Harbour Landing neighbourhood.
- 4. Direct the Development Officer to issue a development permit subject to the following conditions:
  - a. The development shall be generally consistent with the plans attached to this report as Appendix A-3.2, prepared by StreetSide Developments, dated June 18, 2020; and
  - b. The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw 2019-19*.

Page 1 of 5 RPC20-30

- 5. That the City Solicitor be directed to prepare the necessary bylaws to authorize the respective Zoning Bylaw amendment.
- 6. Approve these recommendations at its September 30, 2020 meeting, after giving the required public notice.

### **ISSUE**

StreetSide Development Corporation (Applicant and Owner) proposes to develop 45 Building, Detached and five two-unit Building, Row buildings for a total of 55 dwelling units in a Planned Group (proposed development) on an undeveloped site within the Harbour Landing neighbourhood at 5601 Parliament Avenue (subject property).

This application is being considered pursuant to the *Planning and Development Act, 2007* (Act); *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP) and the Zoning Bylaw, including suitability based on the prescribed evaluation criteria for discretionary uses established in Part IE.3. The proposal has been assessed and complies with all applicable policies, regulations and standards.

Pursuant to subsection 56(3) of the *Planning & Development Act, 2007* (Act), City Council may establish conditions for discretionary uses based on the nature of the proposal (e.g. site, size, shape arrangement of buildings) and aspects of site design (e.g. landscaping, site access, parking, loading), but not including architectural details.

### **IMPACTS**

### **Financial Impacts**

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

### **Accessibility Impacts**

The proposed development requires one accessible parking stall. While there are none marked, the development type means all provided parking can function as an accessible stall.

### **Policy/Strategic Impact**

The proposed development does not conflict with any OCP policies and is consistent with the following OCP goals/ policies:

 Section D6, Goal 3, Policy 8.11: Direct future growth as either intensification on or expansion into lands designated to accommodate a population of approximately 300,000, in accordance with Map 1 – Growth Plan.

Page 2 of 5 RPC20-30

The surrounding area is a mix of high- and low-density development. The proposed development will offer a housing type unique to this part of Harbour Landing and promote housing diversity.

- Section D5, Goal 1, Policy 7.1 & 7.15: Require that new neighbourhoods, new mixeduse neighbourhoods, intensification areas and built or approved neighbourhoods are planned and developed to include the following:
  - A diversity of housing types to support residents from a wider range of economic levels, backgrounds and stages of life, including those with specific needs.

The development will contribute to diversity in housing forms and options in the neighbourhood.

### **OTHER OPTIONS**

Alternative options would be:

- 1. Approve the application(s) with specific amendments to the plan.
- Refer the application(s) back to Administration. If City Council has specific concerns
  with the proposal it may refer it back to Administration for further review. Referral of
  the report back to Administration will delay approval of the development until
  requested information has been gathered or changes to the proposal have been
  made.
- 3. Deny the application(s), and in the case of the application for discretionary use indicating the specific reasons for the denial.

### **COMMUNICATIONS**

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

#### DISCUSSION

### **Proposal**

The proposed development, if approved, will be comprised of 45 Building, Detached and five two-unit Building, Row buildings within this residential Building, Planned Group for a total of 55 dwelling units. All units will have front attached garages. The site is 26,864 square metres of land located within in the Harbour Landing neighbourhood. Access will be provided via Parliament Avenue and McKenna Road.

Currently, the property is identified as High Density residential in the approved Harbour

Page 3 of 5 RPC20-30

Landing Concept Plan and is zoned RH – Residential High-Rise Zone under *Regina Zoning Bylaw No. 2019-19* (Zoning Bylaw). The applicant is proposing to develop low density residential, which requires an amendment to the Harbour Landing Concept Plan (Appendix A-3.1). In addition, the applicant proposes to rezone the lands to RU – Residential Urban Zone. The proposed development consists of a Building, Planned Group, which is a Discretionary Use in the RU – Residential Urban Zone. Both a Building, Detached and Building, Row are permitted building types within the Building, Planned Group.

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

Land Use Details	Existing	Proposed
Zoning	RH – Residential	RU – Residential Urban Zone
	High-Rise Zone	
Land Use	Vacant	Building, Planned Group
Building Area	Nil	8508 m <sup>2</sup>

Zoning Analysis	Required	Proposed
Number of Parking Stalls	55	110
Min. Lot Area (m <sup>2</sup> )	11650 m <sup>2</sup>	26,864 m <sup>2</sup>
Min. Lot Frontage (m)	7.5 m	82.3 m
Max. Building Height (m)	11 m	13.5 m
Max. Floor Area Ratio	0.85	0.26
Max. Coverage (%)	50%	35%
Communal Space	5%	5.1%

### **Considerations**

Within the RU – Residential Urban Zone a Building, Planned Group is a Discretionary Use. Both the Building, Detached and Building, Row are permitted building types within the Building, Planned Group land use classification.

The proposed development requires 55 parking stalls (one parking stall per unit). The applicant has provided 100 parking stalls which exceed the minimum parking requirement. Additionally, there is potential for additional parking on the driveways on the individual units. Due to the amount of available parking, it is anticipated the proposed development has negligible impact on neighbouring properties.

The proposed development conforms with the Zoning Bylaw from a site design perspective and is deemed to be suitable for the location, as it has access to the Parliament Avenue (arterial roadway). Although the application represents a proposed density decrease, Administration does not anticipate conflict with Section C; Policy 2.11.2 of the OCP (requirement to achieve a minimum density of 50 people per hectare), as past trends in this neighbourhood resulted in density increase, relative to the original concept plan. The current estimated population for Harbour Landing is 11,891 in a net area of 238 ha. This results in a present density of 49.96/ha, before development of this site.

Page 4 of 5 RPC20-30

### **Community Engagement**

In accordance with the public notice requirements of *The Planning and Development Act, 2007*, neighbouring property owners within 75 metres of the proposed development received written notice of the application and a sign was posted on the subject site. The Harbour Landing Community Association was contacted but did not respond. Comments from neighbouring properties are captured in Appendix B.

### **DECISION HISTORY**

On July 28, 2014 City Council rezoned this property from UH – Urban Holding to R6 – Residential Multiple Housing (CR14-85). On April 27, 2015 City Council approved a Discretionary Use at this property for high-density residential development (CR15-53). The development never proceeded.

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

Respectfully Submitted,

Respectfully Submitted,

Freu Scarlo, Director, Planning & Development Services

8/27/2020 Diana Hawnyluk, Executive Director, City Planning & Community Dev.

Prepared by: Michael Sliva, City Planner II

### **ATTACHMENTS**

Appendix A-1

Appendix A-2 Appendix A-3.1

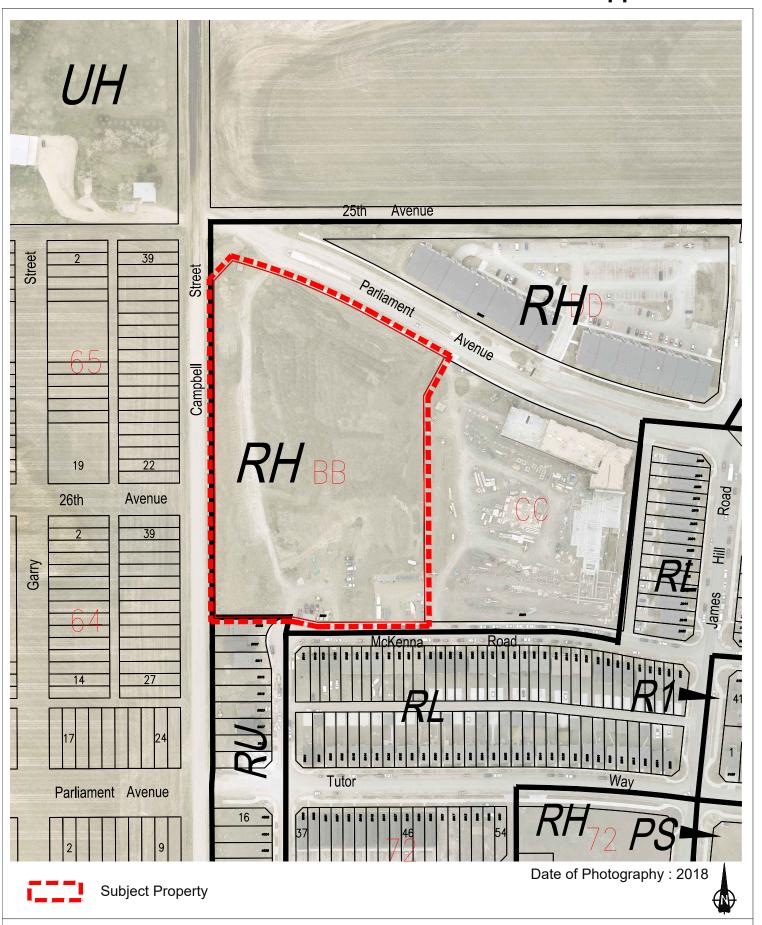
Appendix A-3.2

Appendix A-3.2

PL202000116 Appendix B

Page 5 of 5 RPC20-30

# Appendix A-1



## Appendix A-2





Subject Property

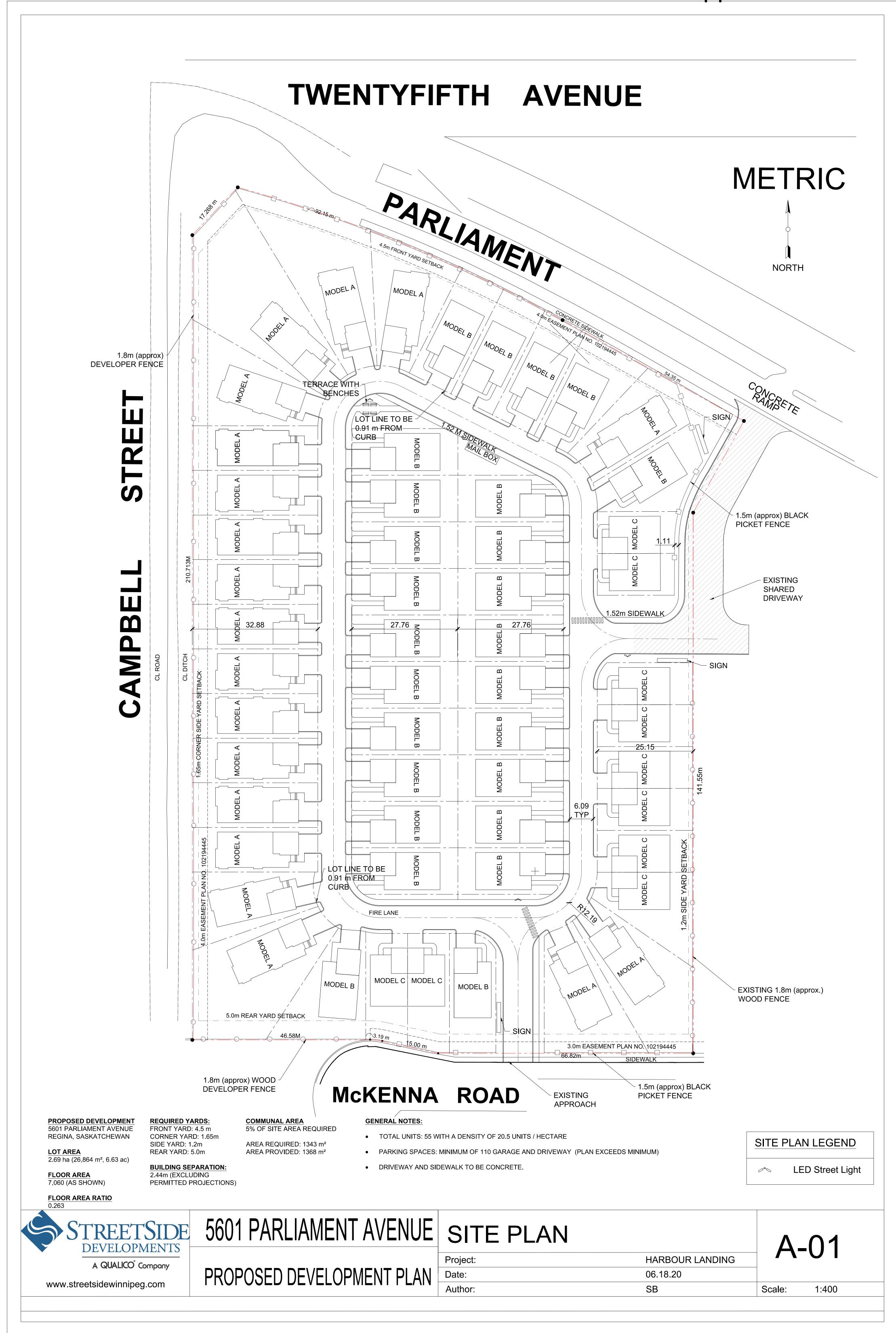
Date of Photography: 2018







HARBOUR LANDING CONCEPT PLAN



### Public Notice Comments

Response	Number of	Issues Identified
	Responses	
Completely		
opposed		
Accept if many		
features were		
different		
Accept if one or		Not an auch moulting
two features were	1	- Not enough parking
different		
I support this	1	
proposal	1	

### 1. Parking

### Administration's Response:

This development requires 55 parking stalls. The applicant proposes 100 parking stalls which exceeds the minimum parking requirements by 45 parking stalls. Additionally, every unit has a double-car driveway, enabling up to 200 vehicles to be parked within the site if vehicles are parked in tandem. Based on the foregoing, it is not expected parking will spill out onto adjacent streets and negatively impact neighbouring properties.



### 1971 Albert Street Contract Zone Application (PL202000118)

Date	September 9, 2020
То	Regina Planning Commission
From	City Planning & Community Development
Service Area	Planning & Development Services
Item No.	RPC20-31

### RECOMMENDATION

Regina Planning Commission recommends that City Council:

- 1. Approve the application to rezone the property located at 1971 Albert Street, Lot 50, Blk/Par 342, Plan 102032255 from DCD-D Downtown Direct Control District Zone to Contract Zone.
- 2. Approve execution of a contract zone agreement between the City of Regina and the applicant/owner of the subject properties, which shall include the following terms:
  - i. The agreement shall allow for the carrying out of a specific proposal on the lands described as a temporary "Transportation, Parking Lot" lot a period of one year from the date of execution of the Contract Zone agreement.
  - ii. That issuance of development permits and the execution of the contract zone agreement shall be conditional on the applicant being confirmed as the registered owner of the property or the consent of the owner being obtained.
  - iii. That construction of a centre median along Albert Street shall be required to permit the optional right-in-right-out access.
  - iv. The parking lot shall meet all standards for "Transportation, Parking Lot" except that:
    - a. Surface may be minimum 150 mm densely packed gravel or asphalt planings with a dust inhibitor to the satisfaction of the Director of Planning and Development Services:
    - b. 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.
  - v. The development shall generally conform to the attached plans as labelled

Page 1 of 6 RPC20-31

- Appendix A-2 of this report, prepared by Property Development Support Services Inc. and dated May 12, 2020.
- vi. Signage on the subject property shall comply with the development standards for the DCD-D Downtown Direct Control District Zone.
- vii. Any zoning-related detail not specifically addressed in the contract zone agreement shall be subject to applicable provisions of the *Regina Zoning Bylaw 2019-19*.
- viii. 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. Direct the City Solicitor to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.
- 4. Approve these recommendations at its September 30, 2020 meeting, and consider the proposed bylaw at a succeeding meeting after giving the required public notice.

### ISSUE

The applicant, being the prospective purchaser of the subject property pursuant to a court ordered sale, proposes a Contract Zone to accommodate "Transportation, Parking Lot" as a temporary use for a one-year term on the property located at 1971 Albert Street, Lot 50, Blk/Par 342, Plan 102032255. The subject property is currently zoned DCD-D – Downtown Direct Control District Zone in which "Transportation, Parking Lot" is not permitted.

### **IMPACTS**

### **Financial Impact**

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.

The proposal will not have an effect on the assessment of the property, nor would the taxes change, unless there is a physical structure developed on the site.

### **Policy/Strategic Impacts**

The DCD-D – Downtown Direct Control District Zone does not permit surface parking lots as a principal use. A surface parking lot would be permitted only if buffered from the street by an active use. Part B.4: Regina Downtown Neighbourhood Plan, of *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP) also contains the following policies with respect to:

- Section D5, Goal 2, Policy 7.7 Collaborate with stakeholders to enhance the CITY CENTRE, as depicted on Map 1 – Growth Plan, by:
  - o 7.7.7 Implementing the Regina Downtown Neighbourhood Plan.
- OCP Part B.4, Policy 34: THAT the City of Regina will incorporate parking standards and restrictions in the zoning bylaw to ensure development decisions result in an

Page 2 of 6 RPC20-31

active and animated public realm and limits the amount of visible parking from the street.

 "Transportation, Parking Lot" is not a permitted use under table 6A.T2 of The Regina Zoning Bylaw, 2019, Part 6A DCD-D – Downtown Direct Control District Zone

However, the development is intended as an interim use to facilitate further plans for future development of the site. The proposal is supported by OCP Section E, Goal 8, policy 14.42 regarding contact application, at Council's discretion, to development proposals that do not conform with existing zoning requirements (e.g. use of land, site, development or servicing standards, etc.), or that require special regulatory control to ensure compatibility with adjacent development, with the provision that the proposed development:

14.42.1 Conforms with the general intent of this Plan or any applicable concept plan; and

14.42.2 Is compatible with existing adjacent development and, where applicable, contributes beneficially to the adjacent public realm.

### OTHER OPTIONS

Administration recommends approval to rezone the property to contract zone to accommodate "Transportation, Parking Lot".

Alternative options would be:

- 1. Approve the application with specific amendments to the site plan.
- Refer the proposal back to Administration. If City Council has specific concerns with the proposal it may refer it back to Administration for further review. Referral of the report back to Administration will delay approval of the development until requested information has been gathered or changes to the proposal have been made.
- 3. Deny the application. Development of "Transportation, Parking Lot" land use will not proceed on the subject property if City Council denies the application.

### COMMUNICATIONS

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

### DISCUSSION

The applicant, a prospective purchaser of the property pursuant to a court ordered sale, proposes a Contract Zone to accommodate development of a temporary "Transportation,

Page 3 of 6 RPC20-31

Parking Lot" for a period of one year for the subject property located at 1971 Albert Street, as shown in Appendix A-1. The subject property is zoned DCD-D – Downtown Direct Control District Zone in which "Transportation, Parking Lot" are not permitted and rezoning to Contract Zone is necessary to allow the development to proceed. "Transportation, Parking Lot" is defined by *The Regina Zoning Bylaw, 2019 as:* 

"An outdoor land use where motor vehicles that are registered, insured and in working order are parked outdoors or in primarily unenclosed areas for temporary intervals."

The applicant has indicated that this proposal is a necessary step in pursuit of a larger redevelopment plan for this site in the future and would be an interim measure use as future plans are developed. The Contract Zone is proposed to have a one-year term. After the term expiration, the property would revert back to the DCD-D – Downtown Direct Control District Zone, or the contract could be discharged if a development proposal is approved prior to that date.

The applicant is proposing a total of 87 surface parking stalls along with eight stalls for motorcycle parking and bicycle parking as depicted on Appendix A-2. The proposed development will be fenced, gated and will be using the existing alley located to the north to access the site. A proposed optional right-in right-out access on Albert Street will be allowed only if the applicant completes the installation of a median on Albert Street to the satisfaction of the City of Regina to prevent direct left-turn movements into the site by south bound vehicles on Albert Street.

The issuance of development permits and the execution of the contract zone agreement shall be conditional on the applicant being confirmed as the registered owner of the property or the consent of the owner being obtained. Given the length of the term and that this is an interim measure to assist the applicant with their development plan, Administration is recommending approval of a one-year term for the Contract Zone.

The applicant has indicated that they have explored various development plans over the last 18 months. The applicant is anticipating a timeline of between 12 - 24 months to complete the requisite steps in the predevelopment process and 24 - 30 months to build on site. The applicant has made the following statement in their application submission:

"The ability to park vehicles on site during the predevelopment phase will ensure municipal taxes are maintained throughout that time without the need to levy the property with additional debt that could stall or inhibit the building process. Rejection of this application may force them to revisit their financial approach to the project and a potential obstacle in formalizing the partnership between the ownership group and the intended development partner. The project will still be viable without the parking concession; however, it will impact the predevelopment phase on the timeline".

The Planning and Development Act, 2007, in conjunction with Design Regina: The Official Community Plan Bylaw No. 2013-48 and The Regina Zoning Bylaw, 2019, authorize Council to rezone an area of land to a Contract Zone to permit the carrying out of a specified proposal through entering into a contract zone agreement.

The proposal is consistent with the purpose and intent of Contract Zone under the Regina

Page 4 of 6 RPC20-31

Zoning Bylaw, 2019 Regulation 7A.1 to accommodate proposed development that represents a unique development opportunity that does not conform to the zoning requirements, on a site-specific basis.

The application was circulated to neighbouring properties, and the Regina Downtown Business Improvement District (RDBID) for review and comment. RDBID provided the following comments with regard to the application:

"Regina Downtown Business Improvement District offers tentative support for the temporary parking lot for a period of no more than one year. We support the Regina Downtown Neighbourhood Plan (RDNP) recommendation that no new surface parking be allowed; however, we also recognize the realities of current market conditions. Private investment and development should be encouraged in Downtown Regina. As this is an important entry into downtown, we ask that the applicant be required to provide enhanced landscaping, as a buffer, along the edges of the parking lot. It is our hope that the applicant will soon be able to develop a project that recognizes and celebrates the gateway into our Downtown".

Administration recommends keeping the existing chain link fence as the term of contract is for a period of only one year, after which time the site would be restored to its current state. Given the term of the contract, it would be preferable to minimize disturbance to the site rather than construct a temporary fence that provides visual screening. Although the chain link fence does not provide visual screening of the parking lot, it assists to secure and delineate the site from public realm and is appropriate for the one-year term of contract. Recognizing the site as a Primary Gateway to the Downtown, visual screening and landscaping may be negotiated should the applicant pursue a longer term or permanent development of the site through a separate approval process. Further summary of the feedback is attached to this report in Appendix B.

In addition to the partial support form the RDBID for this application, a motion MN20-14 was approved at the City Council meeting held on August 31, 2020. The motion directs Administration to "conduct a review of surface parking lot restrictions as outlined in the Regina Downtown Neighbourhood Plan and in The Regina Zoning Bylaw, Bylaw No. 2019-19 and prepare a report on a temporary parking lot policy" and report back to the Regina Planning Commission by January 31, 2021.

The surrounding land uses include commercial to the south (gas station), commercial to the west (office building), commercial to the north (Bregg's Cleaners) and an office tower to the east.

### **DECISION HISTORY**

- 1. On September 21, 2009, City Council approved CR09-146- a discretionary use application for a proposed hotel and high-rise apartment building.
- 2. On December 16, 2013, City Council approved CR13-190 a discretionary use application for a proposed hotel and high-rise apartment building.

Page 5 of 6 RPC20-31

3. On May 27, 2019, City Council approved CM19-6 -1971 Albert Street - Capital Pointe Construction Site, to award a contract to backfill the site.

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

Respectfully Submitted,

Respectfully Submitted,

Free Scarle, Director, Planning & Development Services

8/28/2020 Diana Hawryluk, Executive Director, City Planning & Community Dev.

9/3/2020

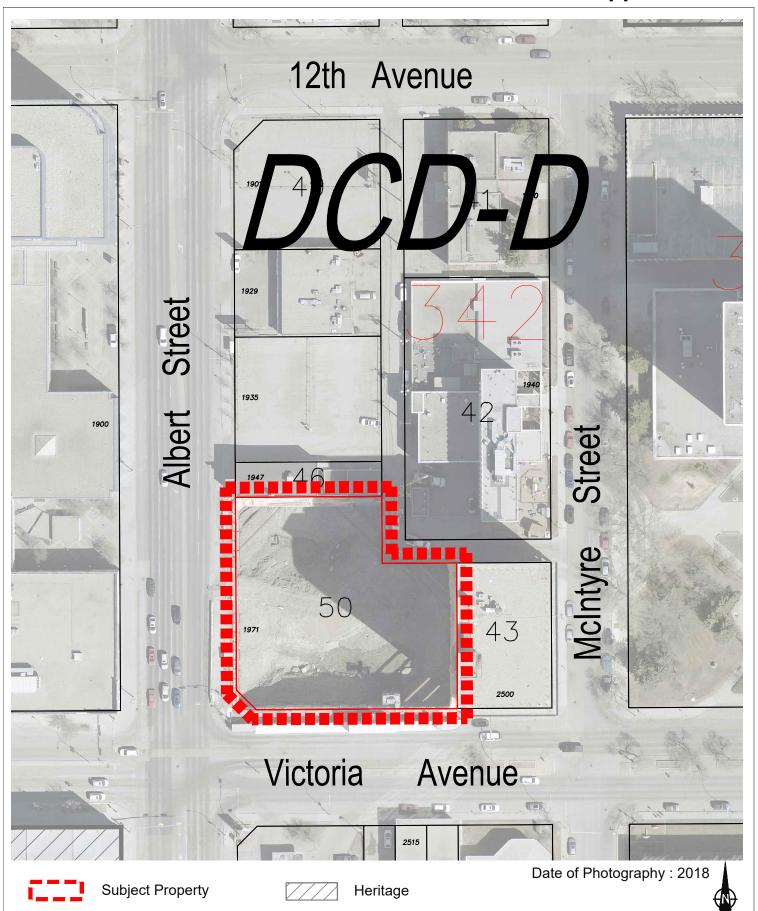
Prepared by: Binod Poudyal, City Planner II

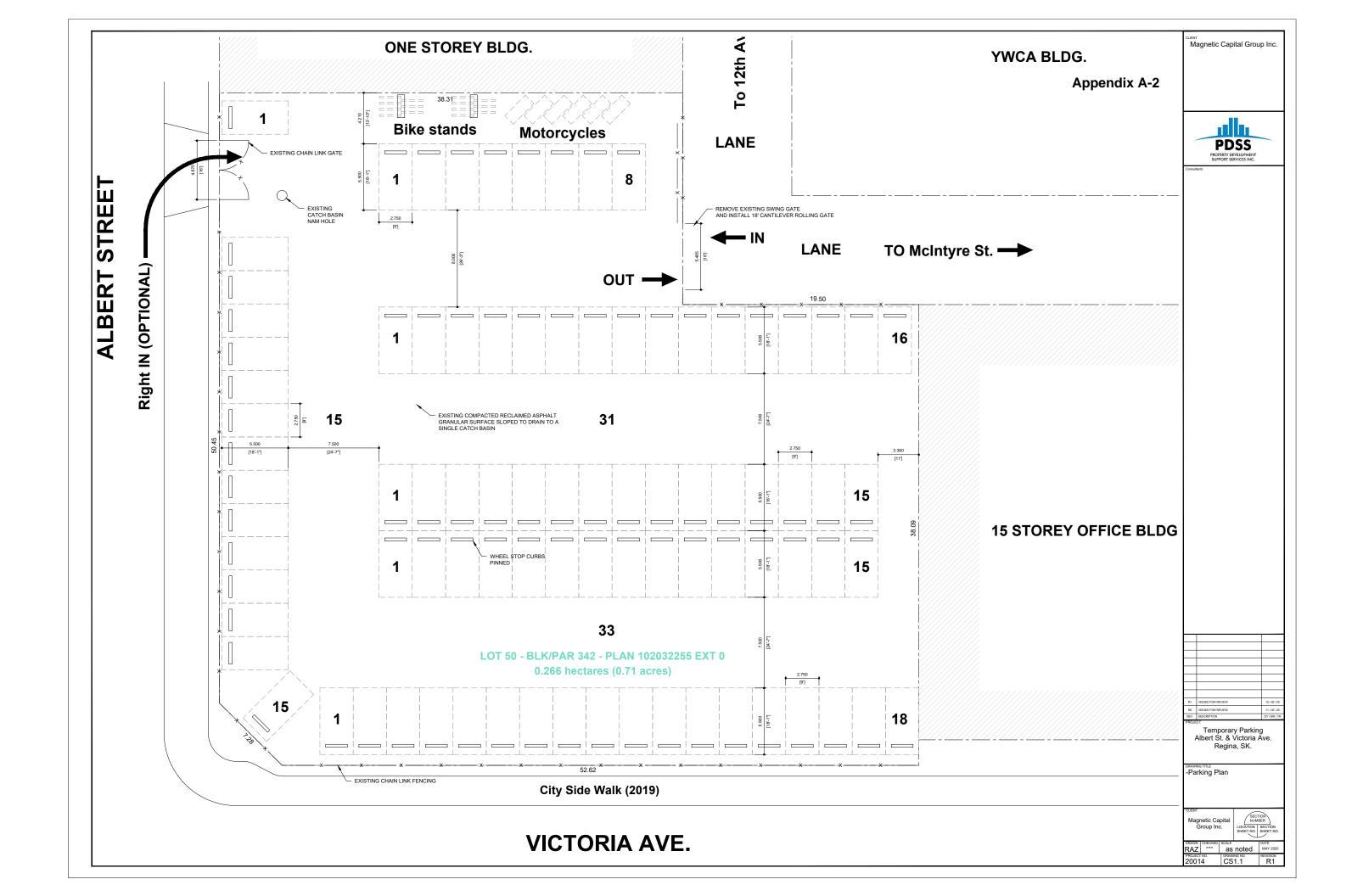
### **ATTACHMENTS**

Appendix A-1 (Aerial Map) Appendix A-2 (Site Plan) Appendix B

Page 6 of 6 RPC20-31

# Appendix A-1





### **Public Consultation Summary**

Response	Number of	Issues Identified	
	Responses		
Completely opposed	4	<ul> <li>more parking stalls available means more loss to existing parking lot owners and their operators</li> <li>A parking lot is inappropriate and contrary to the Zoning Bylaw, OCP, and Downtown Plan.</li> <li>We do not need another parking lot especially on that major corner.</li> <li>There should be trees planted and shrubs on the south and west sides as buffer.</li> </ul>	
Accept if many features were different		-	
Accept if one or more features were different		-	
I support this proposal	1	- It is temporary	
Other	1	<ul> <li>The back alley has been destroyed because of the construction in the past.</li> <li>With the added vehicles through this application, I would inquire about the potential of fixing the alley.</li> </ul>	

# 1. Issue: Increase in surface parking lot within downtown will financially impact other operators.

Administration's Response:

- Administration is supportive as a temporary use under the Contract Zone provisions.
- Administration will be conducting further analysis of downtown parking in follow up to MN20-14 in Q1 of 2021. The motion will consider policy and regulatory aspects of surface parking with options.
- Administration is not aware of any such documents to elaborate on this impact.

# 2. Issue: A parking lot is inappropriate and contrary to the Zoning Bylaw, OCP, and Downtown Plan.

Administration's Response:

- There is no policy support for surface parking lot however Administration views this proposal as a step towards a redevelopment of this site.
- Administration is prepared to support a one-year term based on the rationale provided by the applicant and the response we received from RDBID.

### 3. Issue: We do not need another parking lot on that major corner.

Administration's Response:

- The operation of parking lot, if approved by the City Council will be valid for one year from the day of the approval and is considered temporary.
- Administration is aware of the importance and prominence of this intersection. Design standards and regulation from the DCD Downtown Control District Zone in the Zoning Bylaw will ensure that subsequent development will provide appropriate design conditions at street level and building form.

### 4. Issue: Landscaping shall be provided to buffer the site.

Administration's Response:

• The parking lot is temporary in nature and would not include permanent landscape features given the length of the proposed contract. The existing fence on site shall be maintained for physical separation of the parking and from the public realm and security.

### 5. Issue: Damage to the alley due to added traffic volume.

Administration's Response:

Any damages due to the construction will be the responsibility of the developer and regular wear and tear would be managed through neighbourhood renewal process.



July 24, 2020

Binod Poudyal City Planner II Planning and Development Services Department City of Regina

Re: Application for Contract Zoning Approval (PL202000118) – Temporary Parking Lot – 1971 Albert Street

Dear Mr. Poudyal:

Thank you for the opportunity to comment on this application on behalf of Regina Downtown Business Improvement District (RDBID).

Regina Downtown Business Improvement District offers tentative support for the temporary parking lot for a period of <u>no more than one year</u>. We support the Regina Downtown Neighbourhood Plan (RDNP) recommendation that no new surface parking be allowed, however, we also recognize the realities of current market conditions. Private investment and development should be encouraged in Downtown Regina. As this is an important entry into downtown, we ask that the applicant be required to provide enhanced landscaping, as a buffer, along the edges of the parking lot. It is our hope that the applicant will soon be able to develop a project that recognizes and celebrates the gateway into our Downtown.

As these requests for temporary parking lots increase, RDBID further request the 2014 Current Parking Program Assessment and Downtown and Vicinity Parking Strategy be reviewed immediately and recommendations updated to reflect the realities of the current economy. An updated parking strategy will help guide future decisions with respect to off-street parking in the future.

Should you have any questions, please do not hesitate to contact me at 306.359.7573.

Thank you.

Sincerely,

Judith Veresuk
Executive Director

Mount

Regina Downtown Business Improvement District

