

August 2, 2018

To: Members
Regina Planning Commission

Re: Application for Partial Street Closure (18-CL-03) Undeveloped Road Right-of-Way
Adjacent to 1055 Broad Street

RECOMMENDATION

1. That the application for the closure and sale of portions of 4th and 5th Avenue and Osler Street, as shown on the attached plan of proposed subdivision prepared by Midwest Surveys Inc., dated February 5, 2018 and legally described as Part of 4th Avenue, Registered Plan No. 101722249, Part of 5th Avenue & Osler Street, Registered Plan No. Old33, be approved.
2. That the City Solicitor be directed to prepare the necessary bylaw.
3. That this report be forwarded to the August 27, 2018 meeting of City Council for approval, which will allow sufficient time for advertising of the required public notice for the respective bylaw.

CONCLUSION

The applicant and landowner, City of Regina Real Estate Branch, proposes to close and sell portions of the rights-of-way to facilitate the consolidation of these portions of right-of-way with the adjacent property located at 1055 Broad Street, legally described as Lot Z, Plan No. 101722249, which would create proposed new Lot ZZ as shown on Appendix A-3. The subject property is currently being developed as an automobile dealership. The closed portions of right-of-way would be developed for some elements of site development including landscaping and extension of parking.

The portion of rights-of-way proposed to be closed are not currently used by the travelling public or service providers and therefore, the proposed closure will not impact traffic flow or circulation.

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

BACKGROUND

A closure application has been submitted concerning the rights-of-way adjacent to the north, east and south property boundaries of 1055 Broad Street. The application is being considered pursuant to the Zoning Bylaw, OCP, *The Planning and Development Act, 2007* and *The Cities Act, 2002*.

The related subdivision application, which would create proposed Lot ZZ shown in Appendix A-3, is being considered concurrently by Administration, in accordance with *Bylaw No. 2003-3*, by which subdivision approval authority has been delegated to Administration.

DISCUSSION

The applicant and landowner, City of Regina Real Estate Branch, proposes to close and sell approximately 491 square metres of road rights-of-way along 4th and 5th Avenue and Osler Street and consolidate with 1055 Broad Street to create a new designated parcel.

The portion of rights-of-way proposed to be closed are not currently used by the travelling public or service providers and therefore, the proposed closure will not impact traffic flow or circulation. The property owner is currently using this portion of road right-of-way for parking and there are no structures encroaching on to the existing right-of-way, as shown on Appendix A-1.

The subject property is currently being developed as an automobile dealership. The owner of the property wishes to purchase the property as part of the plan for redevelopment and will include non-building related elements such as landscaping and encroachment of some parking stalls for the new development.

The subject property is currently zoned MAC – Major Arterial Commercial Zone. The surrounding land uses include the Regina Cemetery to the northwest, a retail use with the Wholesale Club to the north and to the west is the former Sears call centre and warehouse. East of the property is zoned IA – Light Industrial Zone which includes a collection of retail and warehouse uses.

RECOMMENDATION IMPLICATIONS

Financial Implications

The consolidation with adjacent properties will result in a modest increase in the property tax assessment. The partial closure of the street will relieve the City of any obligations for its maintenance or physical condition.

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

Environmental Implications

None with respect to this report.

Policy/Strategic Implications

The proposal is consistent with the policies contained within the OCP with respect to the community goal of achieving long-term financial viability. By divesting itself of an unused portion of road right-of-way, the City has ensured that there will not be any long-term financial implications associated with the land.

The portion of right-of-way to be closed is not required for traffic circulation purposes.

Other Implications

None with respect to this report.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

Communication with the public is summarized below:

Will be published in the Leader Post on:	August 11, 2018
Letter sent to immediate property owners	May 29, 2018
Number of Public Comments Sheets Received	0

There were no public comments received on this application. The application was circulated to the Central Zone Board and the Regina Warehouse Business Improvement District. Following circulation, the Administration attempted follow up contact with the Business Improvement District but did not receive a response prior to the deadline for submission of this report.

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

DELEGATED AUTHORITY

City Council's approval is required pursuant to Section 13 of *The Cities Act, 2002*.

Respectfully submitted,

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

Louise Folk, Director
Development Services

Respectfully submitted,

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

Diana Hawryluk, Executive Director
City Planning & Development

Prepared by: Christian Tinney