

November 26, 2018

To: His Worship the Mayor
And Members of City Council

Re: Discretionary Use Application (18-DU-13) Retail Use (Art Gallery) - 3424 13th Avenue

RECOMMENDATION

**RECOMMENDATION OF THE REGINA PLANNING COMMISSION
– NOVEMBER 7, 2018**

That the discretionary use application for a proposed Retail Use (Art Gallery) located at 3424 13th Avenue, being Lot 48, Block 380, Plan No. 99RA05074, be approved, and that a Development Permit be issued 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 Appendix A-3.4 inclusive, prepared by Alton Tangedal Architecture Ltd. and dated August 1, 2018.
- b) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.

REGINA PLANNING COMMISSION – NOVEMBER 7, 2018

Trevor Munroe, representing Alton Tangedal Architecture Ltd., addressed the Commission.

The Commission adopted a resolution to concur in the recommendation contained in the report.

Recommendation #2 does not require City Council approval.

Councillors: Bob Hawkins, Mike O'Donnell (Chairperson) and Barbara Young; Commissioners: David Bale, Frank Bojkovsky, Simon Kostic, Robert Porter, Steve Tunison and Celeste York were present during consideration of this report by the Regina Planning Commission.

The Regina Planning Commission, at its meeting held on November 7, 2018, considered the following report from the Administration:

RECOMMENDATION

1. That the discretionary use application for a proposed Retail Use (Art Gallery) located at 3424 13th Avenue, being Lot 48, Block 380, Plan No. 99RA05074, be approved, and that a Development Permit be issued 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 Appendix A-3.4 inclusive, prepared by Alton Tangedal Architecture Ltd. and dated August 1, 2018.
 - b) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.
2. That this report be forwarded to the November 26, 2018 meeting of City Council for approval.

CONCLUSION

The applicant and owner, Sophia Papaconstantinou, proposes to develop a Retail Use (Art Gallery) in an existing commercial building along the 13th Avenue Shopping District within the Cathedral Neighbourhood. The subject property is within the LC3 - Local Commercial Zone in which a Retail Use over 150 square metres is a discretionary use.

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, Administration recommends approval.

BACKGROUND

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

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

DISCUSSION

The applicant and owner, Sophia Papaconstantinou, proposes to develop a Retail Use (Art Gallery), within an existing building along the 13th Avenue Shopping District in the Cathedral Neighbourhood. The existing commercial space is currently vacant and was previously used as a Recreational Services Facility (Flux).

The subject property fronts onto 13th Avenue and is part of the 13th Avenue Shopping District, which includes the businesses located from Angus Street to Elphinstone Street on 13th Avenue in the Cathedral Neighbourhood.

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

Land Use Details	Existing	Proposed
Zoning	LC3 – Local Commercial Zone	LC3 – Local Commercial Zone
Land Use	Vacant Commercial Unit	Retail Use
Building Area	241.08 m ²	241.08 m ²

Zoning Analysis	Required	Proposed
Number of Parking Stalls Required	Exempt from required parking because the proposed retail space is less than 325 m ² in size.	0
Minimum Lot Area (m ²)	100 m ²	243.9 m ²
Minimum Lot Frontage (m)	5 m	10.67 m
Maximum Building Height (m)	13 m	5.8 m
Maximum Floor Area Ratio	2.0	0.98
Maximum Coverage (%)	100%	98%

The surrounding land uses include a mix of commercial and residential properties to the north and east, commercial properties to the west and the Connaught Library to the south of 13th Avenue. The commercial building immediately to the west is currently vacant and under the same ownership, however it is on a separate lot and not considered part of this development.

Most buildings and businesses within the 13th Avenue Shopping District have developed with little or no setback from the street, which has encouraged a pedestrian orientation to the street. This shopping district provides commercial services to neighbourhood residents but it is also patronized by population outside the Cathedral area.

The proposed development is consistent with the purpose and intent of the LC3 – Local Commercial Zone with respect to:

- Providing commercial uses to serve the immediate neighborhood.
- Accommodating local commercial services near arterial and collector streets.
- Integrating shopping in facilities in residential neighbourhoods.

The proposal will provide an additional amenity within proximity to residents in the area and is accessible by all modes of travel. As such, the proposal will positively contribute to the local economy and activity of the immediate area and the array of services along the 13th Avenue Shopping District.

RECOMMENDATION IMPLICATIONS

Financial Implications

The subject area currently receives a full range of municipal services, including water, sewer, and storm drainage. Although not expected by the proposal, the applicant will be responsible for the cost of any additional changes to the existing infrastructure that may be required to directly

or indirectly support the development, in accordance with City standards and applicable legal requirements.

Environmental Implications

None with respect to this report.

Policy/Strategic Implications

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

Section D5: Land Use and Built Environment

Goal 1 – Complete Neighbourhoods: Enable the development of complete neighbourhoods.

- 7.5 Encourage appropriate mixed-use development within neighbourhoods, as well as the retention of existing local and neighbourhood commercial spaces.

The proposal is consistent with the policy objectives contained within Part B.6 of the OCP, the Cathedral Area Neighbourhood Plan, with respect to:

4.1.9 13th Avenue Shopping District

- 1) To ensure that commercial development occurs in a manner which is compatible with adjacent residential areas.
- 2) To encourage the consolidation of the existing commercial area and to prevent further commercial encroachment along 13th Avenue and into abutting residential areas.

The proposed development provides commercial choice to the surrounding residents within an existing underutilized space, which enhances the public realm along the 13th Avenue Shopping District.

Other Implications

None with respect to this report.

Accessibility Implications

None with respect to this report as the proposed development is exempt from additional parking requirements.

COMMUNICATIONS

Communication with the public has been summarized below:

Public notification signage posted on	August 27, 2018
Letter sent to immediate property owners	August 24, 2018
Number of public comments sheets received	3

Administration received three letters of support for the proposed Retail Use (Art Gallery).

A copy of the application was circulated to the Cathedral Area Community Association (CACA) and the community association has indicated it has no concerns with the proposal.

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 Part V of *The Planning and Development Act, 2007*.

Respectfully submitted,

REGINA PLANNING COMMISSION



Elaine Gohlke, Secretary