

April 10, 2019

To: Members  
Regina Planning Commission

Re: Applications for Sale of Dedicated Land & Zoning Bylaw Amendment (18-SD-02/18-Z-16) 20 Sheppard Street

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RECOMMENDATION

1. That the application for the sale of dedicated land (public reserve) located at 20 Sheppard Street, being parcel R5, Plan No. 65R29321 in the Coronation Park North subdivision, be approved.
2. That the application to rezone 20 Sheppard Street, being parcel R5, Plan No. 65R29321 in the Coronation Park North subdivision, from PS - Public Service Zone to I - Institutional Zone, be approved.
3. That the City Solicitor be directed to prepare the necessary bylaws to authorize the respective Sale of Dedicated Land and amendment to the *Regina Zoning Bylaw No. 9250*.
4. That this report be forwarded to the April 29, 2019 meeting of City Council for approval, which will allow sufficient time for advertising of the required public notice for the respective bylaw.

CONCLUSION

The City of Regina (City), Real Estate Branch (Applicant and Owner), proposes to sell the dedicated land and rezone the land from PS – Public Service Zone to I – Institutional Zone. The current use of the property is park space with ball diamonds and a soccer pitch.

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). The sale of dedicated land is also supported by the City's *2007 Open Space Management Strategy* (OSMS). Accordingly, Administration recommends approval.

BACKGROUND

Applications for sale of dedicated land and zoning amendment have been submitted concerning the dedicated land at 20 Sheppard Street. The application is being considered pursuant to the Zoning Bylaw, OCP, *The Planning and Development Act, 2007* (Act) and *The Cities Act, 2002*.

City Council recently approved (CR18-121) the sale of subject property directly to the Regina Huda School at market value without a public offering. As the property is considered dedicated land, City Council is also required to authorize the sale by the adoption of a municipal bylaw.

## DISCUSSION

The Applicant and Owner has been authorized by City Council to sell directly to the purchasers (Regina Huda School) at market value without a public offering, but still requires approval for the sale of dedicated land. The land consists of approximately 8,144 square metres (0.81 hectares) of land which will be sold to the Regina Huda School, who are the occupants of the adjacent property located at 40 Sheppard Street. The Applicant and Owner also proposes to rezone the subject property from PS – Public Service Zone to I – Institutional Zone, which is consistent with the zoning designation of the Regina Huda School’s property.

The Regina Huda School has no definite development plans at this time but would like to purchase the land for future expansion to their educational campus. This may include more classrooms, a prayer hall and potentially another building which would serve as a multi-purpose facility and gymnasium for their students. These future uses can be accommodated in the proposed I – Institutional Zone. The development plans will be required to comply with all applicable development standards and will be evaluated at the time of submission.

Surrounding land uses include the Regina Huda School to the north, high density residential and supportive living home to the east, low density residential to the south and park space to the west.

### Park Space

The dedicated land is located in the park space known as Sheppard Park in the Coronation Park neighbourhood. The subject property is developed with two ball diamonds and a soccer pitch. The OSMS identifies that dedicated open space for a neighbourhood shall be provided based on 1.2-1.6 ha/1,000 people. The Coronation Park neighbourhood has a total of 16.19 hectares of dedicated open space and an approximate population of 6,875.

Based on the above hectare/people guideline, the Coronation Park neighbourhood has a surplus of 5.19 hectares of neighbourhood level park space. The removal of 0.81 hectares would reduce the surplus balance to 4.38 hectares of open space in the neighbourhood. The OSMS rates the condition of Sheppard Park as “poor”. The ball diamonds are currently used; however, there is capacity at other facilities to accommodate user groups. Administration is supportive of the sale as the open space is surplus to the needs of the City and community user groups.

### Traffic

Administration considered the potential traffic impact of the proposed change. The property is located on the west side of Sheppard Street, between 6<sup>th</sup> Avenue and McMurchy Avenue. Sheppard Street is classified as a local roadway and is approximately 11 metres wide, which is wide enough to accommodate two traffic lanes and two parking lanes. Sheppard Street connects

6<sup>th</sup> Avenue North to McMurchy Avenue, which are classified as arterial and collector streets respectively.

This section of Sheppard Street has 1,800 vehicles per day. Under current traffic conditions, peak traffic flows on Sheppard Street were observed to occur during the Regina Huda School's morning and drop off and afternoon pick up periods. This traffic flow pattern is in line with other school zones throughout the city.

At the time of development permit application, Administration will require a Traffic Impact Assessment report for the future development of the site.

## RECOMMENDATION IMPLICATIONS

### Financial Implications

The sale price for the dedicated land is \$681,234.75. The sale of the land will relieve the City of any obligations for maintenance or physical condition. The Act and *The Dedicated Lands Regulations, 2009* require that all moneys received by the City from the sale of dedicated lands be paid into a dedicated lands account. The use of the funds is restricted to purposes related to purchase, development or upgrading of new or existing public parks or recreation facilities.

The subject area currently receives a full range of municipal services, including water, sewer and storm drainage. The Applicant and Owner 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.

Effective October 2019, Development Levies will be applied to all intensification development to cover a portion of the capital infrastructure projects required to support growth. As an institutional type land-use the new development would be required to pay \$110 per square meter of gross floor area.

The development will be taxed and assessed accordingly as development proceeds and will contribute to City tax revenues.

### Environmental Implications

The subject property is located within the Moderate Sensitivity Aquifer Protection Overlay Zone. The proposal is required to comply with the applicable protection performance standards, which are reviewed at building permit phase.

### Policy/Strategic Implications

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

Section D8: Culture

Goal 1 – Support Cultural Development and Cultural Heritage: Enhance quality of life and strengthen community identity and cohesion through supporting cultural development and cultural heritage.

- 10.1 Build partnerships and work collaboratively with community groups, other levels of government, and the private and voluntary sectors to encourage cultural development opportunities and conserve historic places.

Goal 2 – Inclusion: Ensure learning opportunities, resources and activities provided by the City are culturally inclusive.

- 10.12 Respond to the cultural needs and aspirations of Regina’s increasingly diverse population through culturally relevant programs, services and facilities.

Goal 3 – Accessibility: Ensure access to cultural resources, learning opportunities and activities

- 10.15 Partner with stakeholders to improve promotion of, awareness of, and access to cultural resources, learning opportunities and activities.

- 10.16 Support equitable access to cultural resources practices and activities.

Section D11: Social Development

Goal 5 – Social Inclusion: Ensure that Regina is socially inclusive and strives for social equality regardless of age, ethnicity, religion, income, sexual orientation, ability or family structure.

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:  | April 13, 2019<br>April 20, 2019 |
| Letter sent to immediate property owners  | December 13, 2018                |
| Number of Public Comments Sheets Received | 24                               |

The application was circulated to the Coronation Park Community Association and residents in the area. There were 24 public comments received on this application. A more detailed accounting of the public comments and feedback from the community association, as well as Administration's response is provided in Appendix B.

The Applicant and Owner 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 and adoption of a bylaw are required, pursuant to Section 199 of *The Planning and Development Act, 2007*.

Respectfully submitted,



Fred Searle, Director  
Planning & Development Services  
Prepared by: Pam Ewanishin

Respectfully submitted,



Diana Hawryluk, Executive Director  
City Planning & Community Development