

April 10, 2019

To: Members
Regina Planning Commission

Re: Application for Concept Plan Amendment and Zoning Bylaw Amendment (15-CP-03/
19-Z-01) The Towns Concept Plan, Stage 1FA

RECOMMENDATION

1. That the application to amend the Towns Concept Plan (Land Use Plan and Circulation Plan), as depicted on the attached Appendix A-3.2, be approved.
2. That the application to rezone lands within the Towns Concept Plan area, as shown in Appendix A-3.3, be approved as follows:
 - a) Proposed Lot J1 from UH - Urban Holding, R6 - Residential Multiple Housing, and DCD11 - Direct Control District to LC2 - Local Commercial Zone; and
 - b) Lots 1-11, inclusive, in Block 35 from DCD 11 - Direct Control District and UH - Urban Holding Zone to R1 - Residential Detached Zone.
3. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective *Regina Zoning Bylaw No. 9250* amendment.
4. That this report be forwarded to the April 29, 2019, meeting of City Council for approval to allow sufficient time for advertising of the required public notice for the proposed concept plan amendments.

CONCLUSION

Terra Developments (Applicant), on behalf of the land owners, City of Regina (City), proposes to amend The Towns Concept Plan and to rezone lands within Stage 1, Phase 1FA of the subdivision area. The proposed amendments would add a local commercial area and reconfigure a low-density residential area on a 1.63 ha portion of land. The proposed amendments align with the purpose and intent of policies in *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP) to provide local commercial areas in neighbourhoods and polices in the Southeast Regina Neighbourhood Plan (SENP) to provide for limited and compatible non-residential uses in residential areas.

The proposed amendments to The Towns Concept Plan comply with the OCP, including Part B.16, which is the SENP. The proposed amendments to the *Regina Zoning Bylaw No. 9250*

(Zoning Bylaw) also comply with the proposed amendments to The Towns Concept Plan. Accordingly, Administration recommends approval.

BACKGROUND

Applications have been submitted to amend The Towns Concept Plan and the Zoning Bylaw concerning the property in Phase 1, Stage 1FA of The Towns subdivision. The Towns Concept Plan was originally approved by City Council on April 25, 2016 (CR16-36) and most recently amended on July 30, 2018 (CR18-74).

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

The related subdivision application is being considered concurrently in accordance with Bylaw No. 2003-3, by which subdivision approval authority has been delegated to Administration. A copy of the plan of proposed subdivision is attached for reference purposes only as Appendix A-3.3.

DISCUSSION

Concept Plan Amendment

The Applicant propose to amend a 1.63 ha area of The Towns Concept Plan. Currently, the site provides for a 0.64 ha site intended for high density residential and a 0.99 ha area for low density residential. A copy of the current Towns Concept Plan is attached as Appendix A-3.1, which also highlights the portion of the plan proposed to be amended. The proposed Towns Concept Plan (Appendix A-3.2) provides for a 0.85 ha commercial site and the balance of the block would continue to be low-density residential but would be reconfigured as a cul-de-sac to accommodate the future development of detached dwellings.

The Applicant initially proposed a commercial site of approximately 1.12 ha, but through the review process, the size of the commercial site was reduced. This is as a result of policy concerns with respect to commercial distribution within The Towns Concept Plan area and the SENP, which does not explicitly identify the subject property for commercial use, but rather a “Neighbourhood Area”, which is to consist of “predominantly residential uses with limited and compatible non-residential uses”. The land-use concept of the SENP is provided for reference as Appendix C.

The SENP provides specifically for commercial or mixed uses areas south of Victoria Avenue and a Neighbourhood Hub adjacent to Chuka Boulevard and Arens Road, which are intended to service broader markets. The addition of the proposed commercial area is being recommended as it is deemed to be a “limited and compatible” non-residential, local-commercial use. The reduction of the size of the proposed commercial area from 1.12 ha to 0.85 ha is intended to meet the intent of the policy by providing a limited amount of commercial use that services a local market and does not compromise the SENP commercial strategy to develop a mixed-use Neighbourhood Hub.

Administration examined similar developments and found that Floor Area Ratio (i.e. ratio of floor area to site area) ranged from 0.23 to 0.33 ha. Generally, this development pattern results from the balance of on-site parking and landscaping requirements to accommodate a proposed building on a site. Assuming a similar development pattern, the site is likely to accommodate a floor area between 1955 square metres and 2805 square metres.

Administration accepts a development of approximately 2800 square metres in floor area as appropriate for a local commercial context.

Zoning Bylaw Amendment

The Applicant proposed zoning amendments to reflect the proposed amendments to the Towns Concept Plan, totalling an area of 1.63 ha. A summary of the proposed amendments is provided below:

| Land Description | Intended Development | Current Zone | Proposed Zone |
|------------------------------|-----------------------------|---|--------------------------------|
| Proposed Parcel J1 | Commercial | R6 – Residential Multiple Housing; DCD 11 - Direct Control District, and UH - Urban Holding | LC2 - Local Commercial |
| Proposed Lots 1-11, Block 35 | Single Detached Dwellings | DCD 11 - Direct Control District and UH - Urban Holding | R1 - Residential Detached Zone |

The application of the LC2 - Local Commercial Zone in this context is consistent with the intent of the zone:

- (1) This zone is intended for the establishment of commercial and personal service uses at moderate intensity in new neighbourhoods rezoned from peripheral agricultural or urban holding to an urban use after January 16, 1984.
- (2) It is designed to allow not only retailing of convenience goods and provision of personal services, but also the retailing of durable fashion goods, as well as all types of office uses.
- (3) A greater range of establishments is allowed in this zone than the LC1 – Local Commercial Zone because potential land use conflicts associated with commercial developments can be avoided at the initial design stage.
- (4) The zone is restricted to minor arterial and collector streets and the size of permitted establishments is restricted to 300 square metres to minimize their undesirable impacts on adjacent residential neighbourhoods.

- (5) The zone reflects the OCP objective to integrate neighbourhood shopping facilities in residential areas.

The LC2 - Local Commercial Zone will allow for a range of commercial uses, which are intended to suit a local commercial context. A list of allowable (permitted and discretionary) uses is provided in Appendix D for reference purposes.

Transportation Impacts

Administration reviewed a Transportation Impact Assessment (TIA) provided by the Applicant in support of the concept plan amendment. The purpose of the TIA was to model the impact of the proposed amendment on the adjacent transportation network and to inform the design of the transportation infrastructure in the subdivision phase.

The TIA concluded that the intersection of Woodland Grove Drive and Buckingham Drive would function satisfactorily with the addition of a traffic signal upon construction of Stage 1FA of the Towns neighbourhood. Administration has accepted the results of the TIA. Access requirements to the commercial site will be required to conform to City standards and will be confirmed upon review of a development permit. In addition, Buckingham Drive has been identified as a potential transit route.

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.

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

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.

7.1 Require that new neighbourhoods, new mixed use neighbourhoods, intensification areas and built or approved neighbourhoods are planned and developed to include the following:

7.1.4 Opportunities for daily lifestyle needs, such as services, convenience shopping, and recreation.

Goal 4 – Employment Areas: Provide appropriate locations and development opportunities for a full range of industrial, commercial and institutional activities.

7.16 Encourage local commercial within residential areas.

Goal 7 - Zoning Bylaw Compliance: Ensure that the Zoning Bylaw facilitates development in accordance with goals and policies of this Plan

14.40 Ensure that applications to amend the zoning regulations, or requests for the rezoning of land consider the following:

14.40.1 The nature of the proposal and its conformity with all relevant sections of this Plan, as well as any approved concept plans.

14.40.2 The need to protect all forms of land use from harmful encroachments by incompatible uses.

14.40.3 The capability of the existing roadway and public transit systems to service the proposed use, and the adequacy of the proposed supply of off-street parking.

14.40.4 The capability of existing community infrastructure to service the proposal, including water and sewer services, parks, schools, and other utilities and community services.

14.40.5 The impact of the proposal on the continued viability of the local community and local community services.

14.40.6 The on-going need to promote a compact and efficient city form.

14.40.7 Any other matter authorized by this Plan or The Planning and Development Act, 2007(as amended).

The proposal is consistent with the policies contained within Part B.16 of the SENP with respect to:

Composition of Neighbourhood Area

- 4.2(b) Neighbourhood Areas shall consist of predominantly residential uses with limited and compatible non-residential uses.

The proposed amendments have considered all relevant policies in the OCP, including the SENP. The addition of commercial lands to the neighbourhood would be appropriately scaled to a local context and zoned to ensure that the range of potential commercial uses is appropriate to the neighbourhood context. The addition of limited commercial development in this context will benefit the local community by providing opportunity for development of convenience goods and services.

Zone Forward Implications

Upon adoption of the currently proposed Zoning Bylaw, the subject property will be rezoned to the corresponding zones and will be required to conform to use and development standards in effect upon development permit approval.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

Communication with the public is summarized below:

| | |
|---|-----------------------|
| Public notification signage posted on: | July 12, 2018 |
| Will be published in the Leader Post on: | April 13 and 20, 2019 |
| Letter sent to immediate property owners | June 25, 2018 |
| Public Open House Held | July 11, 2018 |
| Number of Public Comments Sheets Received | 20 |

Administration consulted the community with a plan that included a commercial development of 1.12 ha, which specifically included a gas station and four separate multi-tenant commercial buildings. That application was being reviewed as a Contract Zone (File No. 18-CZ-03). All comments from the consultation reflected this former proposed development. The public consultation partially informed the change to the plan.

A more detailed accounting of the respondent's comments and Administration's response is provided in Appendix B. It should be noted that outside of the City's public consultation process, a prospective developer of the site submitted 58 comment sheets that they prepared and collected in support of the proposed changes. Furthermore, Administration received comments from other commercial developers and interests in the SENP area. Generally, those parties raised concerns regarding conformance with the SENP and impact on existing and/ or approved commercial areas.

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 of concept plan amendments is required pursuant to Part IV and V of *The Planning and Development Act, 2007*.

Respectfully submitted,



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Planning and Development Services
Prepared by: Ben Mario, Senior City Planner

Respectfully submitted,



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City Planning & Community Development