

June 5, 2019

To: Members  
Regina Planning Commission

Re: Discretionary Use Application (19-DU-01) Proposed House-Form Commercial in TAR –  
Transitional Area Residential Zone - 2157 Rose Street

---

**RECOMMENDATION**

1. That the discretionary use application for a proposed House-Form Commercial use located at 2157 Rose Street, being Lot 8, Block 411, Plan No. OLD33 in the Centre Square neighbourhood 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 (prepared January 20, 2019) and A-3.2 to A-3.5 (prepared January 21, 2019).
  - 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 June 24, 2019 meeting of City Council for approval.

**CONCLUSION**

The applicant, Yuze Yang, proposes to convert a residential building (house-form) into a commercial use (art gallery). Art galleries are permitted uses under the House-Form Commercial land use classification in *Regina Zoning Bylaw No. 9250* (Zoning Bylaw).

The subject property is currently zoned TAR – Transitional Area Residential Zone in which House-Form Commercial use is discretionary. There are no additional parking requirements for the conversion of a residential building to House-Form Commercial in the TAR – Transitional Area Residential Zone.

The proposal complies with the development standards and regulations contained in the 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, OCP and *The Planning and Development Act, 2007* (Act).

Pursuant to subsection 56(3) of the Act, Council may establish conditions for discretionary uses based on; nature of the proposal (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 proposes to develop an existing single detached dwelling at 2157 Rose Street as a House-Form Commercial use (art gallery). The existing building is a two-and-a-half storey detached dwelling. The Zoning Bylaw defines House-Form Commercial as a building as it existed in the Transitional Area, as of March 21, 1984, which was originally constructed as a detached dwelling and includes one or more defined commercial uses including art galleries. The building was constructed in 1905.

The front covered porch will remain unaltered. The first storey of the building will include showing rooms and a kitchen used by staff. The second storey will include a showing room, office space and a drawing room for artists. The third storey will be used by staff as storage space for paintings and artwork. The basement of the building will remain undeveloped. The detached garage on the property will not to be used as part of the proposed art gallery.

The renovation work will be reviewed in accordance with the *National Building Code of Canada (2015)* during the building permit review process and upgrades to the building may be required. This will be evaluated further during the building permit review process.

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

<b>Land Use Details</b>	<b>Existing</b>	<b>Proposed</b>
Zoning	TAR – Transitional Area Residential Zone	TAR – Transitional Area Residential Zone
Land Use	Detached Dwelling	House-Form Commercial
Number of Dwelling Units	1	0
Building Area	147 m <sup>2</sup>	147m <sup>2</sup>

<b>Zoning Analysis</b>	<b>Required</b>	<b>Proposed</b>
Number of Parking Stalls Required	1 stall	2 stalls
Minimum Lot Area (m <sup>2</sup> )	250 m <sup>2</sup>	289.2 m <sup>2</sup>
Minimum Lot Frontage (m)	7.5 m	7.62 m
Maximum Building Height (m)	11 m	No change
Maximum Floor Area Ratio	0.75	0.57
Maximum Coverage (%)	50%	37%

Surrounding land uses include high density residential to the north and west and commercial in the form of a shopping centre and personal service establishments to the south and east.

The proposed development is consistent with the purpose and intent of the TAR – Transitional Area Residential Zone with respect to recognizing the predominantly residential nature of the area as well as preserving existing house-form buildings.

## RECOMMENDATION IMPLICATIONS

### Financial Implications

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 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:

- 7.1.10 Convenient access to areas of employment.

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.

The proposal will generate increased economic activity and employment opportunities within the neighbourhood. It will also provide a service to the community that will contribute to developing complete neighbourhoods within the city.

The proposal also relates to the policies contained within Part B (*from Transitional Area Development Plan*) of the OCP with respect to:

### 3.2.1 RESIDENTIAL LAND USE DISTRICTS

#### Policy Objectives

- 1) That the primary land use in the Transitional Area Residential Zone be residential. Commercial uses are a secondary use in the Zone, located only in house-form buildings.
- 2) That the retention and construction of a variety of housing and tenure types in the Transitional Area Residential Zone be encouraged.
- 3) That provision be made for the retention and development of contiguous residential land use districts of buildings compatible in height, bulk, siting and massing.
- 4) That retention of house-form buildings be encouraged by providing for rear yard infill development.
- 5) Redevelopment of property to commercial use in the Transitional Area Residential Zone will only be considered when residential use is proven uneconomical and in accordance with the provisions of the Neighbourhood Plan.

The OCP policy supports the conversion of house-form buildings to commercial use to ensure that these buildings are retained and that development contributes to the mixed-form character of the community.

#### Other Implications

None with respect to this report.

#### Accessibility Implications

None with respect to this report.

### COMMUNICATIONS

Communication with the public is summarized below:

Public notification signage posted on:	March 21, 2019
Letter sent to immediate property owners	March 13, 2019
Number of Public Comments Sheets Received	2

There were two public comment sheets received for this application indicating support for the proposal.

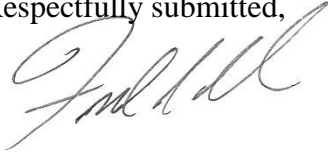
Following circulation, Administration attempted follow up contact with the Centre Square Community Association but did not receive a response prior to the deadline for submission of this report.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Fred Searle', written in a cursive style.

Fred Searle, Director  
Planning & Development Services

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Diana Hawryluk', written in a cursive style.

Diana Hawryluk, Executive Director  
City Planning & Community Development

Prepared by: Brittney Beckie