

August 26, 2019

To: His Worship the Mayor  
And Members of City Council

Re: Regina Planning Commission: Official Community Plan Amendment (Part B.10),  
Zoning Bylaw Amendment, and Discretionary Use Application (19-OCP-02/ 19-Z-05/  
19-DU-05) - Proposed Medical Clinic in Commercial Building, Canterbury Subdivision,  
1651 College Avenue

---

**RECOMMENDATION**

**RECOMMENDATION OF THE REGINA PLANNING COMMISSION  
–AUGUST 7, 2019**

1. That the application to amend *Design Regina: The Official Community Plan Bylaw 2013-48*, Part B.10, Policy 3 by adding a new clause n) as follows, be approved:

“n) Notwithstanding Policy 3.e, standalone commercial development shall be allowed in Low-Density Residential Policy Area at the discretion of Council.”
2. That the application to amend *Regina Zoning Bylaw, No. 9250* DCD 9 - Former Diocese of Qu'Appelle Lands Direct Control District, as described in Appendix C of this report, be approved.
3. That the discretionary use application for a proposed medical clinic located at 1651 College Ave, being a portion of Lot A-Blk/Par 8-Plan FU1338 Ext 11 , Wascana Addition 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 A-3.6 inclusive, prepared by Walker Projects and dated July 9, 2019, complete exercising discretionary control of development within a Direct Control District;
  - b) the developer shall enter into a development agreement with the City, which shall be registered on title, to ensure that existing landscape areas with heritage significance are maintained;
  - c) the development shall comply with the AC-1 Architectural Control District Overlay Zone;
  - d) the number of required parking stalls for the medical clinic shall comply with the applicable requirements in Chapter 14 of the *Regina Zoning Bylaw, No. 9250*;

- e) development standards shall be consistent with the Low Density Residential Policy Area with exception that no setback shall be required to Anson road to be consistent with Neighbourhood Plan policy regarding pedestrian orientation of commercial buildings; and
  - f) the development shall comply with all applicable standards and regulations prescribed in *Regina Zoning Bylaw No. 9250*.
4. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective amendments to the *Design Regina: The Official Community Plan Bylaw 2013-48* and *Regina Zoning Bylaw, No. 9250*.

*REGINA PLANNING COMMISSION – AUGUST 7, 2019*

The following addressed the Commission:

- Gay Renouf;
- Brandon Hicks;
- Murray Sawatzky;
- Lorne Yagelniski, representing Yagar Developments; and
- Kevin Reese, representing Karina Developments, and Dr. Jordan Buchko, representing Prairie Orthopedics & Sports Medicine.

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

Recommendation #5 does not require City Council approval.

Councillors: Jerry Flegel, Bob Hawkins and Barbara Young (Chairperson); Commissioners: Biplob Das, Andre Kroeger, Adrienne Hagen Lyster and Jacob Sinclair were present during consideration of this report by the Regina Planning Commission.

The Regina Planning Commission, at its meeting held on August 7, 2019, considered the following report from the Administration:

RECOMMENDATION

1. That the application to amend *Design Regina: The Official Community Plan Bylaw 2013-48*, Part B.10, Policy 3 by adding a new clause n) as follows, be approved:  
“n) Notwithstanding Policy 3.e, standalone commercial development shall be allowed in Low-Density Residential Policy Area at the discretion of Council.”
2. That the application to amend *Regina Zoning Bylaw, No. 9250* DCD 9 - Former Diocese of Qu'Appelle Lands Direct Control District, as described in Appendix C of this report, be approved.

3. That the discretionary use application for a proposed medical clinic located at 1651 College Ave, being a portion of Lot A-Blk/Par 8-Plan FU1338 Ext 11 , Wascana Addition 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 A-3.6 inclusive, prepared by Walker Projects and dated July 9, 2019, complete exercising discretionary control of development within a Direct Control District;
  - b) the developer shall enter into a development agreement with the City, which shall be registered on title, to ensure that existing landscape areas with heritage significance are maintained;
  - c) the development shall comply with the AC-1 Architectural Control District Overlay Zone;
  - d) the number of required parking stalls for the medical clinic shall comply with the applicable requirements in Chapter 14 of the *Regina Zoning Bylaw, No. 9250*;
  - e) development standards shall be consistent with the Low Density Residential Policy Area with exception that no setback shall be required to Anson road to be consistent with Neighbourhood Plan policy regarding pedestrian orientation of commercial buildings; and
  - f) the development shall comply with all applicable standards and regulations prescribed in *Regina Zoning Bylaw No. 9250*.
4. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective amendments to the *Design Regina: The Official Community Plan Bylaw 2013-48* and *Regina Zoning Bylaw, No. 9250*.
5. That this report be forwarded to the August 26, 2019 meeting of City Council for approval which will allow sufficient time for advertising of the required public notice for the respective bylaw amendments.

## CONCLUSION

The applicant, Fiorante Homes and Commercial Ltd., on behalf of the owners, College Developers, proposes to build a stand-alone purpose-built medical clinic. The subject area is currently zoned DCD-9 - Former Diocese of Qu'Appelle Lands Direct Control District (DCD-9 Zone) and is within the Former Diocese of Qu'Appelle Neighbourhood Plan area (*Design Regina: The Official Community Plan Bylaw 2013-48* Part B.10). The general intent of the policy and regulations is to allow development that is sympathetic to the existing heritage buildings and features on the site. Newly constructed stand-alone commercial buildings are not contemplated

in the neighbourhood policy or zone regulations. Amendments are therefore being proposed by the applicant to allow for the approval of the use.

The proposed amendments to Part B.10 of the *Design Regina: The Official Community Plan Bylaw 2013-48* (OCP) and to Subpart 9C.3.15 of the *Regina Zoning Bylaw No. 9250* (Zoning Bylaw) and the accompanying discretionary use application are consistent with the overall policies in the OCP. Accordingly, Administration recommends approval.

## BACKGROUND

Applications have been submitted to amend the OCP Part B.10, Subpart 9C.3.15 of the Zoning Bylaw and for discretionary use approval to allow for a medical clinic on the subject property. Part B.10 of the OCP and the DCD-9 Zone establishes a framework for directing land use, development and servicing for a neighbourhood located at the Former Diocese of Qu'Appelle area (commonly known as Canterbury Park). The OCP Part B.10 and DCD-9 Zone were approved by City Council in 2007.

The regulations in the proposed Zoning Bylaw 2019-19 reflect what currently within Regina Zoning Bylaw No. 9250. Any amendments to Zoning Bylaw 9250 will be tracked and require amendment to the Proposed Zoning Bylaw 2019 as housekeeping items once is in effect.

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

## DISCUSSION

The applicant, Fiorante Homes and Commercial, Ltd., proposes to develop a stand-alone, purpose-built medical clinic in the neighbourhood known as Canterbury Park. The development of this neighbourhood is guided by the Former Diocese of Qu'Appelle Neighbourhood Plan and an area-specific zone, DCD-9 Zone. The general intent of these policy and regulatory documents is to guide redevelopment of the lands in a manner that is respectful to the scale, architecture and landscaping of existing designated heritage buildings and features. In doing so, the area has established policies and regulations that encourage and require specific development forms. The area has been divided into various land use policy areas, such as Mixed-Use, High-Rise Residential, and Heritage, each with their own set of development and land use requirements.

The subject property is identified for Low-Density Residential development, which does not allow for a stand-alone commercial building. Currently commercial uses may be accommodated elsewhere within the Canterbury Park neighbourhood in existing designated heritage buildings or in mixed-use buildings.

The applicant proposes building a purpose-built commercial building to accommodate a medical specialist. The details of the existing site requirements and proposed development are as follows:

<b>Zoning Bylaw amendment and discretionary use summary</b>		
<b>Land Use Details</b>	<b><u>Existing</u></b>	<b><u>Proposed</u></b>
Zoning	Low-Density Residential Policy Area	Low-Density Residential Policy Area
Land Use	Vacant	Medical Clinic as discretionary use
Building area	N/A	579.7 m <sup>2</sup>

<b>Zoning Analysis</b>	<b>Requirements</b>	<b>Provided</b>
Minimum Lot Area (m <sup>2</sup> )	250	2540.38
Minimum Lot Frontage (m)	7.5	64.8
Maximum Building Height (m)	8.25-15	7.9
Maximum Floor Area Ratio	1.75	0.22
Maximum Coverage (%)	65	15.7
Minimum Rear Yard Setback (m)	8	17.6
Minimum Side Yard Setback (m)	1.2	11.4 East; 26.2 West

The surrounding land uses include existing (Provincial) heritage buildings to the south and west which are currently used as commercial or residential. There is a municipal reserve (open space) to the east of the subject property and College Avenue borders the site to the north.

Although this area is designated as a Low-Density Residential policy area, the proposed development is deemed suitable at this location for the following reasons:

- The ongoing development of Canterbury Park has shown that residential and commercial uses can be successfully integrated when appropriately designed. Currently commercial uses are accommodated only in existing heritage buildings or new mixed-use buildings. Most of these heritage spaces are being used or under development as commercial. The proposed commercial building would not compete with existing space in existing heritage buildings.
- This precinct of the neighbourhood has heritage buildings to the south and west, which have developed into mixed residential and low-intensity commercial uses, such as office, and personal service. An additional purpose-built commercial use as proposed would be consistent with the development pattern, which has evolved over the past decade.
- The proposed use is beneficial due to its close proximity to Regina General Hospital.
- Development of the subject property as commercial as opposed to low-density residential would not significantly reduce the intended population of the area. If developed as low density the site is likely to accommodate approximately two-to-four units.

- The proposed commercial use would be relatively passive and would not have significant impact on the neighbourhood. On-site parking would be provided to meet the needs of the use.

The Neighbourhood Plan provides specific guidance for design in general and for this site specifically. Key design-related policies are summarized as follows:

- Buildings are to be built as close to the sidewalk in order to establish an urban character, enhance pedestrian experience and bring activities closer to the sidewalk.
- Building entrances are to be oriented towards the street to promote activity in the public realm.
- Design of buildings shall conform to the Architectural Control District to ensure new development responds to its heritage context.
- Regarding landscape, in consultation with the Provincial Heritage Branch the landscape plan shall retain significant planting areas where they contribute to the overall heritage significance of the site, such as the grove of trees northwest of St. Chad's College and along College Avenue.
- Parking shall be underground or enclosed except for a minimal amount, which shall be situated in rear yards behind buildings and screened by landscaping.

Administration worked with the applicant to address several design features, which are addressed in the plan as proposed and conditions of approval. The building is appropriately scaled and situated as to not compete with the surrounding heritage buildings; it is situated to screen parking and with minimal setback to conform to the intended design character of the area; landscape along College Avenue and significant trees are being retained, moved, or replanted to the satisfaction of the Provincial Heritage Branch. The architecture of the building is in development and will be subject to the requirements of the Architectural Control District.

#### OCP Amendment (Part B.10)

The proposed amendment will add new policy allowing standalone commercial development within the Low Density Residential Policy Area at the discretion of the City Council. Currently, the subject property is intended for low density residential development which does not support a standalone commercial/medical clinic. As a result, the applicant proposes to allow for the consideration of a purpose-built medical clinic by adding policy 3.n, as outlined.

#### Zoning Bylaw Amendment (Subpart 9C.3.15)

The proposed amendment will add new regulations for the consideration of standalone commercial building development. Furthermore, proposed amendments will add medical clinic as discretionary use along with site development standards for commercial development within the zone "low density residential policy area" (Appendix C). Newly built standalone commercial

buildings have not been contemplated in the current zone and existing commercial uses are accommodated only in existing heritage buildings or new mixed-use buildings. Most of these commercial spaces within the neighbourhood plan area have reached their potential. The applicant proposes zoning amendments to accommodate the development of a standalone medical clinic as a discretionary use.

#### Discretionary Use Application

The subject land located within Low-Density Residential Policy Area and the proposed development is classified as a medical clinic in a commercial building and is proposed to be accommodated as a discretionary use in the Low-Density Residential Policy Area.

### 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 C: Growth Plan

Goal 2- Efficient Servicing: Maximize the efficient use of existing and new infrastructure.

2.4 Make use of residual capacity of infrastructure in existing urban areas.

2.5 Develop compact and contiguous neighbourhoods.

Goal 4 – New Neighbourhoods and Employment Areas: Ensure that new neighbourhoods and employment areas maximize infrastructure investments and quality of life through a compact and integrated built form.

2.11 Require new neighbourhoods and new mixed-use neighbourhoods, as identified on Map 1 – Growth Plan, to:

2.11.1 Be designed and planned as complete neighbourhoods in accordance with Policy 7. 1 (i.e. complete neighbourhoods policies).

## Section D5: Land Use and Built Environment

Goal 6 – Built Form and Urban Design: Build a beautiful Regina through quality design of its neighbourhoods, public spaces and buildings.

- 7.34 Support design excellence by ensuring that public and private spaces and buildings contribute to a sense of place and an enhanced public realm through high-quality design and strategic location.
- 7.38 Consider impacts of alterations, development, and/or public realm improvements on or adjacent to an historic place to ensure heritage value is conserved.

## Section D9: Health and Safety

Goal 1 – Safety and Urban Planning: Improve overall health of the public through urban planning.

- 11.2 Collaborate with stakeholders to ensure the long-term health and safety of Regina's residents by:
  - 11.2.1 Ensuring complementary land use adjacent to major health facilities;

## Section D10: Economic Vitality and Competitiveness

Goal 1 – Economic Vitality and Competitiveness: Foster an environment conducive to economic vitality and competitiveness which supports the standard of living of residents in Regina and the surrounding region.

- 12.2 Minimize regulatory barriers to economic growth to the greatest possible extent while balancing the need and aspirations of all Regina residents, fee- and taxpayers, and the sustainability of the city.

Goal 3 – Economic Generators: Cultivate entrepreneurship and support economic generators.

- 12.7 Encourage innovative options to support and incubate new entrepreneurs and commercial ventures:
  - 12.7.1 Encourage the development and commercialization of new ideas that have the potential to diversify the economy;

## Other Implications

None with respect to this report.



### Accessibility Implications

The development will be required to comply with all standards with respect to the *Uniform and Accessibility Standards Act*. The Zoning Bylaw requires two percent of all required stalls to be accessible. The proposed development provides two parking stalls for persons with disabilities which exceed the minimum requirements by one stall.

### COMMUNICATIONS

Communication with the public is summarized below:

Public notification signage posted on:	May 23, 2019
Will be published in the Leader Post on:	Aug 11, 2019 Aug 18, 2019
Letter sent to immediate property owners	May 22, 2019
Public Open House Held	N/A
Number of Public Comments Sheets Received	12

There were 12 public comments received on this application. A more detailed accounting of the respondent's comments and Administration's response is provided in Appendix B.

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 IV and Part V of *The Planning and Development Act, 2007*. The amendment to OCP Part B.10, if approved by City Council, will require Ministerial approval before it comes into force.

Respectfully submitted,

REGINA PLANNING COMMISSION



Elaine Gohlke, Council Officer

8/21/2019