

February 27, 2017

To: His Worship the Mayor
And Members of City Council

Re: Official Community Plan Amendment (16-OP-02) Zoning Bylaw Amendment (16-Z-17)
Humanitarian Service Facility – 1510 12Th Avenue and 1872 St. John Street

RECOMMENDATION

**RECOMMENDATION OF THE REGINA PLANNING COMMISSION
– FEBRUARY 1, 2017**

1. That the following amendment to the Core Neighbourhood Plan, being Part B.8 of *Design Regina: The Official Community Plan Bylaw No. 2013-48*, be APPROVED:

That the following item be added to Section 9.0 - Exceptions:

Civic Address	Legal Description	Development/Use
1510 12th Avenue and 1872 St. John Street	Lots 21-24, Block 301, Plan No. Old 33	MX - Mixed Residential Business

2. That the application to rezone Lots 21 to 24, Block 301, Plan No. Old 33 located at 1510 12th Avenue and 1872 St. John Street from R4A - Residential Infill Housing to MX - Mixed Residential Business, be APPROVED.
3. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.

REGINA PLANNING COMMISSION – FEBRUARY 1, 2016

The following addressed the Commission:

- Irene Terashima;
- Yens Pedersen, representing Calvin Burns;
- Alyssa Becker-Burns;
- Shayna Stock, representing the Heritage Community Association; and
- Tyler Gray and William Neher, representing Carmichael Outreach.

The Commission adopted a resolution to concur in the recommendation contained in the report, after adding the following recommendation #5:

- 5. That the report be edited to include information about the distance between the new location and present location, and clarification that Appendices A-3.1 to A3.3 are attached to the report for illustrative and reference purposes only.**

Recommendations #4 and #5 do not require City Council approval.

Councillors: Mike O'Donnell (Chairperson) and Barbara Young; Commissioners: Phil Evans, Adrienne Hagen Lyster, Simon Kostic, Ron Okumura, Daryl Posehn, Laureen Snook and Kathleen Spatt were present during consideration of this report by the Regina Planning Commission.

The Regina Planning Commission, at its meeting held on February 1, 2017, considered the following report from the Administration:

RECOMMENDATIONS

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3. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.
4. That this report be forwarded to the February 27, 2017 meeting of City Council for approval, which will allow sufficient time for advertising the required public notices for the respective bylaws.

CONCLUSION

The applicant (Carmichael Outreach) has operated in the Heritage Neighbourhood for 28 years. The applicant proposes to rezone the subject property from the current R4A - Residential Infill Housing zone to the MX - Mixed Residential Business zone. The applicant proposes to reuse the existing building on the site for a Humanitarian Service Facility, which is not a permitted use in the current R4A zone. A Humanitarian Service Facility is a permitted use in the MX zone.

The subject property is located within the Heritage Neighbourhood and is approximately two blocks away from Carmichael's current location at 1925 Osler Street. The property adjacent to the west of this building is zoned MX. The rezoning would extend the MX zone one lot to the east.

The proposal complies with the development standards and regulations contained in the *Regina Zoning Bylaw No. 9250* (Zoning Bylaw) and is compliant with Part A of the *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP). It is compliant with Part B of the OCP, as amended. Accordingly, the Administration recommends approval.

BACKGROUND

An OCP amendment and Zoning Bylaw amendment application have been submitted concerning the property at 1510 12th Avenue and 1872 St. John Street. A separate application for parcel consolidation is required should the approval of this development application be granted.

Appendices A-3.1, A-3.2, A-3.3 are attached for reference purposes.

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

DISCUSSION

Zoning and Land Use Details

The applicant is proposing to rezone the property from the R4A - Residential Infill Housing zone to the MX - Mixed Residential Business zone. The applicant is proposing to reuse the existing building on the property for a Humanitarian Service Facility in order to provide programs for people with a range of social needs in the community. A Humanitarian Service Facility is a permitted use in the MX zone.

Carmichael has existed in the neighbourhood for the last 28 years at their current location, 1925 Osler Street. The present building no longer meets their needs. The proposed new location is approximately two blocks away as shown on Appendix A-2.

Land Use Details	<u>Existing</u>	<u>Proposed</u>
Zoning	R4A - Residential Infill Housing	MX - Mixed Residential Business
Land Use	Existing non-conforming Commercial	Humanitarian Service Facility
Number of Dwelling Units	0 units	0 units
Building Area	369.6 m ²	369.6 m ²

The subject property contains space for 12 vehicles on site. A minimum of 9 stalls are required for use of the building as a Humanitarian Service Facility. The Zoning Bylaw defines a Humanitarian Service Facility as:

“the use of premises by an organization to provide social or welfare services to those in need, for no fee or compensation, or at a fee recognized as being significantly less than that charged by profit-making organizations. Services typically provided by a Humanitarian Service Facility include:

- (a) information and referral services;
- (b) counselling;
- (c) skill development;
- (d) aid in the nature of food or clothing;
- (e) life skill and personal development programs;
- (f) alcohol, drug or substance abuse counselling or rehabilitation; and/or
- (g) drop-in or activity space,

Does not include premises used for residential accommodation. Humanitarian Service Facilities provide services directly to a client group on the premises, rather than serve only administrative functions.”

Surrounding land uses include a mixed-use (commercial and residential) building to the west, a parking lot to the southwest, and lower-density residential development in all other directions as well as a number of vacant lots.

Zoning Amendment

The existing building on the subject property was constructed in 1960 for the Disabled Veterans Association (DVA) and was occupied by that organization as a licensed club until 2007. Licensed clubs are prohibited in the R4A zone. However, operation of the DVA Hall was classified as a legally non-conforming use under the Zoning Bylaw.

The existing building is a commercial structure, and rezoning of the subject property to MX would reflect the existing building and more accurately address current development conditions on site. The existing building would comply with the development standards of the MX zone.

The property situated to the immediate west of the subject property is currently zoned MX - Mixed Residential Business. The applicant is proposing to rezone the subject property to the MX zone which is compatible with surrounding land uses and with the purpose and intent of MX zoning as it would provide a compatible land-use transition between commercial development to the west and the residential neighbourhood to the east.

Application of MX zoning to the property would not preclude future residential use or development and it could accommodate licensed restaurants or dining rooms on a discretionary-use basis. If the MX zone were in effect today, the Humanitarian Service Facility would be a permitted use.

Neighbourhood Plan Amendment

Rezoning the subject property to MX would comply with the policy direction in the Core Neighbourhood Plan. The proposal is consistent with the Implementation section of the Core Neighbourhood Plan, which provides direction to “introduce more appropriate commercial zoning on sites adjacent to residential areas.” The Neighbourhood Plan was implemented by using the MX zone to provide a transition between residential and commercial development. The Neighbourhood Plan designates the property as residential and the MX zone includes residential uses. However, the building form at this location has never been residential in use or in character. As the building was constructed as a licensed club prior to the implementation of the Neighbourhood Plan, the extension of the adjacent MX zone by way of an OCP amendment would bring the existing building into conformity.

As the map in the Neighbourhood Plan does not expressly include the property within the MX boundaries, an amendment to the existing Plan is required to accommodate the applicant’s proposal. The Administration supports the OCP amendment for the following reasons:

- The proposal meets policy objectives of the OCP with respect to developing complete communities. It supports the creation of a complete and inclusive neighbourhood and is supportive of community organizations and groups that provide vital services that address the well-being of Regina residents.
- The proposal responds positively to the purpose and intent of the MX zone by providing a transition between commercial and residential development.
- The proposed development fills a need for services, provides amenities in the area and will result in the reuse of an underutilized site and vacant building.

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 infrastructure 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

The proposal constitutes a viable reuse of an existing commercial building. The building has been vacant for a number of years and evidence of its run-down condition is illustrated by broken windows. The applicant proposes to reuse the existing building on the subject property for Humanitarian Service Facility programs and services.

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 3 – Urban Centres and Corridors: Support urban centres and corridors as locations for pedestrian and transit-oriented mixed-use development and as hubs for community interaction and identity.

- 7.14 Identify segments and/or sites along identified URBAN CORRIDORS that should be subject to priority investment and redevelopment, through the *intensification* development strategy.

Section E: Realizing the Plan

Goal 12 – Mixed Residential Business Zone: Provide a compatible land – use transition between commercial development and residential neighbourhood.

- 14.55 Use the MX - Mixed Residential Business zone as a transition or buffer between high- traffic-generating commercial zones and residential neighbourhoods.
- 14.56 Limit the MX - Mixed Residential Business zone to low density, low-traffic-generating commercial and multiple unit residential development.
- 14.57 Apply the MX - Mixed Residential Business zone in a manner which supports the stability and viability of adjacent residential areas.

The Proposal is consistent with policies contained within Part B of the OCP with respect to:

Section B.8: Core Neighbourhood Plan

Implementation

- c) introduce more appropriate commercial zoning on sites adjacent to residential areas.

Other Implications

The proposal is consistent with the *Core Neighbourhood Sustainability Action Plan*. While this action is not a formal neighbourhood plan that forms part of the OCP it was endorsed by City Council in the summer of 2012 and had extensive community involvement. The proposal aligns with this plan in that it addresses the following strategies:

- Strategy 1: Strengthen resident engagement and build neighbourhood capacity
- Action 5: Establish a network of services that meet a continuum of need

Strategy 4: Enhance food security and provide access to quality food

- Action 3: Improve access to existing food programs

Strategy 5: Improve safety and reduce crime

- Action 4: Eliminate needle disposal on private and public property
- Action 6: Address addictions as a key health issue (prevention and intervention)

Strategy 7: Green the core

- Action 9: Develop a strategy to create new uses for vacant lots and sites occupied by dilapidated buildings

Accessibility Implications

The Zoning Bylaw requires that two per cent of the required parking stalls be provided for persons with disabilities. The proposed development provides one parking stall for individuals with disabilities which meets the minimum requirement of one stall.

COMMUNICATIONS

Communication with the public is summarized below:

Public notification signage posted	November 10, 2016
Published in the <i>Leader-Post</i>	February 11, 2017 February 18, 2017
Letter sent to immediate property owners	November 9, 2016 (125m radius) November 22, 2016 (Osler Street to Winnipeg Street, Victoria Avenue to 11th Avenue)
Public open house held	December 7, 2016
Number of public comments sheets received	22 – opposed 29 – support

The application was circulated to the Heritage Community Association (HCA), Regina Police Service (RPS) and Regina Qu'Appelle Health Region (RQHR) for comment. The HCA supports the proposal. The RQHR works closely with Carmichael Outreach and the population they serve, and provides necessary harm reduction services. They are in support of Carmichael's services and had no particular concerns with the rezoning application. The RPS also supports Carmichael Outreach and is in support of their rezoning application. The application was also circulated to the Public and Separate School Boards for review and comment. The Catholic School division indicated in writing that it has "no concerns" and the Regina School Division No. 4 indicated in writing that it has "no comment."

There were 45 public comments received on this application. A more detailed account of the respondents' comments and the Administration's and Applicant'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 V of *The Planning and Development Act, 2007*.

Respectfully submitted,

REGINA PLANNING COMMISSION



Elaine Gohlke, Secretary