

February 26, 2018

To: His Worship the Mayor  
And Members of City Council

Re: Regina Planning Commission: Zoning Bylaw Amendment and Discretionary Use Applications (17-Z-18/17-DU-14) Removal of H - Holding Overlay Zone and Proposed Shopping Centre and Theatre in MAC - Major Arterial Commercial Zone - Aurora Subdivision – 4801 E Victoria Avenue

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RECOMMENDATION

**RECOMMENDATION OF THE REGINA PLANNING COMMISSION  
– FEBRUARY 1, 2018**

1. That the application to amend *Regina Zoning Bylaw No. 9250* to remove the H - Holding Overlay Zone on proposed Lot C of Aurora Subdivision, Phase 1, Stage 2 within the East Victoria Concept Plan Area, which is part of SE ¼ Section 23-17-19-W2M as shown on the attached plan of proposed subdivision (Appendix A-3.1), be approved.
2. That the Discretionary Use Application for a proposed Shopping Centre and Theatre located at 4801 E Victoria Avenue, being a portion of SE ¼ Section 23-17-19-W2M, Lot C, Surface Parcel# 203339088, be approved, and that a Development Permit be issued subject to the following conditions:
  - a) The development is contingent on subdivision approval of the subject lots and subsequent title creation.
  - b) The development shall be consistent with the plans attached to this report as Appendix A-3.2 and Appendix A-3.3, prepared by P3A and dated October 3, 2017.
  - c) The development shall comply with all applicable standards and regulations in the *Regina Zoning Bylaw No. 9250*.
3. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective *Regina Zoning Bylaw No. 9250* amendment.

*REGINA PLANNING COMMISSION – FEBRUARY 1, 2018*

Blair Forster, representing Forster Projects, and Chad Jedlic, representing Harvard Developments, addressed the Commission.

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

Recommendation #4 does not require City Council approval.

Councillors: Mike O'Donnell (Chairperson), Bob Hawkins and Barbara Young; Commissioners: David Bale, Frank Bojkovsky, Andre Kroeger, Adrienne Hagen Lyster, Robert Porter and Steve Tunison were present during consideration of this report by the Regina Planning Commission.

The Regina Planning Commission, at its meeting held on February 1, 2018, considered the following report from the Administration:

#### RECOMMENDATION

1. That the application to amend *Regina Zoning Bylaw No. 9250* to remove the H - Holding Overlay Zone on proposed Lot C of Aurora Subdivision, Phase 1, Stage 2 within the East Victoria Concept Plan Area, which is part of SE ¼ Section 23-17-19-W2M as shown on the attached plan of proposed subdivision (Appendix A-3.1), be approved.
2. That the Discretionary Use Application for a proposed Shopping Centre and Theatre located at 4801 E Victoria Avenue, being a portion of SE ¼ Section 23-17-19-W2M, Lot C, Surface Parcel# 203339088, be approved, and that a Development Permit be issued subject to the following conditions:
  - a) The development is contingent on subdivision approval of the subject lots and subsequent title creation.
  - b) The development shall be consistent with the plans attached to this report as Appendix A-3.2 and Appendix A-3.3, prepared by P3A and dated October 3, 2017.
  - c) The development shall comply with all applicable standards and regulations in the *Regina Zoning Bylaw No. 9250*.
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 February 26, 2018 meeting of City Council for approval.

#### CONCLUSION

The applicant is proposing to develop a Shopping Centre and Theatre on the subject property located at 4801 E Victoria Avenue. In order for the development to proceed, the applicant is also requesting removal the H – Holding Overlay Zone that was applied to the subject property when the land were initially rezoned to MAC – Major Arterial Commercial. The Administration recommends removal of the H - Holding Overlay Zone as a development proposal has been received for the site and servicing is ready to proceed.

A Shopping Centre and Theatre are both discretionary uses in MAC- Major Arterial Commercial Zones.

The proposal is consistent with the East Victoria Concept Plan area and with the land use policies contained in the Southeast Regina Neighbourhood Plan (SENP).

The proposal is in compliance with the development standards and regulations contained in the *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)*. Accordingly, the Administration recommends approval.

## BACKGROUND

Zoning Bylaw amendment and discretionary use applications have been received concerning the subject property located in the Aurora Subdivision at 4801 E Victoria Avenue.

A Zoning Bylaw amendment application corresponding to Phase 1 of the East Victoria Concept Plan was approved by City Council on October 17, 2016 (CR16-123), in which the subject property was zoned MAC and an H - Holding Overlay Zone applied to the subject property. The H- Holding Overlay Zone was required to ensure control over the timing of the development as the concept plan identified the need to control the phasing of development to address the servicing needs of individual areas over time. As servicing requirements are met for each area, the Holding Overlay Zone can be removed.

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

## DISCUSSION

### Land Use and Zoning

The applicant is proposing to develop a multi-building 14,346 m<sup>2</sup> Shopping Centre, including a Theatre on the subject property. This is shown in Appendix A-3.2 and A-3.3. The Theatre is proposed for the building identified as “C8” on these appendices.

The subject property encompasses an area of 5.616 hectares and is zoned MAC (H) – Major Arterial Commercial with an H - Holding Overlay Zone. This application is to remove the H - Holding Overlay Zone resulting from the initial zoning of the property and to allow the subject property to be developed in accordance with the MAC - Major Arterial Commercial Zone.

During the initial Phase of development in Aurora that accommodated development of the Costco development, other lands to the north, east and west of the Costco site were zoned MAC – Major Arterial Commercial and the H – Holding Overlay Zone applied to those lands as identified in Appendix A-1. The H – Holding Overlay Zone was applied as development, subdivision approvals and executed servicing agreements were not complete for these lands. The H – Holding Overlay Zone is used in situations where lands are zoned in anticipation of future

development but specific development proposals have not yet been received. The application of the H – Holding Overlay Zone allows for consideration and assessment of a development proposal for zoning and servicing requirements and alignment with OCP policy before the Administration recommends removal of the overlay designation. A development proposal has now been received for the subject property that meets the policy objectives of the OCP and subdivision and servicing agreements are proceeding. Accordingly, the Administration recommends removal of the H - Holding Overlay Zone from the subject property.

The removal of the H - Holding Overlay Zone will allow a Shopping Centre with a Theatre on the subject lands. Both Shopping Centres and Theatres are discretionary uses in MAC - Major Arterial Commercial Zones. The land use and zoning related details of this proposal are summarized in the following table:

<b>Land Use Details</b>	<b>Existing</b>	<b>Proposed</b>
Zoning	MAC - Major Arterial Commercial  H – Holding Overlay Zone	MAC - Major Arterial Commercial
Land Use	Vacant	Shopping Centre and Theatre
Building Area (m <sup>2</sup> )	0 m <sup>2</sup>	14,346 m <sup>2</sup>

<b>Zoning Analysis</b>	<b>Required</b>	<b>Proposed</b>
Number of Parking Stalls Required	478 (1/30 m <sup>2</sup> for Shopping Centre)	713
Minimum Lot Area (m <sup>2</sup> )	250 m <sup>2</sup>	56,158 m <sup>2</sup>
Minimum Lot Frontage (m)	6 m	222.015 m
Maximum Height (m)	15 m	To be confirmed upon building permit approval
Floor Area Ratio	3	0.26
Site Coverage (%)	90%	25.5%

The proposed development is consistent with the purpose and intent of the MAC - Major Arterial Commercial Zone with respect to the development of retail, service and office businesses serving the travelling public and residents of the City at large, which require locations with good visibility and accessibility along major arterial roadways.

#### East Victoria Avenue Concept Plan

The proposal is consistent with the East Victoria Avenue Concept Plan (Appendix A-3.4) and the SENP with respect to the intended land use and street network.

The Aurora Subdivision is within the East Victoria Avenue Concept Plan Area which forms part of the SENP. This area is identified as a Regional Retail Centre within the SENP (Appendix A-3.5). In accordance with the land use policy contained in the SENP, the East Victoria Concept Plan has also identified this area for commercial development (Appendix A-3.4).

The surrounding land uses are planned to be developed as commercial to the east, west and south of the subject property in accordance with the East Victoria Concept Plan. The recently approved Costco site is under construction on the southeast corner of the intersection of Anaquod Road and Aurora Boulevard (Appendix A-2). Victoria Avenue is located on the north of the subject property.

### Landscaping

The proposed development meets all of the internal site landscaping requirements, as well as the requirements for a major arterial corridor and their intersections. The applicant is required to landscape areas along Victoria Avenue and Chuka Boulevard and Victoria Avenue and Aurora Boulevard.

## RECOMMENDATION IMPLICATIONS

### Financial Implications

The subject properties will receive a full range of municipal services including water, sewer and storm drainage through the related subdivision approval. 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:

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

- 7.1.10 Convenient access to areas of employment.

### 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.

- 7.11 Ensure land use, scale and density of development within an URBAN CENTRE or URBAN CORRIDOR is compatible with servicing capacity and provides appropriate transition to surrounding areas.

### Goal 4 – Employment Areas

Provide appropriate locations and development opportunities for a full range of industrial, commercial and institutional activities.

- 7.17 Require new large-format retail to be located on Urban Corridors or within identified Urban Centres and designed:
  - 7.17.1. To reinforce the streetscape, a high-quality public realm, and access to transit through the orientation of buildings and site design;
  - 7.17.2. To allow change and intensification over time;
  - 7.17.3. To mitigate potential adverse impacts on adjacent residential uses; and
  - 7.17.4. To be accessible and integrated with surrounding neighbourhoods.

#### Other Implications

None with respect to this report.

#### Accessibility Implications

The Zoning Bylaw requires two per cent of the required parking stalls (gross parking calculation) for persons with disabilities. The proposed development provides 15 parking stalls for persons with disabilities, which exceeds the minimum requirements by five stalls.

#### COMMUNICATIONS

Communication with the public is summarized below:

Public notification signage posted on	October 20, 2017
Will be published in the Leader Post on	NA
Letter sent to immediate property owners	October 30, 2017
Public Open House Held	N/A
Number of Public Comments Sheets Received	0

Being that the area is newly developing, the subject property is not currently within the boundaries of a Community Association. However, the application was circulated to the Dewdney East Community Association given the proximity to the proposed development. Following circulation, the Administration attempted follow up contact with the Community Association but did not receive a response prior to the deadline for submission of this report.

The site is within the Joint Planning Area (JPA) with the Rural Municipality of Sherwood No. 159 (RM), as identified in the OCP. The Administration received confirmation that the RM does not have any concern with the proposal.

Pursuant to Section 71 of *The Planning and Development Act, 2007* advertising in *The Leader-Post* to remove the H - Holding Overlay Zone is not required.

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*

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Elaine Gohlke, Secretary