

April 4, 2018

To: Members
Regina Planning Commission

Re: Discretionary Use Application (18-DU-02) Proposed Day Care Centre in R1-Residential
Detached Zone 2 Turgeon Crescent

RECOMMENDATION

1. That the discretionary use application for a proposed Child Day Care Centre located at 2 Turgeon Crescent, being Lot 41, Block 33, Plan No GE 191, in the Hillsdale Subdivision be approved, and that a Development Permit be issued subject to the following conditions:
 - a) The applicant is allowed to develop a maximum of 30 day care spaces within the Child Day Care Centre at the subject property.
 - b) The applicant is required to develop a solid fence which is 1.83 metres in height along the west property line and on the south side adjacent to the play area (as shown in the site plan) to provide visual screening for the adjacent residential property.
 - c) The development shall be consistent with the plans attached to this report as Appendix A-3.1 prepared by PSW Architecture and Interior Design Ltd. and dated February 2018.
 - d) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.
2. That this report be forwarded to the April 30, 2018 meeting of City Council for approval.

CONCLUSION

The applicant proposes to redevelop an existing Single Detached Dwelling into a Child Day Care Centre. The applicant currently operates a Child Day Care Centre in an elementary school located across the street at 1601 Cowan Crescent. The proposed Child Day Care Centre is required to fulfill demand for additional day care spaces.

The subject property is currently zoned R1- Residential Detached and is located in Hillsdale subdivision. The subject property is surrounded by streets on two sides, easement on the north side and a residential property on the west side.

The proposal complies 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

An application has been received to develop a Child Day Care Centre with 30 day care spaces on a residential property located at 2 Turgeon Crescent.

In 2016, an amendment to the Zoning Bylaw related to child care operations aligned the City's regulations with *The Child Care Act, 2014*, which is provincial legislation. The Zoning Bylaw amendment provided the ability for a Residential Business operating at a residential property to provide care for up to 12 children as a permitted use in all residential zones. The Zoning Bylaw amendment also allowed for the consideration of a Child Day Care Centre as a discretionary use in all residential zones. A Child Day Care Centre is a provincially licensed child care centre which provides care for more than 12 children.

This application is being considered pursuant to 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 redevelop the existing residential property as a Child Day Care Centre to accommodate 30 children. This centre would be the extension of an existing Child Day Care Centre, which is across the street in École Monseigneur De Laval Pavillon Elementaire (an elementary school).

According to *The Child Care Act, 2014* a facility operating as child care centre can provide care for more than 12 children. The 2016 Zoning Bylaw amendment allowed for a child care centre, as defined by the Province, to be accommodate as a Discretionary Use in all residential zones as a Child Day Care Centre. The Zoning Bylaw focusses on land use and compatibility and *The Child Care Act, 2014* regulates the operation and internal characteristics of a child care centre. The applicant is seeking approval for the land use from the City and will also require approval through the Provincial Ministry of Education. The review of this Discretionary Use is based on the merits of the land use.

Land Use Details

Land Use Details	Existing	Proposed
Zoning	R1- Residential Detached Zone	R1-Residential Detached Zone
Land Use	Residential Dwelling	Child Day Care Centre
Number of Dwelling Units	1	N/A
Building Area	153.49 m ²	153.49 m ²

Zoning Analysis	Required	Proposed
Number of Parking Stalls Required	1 stall (1 stall/ per centre)	2 stalls
Minimum Lot Area (m ²)	325 m ²	642.6 m ²
Minimum Lot Frontage (m)	10.5 m	32.12 m
Maximum Building Height (m)	11 m	7 m
Gross Floor Area	Not applicable	241.13 m ²
Maximum Floor Area Ratio	0.75	0.38
Maximum Coverage (%)	50%	24%

Surrounding land uses include residential to the east, north and west. There are institutional land uses to the south of the property.

Outdoor Area and Visual Screening Requirements

The applicant has provided a play area at the back of the building (on south-west corner). According to the Ministry of Education, *The Child Care Regulations, 2015* require a licensee to provide a safe outdoor play area of seven square metres per licenced child care space. Fifty per cent of the space must be adjacent to the centre and the remaining 50 per cent must be within walking distance of the centre. As per the Ministry’s consultant, the applicant would be able to meet this regulatory requirement.

As a condition of approval the proposal requires visual screening on the west and south property lines, which will take the form of a solid 1.83 metre (six feet) tall fence for visual screening purposes, which is the maximum fence height allowed by the Zoning Bylaw for a residential property. A detailed design of the fence is required to be submitted along with the building permit application for approval by the City.

Parking and Traffic Movement

The proposed development will require one parking stall as per the Zoning Bylaw and the applicant has provided two parking stalls within the subject property. The development also has on-street parking capacity to serve as a drop-off area without impeding traffic flow.

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 additions 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 Neighborhoods: 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.

Other Implications (Building Code)

The applicant has indicated no external alteration of the building; however, internal alterations will be required due to change in occupancy type. The use proposed will change the major occupancy residential (“C”) to assembly (“A”) and a building permit will be required. A design professional (registered architect or engineer) will need to be engaged to ensure compliance with the National Building Code of Canada.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

Communication with the public is summarized below:

Public notification signage posted on	January 22, 2018
Letter sent to immediate property owners	January 23, 2018
Public Open House Held	N/A
Number of Public Comments Sheets Received	4

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

The application was circulated to the Hillsdale Community Association who responded with some comments. A more detailed accounting of the respondent's comments and the Administration's response is provided in Appendix B.

The application was also circulated to the both the public and separate school boards and Ministry of Education. Neither school boards had any comments to provide. The Ministry of Education responded with support for the proposed development as the Child Day Care Centre is intended to serve francophone families and children, which it believes is a need within the community.

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,



Louise Folk, Director
Development Services

Respectfully submitted,



Diana Hawryluk, Executive Director
City Planning & Development