

May 28, 2018

To: His Worship the Mayor
And Members of City Council

Re: Regina Planning Commission: Zoning Bylaw Amendment (17-Z-16) I – Institutional
Zone to DSC (H) – Designated Shopping Centre Zone (Holding Overlay Zone)
Rosemont Mount Royal, 4400 4th Avenue

RECOMMENDATION

RECOMMENDATION OF THE REGINA PLANNING COMMISSION – MAY 2, 2018

1. That the application to rezone Block A, Plan 75R32425; Block E, Plan 75R32425; Lot 7, Block 28, Plan 59R20949; and Lot 9, Block 28, Plan 101889344; located at 4400 4th Avenue, within the Rosemont Mount Royal Neighbourhood from I - Institutional Zone to DSC (H) - Designated Shopping Centre (Holding Overlay Zone), be approved.
2. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective *Regina Zoning Bylaw No. 9250* amendment.

REGINA PLANNING COMMISSION – MAY 2, 2018

David Calyniuk, representing North Ridge Development Corporation, addressed the Commission.

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

Recommendation #3 does not require City Council approval.

Councillors: Bob Hawkins, Mike O'Donnell (Chairperson) and Barbara Young; Commissioners: David Bale, Frank Bojkovsky, Simon Kostic, 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 May 2, 2018, considered the following report from the Administration:

RECOMMENDATION

1. That the application to rezone Block A, Plan 75R32425; Block E, Plan 75R32425; Lot 7, Block 28, Plan 59R20949; and Lot 9, Block 28, Plan 101889344; located at 4400 4th

Avenue, within the Rosemont Mount Royal Neighbourhood from I - Institutional Zone to DSC (H) - Designated Shopping Centre (Holding Overlay Zone), be approved.

2. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective *Regina Zoning Bylaw No. 9250* amendment.
3. That this report be forwarded to the May 28, 2018 meeting of City Council for approval, which will allow sufficient time for advertising the required public notices for the respective bylaws.

CONCLUSION

The applicant has submitted an application to rezone the property at 4400 4th Avenue (Orr Centre) from I – Institutional Zone to DSC - Designated Shopping Centre. The proposed amendment to the *Regina Zoning Bylaw No. 9250* (Zoning Bylaw) is intended to facilitate preparation of the land for sale and subsequent future redevelopment. As there are no immediate plans for development of the subject property at this time, the Administration is recommending that an (H) - Holding Overlay Zone be applied in addition to the DSC Zone.

When development plans are known, the Administration will assess the design and distribution of land uses and engage the community in the planning process. The Holding Overlay Zone would enable the Administration to exercise control over design of the site and further subdivision. Prior to any new development occurring on the site, a comprehensive redevelopment plan will be required to be submitted and approved by the City of Regina (City).

The proposal complies with the policies contained in *Design Regina: Official Community Plan Bylaw No. 2013-48* (OCP) and with the provisions within the Zoning Bylaw pertaining to the use of the Holding Overlay Zone. Accordingly, the Administration recommends approval.

BACKGROUND

An application has been received to rezone the subject property located at 4400 4th Avenue (Orr Centre). The subject property which is currently zoned I – Institutional is proposed to be rezoned to DSC – Designated Shopping Centre Zone with an (H) – Holding Overlay Zone. The proposed zoning amendment is intended to facilitate future redevelopment of the site.

The Orr Centre contains a broad range of land uses including a vocational school (University of Saskatchewan Nursing Program), various office users, a child day care centre, auditorium space and some residential apartment dwelling units at the rear of the property. The site was originally developed as a traditional institutional use and was home to the Western Canadian Bible College. In 2003 the Western Canadian Bible College ceased operation in Regina and moved to Calgary, Alberta. Since that time, the spaces traditionally used as education spaces have been converted to the current uses.

The subject property is located within the Rosemont Mount Royal Neighbourhood. The surrounding land uses are primarily low density residential dwellings to the west, south and

north, and Lewvan Drive is directly to the east. The Allan Blakeney Adult Campus (former Wascana School) is on the east side of Lewvan Drive.

DISCUSSION

Land Use and Zoning Details

Many of the current land uses are permitted uses in the proposed DSC (H) – Designated Shopping Centre (Holding Overlay) Zone, except the auditorium which would become a legal non-conforming land use. All land uses could continue to operate in their current capacity on the property if rezoning to DSC (H) – Designated Shopping Centre (Holding Overlay) Zone is approved. However, any subsequent changes in land use to the site would require review by the Administration.

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

Land Use Details	Existing	Proposed
Zoning	I – Institutional Zone	DSC – Designated Shopping Centre Zone
Minimum Lot Area (m ²)	750 m ²	41,080 m ²
Minimum Lot Frontage (m)	25 m	180.4 m
Maximum Height (m)	13 m	N/A

The original application submitted to the City did not include the (H) – Holding Overlay Zone. DSC – Designated Shopping Centre Zone is somewhat exceptional in an established neighbourhood as the DSC Zone has commonly been applied in developing suburban areas where their locations are planned through the concept plan approval process. However, the recent trend has been that this zone is being used more often as it includes the option for mixed-use as it includes option for residential development.

Recommended Zoning Approach

Given the context of the subject property, and in considering the range of development options in the DSC - Designated Shopping Centre zone, the Administration determined that a zoning tool was needed to ensure that the future development of the site would be compatible and integrate well with the established community. The Administration explored options with the applicant to support and facilitate future redevelopment and renewal of the site. This process included striking a balance between applying a zoning designation that would facilitate redevelopment with the need to ensure that redevelopment occurs in a compatible manner. To achieve this balance the Administration recommends the application of a (H) – Holding Overlay Zone along with the rezoning of the subject property to DSC – Designated Shopping Centre zone.

The Holding Overlay Zone will be placed on the property until such time that the owner can provide a redevelopment option that meets City regulation and policy; and, integrates with the existing land uses in the area plan. The use of the Holding Overlay Zone ensures that comprehensive redevelopment will not occur until a plan is approved and that in the community

will have participated in the planning process. Until the designation is removed, the only permitted use of the property would be that which exists on the date that the amendment to include the Holding Overlay Zone is applied. This means that existing land use on the Orr Centre site could continue to exist.

Prior to any new development occurring on the site, a comprehensive redevelopment plan will be required to be submitted and approved by the City. The redevelopment plan will need to include a complete site plan which proposes land uses and includes any requested studies, such as traffic or servicing studies. The comprehensive redevelopment plan would need to address staging, phasing, servicing, transportation, proposed land uses and land use compatibility with the surrounding neighbourhood. When development plans are known for the site, the Administration will engage the community to collect input and feedback through the planning process.

The recommended zoning amendment is consistent with the intent of Holding Overlay Zone, as described in the Zoning Bylaw as follows:

- (1) This zone is designed to retain lands or buildings for specific future uses.
- (2) It is intended to be applied after the adoption or approval of a relevant:
 - a. Planning Study
 - b. Concept Plan
 - c. Subdivision Plan

The removal of a Holding Overlay Zone requires City Council approval.

RECOMMENDATION IMPLICATIONS

Financial Implications

The subject properties receive 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 neighborhoods

- 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.
- 7.5 Encourage appropriate mixed-use development within neighbourhoods, as well as the retention of existing local and neighbourhood commercial spaces.

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 OCP encourages commercial and service related land uses within residential areas, as well as, opportunities for intensification. By implementing the Holding Overlay Zone, the City can exercise control over future development on site to ensure that issues pertaining to design and interface with the surrounding community are addressed. In addition, local commercial amenities will contribute to a complete neighbourhood.

Other Implications

None with respect to this report.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

Communication with the public is summarized as follows:

Public notification signage posted on	October 13, 2017
Will be published in the Leader Post on	May 12 & May 19, 2018
Letter sent to immediate property owners	October 10, 2017
Public Open House held	October 26, 2017
Number of Public Comments Sheets received	34

The application for rezoning to DSC – Designated Shopping Centre without the Holding Overlay Zone was circulated to the Rosemount/Mount Royal Community Association for their comments. The Community Association responded that they feel that “without a solid proposal for redevelopment to consider, it would be premature for the City of Regina to provide approval to this zoning change. In addition, the community as a whole would not want to see any services, entertainment facilities, or development of the area that would adversely affect the immediate residents or the surrounding community.”

The application, without the Holding Overlay Zone was circulated to the West Zone Board for their comments. The Zone Board responded that “without a proposal for redevelopment in hand, it would be premature to give approval to this zoning change application at this time.” In addition, that this would “leave an open approval for any conforming uses within the new zoning designation, which may include a full redevelopment of the entire site into retail, entertainment and services that may adversely affect the immediate four adjacent residential properties let alone the surrounding residential neighbourhood.”

A total of 40 people attended an Open House held on October 26, 2017 to review the proposal to rezone the property to DSC – Designated Shopping Centre without the Holding Overlay Zone. The Administration received 34 public comment sheets through the circulation and open house process. A more detailed accounting of the respondents’ concerns and the Administration’s response is provided in Appendix B.

The applicant and interested parties will receive a copy of the report and notification of the meeting to appear as a delegation in addition to receiving 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