

May 28, 2018

To: His Worship the Mayor
And Members of City Council

Re: Regina Planning Commission: Discretionary Use Application (18-DU-06) Nursery
School – 4701 Parliament Avenue

RECOMMENDATION

RECOMMENDATION OF THE REGINA PLANNING COMMISSION – MAY 2, 2018

That the Discretionary Use Application for a proposed Nursery School located at 4701 Parliament Avenue, being Lot U2, Plan No. 102245228, in Harbour Landing Subdivision 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 - A-3.4 prepared by P3Architecture Partnership and dated February 7, 2018.
- b) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.

REGINA PLANNING COMMISSION – MAY 2, 2018

Cari Thiele and Maegan Mason, representing Pathways Learning School, addressed the Commission.

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

Recommendation #2 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 Discretionary Use Application for a proposed Nursery School located at 4701 Parliament Avenue, being Lot U2, Plan No. 102245228, in Harbour Landing

Subdivision 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 – A-3.4 prepared by P3Architecture Partnership and dated February 7, 2018.
- b) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.

2. That this report be forwarded to the May 28, 2018 meeting of City Council for approval.

CONCLUSION

The applicant proposes to develop a Nursery School with a floor area of 164 square metres in an existing multi-tenant commercial building.

The subject property is currently zoned IP - Prestige Industrial Service Zone. A Nursery School is a discretionary use in the IP - Prestige Industrial Service Zone. The proposal is located in a development that is currently under construction. When complete the development will accommodate a variety of commercial and service related uses.

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 contained in *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP). Accordingly, the Administration recommends approval.

BACKGROUND

An application has been received for Discretionary Use approval to accommodate a Nursery School located at 4701 Parliament Avenue in an existing multi-tenant building that was previously approved by City Council on February 27, 2017 as a Discretionary Use (CR17-12). This application is being considered pursuant to the Zoning Bylaw, OCP and *The Planning and Development Act, 2007* (Act).

Pursuant to subsection 56(3) of the Act, City Council may establish conditions for discretionary uses based on the nature of the proposed development (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 subject property at 4701 Parliament Avenue currently contains a multi-tenant building. The proposed Nursery School will operate during normal business hours and have two (2) three-hour classes each day. Each class will accommodate up to 15 children of both school aged and preschool aged children and four staff at one time. The Nursery School is intended to provide

speech therapy services and other allied health services, such as occupational therapy, physical therapy, psychology, counselling, family language groups, stroke recovery groups and special needs group tutoring.

The proposal is being considered as a Nursery School and not a Day Care Centre, which is a separate defined land use in the Zoning Bylaw, because there is a significant educational component to the proposed use. A Nursery School is defined in the Zoning Bylaw as “a facility which is not subject to *The Education Act* and receives children who are not of compulsory school age, on a regular basis, for educational and social purposes.” A Day Care Centre is defined as “A child care centre, as defined by *The Child Care Act, 2014*.” A Day Care Centre is typically more focused on child care.

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

Land Use Details	Approved	Proposed
Zoning	IP - Prestige Industrial Service Zone	IP - Prestige Industrial Service Zone
Land Use	Animal Hospital, Commercial Printing, Medical/Dental Laboratory, Medical Clinic, Vocational School, Convenience Store, Licensed Restaurant and Restaurant	Nursery School
Building Area	Vacant Unit	164 m ²
Number of Parking Stalls	165 (total site required) 254 (total site provided)	3 (for nursery school)

The previous approval for the entire site required 165 parking stalls and the applicants provided a total of 254 parking stalls. Parking for the entire development was assumed at 50 per cent warehousing, 25 per cent office and 25 per cent retail. The Nursery School would require three parking stalls which are provided at the front of the building, with one being an accessible parking stall. A Nursery School is required to provide two drop-off stalls for 10 to 15 children and is also required to provide one parking space for the Nursery School itself. The number of spaces provided meets the minimum requirements of the Zoning Bylaw; and as indicated in the table above the total parking provided on site exceeds the minimum parking requirements of the Zoning Bylaw.

The existing landscaping provides screening and buffering in the form of tree varieties and shrubs. The site meets the minimum requirements of the Zoning Bylaw with respect to the amount of landscaping provided.

The proposed development is consistent with the purpose and intent of the IP - Prestige Industrial Service zone with respect to promoting related business services which incorporate high standards of design, landscaping and open space.

The area is well served by transit as there is service provided on Harbour Landing Drive and Parliament Avenue.

The surrounding land uses include Canuck Park to west, Tutor Park and high density residential (R6 – Residential Multiple Housing Zone) to the south separated by Tutor Way, industrial office use (IP - Prestige Industrial Service Zone) to the east separated by Harbour Landing Drive and vacant commercial land (MAC – Major Arterial Commercial Zone) to the north separated by Parliament Avenue.

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

The subjects lands are within the Airport Noise Attenuation Overlay Zone and are bounded by the 30 NEF (Noise Exposure Forecast) contours, as established by Transport Canada to ensure that future development of certain uses include noise impact analysis and acoustical insulation, certified by a professional engineer. This regulation will apply to any vocational school, office and restaurant uses and required studies will be requested at the time when tenant fit-up building permits are received for these uses.

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 neighbourhood.

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.

Section D8: Culture

Goal 3 – Accessibility: Ensure access to cultural resources, learning opportunities, and activities.

10.15 Partner with stakeholders to improve promotion of, awareness of, and access to cultural resources, learning opportunities, and activities.

10.16 Support equitable access to cultural resources, practices and activities.

Section D11: Social Development

Goal 1 – Social Sustainability: Promote and enhance social sustainability by recognizing that quality of life depends on both its physical and community resources.

13.1 Develop community resources to provide opportunities for social activities, events and programming for Regina residents.

13.2 Require new development plans to demonstrate access and connections to activity centres and the open space system.

13.4 Collaborate with partners and the community to identify required social programs and services to address the diverse needs of residents, including the most vulnerable populations.

13.5 Encourage the provincial government and the community to establish locally based attainable childcare facilities, which are essential to enabling parents to secure access to employment.

Other Implications

None with respect to this report.

Accessibility Implications

The Zoning Bylaw requires that two per cent of the required parking stalls be provided for persons with disabilities. The existing development provides nine parking stalls for persons with disabilities which exceeds the minimum requirement of three stalls. One of these accessible stalls is provided in front of the proposed Nursery School.

COMMUNICATIONS

Communication with the public is summarized as follows:

Public notification signage posted	February 28, 2018
Letter sent to immediate property owners	February 28, 2018
Number of public comments sheets received	2

The application was circulated to the Albert Park Community Association. Following circulation, the Administration attempted follow up contact with the Albert Park Community Association but did not receive a response prior to the deadline for submission of this report.

Administration received two public comments in favour of the proposal.

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

A handwritten signature in cursive script, reading "Elaine Gohlke".

Elaine Gohlke, Secretary