

## Discretionary Use Application - 4701 Parliament Avenue (PL202000236)

<b>Date</b>	May 5, 2021
<b>To</b>	Regina Planning Commission
<b>From</b>	City Planning & Community Development
<b>Service Area</b>	Planning & Development Services
<b>Item No.</b>	RPC21-36

### RECOMMENDATION

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Regina Planning Commission recommends that City Council:

1. Approve the discretionary use application for a proposed "Office, Professional Use" located on Parcel U4, Plan No. 102316014, civically known as 4701 Parliament Avenue in the Harbour Landing Subdivision, subject to compliance with the following development standards and conditions:
  - a) The development shall be generally consistent with the plan attached to this report as Appendix A-3, provided by Dream Asset Management Corporation; and
  - b) The development shall comply with all applicable standards and regulations in *The Regina Zoning Bylaw, 2019-19*.
2. Authorize the Development Officer to issue a development permit concerning the discretionary use application upon the applicant making payment of any applicable fees or charges and entering into a development agreement if one is required.
3. Approve these recommendations at its meeting on May 12, 2021, following the required public notice.

### ISSUE

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The applicant, Dream Asset Management Corporation, proposes a change of land use of an existing building, located at 4701 Parliament Avenue, in the Harbour Landing Subdivision,

from vacant to “Office, Professional”. The proposed land use will be accommodated within two or three separate units to be occupied by separate tenants.

The subject property is currently zoned ML - Mixed Low-Rise Zone in which “Office Professional” is discretionary if the gross floor area is between 300 and 1,000 square metres per unit, and the combined gross floor area of all office spaces is not more than 1,000 square metres per lot, which is the case for this application.

All properties in the city of Regina are assigned a zoning designation under *The Regina Zoning Bylaw, 2019-19* (Zoning Bylaw). Within each zoning designation, land use is permitted, not permitted (i.e. prohibited) or discretionary. Discretionary uses require a public and technical process and review by the Regina Planning Commission and City Council’s approval to proceed.

The proposal has been reviewed and deemed in compliance with the Zoning Bylaw and *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP). The application has also been evaluated and determined to be a suitable use for the proposed location based on the prescribed evaluation criteria for discretionary uses established in Subpart 1E.3 of the Zoning Bylaw.

## **IMPACTS**

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### **Financial Impacts**

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 new or changes to existing infrastructure that may be required to directly or indirectly support any proposed development that may follow, in accordance with City standards and applicable legal requirements.

### **Environmental Implications**

The subject property is located within the NEF – Noise Exposure Forecast Overlay Zone of the Zoning Bylaw and is bounded by the Noise Exposure Forecast (NEF) 30 contours of the Regina International Airport (RIA), as established by Transport Canada. The purpose of the NEF regulations is to support land use compatibility, as it relates to noise associated with the RIA and potential impacts on adjacent properties. Within the NEF 30 contours, commercial development is permissible.

City Council set a community goal for the City of Regina of achieving net-zero emissions and sourcing of net-zero renewable energy by 2050. In support of this goal, City Council asked Administration to provide energy and greenhouse gas implications of recommendations so that Council can evaluate the climate impacts of its decisions. There are no anticipated energy or greenhouse gas emission impacts as a result of this proposal.

### **Accessibility Impacts**

The ML - Mixed Low-Rise Zone requires that a minimum of two per cent of the required parking stalls shall be accessible. The subject parcel forms part of commercial development to the east and south (See Appendix A-4). A total of three shared accessible parking stalls are provided for the entire commercial development, which exceeds the minimum

requirement of one stall. One of these accessible stalls is provided in front of the proposed land use. The remaining two accessible stalls are located in front of the other two buildings of the entire commercial development.

### **Policy /Strategic Impact**

The proposed development supports the following OCP goals/ policies:

- Section C, Goal 3, Policy 2.8: *Require intensification in built or approved neighbourhoods to be compatible with the existing built form and servicing capacity.*

The proposed location is within a built or approved neighbourhood that utilizes existing services. Further, the proposed commercial land use is deemed compatible with adjacent existing land uses, which are also commercial in nature.

- Section D5, Goal 1, Policy 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.*

The proposed land use may provide additional options for accessing services and a place of employment close to the existing residential area.

### **OTHER OPTIONS**

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Alternative options would be:

1. Approve the application with specific development standards or conditions being attached as amendments to the plan.
2. Refer the application back to Administration. If City Council has specific concerns with the proposal, it may refer the application back to Administration to address or make recommendations on those points and direct that the report be reconsidered by Regina Planning Commission or brought directly back to Council following such further review.
3. Deny the application. The proposed change of land use to "Office, Professional" will not proceed on the subject property if City Council rejects the application.

### **COMMUNICATIONS**

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The applicant and other interested parties will receive a copy of the report and notification of their right to appear as a delegation at the Council meeting when the application will be considered. Public notice of City Council's consideration of this application will be given in accordance with *The Public Notice Policy Bylaw, 2020*. The applicant will receive written notification of Council's decision in accordance with *The Planning and Development Act, 2007*.

## DISCUSSION

### Proposal

The subject building on Parcel U4 has a footprint of 1,130 square metres and a total leasable area of 1,310 square metres (including 180 square metres of mezzanine space). The proposed "Office, Professional" use will occupy a maximum of 1,000 square metres gross floor area, as two or three separate units, excluding the space used for mechanical equipment, stairways or shafts. The applicant has indicated that approximately 495 square metres of the proposed office space will be used for their own business purposes and the rest will be leased out for other users requiring small office spaces.

The surrounding land uses are Parliament Avenue to the north and a vacant lot to the west. The subject parcel forms part of commercial development to the east and south (See Appendix A-4), including two multi-unit buildings hosting a daycare, a fitness centre and offices in separate units. These buildings are located on individual lots (Parcel U2 and Parcel U3) but share parking stalls. The combined area of all three buildings in the entire commercial development, including the subject vacant building and mezzanine floors in all buildings, is approximately 4,263 square metres.

### Land Use and Zoning

The subject property is currently zoned ML - Mixed Low-Rise Zone in which "Office Professional" is discretionary if the gross floor area is between 300 and 1,000 square metres per unit. The ML - Mixed Low-Rise Zone regulations further stipulate that the total office floor area shall not exceed 1,000 square metres per lot.

The zoning and land use-related details are summarized in the following table:

Land Use Details	Existing	Proposed
Zoning	ML- Mixed Low-Rise	No Change
Land Use	Vacant Building	Office, Professional (up to 1000 m <sup>2</sup> )
Building Footprint (m <sup>2</sup> )	1130	No Change

Zoning Analysis	Required	Proposed
Maximum Site Coverage	65%	No change
Lot Frontage (m)	6	No change
Minimum Lot Area (m <sup>2</sup> )	250	No Change
Maximum Building Height (m)	15	No Change
Number of Parking Stalls (Shared with adjoining commercial development on Parcel U2 & U3)	57	132 (Existing)
Number of Bicycle Stalls (Shared with adjoining commercial development on Parcel U2 & U3)	12 Short-term or 6 Long-term	12 Short-term (Existing)

The proposal involves subdividing the leasable space in the subject building into two or three separate units for different tenants. The combined area of all office spaces within the subject building shall not exceed 1,000 square metres to meet the Zoning Bylaw requirements.

The entire commercial development, including two adjoining buildings on Parcel U2 & U3 and the subject vacant building on Parcel U4 (See Appendix – A4), requires approximately 57 parking stalls. There is a total of 132 shared parking stalls provided for the entire commercial development. The number of parking stalls provided exceeds the minimum requirements of the Zoning Bylaw.

The entire commercial development requires a minimum 12 short-term or six long-term bicycle stalls. The proposed “Office, Professional” use would require three short-term bicycle stalls, provided at the front of the subject building. Three short-term bicycle stalls provided meet the minimum bicycle parking stall 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 for landscaping provided.

The proposed development is also consistent with the purpose and intent of the ML – Mixed Low-rise Zone regarding accommodating low-intensity commercial uses serving the local community and promoting the development of neighbourhood hubs that can act as a focal point for community interaction and accessing services, amenities and cultural resources.

### **OCP Office Policy**

All proposed office development must be in compliance with the OCP office policy (Section D5, Policies 7.28 – 7.33). The primary intent of this section is to protect the Downtown and “Central City Office Area” as the key location for “Medium Office” (1,000 – 4,000 square metres) and “Major Office” (4,000 square metres and over) buildings. The focus on Medium and Major Office assumes that smaller scale office (less than 1,000 metres square) is appropriate at a neighbourhood level, as a neighbourhood service. As the proposed land-use is under 1,000 metres square, it is in compliance with the OCP office policy.

### **Servicing**

No issues from a transportation and servicing perspective were raised at this stage. The area is well served by transit as there is service provided on Harbour Landing Drive and Parliament Avenue.

### **Community Engagement**

In accordance with the public notice requirements of *The Public Notice Policy Bylaw, 2020*, neighbouring property owners within 75 metres of the proposed development received written notice of the application, and a public notification sign was posted on the subject site. A summary of public feedback and Administration’s response is provided in Appendix B. Harbour Landing Community Association was included in the circulation of the application. Following circulation, Administration attempted follow-up contact with the Community Association but did not receive a response prior to the deadline for submission

of this report.

In summary, Administration has determined that this application is deemed compliant with all applicable policies and regulations and procedures regarding communications and engagement. Based on Administration's evaluation of the proposal for land use, development standards, and criteria established in Part 1E.3 of the Zoning Bylaw, the development is suitable for the proposed location. No adverse impacts have been identified.

## **DECISION HISTORY**

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On February 27, 2017, City Council approved a Discretionary Use application for a proposed Animal Hospital, Commercial Printing, Medical/Dental Laboratory, Medical Clinic, Vocational School, Convenience Store, Licensed Restaurant, and Restaurant at 4701 and 4801 Parliament Avenue, being Parcel U1 and U2 (CR17-12).

On May 28, 2018, City Council approved a Discretionary Use application for a proposed nursery school on 4701 Parliament Avenue, being Parcel U2 (CR18-50).

City Council's approval is required pursuant to Part V of *The Planning and Development Act, 2007*.

Respectfully Submitted,



Fred Scarle, Director, Planning & Development Services

Respectfully Submitted,



Diana Hawryluk, Executive Director, City Planning & Community Dev.

4/29/2021

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## **ATTACHMENTS**

Appendix A-1\_Subject Property Map  
Appendix A-2\_Area Map  
Appendix A-3\_Proposed Site Plan  
Appendix A-4\_Entire Commercial Development  
PL202000236 Appendix B