

March 9, 2016

To: Members,
Regina Planning Commission

Re: Application for Contract Zoning (15-CZ-02) Proposed Two Mixed Use Buildings,
125 Hamilton Street and 120 Broad Street (Locally known as 1925 5th Avenue North)

RECOMMENDATION

1. That the application to amend *Regina Zoning Bylaw No. 9250* to rezone 125 Hamilton Street and 120 Broad Street, being Lots 1-10 & 31-41, Block 39, Plan Z140; Block C, Plan G2311; and Lots A and B, Block 40, Plan 72R23442 from I -Institutional Zone to C - Contract Zone be APPROVED, and that the contract zone agreement between the City of Regina and the owner of the subject properties be executed.
2. That further to recommendation 1, the proposed contract zone agreement shall include the following terms:
 - a. The development shall conform to the attached plans labelled ECC Village, prepared by CITE 360 Studio, and dated January 29, 2016, Appendix A-3.1a-3.4b;
 - b. Permitted uses on site shall be limited to two mixed use buildings which are comprised of the uses outlined in the Contract Zone Agreement and are defined under the *Regina Zoning Bylaw No. 9250*;
 - c. Any zoning related detail not specifically addressed in the contract zone agreement shall be subject to applicable provisions of the Zoning Bylaw; and
 - d. The Agreement shall be registered as an interest in the Saskatchewan Land Titles at the applicant's cost pursuant to *Section 69 of The Planning and Development Act, 2007*.
3. That the City Solicitor be directed to prepare the necessary bylaws to authorize the respective Zoning Bylaw amendment.
4. That this report be forwarded to the March 29, 2016 City Council meeting for approval, which will allow sufficient time for advertising of the required public notices for the respective bylaw.

CONCLUSION

The applicant proposes to develop two mixed-use buildings. Building A is proposed to contain retail and clinic uses on the main floor, long-term care programming support on the second and third floor and residential units above. Building B is proposed to contain retail and daycare on the main floor, long-term care programming support and clinic uses on the second floor and residential units above. The proposed development will provide additional amenities to the neighbourhood and strengthen Broad Street and the Urban Corridor.

Given the uniqueness of this site and the need to ensure the land-use is compatible with the existing residential surroundings, the Administration is recommending a Contract Zone agreement.

The proposal is consistent with the provisions contained within *Regina Zoning Bylaw No. 9250* for contract zoning and is consistent with the policies contained in *Design Regina: The Official Community Plan Bylaw No. 2013-48*. Accordingly, the Administration recommends approval.

BACKGROUND

An application has been received for a contract zone amendment to accommodate two Mixed-Use Buildings at 125 Hamilton Street and 120 Broad Street (locally known as 1925 5th Avenue North).

This application is being considered pursuant to *Regina Zoning Bylaw No. 9250*, *Design Regina: The Official Community Plan Bylaw No. 2013-48*, and *The Planning and Development Act, 2007*.

DISCUSSION

Existing Site Development

The subject property currently contains a building which was formerly used as the Zion United Church as well as the Regina Lutheran Home, which is home to 62 long term care residents. Parking on site is located on the corner of 5th Avenue North and Broad Street and access and egress are from 5th Avenue North and Broad Street. There is some existing landscaping in the form of street trees. The subject property is currently zoned I – Institutional Zone.

Zoning and Land Use Details

The applicant proposes to undertake a comprehensive redevelopment of the subject property. The redevelopment plan consists of two mixed use buildings as follows:

Building A

- Phase 1: Nine storey building (total height 34.2 metres).
- Level 1: Retail, Medical Clinic.
- Level 2: Program Support.
- Level 3-6: Special Care Home (24 suites over 4 floors = 96 suites).
- Level 7-9: High Rise Apartment (affordable housing) (18 suites on 7th floor, 20 suites on both 8th and 9th floor = 58 dwelling units).

Building B

- Phase 2: 10 storey building (total height 37.8 metres).
- Level 1: Daycare Centre, Adult and Child (471.7 square meters) and Retail.
- Level 2: Program Support, Accessory Office Space, Medical Clinic.
- Level 3-10 Special Care Home (24 suites over 8 floors = 192 suites).

The parking for the site was assessed for the proposed uses under the current zoning regulations for the I- Institutional Zone. Through this analysis it was determined that the on-site parking exceeds the minimum parking requirements for the I-Institutional Zone, which is 189 parking stalls. The applicant is proposing 204 parking stalls with a majority of those being be used for staff and visitor parking.

The surrounding land uses include a garden centre to the north, detached dwellings to east and west and Imperial School and open space to the south.

The proposed development is consistent with the purpose and intent of Contract Zoning with respect to:

- Conforming to the general intent of the Official Community Plan.
- Representing a unique and/or positive development opportunity.
- Being compatible with existing adjacent development and where applicable, contributes beneficially to the adjacent public realm.

Contract Zoning provides the Administration with the authority to establish site specific conditions for development.

The subject property is located along an Urban Corridor in the Growth Plan map of *Design Regina: The Official Community Plan Bylaw No. 2013-48*. The policies in the plan encourage the intensification of Urban Corridors and City growth policies to “direct at least 30 per cent of new population to existing urban areas as the City’s intensification target.”

Development Staging

As the proposed development is an existing built site containing existing uses and services, the staging of the development was considered by the applicant as part of their overall comprehensive development plans.

The existing church on the Broad Street property is proposed to be demolished to accommodate the first phase of the development (Building A). In the second phase, the Regina Lutheran Home to the west on the Hamilton Street property would be demolished to accommodate the development of Building B. The residents from the Regina Lutheran Home will be moved to Building A once the building has been constructed.

Sun Shadow and Height Impact

Given the height of the proposed high-rise buildings, the Administration required the applicant to prepare a detailed sun shadow impact analysis to assess the potential shadowing impacts on adjacent residential and commercial properties.

The shadowing analysis indicates shading only in brief periods during the primary gardening season (spring and summer months) where shading is typically an issue. The conclusions of the sun shadow study are provided below:

- Fall and winter low sun angles bring longer shadows, generally these days have less daylight hours and less outdoor activities.
- Sun shadow impacts during the summer solstice (June 21) are minor at 3 p.m.

- Sun shadow impacts during the winter solstice (December 21) have the greatest impact on adjacent properties.
- During the equinox (approximately March 21 and September 21) the proposed massing would have a modest impact.

Based on this analysis, the Administration supports the proposed building massing and height.

Transportation Impacts

The Administration required the applicant to submit a Transportation Impact Assessment (TIA). The study described existing and proposed site conditions, traffic forecast, trip generation, impact on the surrounding road network and access. The study concluded that the existing street network can support the additional traffic generated by the redevelopment under two conditions as follows:

- That a right-turn lane shall be required with future traffic volumes from 5th Avenue North to Broad Street.
- That traffic signals shall be installed at the intersection of 5th Avenue North and Broad Street at the applicant's cost.

It was recommended by Regina Transit that Paratransit service be provided for this development given that the use of portion of the development as a care home. Provision for pick-up and drop-off spaces for Paratransit service is proposed to be dedicated at both buildings and incorporated into the plans.

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 subject property is located within the low sensitivity Aquifer Protection Overlay Zone. The proposal is required to comply with the applicable performance regulations that put limitation on the depth of excavation (6m) as well as land use restrictions for those that may pose a risk of contaminating the aquifer. In addition, the excavations shall not expose the aquifer.

Policy/Strategic Implications

The proposal is consistent with the policies contained within Part A of *Design Regina: The Official Community Plan Bylaw No. 2013-48* with respect to:

Realizing the Plan

- Support beneficial development proposals that meet the intent of this plan, but require special regulatory treatment to address unique characteristics.

Growth Plan

- Direct at least 30 per cent of new population to existing urban areas as the City's intensification target.
- Direct future higher density intensification to the city centre, existing urban centres and corridors and adjacent intensification areas where an adequate level of service and appropriate intensity and land use can be provided.
- Require intensification in built or approved neighbourhoods to be compatible with the existing built form and servicing capacity.

Land Use and Built Environment

- Providing opportunities for daily lifestyle needs such as services, convenience shopping, and recreation.
- Providing a diversity of housing types to support residents from a wide range of economic levels, backgrounds and stages of life, including those with special needs.
- Providing a distinctive character, identity, and sense of place and buildings which are designed and located to enhance the public realm, and contribute to a better neighbourhood experience.
- Providing convenient access to areas of employment.

Infrastructure

- Optimize use of existing infrastructure to minimize financial and environmental impacts of growth.

Housing

- Providing attainable housing in all neighbourhoods through ownership, rental housing and specific needs housing.
- Providing a greater mix of housing to accommodate households of different incomes, types, stages of life and abilities.
- Considering alternatives for parking, height or other development standards in support of specific needs housing and innovative housing within new development.
- Creating barrier-free housing and housing for persons with specific needs.
- Permitting group care facilities in residential neighbourhoods.

Social Development

- Supporting the city's population of seniors and persons with specific needs by promoting 'aging in place' within the design of new neighbourhoods.

Other Implications

None with respect to this report.

Accessibility Implications

The *Regina Zoning Bylaw No. 9250* requires that 2 per cent of the required parking stalls be provided for persons with disabilities. The proposed development provides five parking stalls for persons with disabilities which exceeds the minimum requirement of four stalls.

The *Uniform Building and Accessibility Standards Act and Regulations* requires 5 per cent of units in new rental buildings to be barrier-free including accessible washrooms, space in bedrooms and kitchens, and balconies. For this proposal, this equates to 13 barrier-free units per building. The applicants' proposal will include 294 barrier free units between the two buildings. The buildings will also be equipped with elevators.

COMMUNICATIONS

Communication with the public is summarized as follows:

Public notification signage posted on	November 30, 2015
Will be published in the Leader Post on	March 12, 2016 March 19, 2016
Letter sent to immediate property owners	November 30, 2015
Public Open House held	December 15, 2015
Number of public comments sheets received	6

The application was circulated to the North East Community Association for their comments. The Community Association informed staff, (February 12, 2016) that they are in full support of the project.

The Administration received six public comment sheets. A more detailed accounting of the respondents' concerns and the Administration's response to them is provided in Appendix B. Also included are the applicant's and Administration's response to those issues.

The applicant and other interested parties will receive 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