

May 14, 2014

To: Members,
Regina Planning Commission

Re: Application for Zoning Bylaw Amendment and Discretionary Use (14-Z-07/14-DU-08)
2067 Retallack Street

RECOMMENDATION

1. That the following amendment to the Cathedral Area Neighbourhood Plan, being Part B.6 of *Design Regina: The Official Community Plan Bylaw No. 2013-48*, be APPROVED:

That the following item be added to Section 6.0 – Exception:

Civic Address	Legal Description	Development/Use
2067 Retallack Street	Lots 27-28 Block 374, Plan OLD33	LC3 – Local Commercial

2. That the application to rezone Lots 27 and 28 in Block 374, Plan OLD33 located at 2067 Retallack Street from R4A-Residential Infill Housing to LC3-Local Commercial, be APPROVED.
3. That the discretionary use application for a proposed shopping centre located at 2067 Retallack Street, being Lots 27 and 28 in Block 374, Plan No. OLD33, be APPROVED and that a Development Permit be issued subject to the following conditions:
 - a. The development shall be consistent with the plans attached to this report as Appendix A-3.1 to A-3.6 inclusive, prepared by Tomilin Construction and dated February 21, 2014; and
 - b. The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.
4. That a minor variance application be obtained to relax the maximum permitted height by 0.6 m (2 ft.) to the building prior to the issuance of a building permit; and
5. That this report be forwarded to the June 23, 2014 City Council meeting, which will allow sufficient time for advertising of the required public notices for the respective bylaws.

CONCLUSION

The subject property is comprised of five lots. The applicant proposes to rezone two of the five lots (Lots 27 and 28) from R4A – Residential Infill Housing to LC3 – Local Commercial. The rezoning is required to accommodate a four-storey mixed-use building with 13 dwelling units and a shopping centre (more than five commercial retail units). The subject property is currently vacant and located within the Cathedral neighbourhood.

The proposal is consistent with *Design Regina: The Official Community Plan* with respect to complete neighbourhoods, employment and housing goals. An amendment to the Cathedral Neighbourhood Plan is required to accommodate the proposed development because the policy objectives include maintaining the residential nature of the R4A zone and preventing commercial encroachment into abutting residential areas. The Administration supports the required Official Community Plan (OCP) amendment as it is consistent with OCP housing policies.

The following issues were raised in the public review process:

- Design and materials looks too modern and does not fit into the neighbourhood;
- Retail units in the courtyard area have poor exposure to 13th Avenue;
- The alley entrance on 13th Avenue has poor visibility;
- The height of the 4th floor should not be visible from 13th Avenue or Retallack Street;
and
- A sufficient amount of parking is not provided.

As part of the application review, an urban design analysis was conducted to ensure that the mass, form and height of the proposed development complements the area and that the building interfaces well with both the 13th Avenue shopping corridor and Retallack Street's residential nature. The building design is consistent with urban design objectives and will also bring activity to the street level. Details of the design analysis are addressed in the Building Design section of the report.

The proposal will result in the development of an important site along the 13th Avenue commercial corridor that has been vacant for a number of years. The development of this mixed-use building will positively enhance the vibrancy of the 13th Avenue corridor.

BACKGROUND

A Zoning Bylaw amendment and Discretionary Use application has been submitted concerning the property at 2067 Retallack Street.

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*.

Pursuant to subsection 56(3) of the Act, 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

Development Proposal

Land use and zoning details are summarized as follows:

Land Use Details		
	Existing	Proposed
Zoning	R4A - Residential Infill Housing / LC3 - Local Commercial	LC3 - Local Commercial
Land Use	Vacant	Shopping Centre and Dwelling Units
Number of Dwelling Units	0	13
Building Area	0 sq. m.	1733 sq. m.

Zoning Analysis		
	Required	Proposed
Number of Parking Stalls Required	13	16
Minimum Lot Area (m ²)	100 m ²	1161.3 m ²
Minimum Lot Frontage (m)	5 m ²	34.5 m ²
Maximum Height (m)	13 m	13.6 m
Gross Floor Area	NA	1733.29 m ²
Maximum Floor Area Ratio	2.0	1.49
Maximum Site Coverage (%)	1.00%	0.39%

The four-storey building will accommodate 13 dwelling units and more than five commercial rental units on the main floor. The second, third and fourth floor units would vary between one- and two floors. Residential units consist of eight 1-bedroom units, three 2-bedroom units and two 3-bedroom units. As the building is proposed to contain more than five commercial rental units it will be classified as a Shopping Centre which is a discretionary use in the LC3 zone. Dwelling units are permitted in the LC3 zone provided that they are within a development that contains commercial uses.

The height of the building exceeds the maximum requirement by 0.6 m. Although the building has four storeys, only half of the top floor is actually covered. This means that the north side of the building is three storeys tall, creating a sensitive height transition from the residential R4A zone to the highest point along the 13th Avenue shopping area. The canopy along 13th Avenue will help to mitigate the visual impact of the taller side of the building. The Administration views this as a relatively minor variance from the height requirement. The applicant will be required to obtain a minor variance prior to the issuance of a building permit.

Surrounding land use includes commercial uses to the east and south along 13th Avenue, the Cathedral Neighbourhood Centre to the west and low to medium density housing to the north. The Safeway grocery store is located south west of the site.

The proposed development is consistent with the purpose and intent of the LC3 - Local Commercial zone with respect to:

- Accommodating commercial uses that are intended to provide local neighbourhood oriented services;
- Harmonizing proposed development with existing shopping environments through flexibility in building and site design; and
- Integrating neighbourhood shopping facilities in residential areas.

Building Design

The proposed mixed-use building will have commercial retail units at grade with active commercial uses along 13th Avenue. The design of the building includes an inner courtyard on the main floor, which creates a visually unique perspective for visitors and residents. Less active commercial units will also be accessed through this area. Windows along the commercial retail units facing the interior courtyard can help mitigate Crime Prevention Through Environmental Design (CPTED) issues by providing better visibility around corners. A canopy on the exterior of the building along 13th Avenue provides sun shading for commercial glazing and weather protection for pedestrians.

The residential unit on the ground floor is closest to the detached dwelling to the north, which provides a transition to the proposed retail units along 13th Avenue. Amenities for residents are provided on the roof level where a communal produce garden is provided in addition to gardening tools, a summer kitchen and a barbecue area.

The visual impact of parking is minimized on the site. An underground parking garage is accessible from the lane to the east. Storage space for residents and secure bicycle parking are also provided in this area.

Although the Administration cannot establish conditions for colour, texture or type of materials and architectural details, applicants are encouraged to propose developments that fit well into existing neighbourhoods. A wide variety of building types, sizes, ages and architectural styles surround the site. The brick masonry used on the 13th Avenue and Retallack Street façades is consistent with neighbouring buildings including the Employment Network building to the east, Cathedral Neighbourhood Centre to the west and the Campbell and Haliburton Insurance building to the south as a few examples.

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 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

Part A: Citywide Plan

The proposal is consistent with the policies contained within Part A: Citywide Plan of *Design Regina: The Official Community Plan* with respect to:

Complete Neighbourhoods:

- Including opportunities for daily lifestyle needs such as services, convenience shopping, and recreation
- Including a diversity of housing types to support residents from a wide range of economic levels, backgrounds and stages of life;
- Designing and locating the building to enhance the public realm and contribute to a better neighbourhood experience; and
- Providing convenient access to areas of employment.

Urban Centres and Corridors:

- Redeveloping existing retail areas to higher density, mixed-use and transit-oriented development with densities appropriate to servicing capacity.

Employment Area:

- Providing local commercial within residential areas.

Housing Supply and Affordability:

- Redeveloping former commercial properties that are appropriate for housing; and
- Creating intensification in an existing neighbourhood to create complete neighbourhoods.

Diversity of Housing Forms:

- Providing a greater mix of housing to accommodate households of different incomes, types, stages of life and abilities.

The mixed-use building incorporates both lifestyle needs and diverse housing options in the neighbourhood that will accommodate households at different stages of life. The proposal will also revitalize and bring intensification to the area by building on lands that have been vacant for many years.

Part B.6: Cathedral Area Neighbourhood Plan

Part B.6: Cathedral Area Neighbourhood Plan of *Design Regina: Official Community Plan* includes the policy objective to “maintain the residential stability of the district while providing opportunities for medium density infill housing development” for areas zoned R4A – Residential Infill Housing. Also, policy objectives for the 13th Avenue Shopping District are to “ensure that commercial development occurs in a manner which is compatible with adjacent residential areas” and to “encourage the consolidation of the existing commercial area and to prevent further commercial encroachment along 13th Avenue and into abutting residential areas.” As two of the

five lots are being proposed to be rezoned from R4A to LC3 to accommodate the mixed-use building, the *Official Community Plan* (OCP) will need to be amended.

The Administration supports the OCP amendment for the following reasons:

- If the two lots were to remain as residential uses, the applicant would still be able to propose the same uses as the proposed building over the five lots. Two of the R4A lots could potentially accommodate a 13-unit apartment, while the three LC3 lots could be considered for a shopping centre with more than five commercial retail units. Instead, the applicant wants to incorporate these uses within one building. As such, both residential and local commercial uses are being added to the neighbourhood;
- The advantage of having a larger property to develop a mixed-use building is that the applicant has more flexibility with the design of the site including a courtyard design and underground parking;
- The applicant also maintains the intention of the LC3 zone by providing smaller storefronts within the building which is consistent with the existing 13th Avenue Shopping District; and
- The subject property was left vacant for a number of years. The proposed development fills a need for diverse housing options, provides commercial retail amenities in the area and develops an underutilized site. The development will provide more street-level activity and enhance safety in the area through natural surveillance.

The proposed development is consistent with *Regina's Comprehensive Housing Strategy* with respect to:

- Increasing the diversity of housing options; and
- Addressing housing needs while creating complete neighbourhoods and sustainable communities.

The location of the subject property is well-served by transit with multiple routes operating on 13th Avenue in both directions.

Other Implications

None with respect to this report.

Accessibility Implications

The proposed development provides one parking stall for persons with disabilities which meets the minimum requirement. All of the commercial retail spaces can be accessed through ramps and six of the residential units are accessed without stairs or steps.

COMMUNICATIONS

Public notification signage posted on:	March 3, 2014
Will be published in the Leader Post on:	June 7, 2014 and June 14, 2014
Letter sent to immediate property owners	March 5, 2014
Public Open House Held	March 20, 2014
Number of Public Comments Sheets Received	38

The Cathedral Area Community Association has indicated that it supports the proposed development especially given the incorporation of both commercial and residential units within the development.

The public open house was held at Westminster United Church and was attended by approximately 65 people.

A more detailed account of the respondents' concerns and the Administration's responses to these concerns are provided in Appendix B.

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,



Diana Hawryluk, Director
Planning

Respectfully submitted,



Jason Carlston, Executive Director
Community Planning and Development