

May 14, 2014

To: Members,  
Regina Planning Commission

Re: Application for Contract Zoning (13-CZ-09) Proposed Supportive Living Home  
4125 and 4129 Queen Street

---

RECOMMENDATION

1. That the application to amend *Regina Zoning Bylaw No. 9250* to rezone 4125 and 4129 Queen Street, being Lots 22 and 23, Block T, Plan No. 102110207 from R1-Residential Detached Zone to C-Contract be APPROVED and that the contract zone agreement between the City of Regina and the applicant/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 applicant shall demonstrate the subject property consisting of two lots has been consolidated or parcel ties registered to prevent one lot from being sold separately;
  - b. Use of the building be limited to a Supportive Living Home with care for no more than 20 persons;
  - c. The development shall conform to the attached plans, see attached as Appendix A-3.1-3.5;
  - d. The Landscape Plan as part of the building permit application shall conform to Chapter 15 of the Zoning Bylaw, and shall generally screen the front of the building with shrubbery and trees, and the rear yard space shall be landscaped with a combination of shrubbery, fencing and trees.
  - e. Signage on the subject property shall comply with the development standards for the R1-Residential Detached Zone pursuant to Table 16.1 of the Zoning Bylaw;
  - f. Any zoning related detail not specifically addressed in the contract zone agreement shall be subject to applicable provisions of the Zoning Bylaw; and
  - g. The agreement shall be registered in the City's interest 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 June 23, 2014 Council meeting, which will allow sufficient time for advertising of the required public notices for the respective bylaws.

## CONCLUSION

The applicant proposes a contract zone to accommodate a 20 person supportive. *Regina Zoning Bylaw No. 9250* accommodates supportive living homes as a permitted use in all residential zones in the City for up to 10 persons receiving care. The applicant is proposing the facility on two residential lots in one facility where they would have otherwise been permitted two separate side-by-side 10 person care homes.

The proposal is located within the Lakeview/Albert Park Secondary Plan Area and conforms to the general objectives of the secondary plan with respect to compatibility of use. The proposal is also consistent with the policies contained in *Regina Development Plan Bylaw No. 7877*.

## BACKGROUND

An application has been received for contract zoning to allow for a 20 person Supportive Living Home accommodate at 4125 and 4129 Queen Street.

The subject property was subdivided recently by the City and sold as part of an 11-lot development in connection with the development of the Queen Street and Parliament Avenue extension.

This application is being considered pursuant to *Regina Zoning Bylaw No. 9250*, *Regina Development Plan Bylaw No. 7877 (Official Community Plan)*, and *The Planning and Development Act, 2007*.

## DISCUSSION

### Zoning and Land Use Details

The land use and zoning details associated with this proposal are identified in the table below:

	<b><u>Existing/Required</u></b>	<b><u>Proposed</u></b>
Zoning	R1	C
Land Use	vacant	20 person supportive living home
Number of Parking Stalls Required	8 + business vehicles	17 underground
Minimum Lot Area (m <sup>2</sup> )	325 m <sup>2</sup>	1713 m <sup>2</sup>
Minimum Lot Frontage (m)	10.5 m	37.3 m
Maximum Height (m)	11 m	4.5 m
Building Area	n/a	853.8 m <sup>2</sup>
Number of Units	n/a	20 persons receiving care

The surrounding land uses are single detached residential in all directions. Lands to the north and northwest are contemplated for development in the Lakeview/Albert Park Secondary Plan as open space and commercial development. Although not reflected on the air photographs in Appendix A-1 and A-2, Queen Street has been built and extended to Parliament Avenue which has also been extended to Pasqua Street. These roads are fully operational and the newly created adjacent lots, and the subject property, are fully serviced.

The building itself conforms to the requirements in the R1 zone. The applicant proposes to amend the Zoning Bylaw to allow for a Supporting Living Home that will accommodate 20 persons.

The group home regulations allow for a supportive living home as a permitted use for no more than 10 persons. Group homes are further regulated by establishing the maximum number of persons per block face at 30 and the maximum number of group homes on a block face at three. In this case, the applicant owns two newly subdivided contiguous lots and wishes to build one 20-person home rather than two 10-person homes which would otherwise be permitted.

In this case, the Administration is considering a larger care facility as the subject property is located at the edge of the community and would not interface directly with residential land uses on Queen Street. The proposed use is consistent with the character of land uses contemplated in the Lakeview/Albert Park Secondary Plan area which contemplate a mix of office, institutional and open space uses.

The proposed development is consistent with the purpose and intent of Contract Zoning with respect to accommodating unique development opportunities.

## 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 property is outside the 25 Noise Exposure Forecast contour; therefore, is suitable for residential use or occupancy as a living space.

### Policy/Strategic Implications

The proposal is consistent with the policies contained within Part A: Policy Plan of *Regina Development Plan, Bylaw No. 7877 (Official Community Plan)* with respect to:

- Ensuring compatibility of new infill development with existing residential neighbourhoods in terms of use, development form and adequate buffering; and
- Providing housing options for persons with special needs.

The Lakeview/Albert Park Secondary Plan identifies the subject property for development of single family detached residential. While the building will not be used as a detached dwelling, the use is compatible with its surroundings. Alternatively, the existing zone would allow for development of two 10-unit supportive living homes.

### Other Implications

None with respect to this report.

Accessibility Implications

Naturally, the building will be barrier free to accommodate its patrons.

COMMUNICATIONS

Public notification signage posted on:	February 11, 2014
Will be published in the Leader Post on:	May 10 and 17, 2014
Letter sent to immediate property owners	February 10, 2014
Public Open House Held	N/A
Number of Public Comments Sheets Received	3

A more detailed accounting of the respondents' concerns and the Administration's response to them is provided in Appendix B. The actual community comments received during the review process are also provided.

The applicant and other interested parties will receive written notification of City Council's decision.

The application was sent to the Albert Park Community Association. A response was not received and in follow up the Administration attempted to contact the association for comments prior to the deadline for submission of this report. However, comments were not received.

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