

June 13, 2012

To: Members,
Regina Planning Commission

Re: Zoning Bylaw Amendment and Discretionary Use Applications (12-Z-8/12-DU-13) -
Proposed Townhouse, 1956 Edgar Street

RECOMMENDATION

1. That the application to rezone 1956 Edgar Street, being Lot 11 in Block 15, Plan No. DV 270 as shown on the attached Subject Property Map, from R3 – Residential Older Neighbourhood to R4A – Residential Infill Housing, be APPROVED;
2. That subject to approval of the proposed rezoning, the discretionary use application for a proposed three-unit townhouse building located at 1956 Edgar Street, be APPROVED, subject to the following conditions:
 - a. The development be consistent with the attached site plan, floor plans and elevations, prepared by Envision Drafting and Design Ltd. and dated March 2012;
 - b. The applicant shall provide street trees at the front of the property along Edgar Street;
 - c. The applicant shall provide fencing along both sides of the subject property as shown on the attached site plan prepared by Envision Drafting and Design Ltd., including screening of the parking stalls; and
 - d. The development shall comply with all applicable standards and regulations in Regina Zoning Bylaw No. 9250.
3. That the City Solicitor be directed to prepare the necessary amendment to Regina Zoning Bylaw 9250; and
4. That this report be forwarded to the July 23, 2012 City Council meeting to allow for sufficient time for the required public advertising of the proposed bylaw.

CONCLUSION

The applicant proposes to develop a three-unit townhouse building on the subject property with four parking stalls.

The subject property is currently zoned R3 – Residential Older Neighbourhood. The applicant proposes to rezone the subject property to R4A – Residential Infill Housing, in which townhouse units are a discretionary use.

As the subject property is located at the end of the block adjacent to the Victoria Avenue commercial area and properties on the opposite side of the street are all zoned R4A, the proposal is consistent with other land uses in the immediate area and any impacts the proposed development may have will be minimal. The proposed townhouse building offers bigger rental units that provide diverse housing choice in the neighbourhood.

In response to the circulation of this proposal, some concerns were identified relating to insufficient parking, the intensity of the development and the lot frontage of the site. These and other concerns are addressed within the body of the report.

BACKGROUND

Applications for zoning bylaw amendment and discretionary use have been submitted for a three-unit townhouse building. The subject property is located within the Arcola subdivision and the boundaries of the Heritage Community Association.

The application is being considered pursuant to *Regina Zoning Bylaw No. 9520*, *Regina Development Plan Bylaw No. 7877* (Official Community Plan), and *The Planning and Development Act, 2007*.

DISCUSSION

Applicant's Proposal

The applicant proposes to develop a three-unit townhouse building on the subject property. Each unit has five-bedrooms with a gross floor area of 129 m² (including the main and second floors).

The subject property is currently vacant land and is zoned R3 – Residential Older Neighbourhood, in which a townhouse is not a permitted use. In order to develop the townhouse building, the applicant proposes to rezone the subject property to R4A – Residential Infill Housing, in which a townhouse unit is a discretionary use. Properties across from the subject property on the east side of the 1900 block of Edgar Street are zoned R4A. As the subject property is located at the end of the block adjacent to the Victoria Avenue commercial area and properties on the opposite side of the street are all zoned R4A, the proposed Zoning Bylaw amendment represents a logical extension of the R4A zone. The development is consistent with other uses in the immediate area. The applicant proposes to provide four parking stalls, which exceed the minimum parking requirement by one stall

Surrounding land uses are low density housing to the north and west, low to medium density housing to the east, and commercial uses zoned MAC Major Arterial Commercial, along Victoria Ave. to the south.

Regina Development Plan (Official Community Plan)

The proposal responds to the Housing Objectives in Part A – Policy Plan (Chapter 7.0) of the Official Community Plan, including the following policies:

That the City should achieve a mix of housing types and densities to suit different lifestyles, income levels and special needs in existing and future neighbourhoods

That the City should encourage construction of housing units in the inner city neighbourhood area for households of all social and economic characteristics

In response to these two policies, the proposed townhouse building is comprised of three rental units, each with five bedrooms and a floor area of 129 m². The applicant has indicated that there is a demand for this type of housing type, which will add to the housing choices available in the Heritage neighbourhood to suit residents with different lifestyles and income levels including larger households. The proposed apartment building is located near amenities including commercial uses on Victoria Avenue. The proximity of the townhouse units to downtown supports transit use and they are within walking distance to amenities on Victoria Avenue and within cycling distance of downtown.

That the City should encourage higher density housing along or adjacent to major arterial streets

The proposed higher density apartment building is close to Victoria Avenue, which is a major arterial with transit service.

RECOMMENDATION IMPLICATIONS

Financial Implications

The subject property is located within an established neighbourhood that already receives a full complement of municipal services. 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. The costs of water, sewer and storm drainage services are fully recovered through the utility charges.

Environmental Implications

The proposed development complies with OCP policies concerning sustainability, including the fundamental principle “to ensure that development occurs in a cost efficient, environmentally responsible and socially equitable manner.”

To maintain the urban forest canopy established in the neighbourhood, the proposed development would be required to preserve the environmental character of the area by also planting street trees at the front of the property along Edgar Street.

Strategic Implications

The proposed development will invest in an inner-city neighbourhood and provide an affordable housing option. It will also help to achieve a compact urban form and sufficient supply of land for future growth and increased pedestrian, bicycle and public transit use. In achieving these objectives, the proposal is consistent with the City’s Vision of managing growth and community development, by optimizing existing infrastructure capacity to become Canada’s most vibrant, inclusive, attractive, sustainable community, where people live in harmony and thrive in opportunity.

Accessibility Implications

The Building Code currently does not require a three-unit townhouse building to have accessible suites. Therefore, the proposed development meets building codes standards for unit dimensions.

COMMUNICATIONS

Public Notice

The Administration notified the public through the following measures:

- Posting of notification signage on the subject property on April 11, 2012;
- Direct notice of the proposal, mailed to 69 property owners and residents in the vicinity; and
- Circulation of the proposal to the Heritage Community Association and the Central Zone Board for review and comments.

No comments were received from the Zone Board prior to the finalization of this report.

Heritage Community Association

The Heritage Community Association does not support this discretionary use application. The Association feels that the large units and type of dense development “creates a potential scenario where more than one family or a number of individuals could live in each unit” and that additional bedrooms may be developed in the building. In addition, the “history in (Heritage) community has determined that it will be very difficult to monitor the number of actual renters once the development is built.” Higher number of renters in the development would result in insufficient on-street parking on the constrained single residential block.

Further, the Heritage Community Association expressed that in the case that the applicant is able to acquire a minor variance for the frontage, a precedent will be set, which would impact future developments. Their position is that a “development suitable to (R3 Zone) should be considered for the property.”

Administration Comments:

In response, the Administration cannot restrict the tenancy or number of bedrooms in the development. However, the Administration can regulate, control and enforce the number of dwelling units located in a building. A three-unit townhouse building is the maximum density permitted on the site.

The proposed development has a lot frontage of 11.967 metres along Edgar Street. A three-unit townhouse in the R4A zone requires a minimum lot frontage of 12.0 metres. In instances such as this the measurement would be rounded up one decimal unit which in this case would be to 12.0 metres.

Applicant Comments

The applicant has provided the following comments in response to the concerns identified by the Heritage Community Association:

- The development of 5 bedroom units is something the city needs badly and it is in line with the new community plan that came out of Design Regina and was just approved by City Council. Density in the downtown is needed. Larger than 2 bedroom rentals is needed.
- Our intention is to build the units as per drawing. Our intention is to rent the units to one family per unit, with single cars.
- A 3-unit townhouse is being proposed for this site and we have met the city's requirement for parking, one parking stall per unit with an extra one for the tenant's guest if need arises.
- In all, it is only fair to say I understand the Heritage Community Association concerns, but there is a need to provide nice, comfortable, and affordable rental units for families, especially for the growing family who cannot afford their own home and turn to renting as a way out and families with 3 or 4 kids.
- I recently advertised one of my 2-bedroom units for rent and had about 30 applicants for the units. I could provide the responses from these individuals if requested. I am only doing my part to fulfill a need in the city as well as the downtown community.
- Also, tenants in one of our 2-bedroom units are becoming a growing family. They recently gave birth to a baby a month ago and soon they would need a bigger place.
- I'm concerned about the current and future growing family. That's my business and that's what I love to do: build sizable rental units.

Public Comments

In response to the public notification regarding the proposed development, six comments sheets were received. One was in support of the proposal, four were opposed to the proposal and one did not support or oppose the proposal.

Concern: The development will further increase demand for on-street parking. Residents are worried that the size of the units and the number of bedrooms proposed would result in the need for more parking stalls.

Response: The applicant exceeds the minimum parking standards required for the site by one parking stall. The applicant has identified a market demand for bigger rental units. For example, some new immigrant families may need larger rental units to accommodate many household members.

Concern: The proposed development is too big in scale and mass for the neighbourhood. Adjacent properties are mostly smaller detached dwellings.

Response: The townhouse units were intentionally designed to be bigger in scale to provide another housing choice for residents in the area. The development has also been designed to fit the character of the neighbourhood with one unit fronting onto Edgar Street. The dimension and density of the site meet the requirements under the Regina Zoning Bylaw. Developments with the same mass as the proposal could be built in either R3 or R4A zones.

At a height of 8.23 m, the proposal is within the maximum height limits of both the R4A zone (13 m) and the R3 zone (11 m). Further, any impacts to the streetscape as a result of being bigger than existing buildings in the immediate area will be minimized because the development will be located at the end of the block.

Concern: More rental units in the neighbourhood would be problematic.

Response: The City's Housing Policies support diversity in housing choice including both rental and owner-occupied dwelling units. Rental units are currently in high demand in neighbourhoods across the city and rental developments are encouraged.

Concern: The development would mean "a significant reduction in green space on the block."

Response: The subject property is currently private property and is not part of the open space inventory of the neighbourhood.

Other Agencies

The proposal was circulated to the Public and Separate School Boards for review and comment. Both school boards indicated that they have no concerns with the proposal.

Public Notice of Proposed Zoning Bylaw Amendments

Subject to concurrence with the recommendations contained in this report, public notice of the proposed Zoning Bylaw amendments will be published in the Leader-Post on July 7 and 14, 2012, in accordance with Section 207 of the *Planning and Development Act, 2007*.

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

DELEGATED AUTHORITY

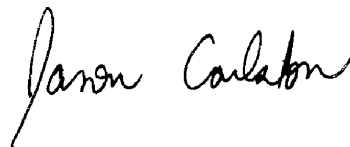
City Council's approval of Zoning Bylaw amendments is required pursuant to Part V and Section 56 of *The Planning and Development Act, 2007*.

Respectfully submitted,



Diana Hawryluk, Director
Planning and Sustainability

Respectfully submitted,



Jason Carlston, Deputy City Manager
Community Planning and Development

Attachments