

# **Regina Planning Commission**

Wednesday, August 7, 2019 4:00 PM

Henry Baker Hall, Main Floor, City Hall



# **OFFICE OF THE CITY CLERK**

Public Agenda Regina Planning Commission Wednesday, August 7, 2019

### **Approval of Public Agenda**

#### **Adoption of Minutes**

Minutes of the meeting held on July 3, 2019.

#### **Administration Reports**

RPC19-24 Official Community Plan Amendment (Part B.10), Zoning Bylaw Amendment, and Discretionary Use Application (19-OCP-02/ 19-Z-05/ 19-DU-05) - Proposed Medical Clinic in Commercial Building, Canterbury Subdivision, 1651 College Avenue

#### **Recommendation**

- 1. That the application to amend *Design Regina: The Official Community Plan Bylaw 2013-48*, Part B.10, Policy 3 by adding a new clause n) as follows, be approved:
  - "n) Notwithstanding Policy 3.e, standalone commercial development shall be allowed in Low-Density Residential Policy Area at the discretion of Council."
- 2. That the application to amend *Regina Zoning Bylaw, No. 9250* DCD 9 -Former Diocese of Qu'Appelle Lands Direct Control District, as described in Appendix C of this report, be approved.
- 3. That the discretionary use application for a proposed medical clinic located at 1651 College Ave, being a portion of Lot A-Blk/Par 8-Plan FU1338 Ext 11, Wascana Addition be approved, and that a development permit be issued subject to the following conditions:
  - a) the development shall be generally consistent with the plans attached to this report as Appendix A-3.1 to A-3.6 inclusive, prepared by Walker Projects and dated July 9, 2019, complete exercising discretionary control of development within a Direct Control District;



# **OFFICE OF THE CITY CLERK**

- b) the developer shall enter into a development agreement with the City, which shall be registered on title, to ensure that existing landscape areas with heritage significance are maintained;
- c) the development shall comply with the AC-1 Architectural Control District Overlay Zone;
- d) the number of required parking stalls for the medical clinic shall comply with the applicable requirements in Chapter 14 of the *Regina Zoning Bylaw, No. 9250*;
- e) development standards shall be consistent with the Low Density Residential Policy Area with exception that no setback shall be required to Anson road to be consistent with Neighbourhood Plan policy regarding pedestrian orientation of commercial buildings; and
- f) the development shall comply with all applicable standards and regulations prescribed in *Regina Zoning Bylaw No. 9250*.
- 4. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective amendments to the *Design Regina: The Official Community Plan Bylaw 2013-48* and *Regina Zoning Bylaw, No. 9250.*
- 5. That this report be forwarded to the August 26, 2019 meeting of City Council for approval which will allow sufficient time for advertising of the required public notice for the respective bylaw amendments.
- RPC19-25 Zoning Bylaw Amendment & Discretionary Use Applications (19-Z-04) (19-DU-04) Proposed Public Self Storage Facility 1230 Broad Street

#### **Recommendation**

- 1. That the proposed amendment to *Regina Zoning Bylaw No. 9250*, as specified in Appendix C of this report, be approved.
- That the discretionary use application for a proposed Public Self Storage Facility located at 1230 Broad Street, being Lots A, B, C, & E, Block 139A, Plan No. DJ454 & 68R17406 in the Old 33 subdivision be



# **OFFICE OF THE CITY CLERK**

approved and that a development permit be issued subject to the following conditions:

- a) The development shall be generally consistent with the plans attached to this report as Appendix A-3.1 to A-3.3 inclusive, prepared by AMERCO Real Estate Company and dated May 8, 2019.
- b) 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 bylaw to authorize the respective Zoning Bylaw amendment.
- 4. That this report be forwarded to the August 26, 2019, meeting of City Council for approval, which will allow sufficient time for advertising of the required public notice for the respective bylaw.

#### Adjournment

# AT REGINA, SASKATCHEWAN, WEDNESDAY, JULY 3, 2019

# AT A MEETING OF REGINA PLANNING COMMISSION HELD IN PUBLIC SESSION

# AT 4:00 PM

# These are considered a draft rendering of the official minutes. Official minutes can be obtained through the Office of the City Clerk once approved.

Councillor Barbara Young, in the Chair Present: Councillor Jerry Flegel David Bale Frank Bojkovsky Biplob Das Adrienne Hagen Lyster Jacob Sinclair Steve Tunison Celeste York Regrets: **Councillor Bob Hawkins** Andre Kroeger Also in Councillor Officer, Elaine Gohlke Attendance: Legal Counsel, Cheryl Willoughby A/Executive Director, City Planning & Community Development, Fred Searle Senior Engineer, Max Zasada Senior Planner, Ben Mario

#### APPROVAL OF PUBLIC AGENDA

Adrienne Hagen Lyster moved, AND IT WAS RESOLVED, that the agenda for this meeting be approved, as submitted.

#### ADOPTION OF MINUTES

Biplob Das moved, AND IT WAS RESOLVED, that the minutes for the meeting held on June 5, 2019 be adopted, as circulated.

# ADMINISTRATION REPORTS

RPC19-22 Contract Zoning Amendment Application (19-CZ-04) Proposed Assisted Living Low-Rise Apartment 1512, 1516, 1520 & 1524 Victoria Avenue

### **Recommendation**

- That the application to amend *Regina Zoning Bylaw No. 9250* to rezone 1512, 1516, 1520 and 1524 Victoria Avenue, being Lots 19 22, Block 350, Plan No. Old33 from R4A Residential Infill Housing Zone to C Contract Zone 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 development shall generally conform to the attached plans labelled Appendix A-3.1 to A-3.4, prepared by Century West Construction, and dated February 15, 2019.
  - b. Any zoning related detail not specifically addressed in the Contract Zone Agreement shall be subject to applicable provisions of the *Regina Zoning Bylaw No. 9250.*
  - c. 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.
  - d. The development is conditional on consolidation of the subject lots.
- 3. That the City Solicitor be directed to prepare the necessary bylaws to authorize the respective *Regina Zoning Bylaw No. 9250* amendment.
- 4. That this report be forwarded to the July 29, 2019 meeting of City Council for approval, to allow sufficient time for advertising of the required public notice for the respective bylaws.

Stephen Onda, representing Sundog Developments Ltd., Alton Tangedal, representing Alton Tangedal Architect Ltd., and Paul Gregory, representing Century West Construction, addressed the Commission.

# Adrienne Hagen Lyster moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in.

RPC19-23 Concept Plan Amendment and Zoning Bylaw Amendment Applications (19-CP-01) & (19-Z-03) - The Towns, Phase 1E

# **Recommendation**

- 1. That the application to amend the Towns Concept Plan, as depicted on the attached Appendix A-3.2, be approved.
- 2. That the application to rezone the lands within the Towns Concept Plan area, as shown in Appendix A-3.3, be approved as follows:
  - a. Proposed Lots 45 to 53 in Block 28 from DCD-11 Direct Control District 11 Suburban Neo-Traditional Zone to R5-Medium Density Residential Zone; and
  - b. Proposed Lots 40-44 in Block 28 from DCD-12 Direct Control District 12 to Suburban Narrow-Lot Residential Zone to R5 – Residential Medium Density Residential Zone.
- 3. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.
- 4. That this report be forwarded to the July 29, 2019 meeting of City Council for approval, to allow sufficient time for advertising of the required public notice for the respective bylaws.

Cathy Lawrence, representing Terra Developments Inc., and George Tsougrianis, representing Stantec, addressed the Commission.

# Frank Bojkovsky moved, AND IT WAS RESOLVED, that the recommendation contained in the report be concurred in.

# ADJOURNMENT

# Biplob Das moved, AND IT WAS RESOLVED, that the meeting adjourn.

The meeting adjourned at 5:03 p.m.

Chairperson

# August 7, 2019

# To: Members Regina Planning Commission

Re: Official Community Plan Amendment (Part B.10), Zoning Bylaw Amendment, and Discretionary Use Application (19-OCP-02/ 19-Z-05/ 19-DU-05) - Proposed Medical Clinic in Commercial Building, Canterbury Subdivision, 1651 College Avenue

### RECOMMENDATION

- 1. That the application to amend *Design Regina: The Official Community Plan Bylaw 2013-*48, Part B.10, Policy 3 by adding a new clause n) as follows, be approved:
  - "n) Notwithstanding Policy 3.e, standalone commercial development shall be allowed in Low-Density Residential Policy Area at the discretion of Council."
- 2. That the application to amend *Regina Zoning Bylaw*, *No. 9250* DCD 9 Former Diocese of Qu'Appelle Lands Direct Control District, as described in Appendix C of this report, be approved.
- 3. That the discretionary use application for a proposed medical clinic located at 1651 College Ave, being a portion of Lot A-Blk/Par 8-Plan FU1338 Ext 11, Wascana Addition be approved, and that a development permit be issued subject to the following conditions:
  - a) the development shall be generally consistent with the plans attached to this report as Appendix A-3.1 to A-3.6 inclusive, prepared by Walker Projects and dated July 9, 2019, complete exercising discretionary control of development within a Direct Control District;
  - b) the developer shall enter into a development agreement with the City, which shall be registered on title, to ensure that existing landscape areas with heritage significance are maintained;
  - c) the development shall comply with the AC-1 Architectural Control District Overlay Zone;
  - d) the number of required parking stalls for the medical clinic shall comply with the applicable requirements in Chapter 14 of the *Regina Zoning Bylaw, No. 9250*;
  - e) development standards shall be consistent with the Low Density Residential Policy Area with exception that no setback shall be required to Anson road to be consistent with Neighbourhood Plan policy regarding pedestrian orientation of commercial buildings; and

- f) the development shall comply with all applicable standards and regulations prescribed in *Regina Zoning Bylaw No. 9250*.
- 4. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective amendments to the *Design Regina: The Official Community Plan Bylaw 2013-*48 and *Regina Zoning Bylaw, No. 9250.*
- 5. That this report be forwarded to the August 26, 2019 meeting of City Council for approval which will allow sufficient time for advertising of the required public notice for the respective bylaw amendments.

# CONCLUSION

The applicant, Fiorante Homes and Commercial Ltd., on behalf of the owners, College Developers, proposes to build a stand-alone purpose-built medical clinic. The subject area is currently zoned DCD-9 - Former Diocese of Qu'Appelle Lands Direct Control District (DCD-9 Zone) and is within the Former Diocese of Qu'Appelle Neighbourhood Plan area (*Design Regina: The Official Community Plan Bylaw 2013-48* Part B.10). The general intent of the policy and regulations is to allow development that is sympathetic to the existing heritage buildings and features on the site. Newly constructed stand-alone commercial buildings are not contemplated in the neighbourhood policy or zone regulations. Amendments are therefore being proposed by the applicant to allow for the approval of the use.

The proposed amendments to Part B.10 of the *Design Regina: The Official Community Plan Bylaw 2013-48* (OCP) and to Subpart 9C.3.15 of the *Regina Zoning Bylaw No. 9250* (Zoning Bylaw) and the accompanying discretionary use application are consistent with the overall policies in the OCP. Accordingly, Administration recommends approval.

# BACKGROUND

Applications have been submitted to amend the OCP Part B.10, Subpart 9C.3.15 of the Zoning Bylaw and for discretionary use approval to allow for a medical clinic on the subject property. Part B.10 of the OCP and the DCD-9 Zone establishes a framework for directing land use, development and servicing for a neighbourhood located at the Former Diocese of Qu'Appelle area (commonly known as Canterbury Park). The OCP Part B.10 and DCD-9 Zone were approved by City Council in 2007.

The regulations in the proposed Zoning Bylaw 2019-19 reflect what currently within Regina Zoning Bylaw No. 9250. Any amendments to Zoning Bylaw 9250 will be tracked and require amendment to the Proposed Zoning Bylaw 2019 as housekeeping items once is in effect.

This application is being considered pursuant to the Zoning Bylaw, OCP and *The Planning and Development Act, 2007* (Act).

#### **DISCUSSION**

The applicant, Fiorante Homes and Commercial, Ltd., proposes to develop a stand-alone, purpose-built medical clinic in the neighbourhood known as Canterbury Park. The development of this neighbourhood is guided by the Former Diocese of Qu'Appelle Neighbourhood Plan and an area-specific zone, DCD-9 Zone. The general intent of these policy and regulatory documents is to guide redevelopment of the lands in a manner that is respectful to the scale, architecture and landscaping of existing designated heritage buildings and features. In doing so, the area has established policies and regulations that encourage and require specific development forms. The area has been divided into various land use policy areas, such as Mixed-Use, High-Rise Residential, and Heritage, each with their own set of development and land use requirements.

The subject property is identified for Low-Density Residential development, which does not allow for a stand-alone commercial building. Currently commercial uses may be accommodated elsewhere within the Canterbury Park neighbourhood in existing designated heritage buildings or in mixed-use buildings.

Zoning Bylaw amendment and discretionary use summary						
Land Use Details     Existing     Proposed						
		Low-Density Residential Policy Area				
Land Use	Vacant	Medical Clinic as discretionary use				
Building areaN/A579.7 m <sup>2.</sup>						

The applicant proposes building a purpose-built commercial building to accommodate a medical specialist. The details of the existing site requirements and proposed development are as follows:

Zoning Analysis	Requirements	Provided
Minimum Lot Area (m <sup>2</sup> )	250	2540.38
Minimum Lot Frontage (m)	7.5	64.8
Maximum Building Height (m)	8.25-15	7.9
Maximum Floor Area Ratio	1.75	0.22
Maximum Coverage (%)	65	15.7
Minimum Rear Yard Setback	8	17.6
(m)		
Minimum Side Yard Setback	1.2	11.4 East; 26.2 West
(m)		

The surrounding land uses include existing (Provincial) heritage buildings to the south and west which are currently used as commercial or residential. There is a municipal reserve (open space) to the east of the subject property and College Avenue borders the site to the north.

Although this area is designated as a Low-Density Residential policy area, the proposed development is deemed suitable at this location for the following reasons:

- The ongoing development of Canterbury Park has shown that residential and commercial uses can be successfully integrated when appropriately designed. Currently commercial uses are accommodated only in existing heritage buildings or new mixed-use buildings. Most of these heritage spaces are being used or under development as commercial. The proposed commercial building would not compete with existing space in existing heritage buildings.
- This precinct of the neighbourhood has heritage buildings to the south and west, which have developed into mixed residential and low-intensity commercial uses, such as office, and personal service. An additional purpose-built commercial use as proposed would be consistent with the development pattern, which has evolved over the past decade.
- The proposed use is beneficial due to its close proximity to Regina General Hospital.
- Development of the subject property as commercial as opposed to low-density residential would not significantly reduce the intended population of the area. If developed as low density the site is likely to accommodate approximately two-to-four units.
- The proposed commercial use would be relatively passive and would not have significant impact on the neighbourhood. On-site parking would be provided to meet the needs of the use.

The Neighbourhood Plan provides specific guidance for design in general and for this site specifically. Key design-related policies are summarized as follows:

- Buildings are to be built as close to the sidewalk in order to establish an urban character, enhance pedestrian experience and bring activities closer to the sidewalk.
- Building entrances are to be oriented towards the street to promote activity in the public realm.
- Design of buildings shall conform to the Architectural Control District to ensure new development responds to its heritage context.
- Regarding landscape, in consultation with the Provincial Heritage Branch the landscape plan shall retain significant planting areas where they contribute to the overall heritage significance of the site, such as the grove of trees northwest of St. Chad's College and along College Avenue.
- Parking shall be underground or enclosed except for a minimal amount, which shall be situated in rear yards behind buildings and screened by landscaping.

Administration worked with the applicant to address several design features, which are addressed in the plan as proposed and conditions of approval. The building is appropriately scaled and situated as to not compete with the surrounding heritage buildings; it is situated to screen parking and with minimal setback to conform to the intended design character of the area; landscape along College Avenue and significant trees are being retained, moved, or replanted to the satisfaction of the Provincial Heritage Branch. The architecture of the building is in development and will be subject to the requirements of the Architectural Control District.

### OCP Amendment (Part B.10)

The proposed amendment will add new policy allowing standalone commercial development within the Low Density Residential Policy Area at the discretion of the City Council. Currently, the subject property is intended for low density residential development which does not support a standalone commercial/medical clinic. As a result, the applicant proposes to allow for the consideration of a purpose-built medical clinic by adding policy 3.n, as outlined.

### Zoning Bylaw Amendment (Subpart 9C.3.15)

The proposed amendment will add new regulations for the consideration of standalone commercial building development. Furthermore, proposed amendments will add medical clinic as discretionary use along with site development standards for commercial development within the zone "low density residential policy area" (Appendix C). Newly built standalone commercial buildings have not been contemplated in the current zone and existing commercial uses are accommodated only in existing heritage buildings or new mixed-use buildings. Most of these commercial spaces within the neighbourhood plan area have reached their potential. The applicant proposes zoning amendments to accommodate the development of a standalone medical clinic as a discretionary use.

#### **Discretionary Use Application**

The subject land located within Low-Density Residential Policy Area and the proposed development is classified as a medical clinic in a commercial building and is proposed to be accommodated as a discretionary use in the Low-Density Residential Policy Area.

# **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

None with respect to this report.

# Policy/Strategic Implications

The proposal is consistent with the policies contained within Part A of the OCP with respect to:

Section C: Growth Plan

Goal 2- Efficient Servicing: Maximize the efficient use of existing and new infrastructure.

- 2.4 Make use of residual capacity of infrastructure in existing urban areas.
- 2.5 Develop compact and contiguous neighbourhoods.

Goal 4 – New Neighbourhoods and Employment Areas: Ensure that new neighbourhoods and employment areas maximize infrastructure investments and quality of life though a compact and integrated built form.

- 2.11 Require new neighbourhoods and new mixed-use neighbourhoods, as identified on Map 1 Growth Plan, to:
  - 2.11.1 Be designed and planned as complete neighbourhoods in accordance with Policy 7.1 (i.e. complete neighbourhoods policies).

Section D5: Land Use and Built Environment

Goal 6 – Built Form and Urban Design: Build a beautiful Regina through quality design of its neighbourhoods, public spaces and buildings.

- 7.34 Support design excellence by ensuring that public and private spaces and buildings contribute to a sense of place and an enhanced public realm through high-quality design and strategic location.
- 7.38 Consider impacts of alterations, development, and/or public realm improvements on or adjacent to an historic place to ensure heritage value is conserved.

Section D9: Health and Safety

Goal 1 – Safety and Urban Planning: Improve overall health of the public through urban planning.

- 11.2 Collaborate with stakeholders to ensure the long-term health and safety of Regina's residents by:
  - 11.2.1 Ensuring complementary land use adjacent to major health facilities;

Section D10: Economic Vitality and Competitiveness

Goal 1 – Economic Vitality and Competitiveness: Foster an environment conducive to economic vitality and competitiveness which supports the standard of living of residents in Regina and the surrounding region.

- 12.2 Minimize regulatory barriers to economic growth to the greatest possible extent while balancing the need and aspirations of all Regina residents, fee-and taxpayers, and the sustainability of the city.
- Goal 3 Economic Generators: Cultivate entrepreneurship and support economic generators.
  - 12.7 Encourage innovative options to support and incubate new entrepreneurs and commercial ventures:
    - 12.7.1 Encourage the development and commercialization of new ideas that have the potential to diversify the economy;

#### Other Implications

None with respect to this report.

#### Accessibility Implications

The development will be required to comply with all standards with respect to the *Uniform and Accessibility Standards Act*. The Zoning Bylaw requires two percent of all required stalls to be accessible. The proposed development provides two parking stalls for persons with disabilities which exceed the minimum requirements by one stall.

#### **COMMUNICATIONS**

Communication with the public is summarized below:

Public notification signage posted on:	May 23, 2019
Will be published in the Leader Post on:	Aug 11, 2019
	Aug 18, 2019
Letter sent to immediate property owners	May 22, 2019
Public Open House Held	N/A
Number of Public Comments Sheets Received	12

There were 12 public comments received on this application. A more detailed accounting of the respondent's comments and Administration's response is provided in Appendix B.

The applicant and other interested parties will receive a copy of the report and notification of the meeting to appear as a delegation in addition to receiving a written notification of City Council's decision.

#### DELEGATED AUTHORITY

City Council's approval is required, pursuant to Part IV and Part V of *The Planning and Development Act, 2007.* The amendment to OCP Part B.10, if approved by City Council, will require Ministerial approval before it comes into force.

Respectfully submitted,

Respectfully submitted,

Imila

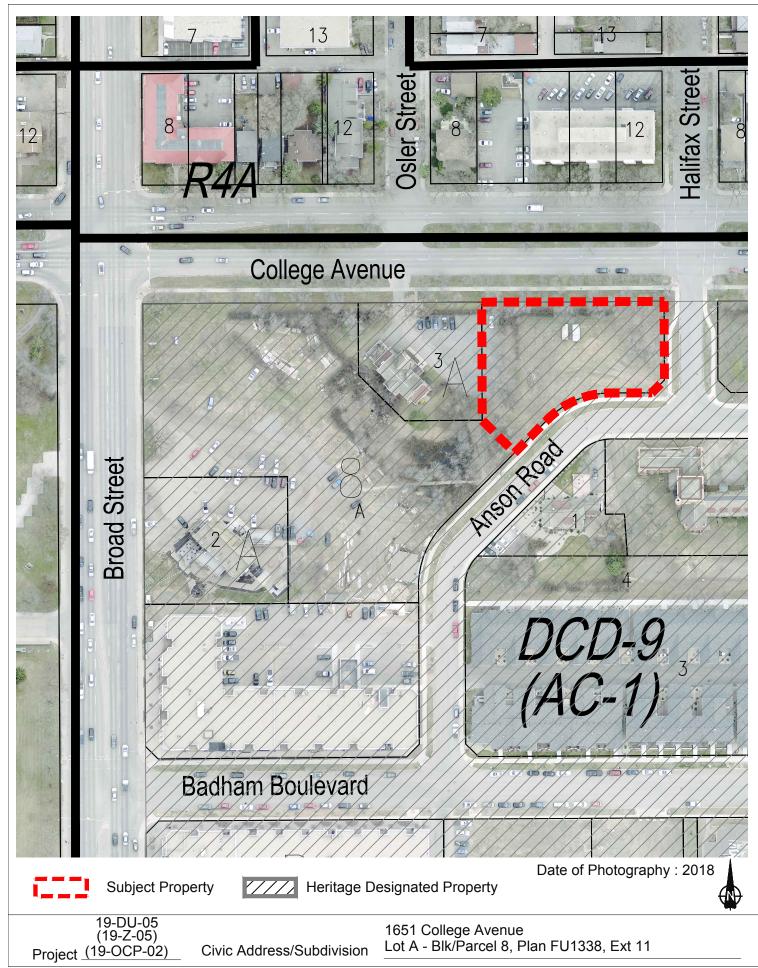
Fred Searle, Director Planning & Development Services

Prepared by: Binod Poudyal, City Planner II

auri

Diana Hawryluk, Executive Director City Planning & Community Development

# Appendix A-1



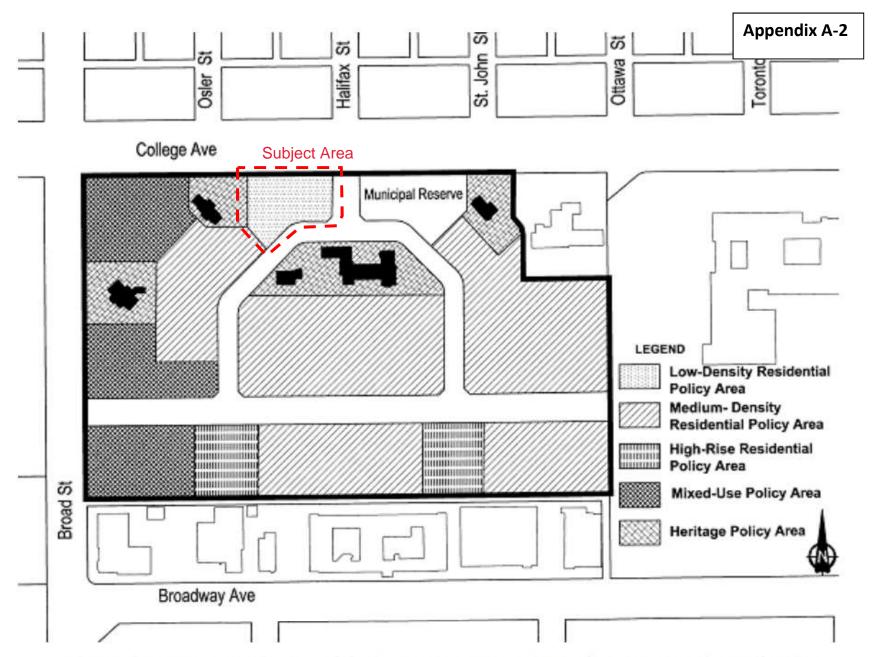
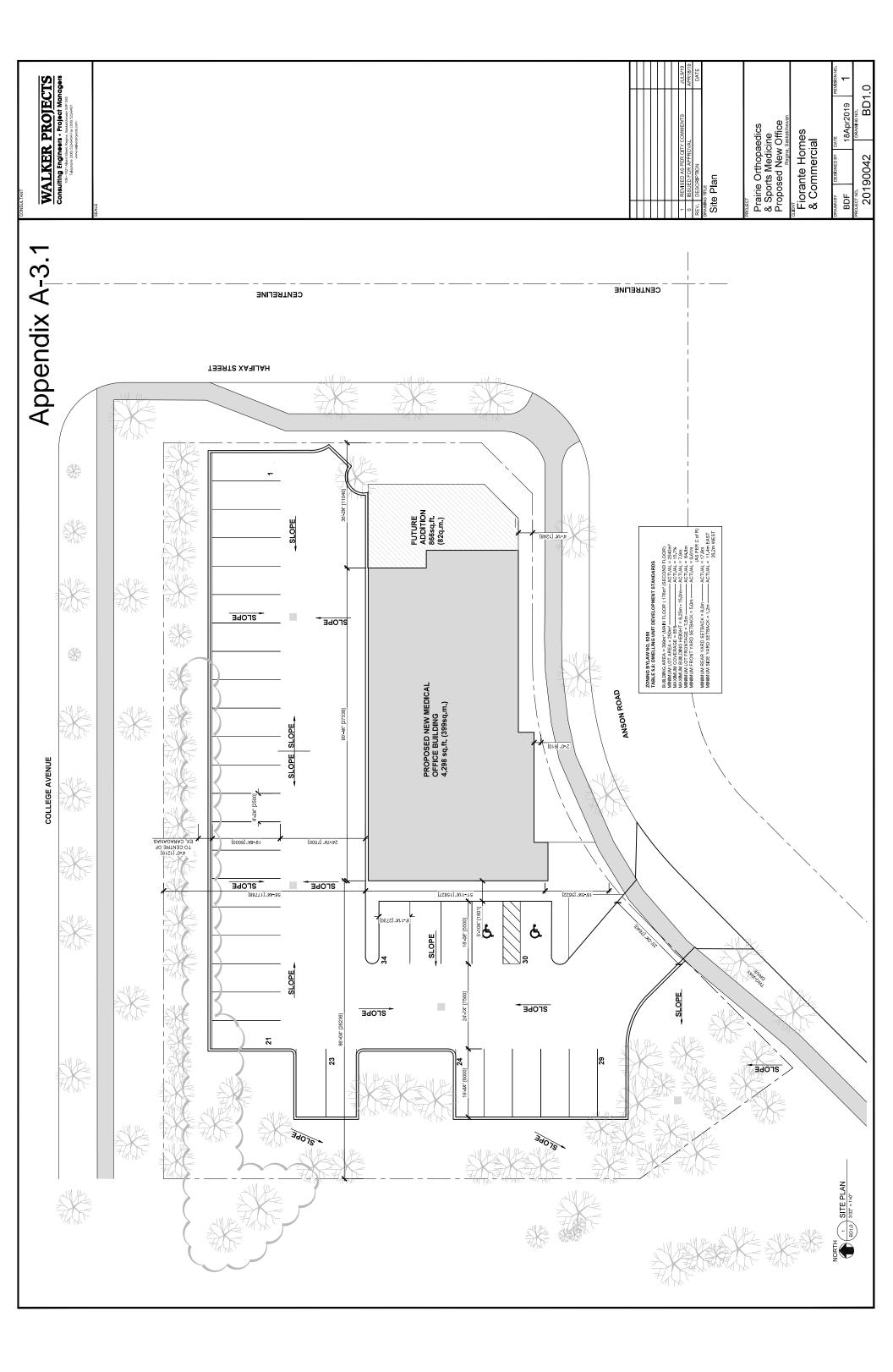
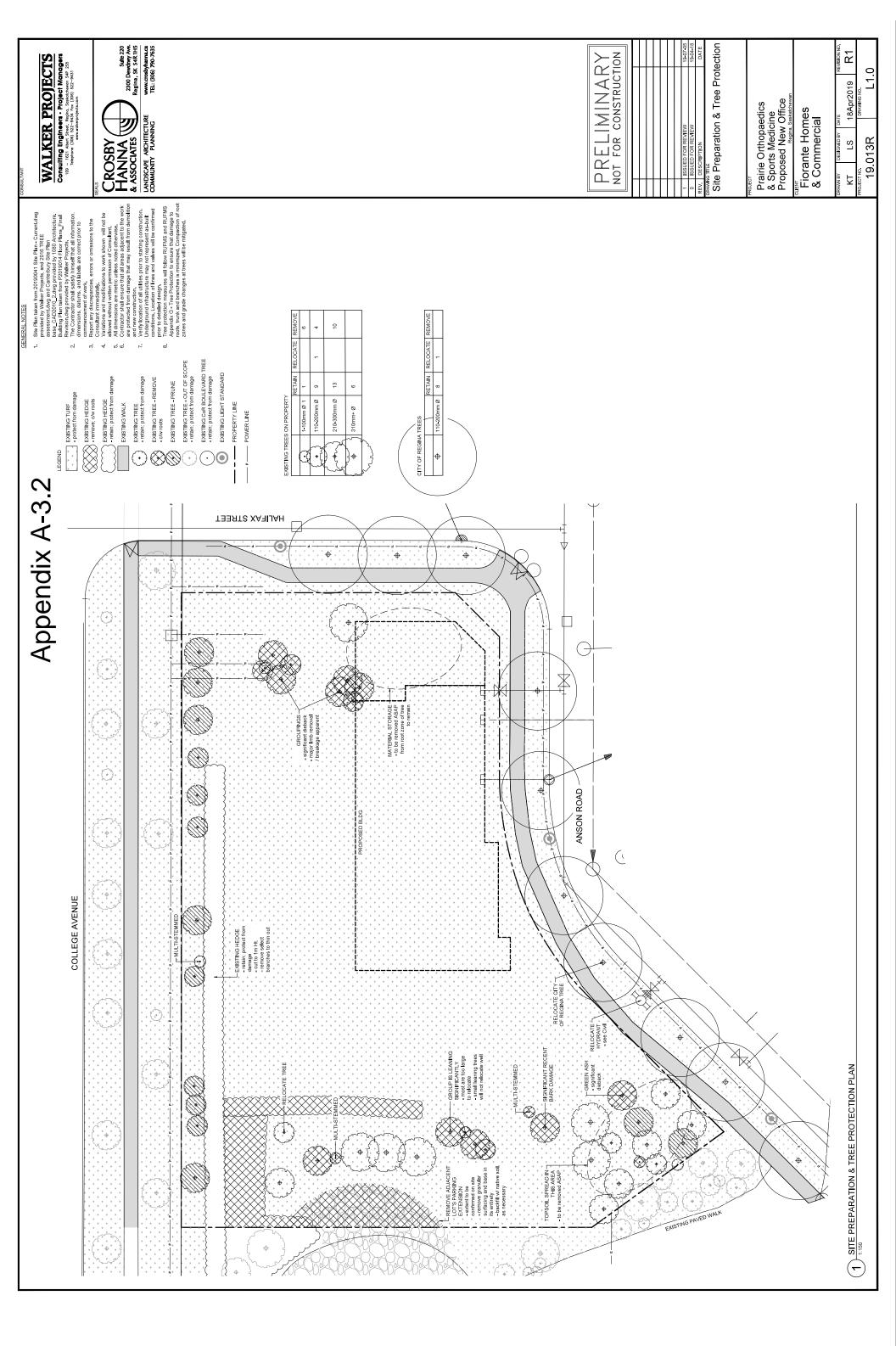
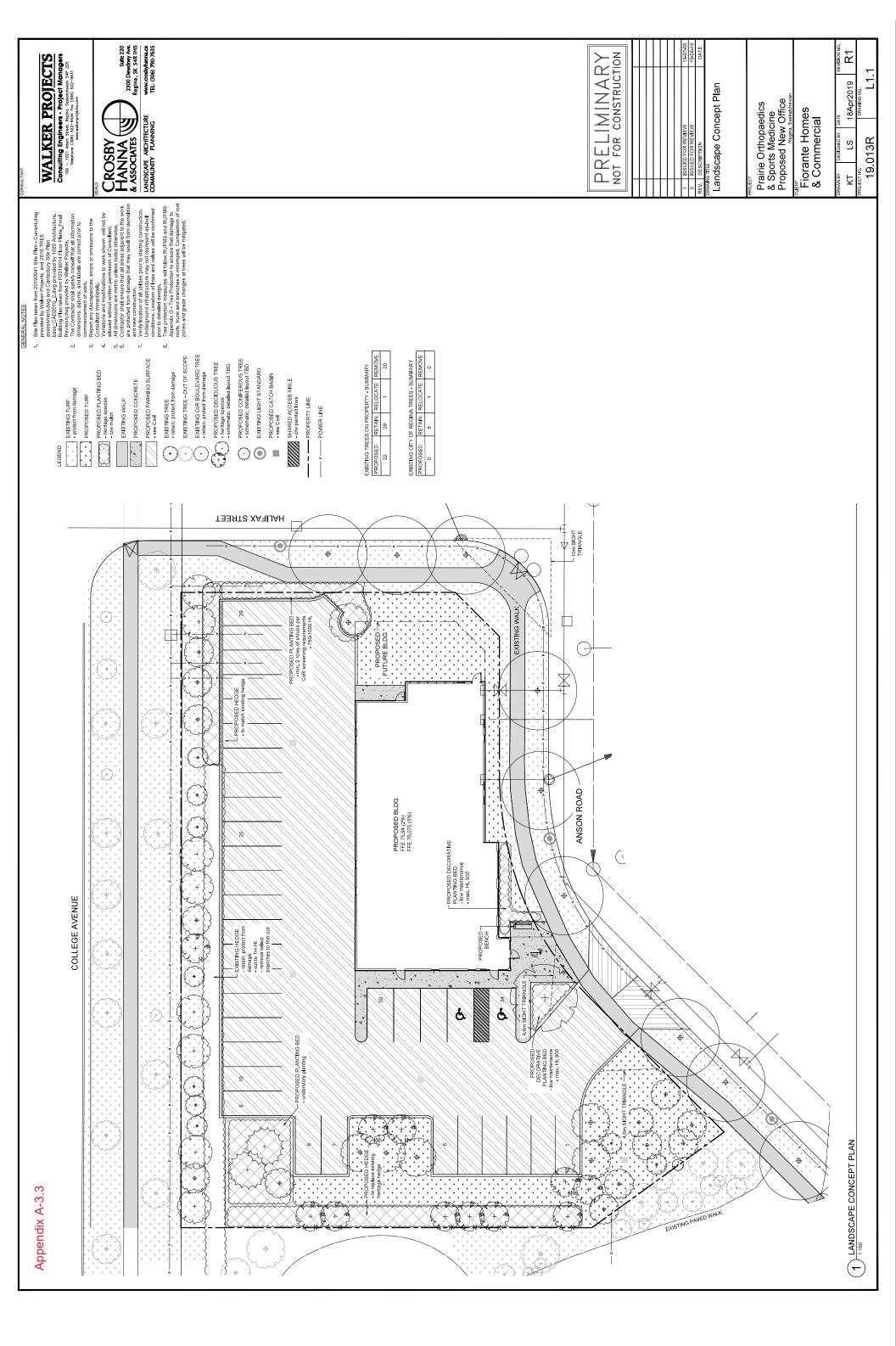
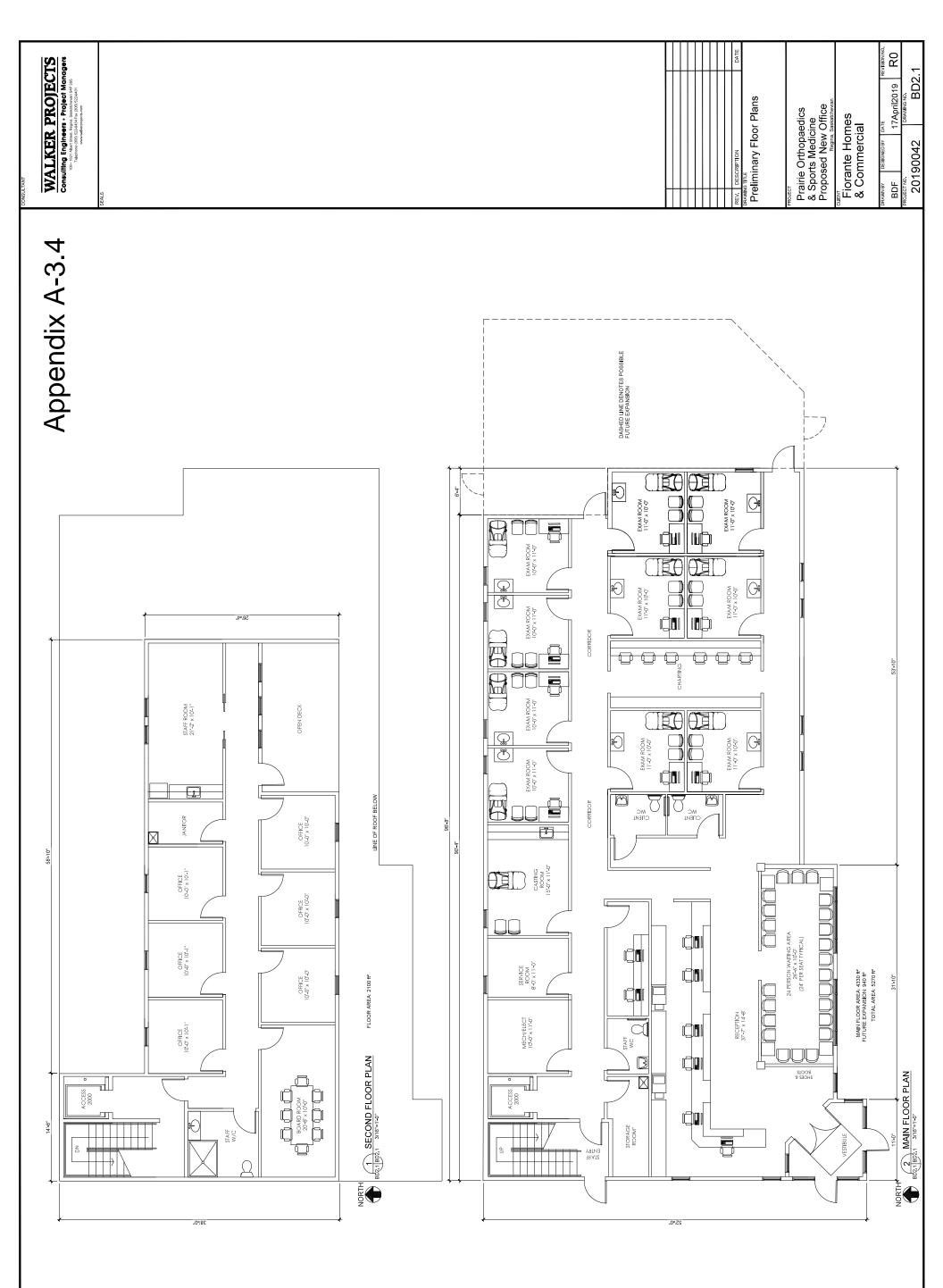


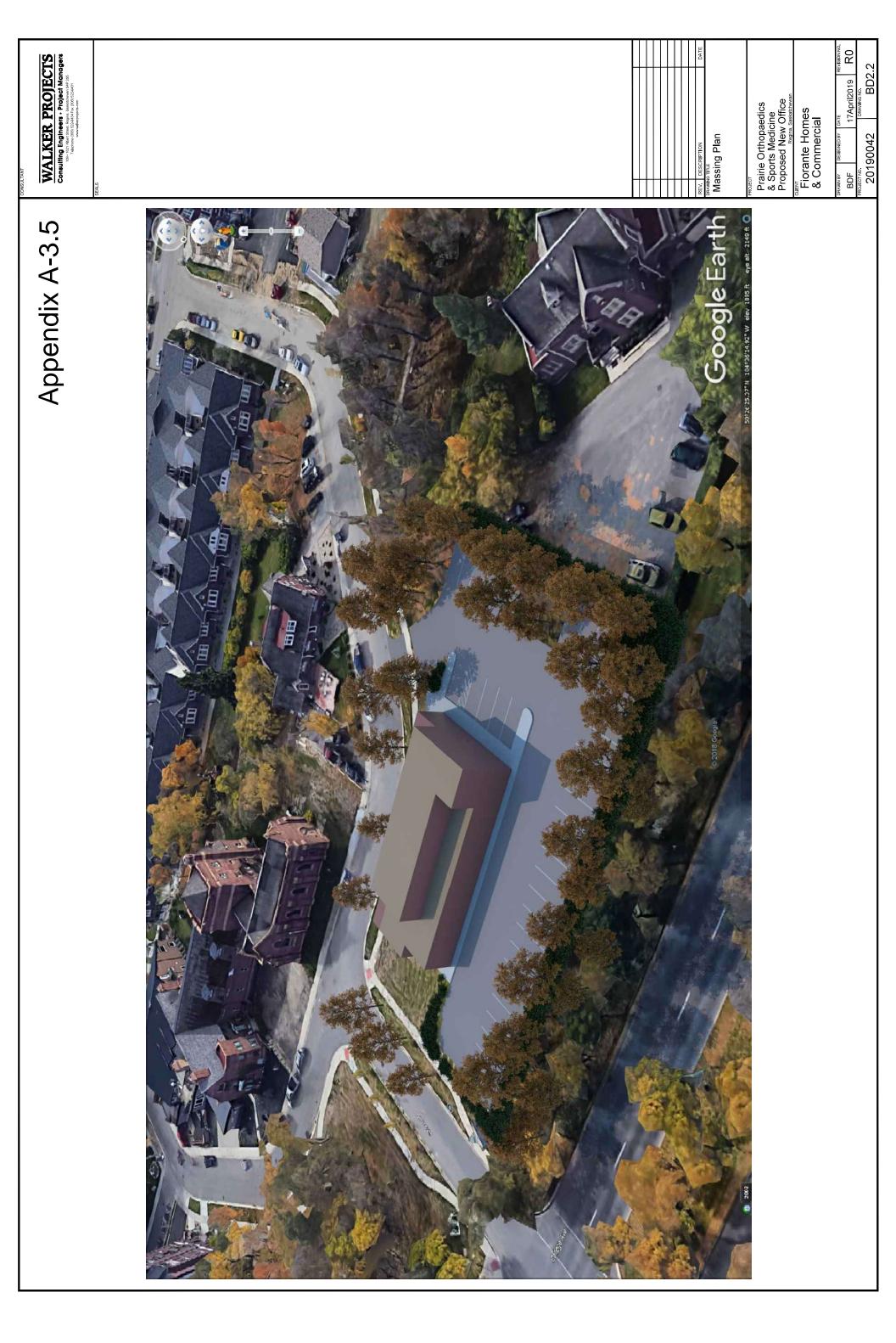
Figure 9.7: Former Diocese of Qu'Appelle Lands Direct Control District (DCD-9)

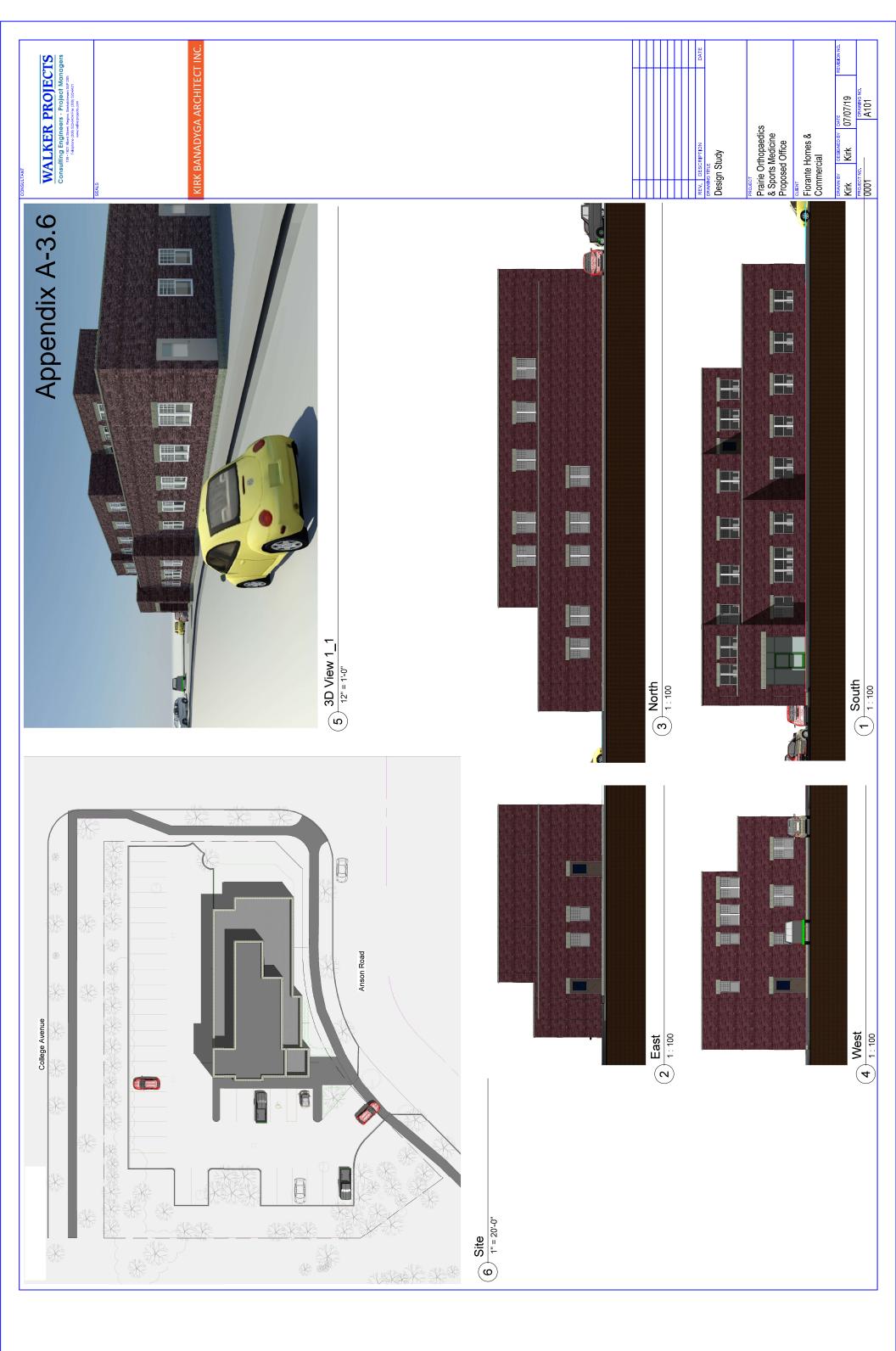












### Appendix B

#### **Public Consultation Summary**

Response	Number of	Issues Identified
	Responses	
Completely Opposed	2	<ul> <li>Keep the Low density Residential as is or as green space</li> <li>Not enough parking within the neighbourhood area</li> <li>Does not capture the efficient use of transportation system</li> <li>Does not facilitate the urban fabric of the neighbourhood, and instead creates additional commercial space with a primary focus on vehicular movement</li> <li>Does not maintain a safe and walkable environment that promotes pedestrian activities throughout the development</li> <li>Significant use of external parking in the development</li> <li>Development does not propose underground parking</li> </ul>
Accept if many features were different	2	<ul> <li>Access to the site should be from College Ave. will help ease traffic congestion along Anson Road</li> <li>Underground parking</li> <li>Match the external building material to the existing heritage buildings</li> </ul>
Accept if one or two features were different	5	<ul> <li>Site entrance along Anson Road to be located at other location preferably along College Ave</li> <li>Traffic congestion along Anson Road</li> </ul>
I support this proposal	3	<ul> <li>Support the proposed amendment</li> <li>Development has ample proposed parking</li> <li>The building is proposed to be 2 storeys in height does not block views to College Ave.</li> <li>Preservation of existing trees and replanting is removed or destroyed</li> </ul>

### 1. Issue

The subject property should be kept Low density residential or green space.

#### Administration's Response:

Even though the existing Neighbourhood Plan does not allow for new standalone commercial buildings, a medical clinic is permitted use under the mixed-use policy area as well as the within the existing heritage buildings. The use is allowable and compatible within the neighbourhood.

According to the developer, there is little potential for low-density residential to develop in this location.

The proposed site has always been planned for development rather than green or open space as per the Neighbourhood Plan. Green space has been accommodated opposite Halifax Street within the Canterbury Park neighbourhood.

#### 2. Issue

Concerned with commercial development resulting to on street parking demand, traffic issues and significant use of external parking in the development

#### Administration's Response:

The proposed development has considered the need to contain the parking within the development area by providing parking spaces in excess of the minimum requirement. This will help to minimize the on-street parking for the visitors using the facility thus minimizing the on-street parking demand along Anson Road. The nature of the proposed use would not create a lot of vehicle trips and would be restricted to daily business hours rather than weekend and evening.

The patients visiting the proposed development would require vehicular access due to the nature of the service as it is being planned as orthopedist and podiatrist clinic.

#### 3. Issue

Does not maintain a safe and walkable environment that promotes pedestrian activities throughout the development.

#### Administration's Response:

The proposed site has always been slated for development with pedestrian routes around the site rather than from within as a through and through access. The proposed development does not impede into any existing or proposed pedestrian linkage planned for the neighbourhood.

The development will be oriented towards the pedestrian realm and parking will be screened with landscape, which is consistent with Neighbourhood Plan policy

#### 4. Issue

Site access should be through College Avenue.

#### Administration's Response:

Existing neighbourhood policy does not allow for direct access to College Avenue. In addition, the plantings along College Avenue have provincial heritage significance and the entrance along College Avenue will have a significant challenge for the proposed development as it will be restricted to right-in right-out access only.

#### 5. Issue

Development does not propose underground parking.

#### Administration's Response:

Administration is recommending an exception to the requirement for underground or enclosed parking for this development. It is not practical or usual for a commercial use that is service-oriented to provide for enclosed parking. Within the neighbourhood most residential parking is underground or enclosed, but commercial is not. The parking lot is properly screened with landscaping, consistent with the Neighbourhood Plan and would not have a negative impact on the character of the neighbourhood.

#### 6. Issue

Match the external building material to the existing heritage buildings

#### Administration's Response:

Developments within this neighbourhood including the proposed development shall be governed by the Architectural control requirements (AC-1) and any development must adhere to this requirement, which includes standards on material quality of buildings. Architectural control compliance will be reviewed separately at the time of building permit application at later stage.

#### 7. Issue

Does not capture the efficient use of transportation system

#### Administration's Response:

The City is focused on a transportation system that is people-focused and supports users of all ages, abilities, and modes of transportation. The Former Diocese of Qu'Appelle Neighbourhood was planned for efficient use of transportation system and this shall be true for the all sites within this neighbourhood regardless of the development within a specific site.

Amendment Number	Page	Proposed Amendment (C)	Existing Regulation (D)	Proposed Regulation (E)	Rationale (F)
1	9.47	Regulation 9C.3.15(5)(a): Be amended by replacing the existing with the proposed regulation.	The Policy Area applies to the area as shown in Figure 9.7, and shall provide for low-density, ground- oriented detached and semidetached dwelling units. [2013-64]	The Policy Area applies to the area as shown in Figure 9.7, and shall provide for low-density, ground-oriented detached, semidetached dwelling units; or a standalone commercial building as a discretionary use;	This will allow the development of standalone commercial building as discretionary use.
2	9.47	Regulation 9C.3.15(5)(c): Be amended by adding "Medical Clinic" as discretionary use			This will allow development of standalone medical clinic as discretionary use.
3	9.48	Regulation <b>9C.3.15(5)(e)</b> : Be added outlining the site development standards for Signs.		Commercial Signagei.Signage may only be lit externally, except within shopfront glazing or a canopy.ii.A wall sign or canopy may be applied to each façade within the sign band at the first story, and shall not exceed 0.9 metres in height along any length.iii.Freestanding sign shall be a maximum Surface area of 1.2 m² and 1.2 metres in height.	
4	9.54	Regulation <b>9C.3.15(8)(b)</b> : Be replaced with:	In the Low-Density Residential Area, garages may accommodate a maximum of 2 vehicles.	<ul> <li>(b) In the Low-Density Residential Area: <ol> <li>Garages may accommodate a maximum of 2 vehicles for residential development;</li> </ol> </li> </ul>	This amendment will provide direction for at-grade onsite parking for commercial development. Service-oriented commercial uses typically do not provide enclosed parking.

ii. At-grade off street parking shall be allowed within Low- Density Residential Policy Area for commercial development; iii. At-grade parking for commercial development shall be located at the rear of the building and appropriately screened from major street; and iv. Maximum of 20% of the total
allowed as Compact Space;

August 7, 2019

To: Members Regina Planning Commission

Re: Zoning Bylaw Amendment & Discretionary Use Applications (19-Z-04) (19-DU-04) Proposed Public Self Storage Facility – 1230 Broad Street

#### **RECOMMENDATION**

- 1. That the proposed amendment to *Regina Zoning Bylaw No. 9250*, as specified in Appendix C of this report, be approved.
- 2. That the discretionary use application for a proposed Public Self Storage Facility located at 1230 Broad Street, being Lots A, B, C, & E, Block 139A, Plan No. DJ454 & 68R17406 in the Old 33 subdivision be approved and that a development permit be issued subject to the following conditions:
  - a) The development shall be generally consistent with the plans attached to this report as Appendix A-3.1 to A-3.3 inclusive, prepared by AMERCO Real Estate Company and dated May 8, 2019.
  - b) 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 bylaw to authorize the respective Zoning Bylaw amendment.
- 4. That this report be forwarded to the August 26, 2019, meeting of City Council for approval, which will allow sufficient time for advertising of the required public notice for the respective bylaw.

#### **CONCLUSION**

Colliers International (Applicant), on behalf of Centennial Shopping Centre Ltd. (Owner), proposes to develop a Public Self Storage Facility within an existing building in the Warehouse District (former Sears Clearance Centre warehouse), located at 1230 Broad Street (Subject Property). In order to accommodate this development, the Applicant is applying for:

- An amendment to *Regina Zoning Bylaw No. 9250* (Zoning Bylaw) to include Public Self Storage Facility as a discretionary use within the Designated Shopping Centre Zone (DSC Zone), which is the zone that applies to the Subject Property and several other shopping centre properties throughout the city.
- A discretionary use approval Public Self Storage Facility at Subject Property.

Administration recommends approval of the applications for the following reasons:

- Public Self Storage Facility is deemed to be compatible with other land-uses allowed in the DSC Zone.
- The Amendment will provide Council with greater flexibility to consider, on a case-bycase basis, additional opportunities for land-use diversity and commercial investment.
- The Subject Property is deemed suitable for use as a Public Self Storage Facility.
- Within the new proposed Zoning Bylaw the subject property would be located in the MLM Mixed Large Market Zone. Within that zone Storage, Personal (Public Self Storage Facility) would be a permitted use if the gross floor area is 750 m<sup>2</sup> or less per lot and a discretionary use if the gross floor area is greater than 750 m<sup>2</sup> per lot.

The applications are being considered pursuant to the Zoning Bylaw; *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP) and *The Planning and Development Act, 2007.* 

# BACKGROUND

The intent of the Applicant is to convert the former Sears Clearance Centre warehouse building, located at 1230 Broad Street (Subject Property), from its current use as a Retail Use to a Public Self Storage Facility. The former warehouse space is largely vacant; however, part of the main floor is currently used to accommodate craft and antique retailers. The building wing extending from the east side of the former warehouse space currently accommodates a number of existing retail commercial and service commercial uses (e.g. Value Village; Dollarama) and will continue to operate as Retail Use.

The Warehouse District, historically, accommodated warehouse/distribution, wholesale, light industrial and manufacturing land-uses. The area is in a state of transition and includes historic uses, as well as residential and commercial. The former use of the Subject Property, as the Sears Clearance Centre, was typical for the area; however, these types of uses are receding, over time, and are sometimes left vacant or replaced with residential or commercial retail/service uses.

# DISCUSSION

# Zoning Bylaw Amendment

The proposed amendment to the Zoning Bylaw would, if approved, add Public Self Storage Facility as a discretionary use to the DSC Zone and would, therefore, provide Council with the discretion to consider this land-use on a case-by-case basis where the DSC Zone applies. Public Self Storage Facility is currently prohibited in the DSC Zone.

The Administration has assessed the proposed amendment to the Zoning Bylaw and concludes that Public Self Storage Facility is deemed to be compatible with other land-uses allowed in the DSC Zone. Public Self Storage Facility is defined, in Part 2C of Zoning Bylaw 9250, as:

"a building or buildings containing separate secured indoor storage units each of which unit is no greater than 75 square metres in area, designed to be rented or leased for private storage of personal goods, materials and equipment, household goods, furniture, general merchandise and vehicles, excluding: (a) highly flammable materials, chemicals, odorous, explosive or other inherently dangerous or noxious goods; and (b) hazardous materials as defined in this Bylaw."

Similar to other typical uses within DSC Zone, such as commercial retail/ service uses, customers would, generally, drive to the facility, park and withdraw or deposit goods. As per the definition noted above, goods would generally be safe and no off-site impacts would be expected. In some cases, the proposed land-use may be compatible with commercial retail/service uses, where it can be demonstrated and legally arranged that shared parking is appropriate. Inclusion of this land-use in a DSC Zone is also consistent with other mixed-use zones, such as the D – Downtown Zone and MAC3 – Major Arterial Commercial Zone, which identifies Public Self Storage Facility as a discretionary use.

Furthermore, as the DSC Zone is found in many contexts throughout the city, Administration recognizes that there may be locations, such as the Subject Property, where a Public Self Storage Facility may be deemed appropriate. Including this land-use as a discretionary use in the DSC Zone, therefore, will provide Council with greater flexibility to consider potentially appropriate locations on a case-by-case basis, which may support:

- Enhanced land-use diversity
- Additional opportunities for commercial investment
- Adaptive re-use of older/vacant buildings

# **Discretionary Use Application**

The Applicant has also submitted a discretionary use application to develop a Public Self Storage Facility. The self storage component is intended to be located within the former Sears Clearance Centre warehouse building and the Applicant is also already operating an accessory retail/vehicle rental operation within a section of the tenant space facing Broad Street, which is a permitted use in the zone. This application is contingent on the aforementioned Zoning Bylaw amendment being approved.

Additionally, in association with the permitted retail/vehicle rental operation, the site will have moving vehicle/trailer (U-Haul) storage/rental within the adjacent parking areas. As part of this specific use, the Applicant intends to park vehicles/trailers within stalls fronting Broad Street, for display purposes. In terms of on-site operations, the intent is that customers would pick up and drop off vehicles/trailers within the parking area along Hamilton Street and an employee will then take the vehicle back where rental products are stored or will take the vehicle off-site for maintenance.

Land Use Details	Existing	Proposed	
Zoning	DSC.F_0.86 – Designated	DSC.F_0.86 – Designated	
	Shopping Centre, Floor Area	Shopping Centre, Floor Area	
	Overlay	Overlay	
Land Use	Vacant Tenant Space	Public Self Storage Facility	
Total Building Floor	$24,363 \text{ m}^2$	$24,363 \text{ m}^2$	
Area	24,303 III	24,505 III	
Tenant Space Floor	19,500 m <sup>2</sup>	$19,500 \text{ m}^2$	
Area		19,500 III	

The land use and zoning related details are summarized as follows:

Zoning Analysis	<b>Required</b>	Proposed
Number of Parking Stalls	276	307
Minimum Lot Area (m <sup>2</sup> )	750 m <sup>2</sup>	28,149 m <sup>2</sup>
Minimum Lot Frontage (m)	25 m	15 m
Floor Area Ratio	0.86	0.86
Site Coverage (%)	65%	46%

The Administration has assessed the discretionary use application and considers the proposed land-use, at Subject Property location, as generally appropriate for the following reasons:

- As noted above, Public Self Storage Facility is deemed to be compatible with other landuses allowed in the DSC Zone.
- The land-use is generally compatible with existing land uses on adjacent properties, which include: commercial retail/ service uses.
- The land-use is also not intensive in regards to parking and traffic and would be compatible with surrounding land uses.

# **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

None with respect to this report.

# Policy/Strategic Implications

The proposal is consistent with the policies contained within Part A of the OCP with respect to:

Section D5: Land Use and Built Environment

Goal 2 – City Centre: Maintain and enhance the City Centre as the primary civic and cultural hub.

- 7.7.4 Supporting the development of a mixed-use environment, with design and density emphasis adjacent to major corridors and public spaces
- 7.9 Explore actions necessary to convert vacant or underutilized properties to market-ready development sites to realize *intensification* in the City Centre.

The proposed development reflects a land-use that would have been typical for the historic purpose of the area as a centre for warehouse and distribution. Although the proposed land-use does not contribute to the residential aspects of OCP, Administration suggests that allowing the proposed land-use should not obstruct the transition of the site to a land-use more complementary with OCP objectives, should such a land-use present itself in future. Until factors (e.g. market conditions, etc.) support the transition of the site to an alternate land-use, the application will support the adaptive re-use of a substantially vacant and underutilized building and will support an employment opportunity and a commercial service.

### Other Implications

None with respect to this report.

# Accessibility Implications

The proposed development provides six parking stalls for persons with disabilities which exceed the minimum requirements by one stall.

#### COMMUNICATIONS

Communication with the public is summarized below:

Public notification signage posted on:	June 14, 2019
Will be published in the Leader Post on:	August 10, 2019
	August 17, 2019
Letter sent to immediate property owners	May 13, 2019
Number of Public Comments Sheets Received	20

There were twenty public comments received on this application. A more detailed accounting of the respondent's comments and Administration's response is provided in Appendix B.

A letter of support from a member of the Warehouse District Business Improvement District was provided with the initial application. They had the following comments:

"The opportunity for a major U.S. company investing money in the district and setting up their operations in Regina cannot be missed. The property itself will create jobs for the architectural and engineering industry as well as construction. The type of project is exactly why the Warehouse B.I.D. was created and we need to attract businesses to the area which will also help the City with its Railyard Revitalization project."

The applicant had also submitted five letters of support from neighbouring business and have not been included in Appendix B as it was outside Administrations public notice process.

The applicant and other interested parties will receive a copy of the report and notification of the meeting to appear as a delegation in addition to receiving a 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,

Respectfully submitted,

Juson

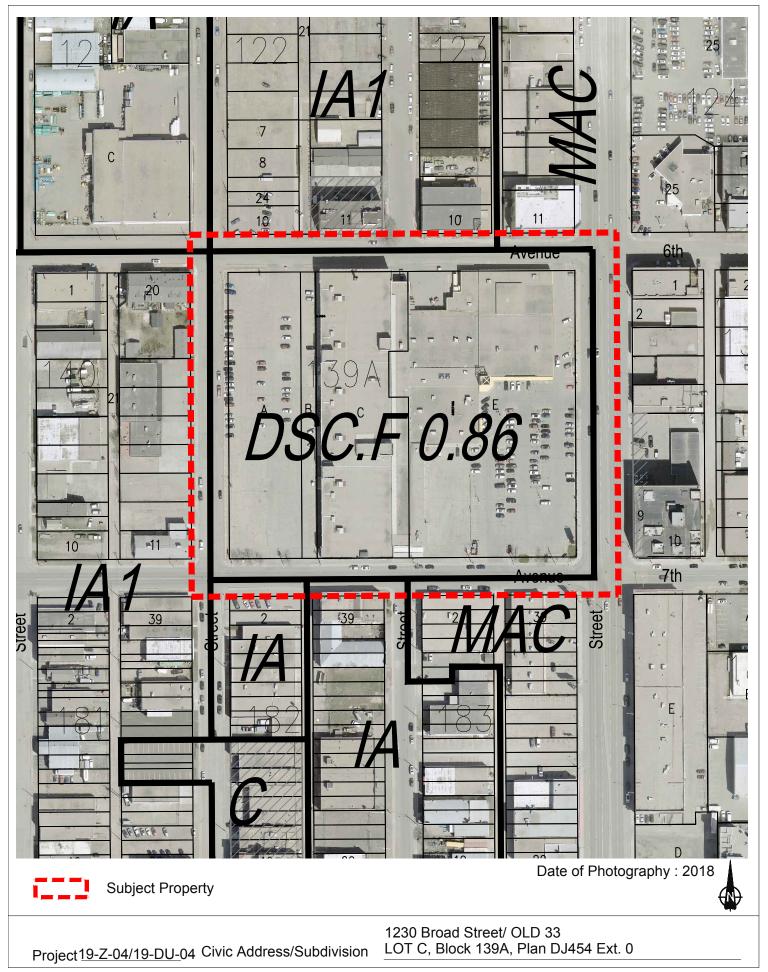
Autumn Dawson, A/Director Planning & Development Services

Prepared by: Pam Ewanishin

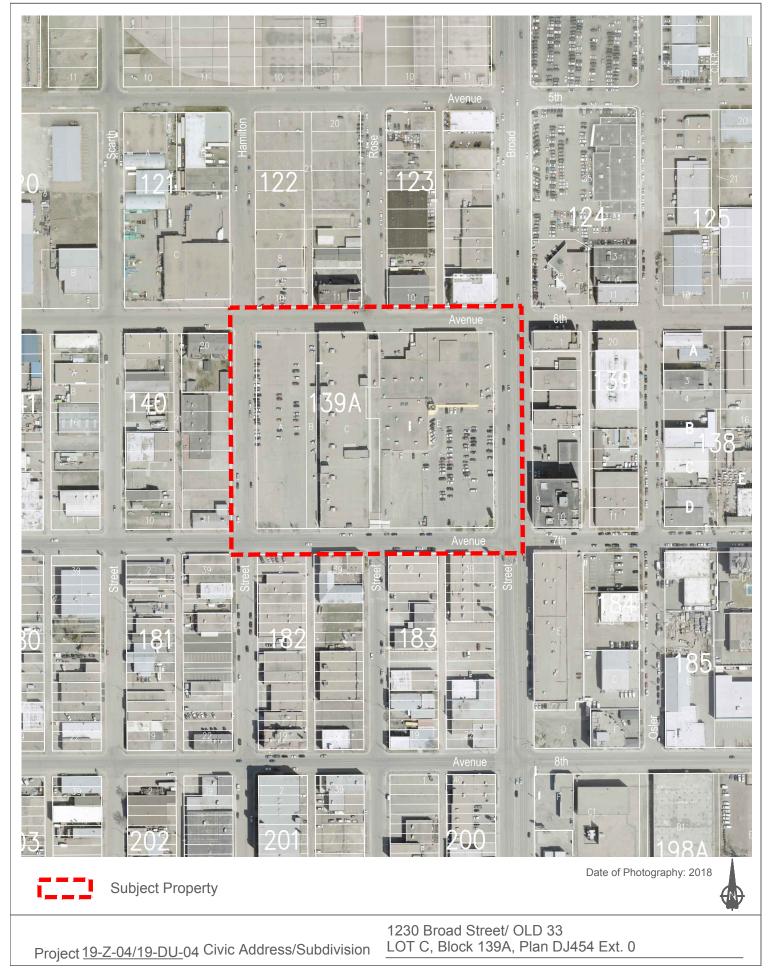
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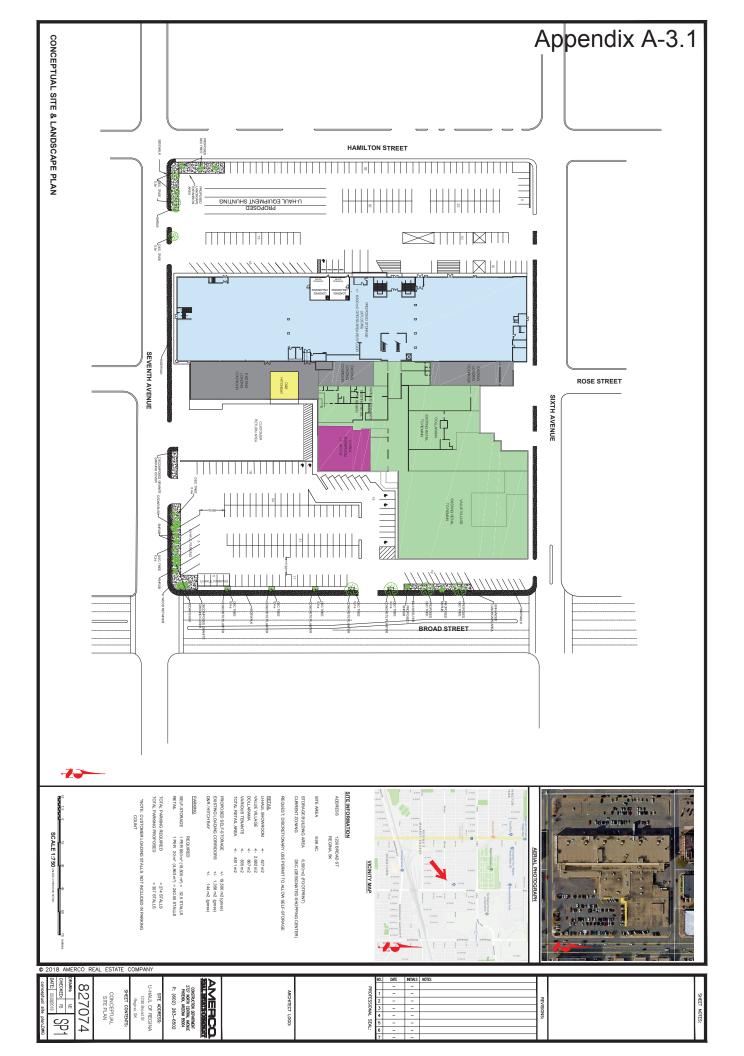
Diana Hawryluk, Executive Director City Planning & Community Development

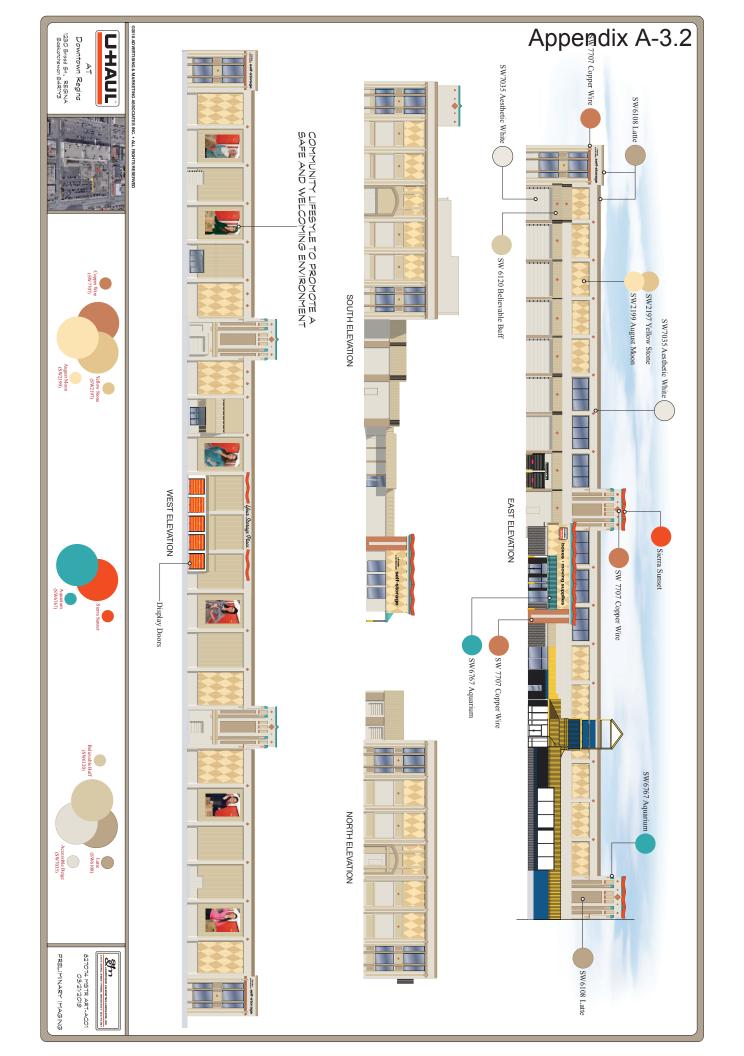
# Appendix A-1

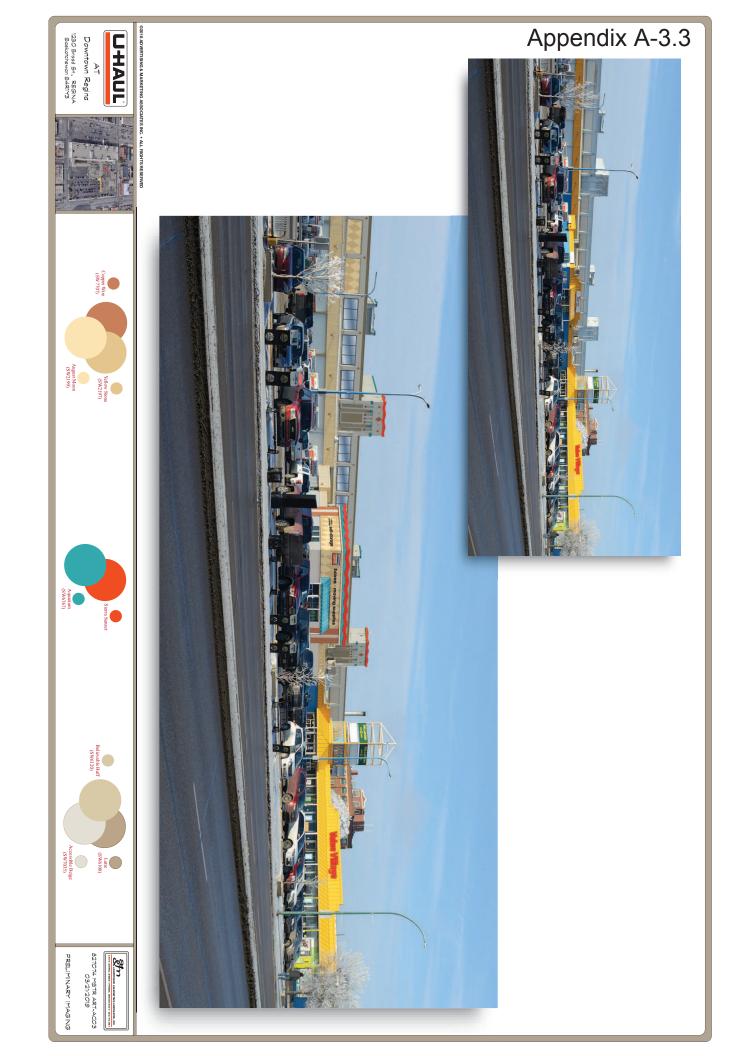


# Appendix A-2









# Public Consultation Summary

Response	Number of Responses	Issues Identified
Completely opposed	17	<ul> <li>Public self-storage will increase crime rates in the area.</li> <li>This is a heritage building and turning it into a big self storage unit is an awful idea.</li> <li>Many people run small businesses in the mall and it's becoming a place for the art community.</li> <li>Centennial Market is such a wonderful place for starting out a new local business, would be awful to have us all put out of our home.</li> <li>I recommend they use a different building that is not already in use by a number of local businesses that hold community events and support the local economy.</li> <li>Make U-Haul use their financial clout elsewhere by building their own facilities in a vacant area of our fine city.</li> <li>You can't shut the market down, it represents people's livelihoods, community and local enterprise.</li> <li>Centennial Market is a lively area that provides a unique shopping experience, it helps the city to meet a need for smaller and less expensive commercial space which is otherwise minimally available.</li> <li>It's vitally important for the city to have spaces for entrepreneurs and small businesses outside of the more expensive spaces which are normally occupied by national chains.</li> <li>The crowds that attend the Centennial Market bring badly-needed traffic to not only the market itself but also nearby businesses and restaurants. The vast majority of these businesses and restaurants in the Warehouse District are locally-owned small and medium businesses that drive diversity in Saskatchewan's and Regina's economies. These are not generic big-box stores.</li> <li>The City of Regina should consider subsidising the Centennial Market and providing more spaces like this to encourage entrepreneurs to add to Regina's vibrant and eclectic shopping scene.</li> <li>This is a zone that should be kept for designated shopping.</li> </ul>
Accept if many features were different	1	- Not in support of the area where U-Haul intends on using the portion of the parking lot for U-Haul

		- B2 -		
		<ul> <li>Equipment Shunting and landscaping on the SW corner of 7<sup>th</sup> Avenue.</li> <li>Having equipment staging and storage as well as additional landscaping will make the corner very</li> </ul>		
		dangerous for the public to enter 7 <sup>th</sup> Avenue from		
		Hamilton Street as the intended use and landscaping		
		will create blind spots.		
Accept if one or		····· ····· ····· ·····		
two features were different				
I support this proposal	2	<ul> <li>The benefits of this project include investment, construction, revitalization, and management of space that is likely to otherwise remain vacant.</li> <li>The vacant Sears outlet space is likely to become a burden to its owners, the neighbourhood and our city if it is left to languish with no prospective retail tenants. The danger of 190,000 sqaure feet of solid, useable space falling into disrepair or infestation by rodents and insects is surely the opposite of any zoning policy's intended outcome. It is simply an unacceptable outcome.</li> <li>Ultimately, granting a purpose to a vacant facility that is unlikely to find another use in the foreseeable future, while also ensuring significant investment in the city, new jobs, and increased activity in the warehouse district itself seems like sufficient reason to revisit longstanding zoning requirements that did not envision the world or the city we live in today.</li> </ul>		

#### 1. Issue Traffic Concerns

#### Administration's Response:

The City has reviewed the sight lines for the subject property. All landscaping and shunting area conform to the sight triangle regulations within the *Traffic Bylaw No. 9900*.

# 2. Issue Crime

#### Administration's Response:

The Administration is not aware of any evidence to support a Public Self Storage Facility causing an increase in crime.

# 3. Issue Heritage Building

#### Administration's Response:

The building is not formally designated as a heritage building.

# 4. Issue Supporting Small Business & Lively City Centre

#### Administration Response:

All though there is policy within the Design Regina: The Official Community Plan Bylaw No.

2013-48 to support small businesses and intensifying the City Centre, there was also policy that supported the proposed development and the rational is documented within the report.

# 5. Issue Potential Closing of Centennial Mall

### Administration's Response:

The City of Regina does not have authority over tenants in a commercial building. The Administration only ensures that the land use within a commercial building is approved to be in the zone.

# APPENDIX C Proposed Amendments to *Regina Zoning Bylaw No. 9250* – Public Self Storage Facility

Amendment	Page	Proposed Amendment	Existing Regulation	<b>Proposed Regulation</b>		Rationale
1.	5.6	Chapter 5 Table 5.2: Table of Land Uses – Commercial Zones Be amended by adding Public Self Storage Facility as a discretionary use within the DSC – Designated Shopping Centre Zone.	Public Self Storage Facility is a prohibited land use	Land Use Public Self Storage Facility	Zone DSC D	By deeming the land use as discretionary it would allow this use to be considered in areas of the City where the DSC – Designated Shopping Centre is applied that is deemed suitable and appropriate.