

## PL202000067 - Rosewood Lane Access Overlay

<b>Date</b>	June 3, 2020
<b>To</b>	Regina Planning Commission
<b>From</b>	City Planning & Community Development
<b>Service Area</b>	Planning & Development Services
<b>Item No.</b>	RPC20-19

### RECOMMENDATION

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Regina Planning Commission recommends that City Council:

1. Approve the application to re-zone the property located at SE1/4 Sec 9, Twp 18, Rge 20, W2 191, Lots 1 - 26, Block 104 & Lots 7-12, Block 103, in the Rosewood Park Subdivision to apply the LA - Lane Access Overlay zone and related amendments as outlined in this report, on the condition that the amendments respecting LA – Lane Access Overlay Zone regulations provided for in Bylaw 2020-33 are adopted by City Council at its June 24, 2020 meeting.
2. Direct the City Solicitor to prepare the necessary bylaw.
3. Approve these recommendations at its June 24, 2020 meeting, following the required public notice.

### ISSUE

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Troika Management Corp. (the Applicant) on behalf of Canadian Midwest District of the Christian Missionary Alliance (the Property Owner) proposes to apply an LA - Lane Access Overlay Zone over an existing RU – Residential Urban Zone under *Regina Zoning Bylaw No. 2019-19* (Zoning Bylaw). This overlay zone allows for front vehicular access for properties that have rear lane access. The subject property is located in the Rosewood Park Subdivision.

The proposal has been reviewed under the applicable provisions of the Zoning Bylaw and *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP).

## IMPACTS

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### Financial Impacts

The subject area forms part of a proposed new neighbourhood that is currently under development. As part of the subdivision and development processes, municipal services, including roads, water, sewer and storm drainage, will need to be extended to the subject area.

The Applicant will be responsible for the cost of any new, or changes to existing, infrastructure that may be required to directly or indirectly support any proposed development that may follow, in accordance with City of Regina (City) standards and applicable legal requirements.

### Policy/Strategic Impact

The proposed development supports the following OCP goals/policies:

- Section D6, Goal 3, Policy 8.12: Allow for flexibility and adaptability in the design and function of housing and consider enabling regulation to increase innovation within the housing stock to accommodate the changing needs of households.

## OTHER OPTIONS

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Alternative options would be to:

1. Approve the application with amendments to the proposed plan.
2. Refer the proposal back to Administration. If City Council has specific concerns with the proposal it may refer it back to Administration for further review. Referral of the report back to Administration will delay approval of the development until requested information has been gathered or changes to the proposal have been made.
3. Deny the application.
4. If Regina Zoning Bylaw 2019-19 amendment respecting LA – Lane Access Overlay regulations is not passed at the June 24, 2020 meeting of City Council, then this application be referred back to Administration for development of a Concept Plan Amendment.

The Zoning Bylaw was approved prohibiting front access on residential properties except where the Lane Access Overlay is applied. The Lane Access Overlay can only be approved by City Council. There are no criteria for assessing the eligibility of a specific block, outside of being identified in the Concept Plan and being zoned residential, for the zoning overlay. Therefore, City Council is at full discretion to approve or deny this application for any reason. The City will assess proposals to apply the LA- Lane Access Overlay on a case-by-

case basis.

## COMMUNICATIONS

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The applicant and other interested parties will receive a copy of the report and notification of their right to participate as a delegation at the Council meeting when the application will be considered. Public notice will be given of council's intention to consider the zoning amendment bylaw and the applicant will receive written notification of City Council's decision in accordance with *The Planning and Development Act, 2007*.

## DISCUSSION

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### Proposal

The applicant (Troika Management Corp.), on behalf of the owner (Canadian Midwest District of the Christian Missionary Alliance) proposes to apply an LA - Lane Access Overlay Zone over an existing RU – Residential Urban Zone. The underlying RU – Residential Urban Zone was approved by City Council on May 27, 2020 (CR20-33). The proposed development will include two-unit developments as Building, Row with both front (street) and rear (laneway) vehicular access.

### Lane Access Overlay

This Overlay Zone was brought into effect with new Zoning Bylaw, *Regina Zoning Bylaw No. 2019-19*. Front parking restrictions in the new Zoning Bylaw are applied when there is a rear lane. The intention was to reduce properties with both front and rear access as they create redundant infrastructure. The LA – Lane Access Overlay Zone was established to provide a zoning approach to consider both front and rear access on a case-by-case basis on a whole block face. The application to an entire block ensures visual consistency and street scape and predictable development for the community.

The LA – Lane Access Overlay Zone considers each application going forward to be assessed to determine impact on the community and consideration of each request based on its location and context.

This is the second instance of the LA – Lane Access Overlay Zone application. The previous one was for a block in The Towns Neighbourhood which was recently considered by Regina Planning Commission on May 6, 2020 and City Council on May 27, 2020. The amending bylaw for this LA – Lane Access Overlay Zone will be considered at the June 24, 2020, meeting of City Council.

The Subject Property is designated as “Low Density” in the Rosewood Park Concept Plan and is shown as having a rear lane (Appendix A-1). If the LA - Lane Access Overlay Zone is applied to the Subject Property, as recommended in this report, the applicant may pursue their intended housing product: units with both front and rear vehicular access, the proposal complies with the Rosewood Park Concept Plan.

Clause 8M.2(1)(b) of the new Zoning Bylaw requires a LA - Lane Access Overlay Zone to be identified within the Concept Plan or Secondary Plan. Due to the existing servicing

agreement, Administration is recommending that a Concept Plan Amendment is not needed. Administration is considering an amendment to section 8M.2(1)(b) of *Regina Zoning Bylaw 2019-19* under a separate report to remove the requirement that the Concept Plans or Secondary Plans identify locations for front and rear access as it can be assessed through rezoning applications.

The proposal being brought forward in this report is conditional on the approval of the Zoning Bylaw amendment. If that amendment is not approved by City Council, then this application will need to be referred back to Administration for development of a Concept plan amendment.

### **Zoning Amendment**

The applicant has entered into a servicing agreement with the City of Regina and obtained subdivision certificate of approval for the lots on this block face. The lots have been approved with a minimum lot frontage (in some cases) of 7.3 metres which is compliant with the minimum lot frontage requirements of the Zoning Bylaw for the RU Zone. It should be noted that the applicant originally applied for subdivision approval and zoning amendment under previous *Regina Zoning Bylaw No. 9250* which allowed for both front and rear vehicular access to lots. The subject property was zoned R2 – Residential Semi-Detached under the former Zoning Bylaw and also met the minimum lot frontage requirements of the R2 Zone.

Administration noticed a discrepancy in the review of this application in the minimum lot frontage requirements when the LA Overlay Zone is applied. The RU Zone has the following regulations for minimum lot frontage:

- For lots with rear lane access: 7.3 metres.
- For lots without rear lane access: 8.5 metres.

The key regulations for lot frontage for the LA Zone are contained in Part 8M of the Zoning Bylaw:

- 8M.4(2): *Where a lot contains a building with access to the required parking provided from the fronting street, the development standards of the underlying zone applicable to lots without rear lane access shall apply, regardless of whether the lot also has lane access.*
- 8M.5: *Notwithstanding the parking requirements of the underlying zone, lots with a lane are permitted to have access from: (a) the fronting street; (b) the lane; or (c) both the fronting street and the lane.*

To comply with subsection 8M.4(2), the minimum lot frontage required for lots to have both front and rear vehicle access if the LA – Lane Access Overlay Zone is applied is 8.5 metres as opposed to the approved lot frontage of 7.3 metres, that was allowed under *City of Regina Zoning Bylaw No. 9250* and on which the original plan of subdivision was approved. Given that the subject properties have received servicing agreement and subdivision approval and have transitioned between the former and new Zoning Bylaw, the Administration recommends that Council approve an amendment to the Zoning Bylaw for

consideration at the June 24, 2020 meeting of City Council which would, in addition to applying the Lane Overlay Zone, address the noted discrepancy by allowing an exemption to the minimum lot frontage standards for the subject properties.

### **Projected Impact on On-Street Parking**

There will be no on-street parking availability on this side of the street. This is due to the potential placement of driveways and the requirement from the Traffic Bylaw that vehicles must be parking a minimum two metres from driveways, but mainly because the street width is only 8.7 metres, which can only accommodate parking on one side of the street. On this basis, the developer agreed, in the Servicing Agreement, to install “No Parking” signs on this block at their own expense.

There will be ample parking available on-site as there is parking at both the front and rear of the property. While dwellings are only required to have one on-site parking stall, there is space on these lots to provide an additional parking stalls and vehicles can park in tandem on driveways. Homeowners would also have the option of installing another stall on site, as they can also access the property from the lane.

The opposite side of the street is zoned RL – Residential Low-Rise Zone with rear lane access that does not have approval for front yard parking. There will be as many as 20 on-street parking stalls available on the south face of this block. That block would require a LA – Lane Access Overlay Zone applied for them to have front access. However, due to the high-density of dwellings in the immediate vicinity, it is anticipated there will be pressure put on the on-street parking infrastructure. The application can be further supported given the applicant had these lots zoned R2 – Residential Semi-Detached Zone under the previous *City of Regina Zoning Bylaw No.9250* and filed a subdivision application in anticipation of developing this housing project with both front and rear access.

In summary, the subdivision was designed to have on-street parking on the opposite side of the street and the pavement width at 8.7 metres to accommodate which, as indicated, is an acceptable width for parking on only one side of the street. Given this context, Administration recommends approval.

### **Community Engagement**

In accordance with the public notice requirements of *The Planning and Development Act, 2007*, neighbouring property owners within 75 metres of the proposed development received written notice of the application and a sign was posted on the subject site. Administration did not receive any comments from the community regarding the proposed development. The Twin Lakes Community Association was contacted but did not respond.

This application is deemed to be in compliance with all applicable policies and Zoning Bylaw regulations (e.g. height, setbacks, landscaping, site coverage), as well as procedures regarding communications and engagement.

## DECISION HISTORY

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

Respectfully submitted,



Fred Scarle, Director, Planning & Development Services

Respectfully submitted,



5/25/2020

Diana Hawryluk, Executive Director, City Planning & Community Dev.

5/28/2020

Prepared by: Michael Sliva, City Planner II

## ATTACHMENTS

Appendix A-1

Appendix A-2