



## Official Community Plan Amendment & Zoning Bylaw Amendment - 1555 14th Avenue - PL202200037

<b>Date</b>	August 9, 2022
<b>To</b>	Regina Planning Commission
<b>From</b>	City Planning & Community Development
<b>Service Area</b>	Planning & Development Services
<b>Item No.</b>	RPC22-27

### RECOMMENDATION

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Regina Planning Commission recommends that City Council:

1. Approve amendments to *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP) to provide an exemption to Policy 9 in the OCP Part B.8 Core Area Neighbourhood Plan to allow for mixed-use development at 1555 14<sup>th</sup> Avenue.
2. Approve the application to rezone 1555 14<sup>th</sup> Avenue, being Lots 1 & 2, Parcel 423, Plan No. OLD33, and Lot 21, Parcel 423, Plan No. 101193410 Ext 21 in the Old33 Subdivision, from RL – Residential Low-Rise Zone to ML – Mixed Low-Rise Zone.
3. Instruct the City Solicitor to prepare the necessary bylaw(s) to give effect to the recommendations, to be brought forward to the meeting of City Council following approval of these recommendations and the required public notice.
4. Approve these recommendations at its meeting on August 17, 2022.

### ISSUE

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1080 Architecture (Applicant) and Westmount Capital (Owner) propose to rezone the subject property at 1555 14<sup>th</sup> Avenue from RL – Residential Low-Rise Zone to ML – Mixed Low-Rise Zone to facilitate commercial development. The subject property is located within the Heritage



Neighbourhood (formerly called the Core Area). There is no associated development proposal with this application.

Current policies within the Core Area Neighborhood Plan (*Design Regina: The Official Community Plan Bylaw No. 2013-48* – Part B.8) identify this location for residential land use; therefore, to facilitate the proposed rezoning an amendment to Section 9 of the Core Area Neighbourhood Plan is required.

Property owners can submit applications to change the zoning designation of their property. This application requires an amendment to *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP) and the *Regina Zoning Bylaw 2019-19* (Zoning Bylaw), both of which require review by Regina Planning Commission (RPC) and approval by City Council. These applications include a public and technical review process in advance of consideration by RPC and Council.

This application is being considered pursuant to *The Planning and Development Act, 2007* (Act); the OCP and Zoning Bylaw. The proposal has been assessed and is deemed to comply with the Act, OCP (Parts A and B.12) and the Zoning Bylaw. The proposed amendment to OCP Part B.8 meets the overall intent of the plan.

## IMPACTS

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### Policy/Strategic Impact

The proposed development is supported by the OCP's policies, including those specific to:

- Promoting complete neighbourhoods (Part A, Section D5 Goal 1) in which work, live, and recreation can all be found in one community.
- Adaptive re-use of the space contributes to a mixed-use environment, which supports the OCP goals for the City Centre.

## OTHER OPTION

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Alternative options would be:

1. Refer the application back to Administration. If City Council has specific concerns with the proposal, it may refer it back to Administration for further review and direct the report, as supplemented or revised, be reconsidered by Regina Planning Commission or brought directly back to Council following such further review.
  2. Deny the application and the subject property would remain zoned RL – Residential Low-Rise Zone and no amendment to the Neighbourhood Plan will be required.
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## COMMUNICATIONS

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The applicant and other interested parties will receive a copy of the report and notification of their right to appear as a delegation at the Council meeting when the application will be considered. Public notice of City Council's consideration of the proposed bylaw amendments and the related public hearing will also be given in accordance with *The Public Notice Policy Bylaw, 2020*. The Applicant will receive written notification of City Council's decision.

## DISCUSSION

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### **Proposal**

The applicant proposes to rezone the subject property to ML – Mixed Low-Rise Zone to allow for future commercial development. The current zoning RL – Residential Low-Rise Zone prohibits commercial land uses. There is no associated development at this time and any future development proposal will be reviewed through the standard development permit and building permit process at the time of application.

The site was formerly a 30-unit residential apartment ("Building, Stacked") that was demolished in 2021.

### **Considerations**

In accordance with the application standards for the ML – Mixed Low-Rise Zone, this zone is to:

- (a) accommodate a variety of low intensity commercial uses that serve the local community and do not draw customers from beyond their neighbourhood boundaries or generate substantial vehicle traffic; or
- (b) promote pedestrian-oriented storefronts as a means to enhance the vitality of street and businesses and reduce automobile dependence.

The ML – Mixed Low-Rise Zone is commonly applied to properties within neighbourhoods and not along major corridors like Albert Street or Victoria Avenue. Therefore, this zone is appropriate for the subject property.

The surrounding land uses are medium density residential to the west, a surface parking lot to the south, mixed commercial to the north, and the Regina General Hospital to the east.

### **Core Area Neighbourhood Plan Amendment**

To consider the proposed rezoning to the ML - Mixed Low-Rise Zone an amendment to the Core Area Neighbourhood Plan (OCP) is required, as the plan limits land-use of the subject properties to residential (Appendix A-3). The amendment is considered appropriate as the proposed use and rezoning aligns with current development trends within the neighbourhood and immediately abuts



the General Hospital.

The site is also governed by the General Hospital Area Neighbourhood Plan (OCP Part B.12), which supports mixed-use at this location, consistent with the proposed rezoning. The plan considers this location to be part of the “Medical District” (Appendix A-4) in which non-residential land uses are to be considered.

At the time when these neighbourhood plans were developed, historic zoning provisions were in place. The proposed ML – Mixed Low Rise Zone is an appropriate zone that meets the needs of the neighbourhood, which was not an available zoning designation at the time of the neighbourhood plan(s) creation.

### **Community Engagement**

In accordance with the public notice requirements of *The Public Notice Policy Bylaw, 2020*, neighbouring property owners within 75 metres of the proposed development received written notice of the application. The Heritage Community Association was contacted and responded in support. Administration received six responses from neighbouring properties, which are summarized in Appendix B.

### **DECISION HISTORY**

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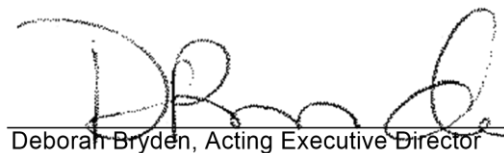
City Council’s approval is required pursuant to Part V of *The Planning and Development Act, 2007*.

Respectfully Submitted,

Respectfully Submitted,

  
Autumn Lawson, Director, Planning & Development Services

7/18/2022

  
Deborah Bryden, Acting Executive Director

7/28/2022

Prepared by: Michael Sliva, City Planner II

### **ATTACHMENTS**

Appendix A-1  
Appendix A-2  
Appendix A-3  
Appendix A-4  
Appendix B