

1768 Quebec Street - Zoning Bylaw Amendment - PL202000185

Date	March 3, 2021
To	Regina Planning Commission
From	City Planning & Community Development
Service Area	Planning & Development Services
Item No.	RPC21-24

RECOMMENDATION

Regina Planning Commission recommends that City Council:

1. Approve the application to rezone the subject property located at 1768 Quebec Street, being Lot 23-Blk/Par 294-Plan OLD33 Ext 0 and Lot 43-Blk/Par 294-Plan 101299440 Ext 28 from RL – Residential Low-Rise Zone to ML - Mixed Low-Rise Zone.
2. Instruct the City Solicitor to prepare the bylaw(s) required to give effect to the recommendations, to be brought forward to the meeting of City Council following approval of the recommendations by City Council.
3. Approve these recommendations at its March 10, 2021 meeting.

ISSUE

The applicant, William Neher, on behalf of Richardson Duffy Holdings Ltd., proposes an amendment to the *Regina Zoning Bylaw, 2019* by rezoning the property located at 1768 Quebec Street, from RL - Residential Low Rise Zone to ML - Mixed Low Rise Zone to legally develop the parking lot to City standards. The subject property is presently being used as a parking lot for the adjacent medical clinic, although it has not been approved and is not permitted in the RL - Residential Low-Rise Zone.

A property owner can submit an application to change the zoning designation of their property, which requires an amendment to *The Regina Zoning Bylaw, 2019* (Zoning Bylaw). Subsequently, it requires review by the Regina Planning Commission (RPC) and approval of the amendment by the City Council. This application includes 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); *Design Regina: The Official Community Plan Bylaw 2013-48* (OCP) and Zoning Bylaw. The proposal has been assessed and is deemed to comply with the Act, OCP and the Zoning Bylaw.

IMPACTS

Financial Impact

The applicant will be responsible for the cost of any additions 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.

Policy/Strategic Impacts

The proposed development does not conflict with any OCP policies and is consistent with the following OCP goals/policies:

- OCP Part B.8 Core Area Neighbourhood Plan: Implementation, *to enhance the area there is a need for zoning to:*
 - c) *introduce more appropriate commercial zoning on sites adjacent to residential areas*

OTHER OPTIONS

Alternative options would be:

1. Approve the application with specific amendments to the site plan.
2. Refer the proposal back to Administration. If City Council has specific concerns with the proposal, it may refer the application back to Administration for further review and direct that the report be reconsidered by Planning Commission or brought directly back to Council following such review. Referral of the report back to Administration will delay the rezoning of the property until requested information has been gathered or changes to the proposal have been made and until then, the parking use will not be permitted.
3. Deny the application. Existing use as a parking lot for the adjacent medical clinic, although it has not been approved, would be required to cease operations through land use enforcement procedures. Future use of the property would be required to comply with the requirements of the RL - Residential Low-Rise Zone.

COMMUNICATIONS

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 the public hearing required at Council when considering the proposed bylaw will be given in accordance with *The Public Notice Policy Bylaw, 2020*.

DISCUSSION

The applicant proposes an amendment to the Zoning Bylaw by rezoning the subject property located at 1768 Quebec Street from RL - Residential Low-Rise Zone to ML - Mixed Low-Rise Zone. The subject property is presently being used as a parking lot for an adjacent medical clinic, although it has not been approved and is not permitted in the existing RL - Residential Low-Rise Zone.

Before being used as a parking lot, the City issued a demolition permit in August 2013 for a residential building at this location. The residential building was demolished, and the lot has been vacant but has been used as an unauthorized parking lot for the medical clinic. If the Council approves the rezoning, the subject property will be developed as a parking lot and function as an accessory use parking for the medical clinic exclusively, as shown in Appendix A-3. The owner of the medical clinic also owns the subject property.

If approved, the applicant will be required to consolidate the subject property with the property located at 1100 11th Avenue (medical clinic) before the issuance of a development permit for the subject parking lot development. The adjacent medical clinic was approved as a Discretionary Use (CR13-125) with four parking stalls. Under the current zoning bylaw, the applicant requires a minimum of two stalls for the medical clinic. However, the applicant has indicated that the medical clinic requires additional parking stalls to support their staff and customers' parking need and relieve the dependency on on-street parking.

Appendix A-3, provides the proposed parking lot plan. Parking lot approval will be through a separate development permit application process, subject to approval of this application. Surrounding land uses are residential development to the north and mixed-use development to the east (commercial), south (medical clinic) and the west (vehicle repair shop).

The application was circulated to neighbouring property owners, and no comments were received. The application it was circulated to The Heritage Community Association (HCA) for review. The Administration did attempt a second follow up with HCA, but did not receive comments prior to the deadline for submission of this report.

DECISION HISTORY

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,



2/18/2021

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

2/23/2021

Prepared by: Binod Poudyal, City Planner II

ATTACHMENTS

- Appendix A-1 (Subject Property Map)
- Appendix A-2 (Aerial Map)
- Appendix A-3 (Proposed Development)
- Appendix B