

**5100 E. - 5180 E. Green Jewel Boulevard - Zoning Bylaw Amendment - PL202000243**

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|---------------------|---------------------------------------|
| <b>Date</b>         | March 3, 2021                         |
| <b>To</b>           | Regina Planning Commission            |
| <b>From</b>         | City Planning & Community Development |
| <b>Service Area</b> | Planning & Development Services       |
| <b>Item No.</b>     | RPC21-26                              |

**RECOMMENDATION**

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Regina Planning Commission recommends that City Council:

1. Approve the Zoning Bylaw amendment application to rezone Lots 29 - 49, Block 52, Plan 102293951 located at 5100 E. – 5180 E. Green Jewel Boulevard in the Greens on Gardiner Subdivision to apply the LA - Lane Access Overlay Zone.
2. Direct the City Solicitor to prepare the necessary bylaws to authorize the amendment to the bylaw, to be brought forward to the meeting of City Council following approval of the recommendations and the required public notice.
3. Approve these recommendations at its March 10, 2021 meeting.

**ISSUE**

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The applicant and the property owner, Chuka Creek Developers Ltd., proposes to apply the LA - Lane Access Overlay Zone over an existing RL – Residential Low-Rise Zone. The subject properties back onto an existing lane. The *Regina Zoning Bylaw, 2019-19* (Zoning Bylaw) restricts front parking when there is rear lane access; however, the LA – Lane Access Overlay Zone is intended to allow flexibility regarding front and lane access to residential lots. The applicant is seeking the LA – Lane Access Overlay Zone to accommodate townhouses with front-attached (two-car) garages and rear-lane vehicular access.

All properties in the city of Regina are assigned a primary zoning designation under the Zoning Bylaw. The overlay zone applies in addition to the primary zoning designation. The effect is to create a new zone with both the primary and overlay zones characteristics and limitations.

The Administration assesses proposals to apply the LA - Lane Access Overlay Zone on a case-by-case basis. The Zoning Bylaw recommends that it be applied on an entire block face through the Zoning Bylaw amendment process. The application review should evaluate if the specific block is appropriate for having both front and lane access while giving due consideration to the utilization of infrastructure, surrounding land uses, safety or other factors deemed necessary by the City.

This application is being considered under *The Planning and Development Act 2007*, *Design Regina: The Official Community Plan Bylaw 2013-48* (OCP) and the Zoning Bylaw.

## IMPACTS

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### Financial Impacts

The subject properties currently receive a full range of municipal services, including water, sewer and storm drainage. The owner/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 under the City standards and applicable legal requirements.

### Policy/Strategic Impact

The proposal supports the following goals and objectives of *Design Regina: The Official Community Plan Bylaw 2013-48* (OCP).

- 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.*

The subject properties were initially designed for a specific housing type with rear access garage. The LA – Lane Access Overlay Zone would accommodate additional flexibility and design options.

## OTHER OPTIONS

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Alternative options would be to:

1. Approve the application with specific 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 and direct that the application be reconsidered by Planning Commission or brought back directly to Council following such review. Referring the application back to Administration will

delay the development approval until the requested information has been gathered or changes to the proposal have been made.

3. Deny the application. The zoning amendment on the subject properties will not proceed if City Council denies the application.

## **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 is considered following *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 and the property owner, Chuka Creek Developers Ltd., proposes to apply the LA - Lane Access Overlay Zone over an existing RL – Residential Low-Rise Zone. The applicant is seeking the LA – Lane Access Overlay Zone to accommodate townhouses with front-attached (two-car) garages and rear lane vehicular access.

The site has 21 lots. The surrounding land uses include commercial development (Acre 21) to the west, high-density residential to the north and vacant residential lots to the south and east sides. The fronting street is classified as a collector roadway.

### **Land-Use and Zoning**

The subject properties are designated as “Medium Density” in the Greens on Gardiner Concept Plan and are shown as having a rear lane (Appendix A-3).

The primary RL – Residential Low-Rise Zone of the subject properties is intended to accommodate a neighbourhood environment characterized by a mixture of low-rise multi-unit building types. The RL – Residential Low-Rise Zone regulations permit “Building, Row” building type if it contains a minimum of two dwelling units per building. Some common examples of a “Building, Row” in the RL – Residential Low-Rise Zone would be semi-detached and townhouse-style dwellings.

### **Lane Access Overlay**

The Zoning Bylaw generally restricts front parking on residential lots with rear lane access to reduce redundant infrastructure, support on-street parking and pedestrian mobility. 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 review process allows Administration to assess the impact based on its location and context with due consideration to the utilization of infrastructure, surrounding land uses, safety or other factors deemed necessary by the City.

The key regulations for lot frontage for the LA – Lane Access Overlay 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.*

This proposal would be the third instance of applying the LA – Lane Access Overlay Zone. Among the previous two cases, one was for a block in the Rosewood neighbourhood, recently considered and approved by City Council on June 24, 2020. The other one was for a block in the Towns neighbourhood, considered by City Council on May 27, 2020.

The land use and zoning related details of this proposal are provided in the following tables:

| Land Use Details | Existing                  | Proposed   |
|------------------|---------------------------|--|
| Zoning           | RL – Residential Low-Rise | RL – Residential Low-Rise + LA – Lane Access Overlay |
| Land Use         | Vacant Lots               | Building, Row with 3-5 dwellings per building        |

| Zoning Analysis   | Required                              | Proposed  |
|---|---------------------------------------|---|
| Min. Lot Area (m <sup>2</sup> ) for lots without rear lane access | 200                                   | 245 – 296   |
| Min. Lot Frontage (m) for lots without rear lane access           | End Units: 7.3<br>Interior Units: 6.1 | End Units: 8.247 – 7.278<br>Interior Units: 6.706 – 7.315 |

If the LA - Lane Access Overlay Zone is applied to the subject properties, as recommended in this report, the applicant may pursue their intended housing product - townhouses (i.e., Building, Row) with both front and rear vehicular access. The proposal conforms with the RL Zone requirements and subsection 8M.4(2) of the LA - Lane Access Overlay Zone.

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

At present, Green Jewel Boulevard’s north side, directly in front of the subject properties, can accommodate approximately 20 on-street parking stalls. The application of LA – Lane Access Overlay on the subject properties will effectively remove all of these on-street parking stalls. This is due to the potential placement of driveways and the Traffic Bylaw requirement that vehicles must be parking a minimum of two metres from driveways.

Green Jewel Boulevard’s south side is zoned MLM – Mixed Large Market Zone and forms the side property line of Acre 21 commercial development. There are no driveways on that side between Spring Street and Green Diamond Road. As the road width on Green Jewel

Boulevard is approximately 14.0 metres, designed to accommodate four lanes, there will be as many as 20 on-street parking stalls available on Green Jewel Boulevard's south side between Spring Street and Green Diamond Road.

Existing apartments in the immediate vicinity may put pressure on the on-street parking infrastructure. For the subject properties, 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 subject properties to provide additional parking stalls as 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 application can be further supported because these lots were zoned R5 – Residential Medium Density Zone under the previous *Zoning Bylaw No.9250*, which allowed development with front and rear vehicular access.

In summary, the subdivision was designed with Green Jewel Boulevard being a collector roadway accommodating on-street parking on both sides of the street. However, with current low traffic volumes and lower projected traffic volumes in the future, the addition of front access driveways along this block face is considered acceptable by the City. Given this context, Administration recommends approval of this application.

### **Servicing Implications**

The LA - Lane Overlay Zone and utilization of front access driveways were assessed from transportation and servicing perspectives. There are no servicing implications associated with this proposal.

### **Community Engagement**

Following 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, and a public notification sign was posted on the subject site. Arcola East Community Association was contacted twice but did not respond. No comments were received from neighbouring properties.

## **DECISION HISTORY**

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- The subject properties originally received subdivision and Zoning Amendment approval under the previous Zoning Bylaw, *The Regina Zoning Bylaw No. 9250*, in April 2016 (CR16-35).
- In June 2020, City Council approved an amendment to the *Regina Zoning Bylaw 2019-19*, which removed the requirement that the LA – Lane Access Overlay be identified at the secondary plan or concept plan stage and allowed applying it on a case-by-case basis through zoning amendment applications (CR20-33).

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,



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

2/23/2021

Prepared by: Amar Guliani, City Planner II

**ATTACHMENTS**

- A-1 Subject Property Map
- A-2 Aerial View
- A-3 Greens on Gardiner Concept Plan
- A-4.1 Proposed Site Plan
- A-4.2 Typical Cross Section