



Discretionary Use Application - 5000 E Green Brooks Way - PL202100144

Date	November 3, 2021
To	Regina Planning Commission
From	City Planning & Community Development
Service Area	Planning & Development Services
Item No.	RPC21-65

RECOMMENDATION

Regina Planning Commission recommends that City Council:

1. Approve the discretionary use application for the proposed development of “Building, Planned Group” and “Planned Group” located at 5000 E Green Brooks Way in the Greens on Gardiner Subdivision, subject to compliance with the following development standards and conditions:
 - a) The development shall be generally consistent with the plans attached to this report as Appendix A-3.1 and A-3.4, prepared by Newrock Developments Inc. and dated January 26, 2021.
 - b) Except as otherwise specified in this approval, the development shall comply with all applicable standards and regulations in *The Regina Zoning Bylaw, 2019*.
2. Authorize the Development Officer to issue a development permit with respect to the application, upon the applicant making payment of any applicable fees or charges and entering into a development agreement if one is required.
3. Approve these recommendations at its meeting on November 10, 2021, following the required public notice.

ISSUE

The Applicant, Newrock Developments Inc., proposes to develop a group of townhouses and stacked townhomes on the subject property. The proposed building form is defined as “Building, Planned Group” and the land use is described as a “Planned Group”, both of which are discretionary in the RH - Residential High-Rise Zone. The proposal includes a total of six buildings with 81 two and three-bedroom dwelling units.

All properties in the City of Regina are assigned a zoning designation under *The Regina Zoning Bylaw, 2019* (Zoning Bylaw). Within each zoning designation, land-use can be permitted, prohibited or discretionary. Discretionary use applications require a public and technical review; consideration and recommendation by the Regina Planning Commission and consideration and approval by City Council to proceed.

This application is being considered pursuant to *The Planning and Development Act, 2007* (The Act); *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP) and the Zoning Bylaw, including suitability based on the prescribed evaluation criteria for discretionary uses established in Part IE.3. The proposal has been assessed and is deemed to comply with all applicable policies, regulations and standards.

Pursuant to subsection 56(3) of The Act, City Council may establish conditions for discretionary uses based on the nature of the proposal (e.g., site, size, shape arrangement of buildings) and other aspects of site design.

IMPACTS

Financial Impacts

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.

Accessibility Impacts

The development requires one accessible parking stall. The proposal provides three, which meets the minimum requirement.

Environmental Impact

City Council set a community goal for the City of Regina of achieving net-zero emissions and sourcing of net-zero renewable energy by 2050. In support of this goal, City Council asked Administration to provide energy and greenhouse gas implications of recommendations so that Council can evaluate the climate impacts of its decisions. The proposed application involves the

construction of a high-density residential development. Although difficult to quantify at this stage, high density developments generally have positive effects in the reduction of energy consumption and associated greenhouse gas (GHG) emissions.

Also, the proximity between the proposed development and a school helps decrease the commuting distance for students living in the proposed townhouses. In addition, reduced commuting distances can lead to more active modes of transportation. As result, this will translate into a decrease in GHG emissions that would have been generated from vehicle trips and longer commuting distances.

Transportation:

High level transportation impacts were reviewed and were accounted for through an amendment to the Greens on Gardiner Concept Plan and zoning in 2014. At the time of the traffic review in 2014 the subject site was planned for high density residential development, which is not changing through this application, therefore it was determined no additional technical evaluation of the traffic impacts was required during the assessment of this proposal. Transportation review at the site-specific design stage will consider access and egress locations to ensure standards are met and are optimally located. Through the review of the application, and in response to public feedback, the main access to the site was relocated from Green Brooks Road to Primrose Green Road. This will transfer some local traffic away from the traffic associated with École Wascana Plains School and École St. Elizabeth School, where there is already some congestion. This relocation was deemed satisfactory by Administration.

Policy/Strategic Impact

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

- Section D6-Housing, Goal 3 – Diversity of Housing Forms: Increase the diversity and innovation of housing forms and types to support the creation of complete neighbourhoods across Regina.
- Section D11 Social Development, Goal 3 – Community Security: Ensure that Regina is a safe community where everyone feels secure in their homes and neighbourhoods
 - 13.12: Promote health and safety by embracing the principles of Crime Prevention through Environmental Design (CPTED).

Administration recommends in favour of the application as the proposed development aligns with the OCP, associated land uses in the Green on Gardiner Concept Plan and associated RH - Residential High-Rise Zone assigned to the site.

A complete neighbourhood is a cohesive mix of low, medium and high-density development supported by other amenities, schools and commercial developments. Neighbourhood development policies require a mix of residential types in all neighbourhoods. Family-oriented residential development near a school promotes walking to school rather than requiring bus or vehicle transportation.

OTHER OPTIONS

Alternative options would be:

1. Approve the application with specific amendments to the plan.
2. Refer the application back to Administration. If City Council has specific concerns with the proposal, it may refer the application back to Administration to address or make additional recommendations and direct that the report be reconsidered by Regina Planning Commission or brought directly back to Council following such further review. Referral of the report back to Administration will delay approval of the development until the requested information has been gathered or changes to the proposal have been made.
3. Deny the application. Subject development will not proceed on the subject property if City Council rejects the application. If Council defeats or does not move a recommendation to approve (with or without conditions), Council must consider an alternate motion to reject the application. The motion must include the reasons for the denial based on the evaluation criteria.

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 City Council's consideration of this application 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

Proposal

The Applicant proposes a group of townhouses and stacked townhomes (i.e. "Building, Planned Group" and "Planned Group") on the subject property. The property is zoned RH - Residential High-Rise Zone, in which the building type and land use is a discretionary use. The proposal includes a total of six buildings with 81 two- and three-bedroom dwelling units.

Discretionary Use Analysis

Pursuant to section 56 of The Act, a discretionary use decision to approve, reject, or approve subject to development standards or conditions must be in accordance with, and supported by the Zoning Bylaw. Section 1E.3.5 of the Zoning Bylaw specifies criteria by which all discretionary uses must be evaluated. Generally, in exercising its discretion, Council's decision with respect to discretionary use applications must be evaluated based on:

- consistency of the proposed use with the OCP;
- consistency of the proposed use with other policy documents with emphasis on land use and intensity, and impact on public facilities and infrastructure and services;
- consistency of the proposed use with the Zoning Bylaw; and
- potential adverse impacts or nuisances affecting nearby land, development, land use, property, neighbourhood character, the environment, traffic, public right-of-way, and other matters of health and safety.

Furthermore, all discretionary use applications must consider any criteria particular to the discretionary land use (or building type) as specified in the Zoning Bylaw and be consistent with the Statements of Provincial Interest Regulations. Council may prescribe specific development standards or conditions of approval only if they are necessary to secure the objectives of the Zoning Bylaw with respect to the size, shape, and arrangement of buildings or site; accessibility and traffic patterns of people or vehicles; mitigation of noxious or offensive emissions (i.e., noise, dust, glare, odour); and treatments to landscape, parking, open spaces, lighting, signs, excluding material or architectural detail.

The application was considered for suitability based on the additional prescribed evaluation criteria for discretionary uses as set out in the Zoning Bylaw section 1E.3. Based on Administration's assessment, the application is consistent with all criteria, particularly with respect to land use and policy regulations. The following key factors were considered in the evaluation:

- The proposed land use is consistent with the Greens on Gardiner Concept Plan, which identifies the site for high density residential, as the development is a mixture of row and stacked dwelling unit types.
- The design of the site and orientation of buildings is compatible with surrounding planned land uses and was contemplated at the time of neighbourhood design.
- The development type is complementary and supportive of neighbourhood amenities, such as commercial and the school.
- Vehicular site access meets requirements. The primary vehicle access has been relocated to Primrose Green Drive, which will reduce the potential local traffic in proximity to the school.
- There are no particular factors affecting public nuisance or matters of health and safety to be addressed by this application.

Zoning and Land Use

The Zoning Bylaw classifies the use as "Planned Group" and "Building, Planned Group". The property is zoned RH – Residential High-Rise Zone, in which "Planned Group" and "Building, Planned Group" is discretionary.

Land Use Details	Existing	Proposed
Zoning	RH – Residential High-Rise Zone	No change
Land Use/ Building Type	Vacant Lot	“Planned Group” /“Building, Planned Group”
Number of Dwelling	Vacant Lot	81
Zoning Analysis	Required	Proposed
Min. Lot Area (m ²)	2,400	12,025
Lot Frontage (Min)	14.6	84.6
Front Setback	4.5	6.0
Rear Yard Setback	5	6.0
Side Yard Setback		
Flankage Side Yard	0.45	3.7
Interior Side Yard	1.2	6.0
Maximum Lot Coverage	50% (3,950 m ²)	31% (3725.5 m ²)
Maximum Floor Area Ratio	3	1.38
Maximum Height (meter)	20	9.75
Number of Parking Stalls	81 (One per dwelling)	118 (1.45 per dwelling)
Total Landscape Area	15%	37% (4,398 m ²)

The site was previously zoned as R6 - Residential Multiple Housing Zone under *City of Regina Zoning Bylaw No. 9250* (prior to 2019), which prescribed a residential density greater than 50 units/ha; the zone was typically developed with low rise apartments (less than 13m) or townhouse type development. The proposed development conforms to the previous and current Zoning Bylaw and has a proposed building height of 9.75 meters. Based on the comparison with the previous Zoning Bylaw, there are no changes to the zoning regulation. Similarly, there are no changes to the anticipated density and the traffic assumptions from the original concept plan approval dated July 28, 2014.

Other aspects of the proposed development, including landscaping, conforms with the Zoning Bylaw. The surrounding land uses are medium-density residential to the north, vacant lot to the west, low-density residential to the east and school to the south. The subject development complies with the Greens on Gardiner Concept Plan (Appendix A-4) as the area is categorized as high-density residential land.

The Zoning Bylaw requires a total of 81 on-site parking stalls (one per dwelling), whereas a total of 118 stalls (1.45 per dwelling) will be located within the development. None of the proposed buildings have direct driveway access to the adjacent streets, and it is anticipated there will be negligible loss of existing on street parking. Both Public and Catholic School Boards initially highlighted concerns related to potential traffic impact from the development. However, based on the feedback the

applicant has revised the site plan by relocating the main entrance from Green Brooks Way to Primrose Green Drive to mitigate some of these concerns and follow up with the School Boards has indicated the concerns have been alleviated.

Community Engagement

In accordance with the public notice requirements of *The Public Notice Policy Bylaw, 2020*, on August 19, 2021 neighbouring property owners within 75 metres of the proposed development were sent written notice of the application and a sign was posted on the subject site on August 24, 2021. A summary of public comments is attached as Appendix B of this report. Based on the public feedback received, the applicant revised their site plan which resulted in a relocated access. Information about the revisions and next steps was sent to all interested parties on October 8, 2021. Updated information was also published on the City's website.

Arcola East Community Association (AECA) was included in the circulation of the application. Following circulation, Administration attempted follow-up contact with the AECA; however, Administration did not receive a response prior to the deadline for submission of this report.

DECISION HISTORY

On July 28, 2014, City Council approved an amendment to the Greens on Gardiner Concept Plan, including rezoning this land from UH – Urban Holding to R6 - Residential Multiple Housing Zone to allow the development of high density residential (CR14-87).

On December 21, 2019, City Council adopted Zoning Bylaw No. 19-19, resulting in the property being zoned RH – Residential High-Rise Zone.

Respectfully Submitted,

Respectfully Submitted,



Aurora Dawson, A/Executive Director

10/20/2021



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

10/27/2021

Prepared by: Binod Poudyal, City Planner II

ATTACHMENTS

Appendix A -1 (Subject Property Map)

Appendix A-2 (Aerial Map)

Appendix A-3.1 (Proposed Site Plan)

Appendix A-3.2 (Proposed Landscape plan)

Appendix A-3.3 (Proposed Building Plan)
Appendix A-3.4 (Proposed Building Plan)
Appendix A-4 (Greens on Gardiner Concept Plan)
Appendix B (Public Comment Summary)