

## 1700 Elphinstone Street - Discretionary Use - PL201900075

<b>Date</b>	July 8, 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>	RPC20-23

### RECOMMENDATION

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Regina Planning Commission recommends that City Council:

1. Approve the discretionary use application for Restaurant, Food and Beverage located at 1700 Elphinstone Street, being Block FF, Plan No. 84R29489 Ext 1, in Evraz Place.
2. Direct the Development Officer to issue a development permit subject to the following conditions:
  - a. The development shall be generally consistent with the plans attached to this report as Appendix A-3.1 to A-3.3 inclusive, prepared by IBI Group and dated September 12, 2019 (A-3.1) and Reprise Architecture (A-3.2; A-3.3).
  - b. The Applicant shall enter into a Development Levy Agreement.
  - c. The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw 2019-19*.
3. Approve amendments to the *Regina Zoning Bylaw No. 2019-19*, in relation to signage, such that signs within Evraz Place shall comply with the sign regulations applicable to the MLM – Mixed Large Market Zone.
4. Direct the City Solicitor to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.
5. Approve these recommendations at its July 29, 2020 meeting, following the required public notice.

## ISSUE

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At its meeting on April 29, 2020 (CR20-24), City Council approved Material Alterations to Evraz Place which provided authorization for subsequent development applications to be received on the Evraz Place site. This represents the first development received and is an application to develop a Restaurant, Food and Beverage (proposed development), on a site within a portion of Evraz Place (subject property), which is owned by the City of Regina (City).

The subject property is zoned PS – Public Service Zone under *Regina Zoning Bylaw No. 2019-19* (Zoning Bylaw). Restaurant, Food and Beverage is a discretionary use within the PS – Public Service Zone and is accommodated when developed in conjunction with a municipally owned or operated facility.

This application is being considered pursuant to the *Planning and Development Act, 2007* (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 complies with all applicable policies, regulations and standards.

Pursuant to subsection 56(3) of the *Planning & Development Act, 2007* (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 aspects of site design (e.g. landscaping, site access, parking, loading), but not including architectural details.

## IMPACTS

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### 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 standards and applicable legal requirements. It is intended that the site will be secured through a legal arrangement (i.e. lease) and the City will retain ownership.

### Policy/Strategic Impact

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

- Section C, Goal 1, Policy 2.2: *Direct future growth as either intensification on or expansion into lands designated to accommodate a population of approximately 300,000, in accordance with Map 1 – Growth Plan.*

This area is within the intensification area of Map 1 and borders the City Centre.

- Section D5, Goal 2, Policy 7.7.5: *Supporting HISTORIC PLACES, cultural and civic resources and events.*

Evraz Place is the largest civic and sport resource in the city. This development supports the continuing financial vitality of Evraz Place.

- Section D11, Goal 2, Policy 13.10: *Collaborate and seek partnerships to increase access to healthy, diverse and affordable food within neighbourhoods...*

The proposed development provides an additional opportunity for services to residents, users of Evraz Place and the travelling public. The development further supports Evraz Place as an important community destination point and institution. It will also contribute to the economic viability of Evraz Place moving forward.

## OTHER OPTIONS

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Alternative options would be:

1. Approve the application with specific amendments to the site plan.
2. 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. 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.

## 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. 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**

Regina Exhibition Association Limited, who operates Evraz Place, received approval from City Council on April 29, 2020 (CR20-24) for Material Alterations for this site. City Council's approval was required as it is a City owned facility.

The proposed development, Restaurant, Food and Beverage (McDonald's) is intended to be on a portion of the Evraz Place site comprising 427 square metres and is to include drive-through service, 52 parking spaces and a freestanding sign. Primary access will be via intersection of Lewvan Drive and 11<sup>th</sup> Avenue.

The land use and zoning related details of this proposal are summarized in the following table:

Land Use Details	Existing	Proposed
Zoning	PS – Public Service	PS – Public Service
Land Use	Vacant	Restaurant, Food and Beverage
Building Area	Nil	400m <sup>2</sup>

Zoning Analysis	Required	Proposed
Number of Parking Stalls	17	52
Min. Lot Area (m <sup>2</sup> )	500m <sup>2</sup>	4114m <sup>2</sup>
Min. Lot Frontage (m)	15m	70.4m
Max. Building Height (m)	15m	6.4m
Max. Floor Area Ratio	1.5	0.09
Max. Coverage (%)	75%	8.8%

### **Discretionary Use**

Within the PS – Public Service Zone, Restaurant, Food and Beverage “are allowed only in conjunction with a municipally owned or operated facility” (Table 7E.T2.2). Within the Evraz Place complex, existing restaurants are located within the existing complex and recreational use buildings. The proposed development will differ by being freestanding; however, its use will benefit patrons of the assembly and recreational use buildings; will be interconnected from a walkability perspective and the lands will remain under the same ownership.

The proposed development conforms with the Zoning Bylaw from a site design perspective and is deemed to be suitable for the location, as it has convenient access to a major roadway and a fully signalized intersection and is complementary with nearby assembly and recreational use buildings within the Evraz Place complex. Further, due to significant spatial separation, issues with residential compatibility are expected to be minimal. The proposal meets all requirements of the Zoning Bylaw including exceeding the minimum parking requirements.

### **Proposed Signage**

In conjunction with the proposed development, the intent is to construct a freestanding sign that will advertise company logo (McDonalds Corporation) similar to signage for similar uses throughout the city. The proposed sign is not permitted under the sign regulation for the PS – Public Service Zone. However, Administration supports an amendment to the Zoning Bylaw to accommodate the sign for the following reasons:

- The proposed signage is consistent with similar signs for restaurants/commercial uses throughout the city. The maximum height for freestanding signs on lands zoned PS – Public Service Zone is 4.0 metres. The applicant will be submitting a separate application for a sign permit with design details.
- Additional freestanding signs are not permitted on lands zoned PS – Public Service Zone and there are already freestanding signs within the Evraz Place complex (e.g. intersection of Lewvan Drive and 11<sup>th</sup> Avenue). Given the scale of the Evraz Place complex, additional signage is warranted, especially in support of commercial use.

In order to address this matter, it is recommended that Chapter 11 of the Zoning Bylaw be amended so that the sign regulations relating to the MLM - Mixed Large Market Zone apply to the Evraz Place complex. Large commercial and recreation facilities within Evraz Place are more comparable with development associated with the MLM - Mixed Large Market Zone than the PS – Public Service Zone (which is generally applied to lands accommodating parks, recreation and natural areas). The maximum permitted height for a sign in the MLM – Mixed Large Market Zone is 14 metres. Applying the signage regulations associated with MLM - Mixed Large Market Zone will accommodate sign associated with proposed development and accommodate future signage requirements.

### **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. The North Central Community Association was contacted but did not respond. Comments from neighbouring properties are captured in Appendix B.

### **DECISION HISTORY**

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On April 29, 2020 City Council approved Material Alterations for this site. (CR20-24).

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.

6/30/2020

Prepared by: Jeremy Fenton, Senior City Planner

### **ATTACHMENTS**

Appendix A-1

Appendix A-2

Appendix A-3.1

Appendix A-3.2

Appendix A-3.3

PL201900075 Appendix B