

December 4, 2013

To: Members,  
Regina Planning Commission

Re: Application for Discretionary Use (13-DU-31) Proposed Building Greater than 12m  
Height or 2.0 FAR in the D-Downtown Zone (Office Building)  
1829, 1835, 1847, and 1855 Rose Street

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### RECOMMENDATION

1. That the discretionary use application for a proposed building greater than 12 m in height and 2.0 F.A.R located at 1829, 1835, 1847, 1855 Rose Street, being Lots 8-22, inclusive and Lot 41; in Block 41; Old 33, be RE-APPROVED, and that a Development Permit be issued subject to the following conditions:
  - a) The conditions as originally approved by Council (CR11-123) be carried forward with the exception that (b) be replaced with the following:
  - b) The applicant/owner shall agree to pay \$1,323,132 for the office contribution gradient, or the applicant/owner shall enter into an agreement with the City of Regina, in a form satisfactory to the City Solicitor, for the provision of public amenities equal to the office contribution gradient as per Chapter 19 of the Zoning Bylaw.
2. That this report be forwarded to the December 16, 2013 meeting of City Council.

### CONCLUSION

The applicant is requesting re-approval of a discretionary use where the associated development permit has expired. The proposal is exactly the same as previously proposed therefore no further technical analysis was required. The development is fully compliant with the standards in the recently amended D-Downtown Zone. The original recommendation regarding the office contribution gradient requires alteration to conform to the current bylaw.

The proposal complies with the development standards and regulations contained in Regina Zoning Bylaw No. 9250 and is consistent with the policies contained in Regina Development Plan Bylaw No. 7877 (Official Community Plan).

### BACKGROUND

City Council approved the proposal on October 17, 2011 (CR11-123). The associated Development Permit expired on October 18, 2013.

This application is being considered pursuant to *Regina Zoning Bylaw No. 9250, Regina Development Plan Bylaw No. 7877 (Official Community Plan), and The Planning and Development Act, 2007.*

Pursuant to subsection 56(3) of the Act, Council may establish conditions for discretionary uses based on the nature of the proposed development (e.g. site, size, shape and arrangement of buildings) and aspects of site design (e.g. landscaping, site access, parking and loading), but not including the colour, texture or type of materials and architectural details.

## DISCUSSION

The applicant is seeking re-approval of a discretionary use approved by City Council in October 2011. The issuance of a development permit requires development to commence on-site within two years. Since development did not proceed within that timeframe, the development permit expired. Accordingly, the applicant requires re-approval by City Council before development may commence.

The proposed building is identical to what was originally approved. The proposal did not require further technical review. The original report, which includes the Administration's technical analysis, is attached in Appendix A for reference.

The only difference between the previous and the current proposal is with respect to the Office Contribution Gradient. In the D-Downtown Zone within the Central Business District, offices can be unlimited height and density in exchange for \$4.00 per square foot of office above the podium of the building. The previous preliminary public amenities agreement was based on the Regina Downtown Neighbourhood Plan, whereas now the public amenities agreement is required to be based on the provisions of Chapter 17 of the Zoning Bylaw. As per the Office Contribution Gradient, the value of public amenities in this building would total \$1,323,132. The developer would be required to pay the amount or agree with the Administration to amenities in lieu of cash.

## RECOMMENDATION IMPLICATIONS

### Financial Implications

Financial implications for this proposal are detailed in CR11-123 attached to this report as Appendix A

### Environmental Implications

Environmental implications for this proposal are detailed in CR11-123 attached to this report as Appendix A

### Policy/Strategic Implications

Environmental implications for this proposal are detailed in CR11-123 attached to this report as Appendix A

### Other Implications

This request has prompted the Administration to re-evaluate its current practice of requiring City Council's approval for a discretionary use where the associated development has expired.

The Administration is considering bylaw amendments that would allow for some administrative discretion and give the Director of Planning to extend development permit time limits.

### Accessibility Implications

Accessibility implications for this proposal are detailed in CR11-123 attached to this report as Appendix A

### COMMUNICATIONS

The site was sign posted as per the requirement of the Zoning Bylaw Property owners within 75 m were notified of the proposal and were advised of the tentative date and time that this proposal would be considered at Regina Planning Commission.

### DELEGATED AUTHORITY

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

Respectfully submitted,



(for) Fred Searle, Manager  
Current Planning

Respectfully submitted,



Jason Carlston, Deputy City Manager  
Community Planning and Development