

November 23, 2015

To: His Worship the Mayor
and Members of City Council

Re: Application for Zoning Bylaw Amendment and Discretionary Use (15-Z-16/ 15-DU-15)
Proposed Medical Clinic and Retail Building – 2055 Prince of Wales Drive

**RECOMMENDATION OF THE REGINA PLANNING COMMISSION
– NOVEMBER 10, 2015**

1. That the application to rezone Block/ Parcel T, Plan No. 00RA08920, Ext. 5, Spruce Meadows Subdivision located at 2055 Prince of Wales Drive from MAC3- Major Arterial Commercial Zone to MAC- Major Arterial Commercial Zone be APPROVED.
2. That the discretionary use application for a proposed Building F- Medical Clinic and Retail Building located at 2055 Prince of Wales Drive, being Plan No. 00RA08920, Spruce Meadows be APPROVED, and that a Development Permit be issued subject to the following conditions:
 - a) The development shall be consistent with the plans attached to this report as Appendix A-3.1 to A-3.3 inclusive, prepared by Mallen Gowing Berzins Architecture and dated June 30, 2015; and
 - b) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.
3. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.

REGINA PLANNING COMMISSION – NOVEMBER 10, 2015

Garry Frawley, Carmen Lien and Jeff Booker, representing PC Urban Properties, addressed the Commission.

The Commission adopted a resolution to concur in the recommendation contained in the report.

Recommendation #4 does not require City Council approval.

Councillors: Mike O'Donnell (Chairperson), Jerry Flegel and Barbara Young; Commissioners: Phil Evans, Adrienne Hagen Lyster, Daryl Posehn, Laureen Snook, Phil Selenski and Kathleen Spatt were present during consideration of this report by the Regina Planning Commission.

The Regina Planning Commission, at its meeting held on November 10, 2015, considered the following report from the Administration:

RECOMMENDATION

1. That the application to rezone Block/ Parcel T, Plan No. 00RA08920, Ext. 5, Spruce Meadows Subdivision located at 2055 Prince of Wales Drive from MAC3- Major Arterial Commercial Zone to MAC- Major Arterial Commercial Zone be APPROVED.

2. That the discretionary use application for a proposed Building F- Medical Clinic and Retail Building located at 2055 Prince of Wales Drive, being Plan No. 00RA08920, Spruce Meadows be APPROVED, and that a Development Permit be issued subject to the following conditions:
 - a) The development shall be consistent with the plans attached to this report as Appendix A-3.1 to A-3.3 inclusive, prepared by Mallen Gowing Berzins Architecture and dated June 30, 2015; and
 - b) The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*.
3. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment; and
4. That this report be forwarded to the November 23, 2015, meeting of City Council for a decision on this application.

CONCLUSION

The applicant proposes to develop a building containing Medical Clinics and Retail (Building F) on the east Superstore site. A discretionary use is required as this represents the second phase of approval of the recently approved shopping centre expansion of the east Superstore site. In addition, the applicant proposes to rezone the subject property from MAC 3 to MAC.

The proposed development is consistent with the overall approved development of the site and is compatible with the surrounding context. Similarly, the land uses previously approved by the City Council on June 22, 2015, (CR 15-77) for the subject property are consistent with the purpose and intent of MAC Zone. The proposal to rezone the subject property is consistent with the purpose and intent of MAC – Major Arterial Commercial Zone.

The proposal complies with the development standards and regulations contained in *Regina Zoning Bylaw No. 9250* and is consistent with the policies contained in *Design Regina: The Official Community Plan Bylaw No. 2013-48*.

Accordingly, the Administration is recommending approval of these applications.

BACKGROUND

The subject property contains the Real Canadian Superstore and Gas Bar, which was constructed in 2000, and is located at the southeast corner of the intersection of Victoria Avenue and Prince of Wales Drive (2055 Prince of Wales Drive). The site contained many undeveloped portions of land that were being held by the property owner in anticipation of future commercial development. An application to develop a shopping centre on the site was approved by the City Council on June 22, 2015, (CR 15-77) and designating the area of the site at the intersection of Prince of Wales Drive and West Fair Road for future development (“Building F”). According to the applicant, the detailed design of Building F was not ready for application at the time. The Administration has now received a separate application to develop Building F for Medical Clinics and Retail.

This application is being considered pursuant to *Regina Zoning Bylaw No. 9250, Design Regina: The Official Community Plan Bylaw No. 2013-48*, and *The Planning and Development Act, 2007*.

Pursuant to *subsection 56(3) of The Planning and Development Act*, City Council may establish conditions for discretionary uses based on the nature of the proposal (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

Zoning and Land Use Analysis

The applicant proposes to develop Building F for Medical Clinics and retail uses on the south-west corner of east Superstore site. The development constitutes a second phase of development in continuation of the previous discretionary use approval in June 22, 2015 (CR15-77). In the first phase, the applicant received approval to develop eight new commercial buildings.

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

<u>Land Use Details</u>	<u>Existing</u>	<u>Proposed</u>
Zoning	MAC3 - Major Arterial Commercial Zone	MAC - Major Arterial Commercial Zone
Land Use	Shopping Centre	Medical Clinics and Retail (Commercial)
Number of Dwelling Units	N/A	N/A
Building Area	0 m ²	1231.5 m ²

<u>Zoning Analysis</u>	<u>Required (Based on MAC Zone Requirements)</u>	<u>Proposed</u>
Number of Parking Stalls Required	77 stalls	119 stalls*
Minimum Lot Area (m ²)	250 m ²	74,164.79 m ²
Minimum Lot Frontage (m)	6 m	249 m
Maximum Building Height (m)	15 m	16.15 m
Gross Floor Area	N/A	4926 m ²
Maximum Coverage (%)	90%	36.6% (includes all buildings on site)

**The amount of parking is part of the entire site for the shopping centre development and was considered as part of the approval by City Council on June 22, 2015 (CR 15-77). According to the TIA and Parking Study Report submitted earlier, taking into consideration of overall development on this site, the total number of parking stalls required with shared parking arrangements, including Building F, is 918 stalls. The total number of parking stalls proposed on the entire site with this proposal is 1007, which exceeds the requirement as recommended by the TIA report.*

In the MAC Zone, the maximum permitted building height is 15 metres. The proposed building is at a height of 16.15m in height, for a variance from standard of 7.6%. *Regina Zoning Bylaw No. 9250* allows for consideration of a Minor Variance Application where the variance in height is less than 10%. The Administration is supportive of the variance from standard as there will be minimal impact on the streetscapes and adjacent properties.

The application is consistent with the previously approved landscape plan concept for the entire shopping centre. The focus of landscaping is at the perimeter of the site and adjacent to public streets.

The surrounding land uses include commercial use and Victoria Avenue (Highway No. 1) to the north, Regina Memorial Gardens Funeral Home and Cemetery to the east, commercial uses to the south (Winners, Best Buy, and Rona), and commercial uses to the west (Wal-Mart).

Proposed Rezoning

The MAC3- Major Arterial Commercial Zone is applied to small number of properties along Victoria Avenue (east to University Park Drive) including the subject property which was developed for a Real Canadian Superstore in 2000. The properties to the east are zoned MAC- Major Arterial Commercial, and properties to the west and south of the subject property are zoned MAC 3- Major Arterial Commercial. Properties across Victoria Avenue to the north of the subject property are zoned MAC as well as HC- Highway Commercial Zone.

While the MAC3 and MAC zones are similar, there is one notable difference with respect to the provision of discretionary use of retail spaces. The MAC3 zone allows more than 500 m² gross floor area of retail use on a single lot basis as a discretionary use; whereas, MAC Zone allows more than 1000 m² gross floor area as discretionary on a single lot basis.

The proposed development is consistent with the purpose and intent of the MAC - Major Arterial Commercial Zone with respect to accommodating retail, service, and office developments along controlled-access roadways where establishments can benefit from good visibility from a major arterial roadway. Similarly, the land uses previously approved by the City Council on June 22, 2015 (CR 15-77), on the subject property are consistent with the purpose and intent of the MAC Zone; therefore, the proposed uses could be accommodated in MAC zone. MAC zoning is also applied on a city wide basis to many large format shopping centre developments similar to the subject property. Accordingly, the Administration supports the applicant's proposal to rezone the subject property to MAC.

RECOMMENDATION IMPLICATIONS

Financial Implications

The subject area currently receives a full range of municipal services, including water, sewer, and storm drainage. The applicant will be responsible for the cost of any additional 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.

Environmental Implications

None with respect to this report.

Policy/Strategic Implications

The proposal is consistent with the policies contained within *Part A: Policy Plan of Design Regina: The Official Community Plan Bylaw No. 2013-48* with respect to:

Complete Neighbourhoods

- Providing opportunities for daily lifestyle needs, such as services, convenience shopping and recreation;
- Providing live/work opportunities within urban centres and urban corridors and within residential areas as identified within approved secondary plans or concept plans.

Urban Centers and Corridors

- Supporting the redevelopment of existing retail areas to higher density, mixed-use, and transit-oriented development with densities appropriate to servicing capacity.

Employment Areas

- Requiring new large-format retail to be located on urban corridors or within identified urban centers and designed;
- Allowing for change and intensification over time.

The proposed development compliments the overall development of the area in establishing a complete neighbourhood and provides the nearby residents additional opportunities for shopping and employment. The proposed development is intended to maximize existing retail area with the available servicing capacity. The proposed development is well connected with the transit and sidewalks along Prince of Wales Drive. At present, the Victoria Express transit route operates from this location with direct access to the downtown.

Other Implications

Office Policy

The intended purpose of the building is to accommodate medical professionals, and thus the majority of the space would be considered as a medical clinic, not an office building. Office users in this location would be restricted to 1000 m² per lot. Only a small portion of the building could accommodate an office user. This approval is specific to a medical clinic use. The Administration will monitor the building over time through the building permit or development permit process to ensure that the portion of office tenancy does not exceed what is permitted in the OCP and Zoning Bylaw.

Accessibility Implications

Regina Zoning Bylaw No. 9250 requires 2% of the required 77 parking stalls (gross parking calculation) or 2 parking stalls be provided for persons with disabilities. The proposed development provides 2 parking stalls for persons with disabilities which meets the minimum requirement.

COMMUNICATIONS

Communication with the public is summarized as follows:

Public notification signage posted on	July 23, 2015
Will be published in the Leader Post on	November 14, 2015 November 21, 2015
Number of Public Comments Sheets Received	None

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

The applicant and other interested parties will receive written notification of City Council's decision.

DELEGATED AUTHORITY

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

Respectfully submitted,

REGINA PLANNING COMMISSION



Elaine Gohlke, Secretary