

Discretionary Use – 4002 Montague Street

Date	November 2, 2023
To	Deborah Bryden, Development Officer
From	Planning and Development Services
Item #	PL202200137

BACKGROUND

Section 1D.1.2(2) of the *Zoning Bylaw, 2019* (Zoning Bylaw) specifies that all applications for discretionary use are delegated to the Development Officer, except those which meet specified criteria. Since the proposed application does not meet the specified criteria, the application is delegated to the Development Officer.

APPLICATION

Growing Together Learning Centre (the Applicant) is proposing to convert (develop) an existing “Dwelling, Group Care” to an “Institution, Day Care” for 39 children at 4002 Montague Street (Subject Property). The Subject Property is zoned R1 – Residential Detached Zone, requiring “Institution, Day Care” to be reviewed through the discretionary use procedure.

The proposed development requires a minimum of one permanent parking stall and four drop-off stalls. The permanent stall is proposed at 4008 Montague Street, which is directly adjacent to the Subject Property and accessed through a shared parking and access agreement. Three drop-off stalls are proposed on-site (4002 Montague Street), and there would be space on Montague Street for two additional drop-off.

There are no proposed changes to the building footprint or floor area.

The Subject Property is located in the Parliament Place Neighbourhood; is surrounded by low-density residential land-use and is directly adjacent to an arterial (Parliament Avenue) and collector roadway (Montague Street) that includes transit service.

REVIEW CRITERIA

The application was reviewed as per the criteria established in Section 1E3.5 of the Zoning Bylaw, as follows:

(a) consistency with the vision, goals and policies of the Official Community Plan

The application is consistent with policies in *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP), including providing opportunities for locally based childcare facilities that allow parents to seek employment (Section D11, Goal 1, Policy 13.5) and supporting the principles of a Complete Neighbourhood (Appendix A). The proximity to employment lands and nearby elementary school contributes to locally based attainable childcare facilities.

- (b) consistency with the objectives and policies of any applicable special study or policy document for the site, area or neighbourhood with emphasis on:
- (i) land use
 - (ii) intensity of development; and
 - (iii) impact on public facilities, infrastructure or services;

No neighbourhood plan, concept plan or special study or policy document applies.

(c) consistency with regulations of the Zoning Bylaw; and

The land use and zoning related details of this proposal are summarized as follows:

Land Use Details	Existing	Proposed
Zoning	R1 – Residential Detached	No change
Land Use	Dwelling, Group Care	Institution, Day Care
Building Footprint	214.7m ²	No change

Zoning Analysis	Required	Proposed
Number of Parking Stalls	<ul style="list-style-type: none"> • 1 permanent stall • 4 on-site drop-off stalls 	<ul style="list-style-type: none"> • 1 permanent stall • 3 on-site drop-off stalls
Minimum Lot Frontage (m)	Existing	No change
Minimum Lot Area (m ²)	Existing	No change
Maximum Site Coverage	Existing	No change
Maximum Building Height (m)	Existing	No change
Minimum Landscape Area (m ²)	Existing	No change

Although the proposed development does not meet the standard requirement for on-site drop-off stalls (three instead of four), TABLE 3F.T6 of Chapter 3, Part 3F, authorizes the Development Officer to reduce the number of on-site drop-off stalls where the applicant demonstrates, to the satisfaction of the Development Officer, that "...on-street parking capacity can adequately serve as a passenger drop-off stall without impeding traffic flow...". The Administration supports this proposed parking scheme for the following reasons:

- Although there is a transit stop on Montague, which prevents on-street parking, there is ample street-parking elsewhere in the immediate vicinity.
- Transit service on Montague Street provides a viable transportation option for workers.
- The proposed development represents the "adaptive re-use" of an existing building – on-site parking has been maximized, and part of the parking requirement is being met through the adjacent property via a shared access and parking agreement. Re-using (re-purposing) existing buildings supports OCP objectives relating to the maximization, and efficient use, of existing infrastructure services.

- (d) **potential adverse impacts or nuisances affecting:**
- (i) **nearby land, development, land uses, or properties;**
 - (ii) **neighbourhood character;**
 - (iii) **the environment;**
 - (iv) **traffic;**
 - (v) **a public right-of-way; and**
 - (vi) **any other matter(s) affecting public health and safety**

The proposed development will occupy an existing building – no changes to the building footprint or floor area are proposed; therefore, no adverse impacts to neighbourhood character or neighbouring land uses are expected.

No traffic issues are anticipated from the proposed development; however, the *Transportation Master Plan* indicates that the intersection of Parliament Avenue and Montague Street will be signalized in the future, which may impact on-street parking directly in front of the Subject Property. Notwithstanding this potential impact, the Administration concludes that the proposed parking scheme is suitable for the above noted reasons.

There were no impacts identified through the review in respect to the environment, public right-of-way, or other matters affecting public health and safety.

PUBLIC NOTICE

The public has been notified about the application as required by *The Public Notice Policy Bylaw* by way of:

- (a) sign posting on the subject property
- (b) written notice sent to assessed property owners within 75m; and
- (c) website posting on regina.ca.

Following public notice, 16 comments have been submitted, which have been summarized below:

Response	Number of Responses	Issues Identified
<i>Completely opposed</i>	11	<ul style="list-style-type: none"> - Lack of parking space - Lack of play space - Safety concerns related to the intersection of Parliament Ave and Montague Street - Increased congestion and use of alleyways
<i>Accept if many features were different</i>	3	
<i>Accept if one or two features were different</i>		
<i>I support this proposal</i>	3	<ul style="list-style-type: none"> - Additional daycare spaces in the neighbourhood
<i>Other</i>	1	<ul style="list-style-type: none"> - Use of daycare space prior to approval
Total	18	

The following responses are provided to the concerns that have been raised:

1. Issue: Lack of parking space

- The proposed development meets the minimum parking requirements, there are three on-site loading spaces, and ample on-street parking if needed. Further, there is transit service immediately in front of the Subject Property, which may provide an alternative form of transportation to the site by patrons or workers.

2. Issue: Lack of play space

- This is a matter beyond the jurisdiction of the City. The Ministry of Education regulates daycare facilities.

3. Issue: Safety concerns about the intersections

- The intersection of Parliament Avenue and Montague Street is currently controlled by a four-way stop. The *Transportation Master Plan* identifies future signalization of this intersection.
- Children in care are unlikely to be unsupervised in the vicinity of the intersection; regardless, pedestrians are given the right-of-way at four-way stops.

SUMMARY

The Proposed Development complies with all criteria for discretionary use approval in the Zoning Bylaw and is in alignment with applicable policy and regulations.

RECOMMENDATION

The application for a proposed discretionary use for an “Institution, Day Care”, located at 4002 Montague Street, being Lot 2, Block 928, Plan 96R66081 Ext. 0 in the Parliament Place is approved, subject to the following standards and conditions:

1. The development shall generally be consistent with the plans attached to this report as Appendix A-3, dated 16 August 2023, prepared by BBK Engineering (Regina) Limited.
2. The number of care spaces shall be limited to 39 as proposed by the applicant.
3. The Owner of 4002 Montague Street, being Lot 2, Block 928, Plan 96R66081 Ext. 0 shall enter into a shared access and shared parking agreement with the owner of 4008 Montague Street, being Lot 1, Block 928, Plan 96R66081 Ext.0 and the City of Regina.
4. Authorize the Development Officer to issue a development permit with respect to the application.

Respectfully Submitted,



Manager, City Planning



Director, Planning & Development Services

DECISION OF DEVELOPMENT OFFICER

As recommended in this report, this application is:

- APPROVED
- DENIED



November 2, 2023

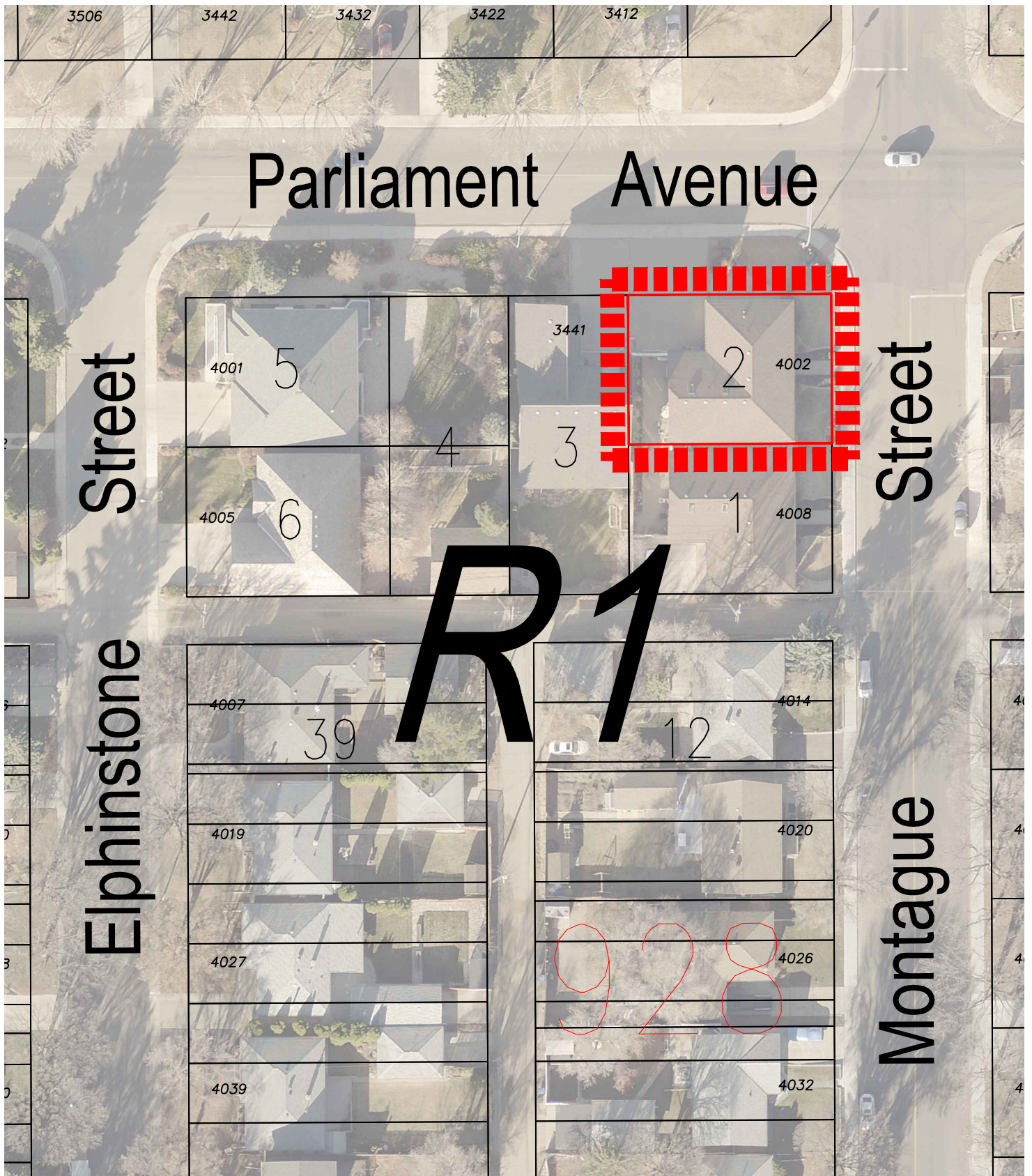
Deborah Bryden, Executive Director,
City Planning and Community Development
(Development Officer)

Dated

Report prepared by: Zoey Drimmie, City Planning I

Attachments:

- Appendix A-1 – Aerial Photograph
- Appendix A-2 – Aerial Photograph
- Appendix A-3 – Site Plan



Date of Photography : 2020



Subject Property





Subject Property

Date of Photography: 2020



Project PL202300137

Civic Address/Subdivision

4002 Montague Street

