

Discretionary Use – 3079 5th Avenue Early Learning Centre

Date	May 11, 2023
To	Deborah Bryden, Development Officer
From	Planning and Development Services
Item #	PL202200035

BACKGROUND

Section 1D.1.2(2) of *The Regina Zoning Bylaw 2019-19* (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

1080 Architecture, Planning + Interiors (The Applicant) proposes an “Institutional, Humanitarian Service” land use within an existing occupied building at 3079 5th Avenue in the North Central community. The development includes administrative offices and a community and cultural hub offering community-based programs and services. The application has been reviewed through the discretionary use review process due to the gross floor area being above 300 square metres per unit. The gross floor area of the proposed development, including the basement, is 960 square metres. The proposed use is already operating at this location as they were unaware that they required development and building permits. This discretionary use approval would legalize this unapproved use.

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:

Section D5 Land Use and Built Environment- Goal 1 Complete Neighbourhoods, which identifies opportunities for daily lifestyle needs, such as services, convenience shopping, and recreation.

Section D11 Social Development- Goal 1 Social Sustainability, which promotes and enhances social sustainability by recognizing that quality of life in a community depends on both its physical and community resources.

(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

The proposed development aligns with the intended land use of OCP Part B.7 North Central Neighbourhood Plan that identifies the subject property as part of the local commercial district.

(ii) intensity of development; and

The proposed intensity of development is appropriate for the site being located along a transit route and aligns with the North Central Neighbourhood Plan that identifies the site as a local commercial district.

(iii) impact on public facilities, infrastructure, or services;

No serviceability issues are anticipated from this development.

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

The proposed development is already operating and is located within an existing building. The building requires no further analysis as it was previously approved.

(d) potential adverse impacts or nuisances affecting:

(i) nearby land, development, land uses, or properties;

No adverse impacts are anticipated for nearby properties.

(ii) neighbourhood character;

No negative implications are expected from a neighbourhood character perspective.

(iii) the environment;

No environmental impacts are anticipated.

(iv) traffic;

No traffic impacts are anticipated from the proposed development.

(v) a public right-of-way; and

No impacts were identified through the review.

(vi) any other matter(s) affecting public health and safety

No impacts were identified through the review.

PUBLIC NOTICE

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

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

Response	Number of Responses	Issues/ Comments Identified
<i>Completely opposed</i>		

<i>Accept if many features were different</i>		
<i>Accept if one or two features were different</i>	1	People getting confused between this building and the Circle Project
<i>I support this proposal</i>	1	More centres like these in this neighbourhood
<i>TOTAL</i>		

Since the public response did not raise a significant degree of concern, this application is delegated to the Development Officer.

SUMMARY

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

Public feedback was minimal, and the concern raised is outside the scope of the discretionary use review criteria and does not warrant changes to the application, therefore, administration is recommending approval of this discretionary use application.

RECOMMENDATION

The application for a proposed discretionary use for an Institutional, Humanitarian Service at 3079 5th Avenue is APPROVED, subject to the following standards and conditions:

1. The development shall be generally consistent with the plans attached to this report as Appendix B-1.
2. Authorize the Development Officer to issue a notice of approval with respect to the application.

Respectfully Submitted,

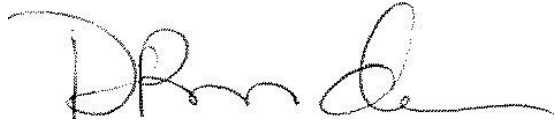
 Manager, City Planning

 Director, Planning & Development Services

DECISION OF DEVELOPMENT OFFICER

As recommended in this report, this application is:

- APPROVED
 DENIED



May 11, 2023

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

Dated

Report prepared by: Larrah Olynyk, Senior City Planner

Attachments:

Appendix A-1 - Aerial Photograph
Appendix A-2 - Aerial Photograph
Appendix B-1 - Site Plans