



**PUBLIC MINUTES
MUNICIPAL PLANNING COMMISSION**

**Tuesday, November 26, 2019, 4:00 p.m.
Scoop Lewry Room
2nd Floor, City Hall**

PRESENT: Councillor Dawn Luhning, Council Representative, Vice-Chairperson
Roy Dickinson, Citizen-at-Large
John Parsons, Citizen-at-Large
Joel Gritzfeld, Citizen-at-Large

ABSENT: Councillor Heather Eby, Council Representative, Chairperson
Brian Sykora, Citizen-at-Large
Dana Bushko, Citizen-at-Large

ALSO PRESENT: Derek Rawlings
Michelle Sanson, Director of Planning and Development Services
Veronica Blair, Planner 1
Pearl Anderson, Recording Secretary

PART 1 – NO APPROVAL OF COUNCIL REQUIRED

Re: Call to Order

Councillor Luhning, Vice-Chairperson, called the meeting to order at 4:03 p.m.

PART 2 – NO APPROVAL OF COUNCIL REQUIRED

Re: Approval of the Agenda

Moved by Roy Dickinson
THAT the agenda be approved as presented.

Carried.

PART 3 – NO APPROVAL OF COUNCIL REQUIRED

Re: Adoption of Minutes – October 22, 2019

Moved by John Parsons
THAT the minutes of the October 22, 2019 regular meeting of the Municipal Planning Commission be approved as presented.

Carried.

PART 4 – APPROVAL OF COUNCIL REQUIRED
Re: 834 Alder Avenue – Rezoning Application

Considered was a report dated November 13, 2019 from the Department of Planning and Development Services presenting a request for rezoning of 834 Alder Avenue.

The property owner of 834 Alder Avenue addressed members of the Commission to present information regarding his request for rezoning.

Moved by John Parsons

THAT the Municipal Planning Commission recommend to City Council that City Administration proceed with the advertising and bylaw preparation for the rezoning of Lot 14, Block 23, Plan No. C4006 Ext 156 and Lot 19, Block 23, Plan No. C4006 Ext. 185 from R3 – High Density Residential District to C2 – High Density Commercial District and that all costs associated with the application be borne by the applicant.

Carried.

PART 5 – NO APPROVAL OF COUNCIL REQUIRED
Re: Adjournment

Moved by Roy Dickinson

THAT the meeting now adjourn.

Carried.

The meeting adjourned at 4:14 p.m.

Approved by Email November 28, 2019
Councillor D. Luhning, Vice-Chairperson

CITY MANAGER'S COMMENTS:

Jim Puffalt
City Manager

MAYOR'S COMMENTS:

Fraser Tolmie
Mayor



City of Moose Jaw

TITLE: 834 Alder Avenue – Rezoning Application

TO: Municipal Planning Commission

FROM: Department of Planning and Development Services

DATE: November 13, 2019

PUBLIC: This is a public document

RECOMMENDATION

THAT the Municipal Planning Commission recommend to City Council that City Administration proceed with the advertising and bylaw preparation for the rezoning of Lot 14, Block 23, Plan No. C4006 Ext 156 from R3 – High Density Residential District to C2 – High Density Commercial District, and that all costs associated with the application be borne by the applicant.

TOPIC AND PURPOSE

The purpose of this report is to consider an application from MMRD Properties Inc. to rezone 834 Alder Avenue from R3 – High Density Residential District to C2 – High Density Commercial District.

BACKGROUND

The property is composed of a single lot, with a site area of approximately 697m². There is one existing building on the property which is currently used as a one-unit dwelling. The building has a total floor area of 211m². The subject property is located directly adjacent to the C2 District on the West and South sides, and is one block East of Main St N.

The existing building was constructed in the early 1900's, prior to the City maintaining permit records. There is little information available about the historic use of the property, however, it is likely that the use has always been residential in nature.

DISCUSSION

The applicant has stated that the purpose of the rezoning application is to facilitate the sale or rental of the property for commercial use. The primary inquiries received by the applicant have been for office use, with the potential inclusion of an accessory dwelling unit. The applicant has stated the following reasons in support of the application:

- The existing High Density Commercial zoning in the area;
- The existing paved parking area at the rear of the property;
- The parking area located North of the property; and
- The demand for commercial space in this area.

The City of Moose Jaw Official Community Plan (OCP) states the following considerations for the review of rezoning applications:

i) The nature of the proposal and its conformance with all relevant sections of this Plan.

The proposal is a small-scale single lot rezoning, to accommodate the use of the existing building for office space. Expanding the C2 District to include this property will have the effect of expanding the Downtown. The City of Moose Jaw Future Land Use map does not designate area within the Downtown for future commercial expansion. It is stated in the OCP that commercial land use in the Downtown shall be monitored on a continuous basis.

ii) The need to foster a rational pattern of relationships between all forms of land use and to protect all forms of land use from harmful encroachments by incompatible uses.

The area is primarily composed of existing commercial land uses. It is unlikely that the expansion of the High Density Commercial District to include this property will cause any adverse land use conflicts.

iii) The need for the form of land use proposed, and the supply of land currently available in the general area capable of meeting that need.

It is Administration's opinion that there is adequate commercial space available in this area, and that there is no support for the claim that there is high demand for office space. However, the rezoning of this property is not likely to have a substantial impact on market conditions in the Downtown.

iv) The adequacy of the proposed landscaping and screening, and the preservation of the urban forest.

No alterations to the site are proposed with this application. If the rezoning proceeds, a Change of Use permit will be required prior to occupancy. At that time, if site alterations are proposed, Administration will review the proposal against the landscaping guidelines outlined in Section 18 of the OCP. The standard practice for the review of site alterations also includes the protection of City-owned trees, in consultation with the Parks and Recreation Department.

v) The capability of the existing roadway and public transit systems to service the proposed use, and the adequacy of the proposed supply of off-street parking.

Offices in the C2 District are exempt from parking requirements in buildings less than 325m². If an accessory dwelling unit is proposed, one parking stall per unit is required. The existing rear parking area provides adequate on-site parking for most uses in the C2

District. It is unlikely that any upgrades to the surrounding transportation systems will be required to accommodate the rezoning.

- vi) The capability of existing community infrastructure to service the proposal, including water and sewer services, parks, schools, and other utilities and community services.**

Since the general area has been established for High Density Commercial and High Density Residential development, it is unlikely that any upgrades will be required to accommodate the rezoning.

- vii) The impact of the proposal on the continued viability of the local community and local community services.**

The proposal is unlikely to have a substantial impact on the local community and services.

If the rezoning is approved, a Change of Use permit will be required. It is recommended that the applicant employ the services of a professional designer to assess the project for National Building Code compliance. The review must include an analysis of the future use of the property, existing building construction, and side yard setbacks.

OPTIONS TO RECOMMENDATION

- City Council may decide to maintain the current Zoning of the property.

PUBLIC AND/OR STAKEHOLDER INVOLVEMENT

In accordance with the Public Notice requirements in the *Planning and Development Act, 2007*, and City practice, the Zoning Bylaw amendment will be advertised for two consecutive weeks in the newspaper and on the City website. Public notices will be sent out to property owners within 90 metres of the subject property. Public comments will be collected by City Administration, or directly presented to Council at the Public Hearing.

OFFICIAL COMMUNITY PLAN

The Official Community Plan (OCP) provides the framework to guide the physical, economic, social, environmental and cultural development of the City. According to the *Planning and Development Act, 2007*, no development shall be carried out which is contrary to the Plan. Relevant sections of the OCP are listed below:

5.2.2 Location of Commercial Development and Use of Commercial Lands

- a) The City has evaluated and will continue to monitor proposals for commercial development (whether proposals for Neighbourhood Commercial, Mixed Use Commercial, High Density or Vehicle-Oriented Commercial) in terms of their impact on the City as a whole and on their immediate surroundings, with regard to:
 - i) capacity of the street system and public transit system to accommodate any increases in vehicle traffic and ridership;

- ii) capacity of existing sewer and water systems to service the proposed development;
- iii) integration with abutting and nearby uses;
- iv) the long-term viability of retail and commercial activity in the Downtown; and
- v) all other relevant Objectives and Policies in this Plan.

5.2.3 The Downtown

- a) The City supports and maintains the concept of promoting the Downtown as the primary business, office, retail, cultural and administrative centre of the City and the region. The long-term viability of retail and commercial activity in the Downtown will be a primary factor in the evaluation of major retail and commercial development proposals throughout the City.
- b) In order to facilitate appropriate evaluation of retail and commercial development proposals, the City shall continue to monitor commercial land use in the Downtown and throughout the City.
- c) The City may continue to upgrade and revitalize the Downtown through such initiatives as streetscape improvement, encouragement and support of renovation and redevelopment of older structures as appropriate, and development of a major civic / cultural focus in the Downtown.

BYLAW OR POLICY IMPLICATIONS

The Zoning Bylaw Map would be amended to classify this parcel as a C2 property.

FINANCIAL IMPLICATIONS

Advertising costs are billed directly to the applicant, on top of the application fee of \$500.

OTHER CONSIDERATIONS/IMPLICATIONS

All recommendations of the Municipal Planning Commission require approval of City Council.

PRESENTATION

VERBAL: X

Michelle Sanson, Director of Planning and Development Services, will be in attendance.

ATTACHMENTS

1. Application for Rezoning;
2. Zoning Map;
3. Street View of the Property;
4. Aerial View of the Property;
5. Excerpt from the Zoning Bylaw.

Respectfully Submitted By,

Veronica Blair
Veronica Blair
Planner 1

Michelle Sanson
Michelle Sanson, MCIP, RPP
Director of Planning & Development Services



PROPERTY REZONING / ZONING AMENDMENT APPLICATION

PROPERTY INFORMATION Date of Application _____ File No. _____
 Civic Address: 834 AIDER AVENUE
 Lot(s): 14 Block(s): 23 Plan No. C4006 ext 156

Existing Use of Land and Buildings:

Residential Home (previously used as a
-has 11 parking spots- rental)

Proposed Use of Land and Buildings:

Mixed commercial use C2 ~~and~~
- potential buyer wants to use as office for Realtors

Project Description or Purpose of Zoning Amendment:

I've had requests from buyers/tenants for
commercial use: -an office/sales space on main
floor w/ living quarters upstairs
-multiple sales office (for realtors)
-wholesale sales office (for solar panel
company)

Reasons in support of this application (attach additional notes if needed):

-already borders commercial zone
-has paved parking spots in back (11 spots)
-adjacent lot on N side is a paved parking lot
-demand for commercial space in this area

TYPE OF APPLICATION

Land Rezoning – Zoning Bylaw Map Amendment

Current Zoning District: R3

Proposed Zoning District: C2

Current Use of the Land: rental house

Proposed Use of the Land: realtor office

Zoning Bylaw Text Amendment

Section(s) of the Bylaw to amend (attach proposed wording or intent of amendment):







7.3 C2 HIGH DENSITY COMMERCIAL DISTRICT

7.3.1 PURPOSE

The purpose of the C2 High Density Commercial District is to provide an area with a wide range of commercial, institutional and residential uses in high-density form.

Minimum Development Standards and Site Regulations in Metres (Unless otherwise indicated in Section 7.3.2)							
Site Frontage	Site Area (m ²)	Front Yard	Rear Yard	Side Yard	Minimum Building Floor Area (m ²)	Maximum Building Height	Maximum Site Coverage
7.5	230	0	0	0	55	45	100%

(Bylaw No. 5589, 2019)

PERMITTED USES

- Accessory Buildings and Uses – refer to Section 4.2
- Boarding Apartments
- Boarding Houses
- Bus Terminals
- Casinos
- Cannabis Retail Store – refer to Section 4.30
- Carnivals – refer to Section 4.6
- Catering Kitchens
- Commercial/Institutional Recreation Establishments
- Community Service/Institutional
- Convenience Store
- Cultural Institutions
- Dry Cleaners
- Dwellings, Groups – refer to Section 7.3.2.1
- Dwellings, Multiple Unit – refer to Section 7.3.2.1
- Dwellings, Units – refer to Sections 7.3.2.1 and 7.3.2.2
- Entertainment Establishments
- Financial Institutions
- Funeral Homes
- Grocery Stores
- Home Occupations – refer to Section 4.14
- Hotels
- Licensed Facility
- Major Shopping Centres
- Medical Clinics

- **Medical, Dental, Optical Laboratories**
- **Minor Shopping Centres**
- **Motels**
- **Municipal Facilities**
- **Night Clubs**
- **Offices**
- **Outdoor Recreation Facilities**
- **Parking Areas and Structures**
- **Personal Service Establishments**
- **Pet Grooming & Training**
- **Photography Studios**
- **Places of Worship**
- **Police Stations and Fire Halls**
- **Post Offices**
- **Printing Plants/Newspaper Offices**
- **Public Parks**
- **Radio and Television Studios**
- **Recycling Collection Depots**
- **Restaurants**
- **Retail Stores**
- **Theatres**
- **Supportive Housing** – refer to Section 7.3.2.1

(Bylaw No. 5589, 2019)

DISCRETIONARY USES

- **Auction Centres**
- **Car/Truck Wash Establishments**
- **Custodial Care Homes – Type 1** – refer to Section 4.8
- **Custodial Care Homes – Type 2** – refer to Section 4.8
- **Day Care Centres/Pre-Schools** – refer to Section 4.9
- **Dwellings, One Unit** – refer to Sections 7.3.2.1 and 7.3.2.4
- **Dwellings, Two Unit** – refer to Sections 7.3.2.1 and 7.3.2.4
- **Micro Breweries/Distilleries**
- **Private Clubs**
- **Private Schools**
- **Residential Care Homes – Type 1** – refer to Section 4.8
- **Residential Care Homes – Type 2** – refer to Section 4.8
- **Service Stations and Gas Bars**
- **Vehicle Rentals, Sales and Service Centres**
- **Veterinary Clinics – Type 1 or Type 2**

(Bylaw No. 5589, 2019)

7.3.2 NOTES TO DEVELOPMENT STANDARDS

1. For residential uses in this District, a rear yard shall be provided of not less than 7.5m in depth for interior sites or less than 4.5m in depth for corner sites.
2. Permitted in conjunction with any permitted or approved discretionary use and located in the same building.
3. If a side yard is provided, it shall be 1.2m.
4. Side yard of 1.2m or 10% of the site width, whichever is less.
5. Parking requirements found in Section 5

(Bylaw No. 5589, 2019)