

Discretionary Use – 5048 Sherwood Drive

Date	August 21, 2024
To	Deborah Bryden, Development Officer
From	Planning and Development Services
Item #	PL202400089

BACKGROUND

Section 1D.1.2(2) of the 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

Shahid Khawaja with the Islamic Society of Regina (Applicant) proposes to develop a place of worship (“Assembly, Religious”; Proposed Development) at 5048 Sherwood Drive (Subject Property). The Proposed Development is for the occupancy of the existing building, previously used as a care home (“Dwelling, Group Care”), with no current intentions for alterations or physical construction to the exterior.

The Subject Property is zoned RN – Residential Neighbourhood, which requires the land use of “Assembly, Religious”, to be reviewed through the discretionary use procedure. The purpose of the proposed development is to allow prayer five times daily, on weekdays Monday to Friday. The average number of patrons at one time is anticipated to be 3 - 15 from Monday to Thursday, and Friday up to 50 patrons (subject to occupancy load requirements).

The Subject Property is located within the Normanview neighbourhood. Surrounding land uses include: Ecole St. Mary to the north; Holy Trinity Roman Catholic Church to the east; medium density residential to the south; and single family housing to the west.

REVIEW CRITERIA

The application is reviewed as per the criteria established in Section 1E3.5 of Zoning Bylaw, 2019, as follows:

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

The application supports and is consistent with Design Regina: The Official Community Plan Bylaw No. 2013-48 (OCP). Notably, the Proposed Development provides community resources and promotes social sustainability (Section D11—Policy 13.1) and “complete neighbourhoods” (Section D5—Policy 7.1).

(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, 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 in the following table:

Land Use Details	Existing	Proposed
Zoning	RN	RN
Land Use	Dwelling, Group Care	Assembly, Religious
Building Footprint (m ²)	255	255

Zoning Analysis	Required	Proposed/Existing
Required Parking Stalls (Accessible)	0	0
Recommended Parking Stalls	3	4
Minimum Lot Frontage (m)	9.45	18.9
Minimum Lot Area (m ²)	259	690
Maximum Site Coverage	50%	37%
Maximum Building Height (m)	11	Existing
Minimum Landscape Area (m ²)	10%	32%

The proposed development meets the requirements of the Zoning Bylaw.

Through a Zoning Bylaw amendment (January 31, 2024 – CR24-1), on-site parking is now only “recommended” instead of “required,” which means it is optional. The proposed development meets the recommended amount of on-site parking.

(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 (“Assembly, Religious”) is the same land use as the property directly abutting the Subject Property to the east, the Holy Trinity Roman Catholic Church; therefore, minimal land use conflict with nearby land is anticipated. There are no alterations proposed to the exterior of the building on the Subject Property; therefore, minimal conflict with the neighbourhood character is anticipated.

The Subject Property is not located in an aquifer sensitivity area, floodway or area of environmental sensitivity, and does not constitute a type of development that results in emissions or other impacts that have a negative effect on the environment.

No potential impacts have been identified on traffic, a public right-of-way, or any 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) signposting on the subject property
- (b) written notice sent to assessed property owners within 75m; and
- (c) website posting on regina.ca.

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

Response	Number of Responses	Issues Identified
<i>Completely opposed</i>	2	<ul style="list-style-type: none">• May increase street traffic.• May not have sufficient parking.
<i>Accept features were different</i>	1	<ul style="list-style-type: none">• Accept if the previous land use is moving/closing but oppose if previous land use is forced to close.
<i>I support this proposal</i>	0	

Since the public response did not raise a significant degree of concern, and these concerns have been reviewed by Administration, this application is delegated to the Development Officer.

SUMMARY

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

RECOMMENDATION

The application for a proposed discretionary use for an Assembly, Religious, located at 5048 Sherwood Drive, being Lot 70 & 71, Block 4, Plan 65R38887 in the Normanview Neighbourhood 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
2. Authorize the Development Officer to issue a development permit with respect to the application, subject to the applicant making payment of any applicable fees or charges and entering into a development agreement if one if required.

Respectfully Submitted,

Ben Mario 

Manager, City Planning

Director, Planning & Development Services

DECISION OF DEVELOPMENT OFFICER

As recommended in this report, this application is:

- APPROVED
 DENIED



August 23, 2024

Deborah Bryden, Deputy City Manager,
City Planning and Community Services
(Development Officer)

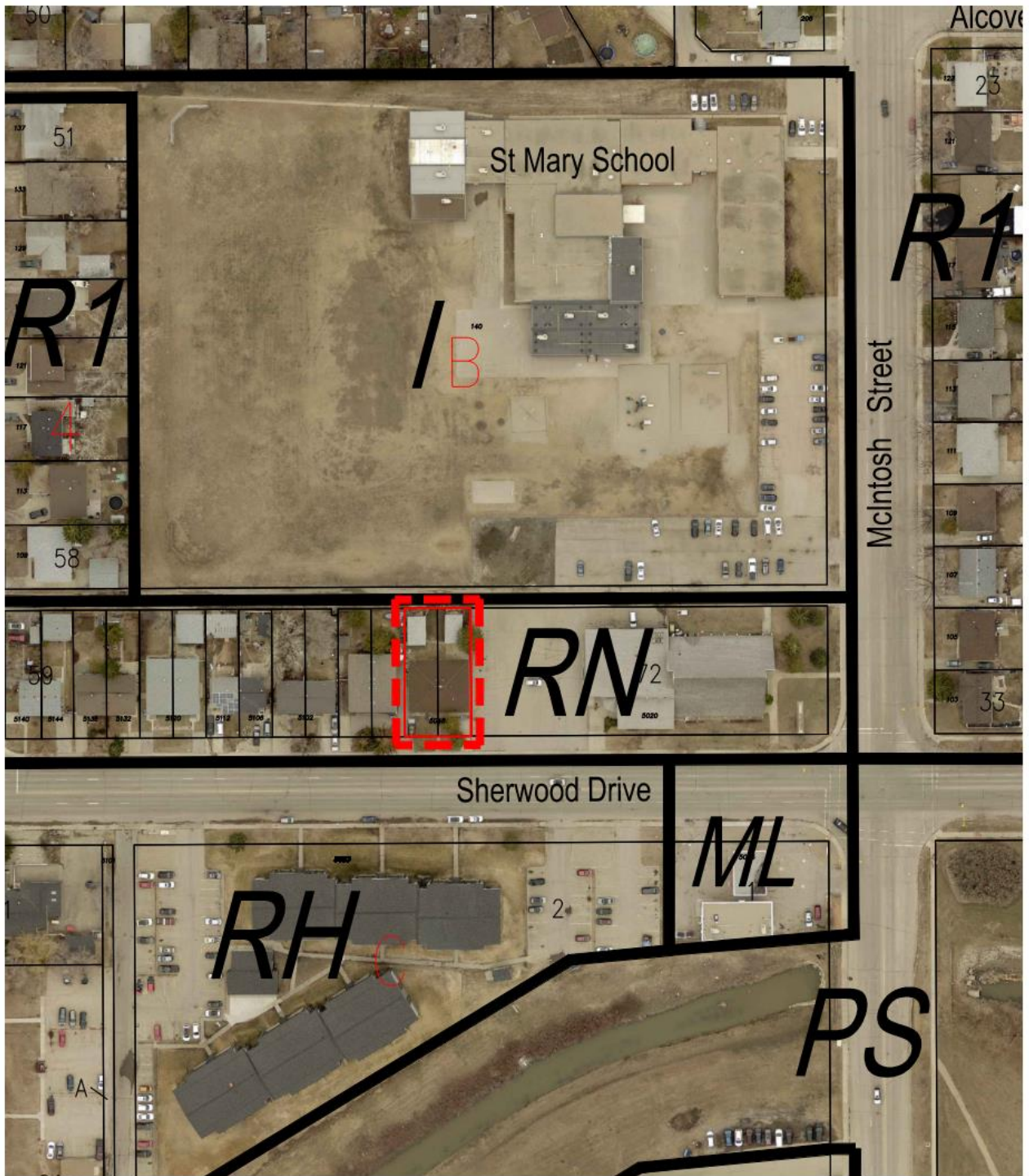
Dated

Report prepared by: Tyson Selinger, City Planner I

Attachments:

- Appendix A-1: Site Location
- Appendix A-2: Current Zoning
- Appendix B: Site Plan

Appendix A-2: Current Zoning



Subject Property

Date of Photography : 2023



Project PL202400089 Civic Address/Subdivision 5048 Sherwood Drive

Appendix B: Site Plan

