

## Zoning Bylaw Text Amendment – Restaurants and Lounges in the M4 District

### APPLICATION SUMMARY

Meridian Development Corp., North Prairie Developments Ltd. and Remai Ventures Inc. applied to amend the text of the M4 – Core Area Institutional Service District, a zone located in the Downtown. The application proposes to permit restaurants and lounges within multiple-unit dwelling buildings on sites fronting Spadina Crescent East, between 19<sup>th</sup> Street East and 25<sup>th</sup> Street East.

### RECOMMENDATION

That a copy of this report be forwarded to City Council recommending that, at the time of the Public Hearing, City Council consider Administration's recommendation that the proposed amendment to Bylaw No. 8770, Zoning Bylaw, 2009, to permit restaurants and lounges within multiple-unit dwellings on sites fronting Spadina Crescent East, between 19<sup>th</sup> Street East and 25<sup>th</sup> Street East in the M4 District, as outlined in this report, be approved.

### BACKGROUND

The purpose of the M4 District is to facilitate a wide range of institutional, office and community activities, as well as high density residential uses, within and near the downtown area. This zone restricts retail and public assembly types of commercial uses, except in limited circumstances when accessory to specific principal uses.

In the M4 District, restaurants and lounges are currently permitted to be located in buildings used as hotels, motels, offices, medical clinics, art galleries and museums. Restaurants are also permitted in commercial dwelling conversions. Confectionaries, drug stores and pharmacies are currently the only commercial uses permitted within multiple-unit dwelling buildings.

In 2015, City Council approved amendments to the M4 District, which enabled restaurants and lounges to locate within art galleries and museums, allowed exterior access to these uses and reduced the front yard setback requirement for outdoor patios as well as limited signage on Spadina Crescent East. These items were adopted to implement City Centre Plan recommendations.

### DISCUSSION

#### Proposed Amendment

The applicants proposed restaurants and lounges be added as permitted uses within multiple-unit dwellings, on sites fronting Spadina Crescent East between 19<sup>th</sup> Street East and 25<sup>th</sup> Street East, in the M4 District. As a text amendment to the regulations of the M4 District, this application provides expanded opportunities for these uses within existing and future developments in the area (see Appendix 1).

[Bylaw No. 8770, Zoning Bylaw, 2009](#), defines Restaurant as:

“a place where the primary source of business is the provision of food prepared and served to patrons seated at tables or counters, in a motor vehicle on the premises, or for off-site consumption, and may include a drive-through service.”

and “Lounge” as:

“a room or area adjoining a restaurant set aside for the sale of beverage alcohol for consumption on the premises, with or without food, and where no area has been set aside for live dancing or entertainment, either in the lounge or in the adjoining restaurant. The area of a lounge may not exceed 50% of the public assembly area in the adjoining restaurant.”

To provide consistency with the provisions for restaurants and lounges, within other buildings in the M4 District, the following regulations would apply:

- Exterior access is permitted;
- Drive-through service is prohibited;
- An outdoor seating area may be permitted provided that the area does not exceed 93 square metres; and
- On-site parking is required at a rate of 1 space per 10 square metres of area devoted to public assembly.

Off-sale liquor stores are considered a retail store land use and would continue to be prohibited in the M4 District.

### Policy Review

The Official Community Plan identifies the Downtown for high-density, mixed-use development that includes residential, commercial, institutional, recreational, cultural and community uses. It includes policies to develop a pedestrian-oriented environment and active frontages to add animation, vibrancy, interest and comfort by locating public uses on the ground floor of buildings, among other design techniques.

The City Centre Plan notes Spadina Crescent is limited in amenities and has opportunity for more evening activities, such as restaurants, after-hours shopping and recreation. A key strategy of this plan involves creating a broad network of pedestrian priority streets Downtown, including Spadina Crescent, to foster urban infill projects, greater business development and a more liveable city.

The application supports these objectives by enabling restaurants and lounges in a greater variety of mixed-use formats on sites fronting Spadina Crescent East. These uses would support activity and vitality on a pedestrian priority street, which is also adjacent to prominent public spaces of Kiwanis Park and the Meewasin Trail. Providing for restaurants and lounges along Spadina Crescent East would also add to the range of walkable services available to residents of this area of the Downtown.

It is further noted that the other primary zones within the Downtown (B6, DCD1, MX2) currently permit restaurants and lounges within buildings used as multiple-unit dwellings. This amendment would bring the M4 District in line with those zones.

#### Comments from other Divisions

The Transportation and Construction Division indicated fire flow tests and an engineering report, which shows that the current available fire flow is sufficient, must be provided for any development on the subject parcels at the development and building permit stage.

### **COMMUNICATIONS AND ENGAGEMENT**

A notice was sent to all 662 registered property owners within the M4 District, the Ward Councillor, the Downtown Saskatoon Business Improvement District and the Meewasin Valley Authority in March 2023. The content of the notice was also posted on the Engage Page of the City of Saskatoon website.

A range of questions and comments were received from 14 respondents during the March 10 – April 14, 2023, comment period. Clarifying information was provided to individuals wondering which properties the proposed amendment would apply to or why the application was made. Those in support felt more food options, activities and improved walkability would be favorable for residents and visitors.

Some raised concerns related to the potential for increased traffic, noise, nuisances and the number of drinking establishments already operating in the vicinity. Some residents expressed the opinion that drinking establishments contribute to social issues and property crime in the Downtown. There was also uncertainty about how the change might impact existing residents. General comments included interest in maintaining heritage attributes and reducing the amount of off-street parking in the zone.

### **PUBLIC NOTICE**

Public notice is required for consideration of this matter, pursuant to Section 11(a) of Council Policy C01-021, Public Notice Policy.

Once this application has been considered by the Municipal Planning Commission, it will be advertised in accordance with Council Policy C01-021, Public Notice Policy, and a date for a public hearing will be set. A notice will be placed in The StarPhoenix two weeks prior to the public hearing.

### **APPENDICES**

1. Proposed Zoning Amendment Location Map

### **REPORT APPROVAL**

Written by: Zoe Hagen, Planner, Development Review  
Reviewed by: Darryl Dawson, Manager, Development Review  
Lesley Anderson, Director of Planning and Development  
Approved by: Lynne Lacroix, General Manager, Community Services

SP/2023/PL/MPC/Zoning Bylaw Text Amendment – Restaurants and Lounges in the M4 District/gs