Proposed Rezoning – From B1 District to B1B District by Agreement – 438 Avenue H South

Recommendation
That a copy of this report be submitted to City Council recommending that at the time of the public hearing, City Council consider the Administration’s recommendation that the proposal to amend Bylaw No. 8770, the Zoning Bylaw, for the property located at 438 Avenue H South, as outlined in this report, be approved.

Topic and Purpose
614225 Sask. Ltd. has submitted an application to rezone 438 Avenue H South in the Riversdale neighbourhood from B1 – Neighbourhood Commercial District to B1B – Neighbourhood Commercial – Mixed Use District, subject to an Agreement. The proposed Zoning by Agreement will facilitate renovations and further development of a two-storey building containing neighbourhood-oriented commercial uses on the main floor and two residential units on the second floor.

Report Highlights
1. Rezoning to B1B District by Agreement will permit broader neighbourhood-scale commercial uses to operate on the site.
2. A Zoning Agreement will be applied to the site to ensure development is consistent with the proposed plans.
3. The proposed rezoning aligns with the Riversdale Local Area Plan.

Strategic Goal
Under the City of Saskatoon’s Strategic Goal of Sustainable Growth, this report supports the creation of complete communities that feature a mix of housing types, land uses, community amenities, and employment opportunities.

Background
438 Avenue H South is zoned B1 – Neighbourhood Commercial District (B1 District) and the existing building on the site contains a retail store on the main floor and a dwelling unit on the second floor. The intent of the B1 District is to permit commercial uses that serve the daily needs of area residents. This includes such uses as retail stores, offices and financial institutions. Residential dwelling units are also permitted when in conjunction with and attached to other permitted uses.

The Riversdale Local Area Plan identifies this site as Neighbourhood Commercial.

Report
Amendment to Bylaw No. 8770, the Zoning Bylaw
The applicant has applied to rezone this site from B1 District to B1B District, subject to an Agreement to facilitate renovations and further development of the site. The
proposed Zoning by Agreement will provide for a two-storey mixed use building with commercial uses at grade and up to two dwelling units on the second floor. Commercial uses that may be developed on the main floor consist of retail, restaurant, office or personal service trade.

**Proposed Zoning Agreement**

Should the proposed rezoning be approved, a Zoning Agreement will be applied to the site to ensure the development will be constructed and operate as outlined in this report. The proposed terms of the Zoning Agreement will provide for:

a) the permitted uses within the development;
b) maximum building height of 8.5 metres;
c) minimum of four off-street vehicular parking spaces and one loading space;
d) building setbacks; and
e) landscaping requirements.

See Attachment 2 for Terms of the Agreement and Attachment 3 for the site plan and elevations.

**Comments from Other Divisions**

No comments were received from other divisions that would preclude this rezoning from approval.

**Options to the Recommendation**

City Council could choose to deny this application to amend the Zoning Bylaw for the subject site. This would maintain the current uses and development standards as prescribed by the B1 District.

**Public and/or Stakeholder Involvement**

As part of the Zoning Bylaw amendment process, a notice was sent out to property owners within a 75 metre radius, the ward Councillor and the Riversdale Community Association. A supplementary information sheet was also mailed out to property owners within 200 metres of the site. Two comments were received, one about setbacks and sightlines and one about plans for the existing business in the building. Additional information was provided and no further comments or concerns have been received to date. See Attachment 4 for details.

**Other Considerations/Implications**

There are no policy, financial, environmental, privacy, or CPTED implications or considerations; a communication plan is not required at this time.

**Due Date for Follow-up and/or Project Completion**

No follow-up is required.

**Public Notice**

Public notice is required for consideration of this matter, pursuant to Section 11(a) of Policy No. C01-021, Public Notice Policy.
Once this application has been considered by the Municipal Planning Commission, it will be advertised in accordance with the 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.

Attachment(s)
1. Location Plan – Proposed Rezoning of 438 Avenue H South
2. Proposed Terms of Zoning Agreement – 438 Avenue H South
3. Proposed Site Plan and Elevations
4. Engagement Summary – 438 Avenue H South

Report Approval
Written by: Jonathan Derworiz, Planner, Planning and Development
Reviewed by: Lesley Anderson, Director of Planning and Development
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