

**Zoning Bylaw Amendment & Discretionary Use Application  
(PL201900032) Proposed Agriculture Animal Support - 4900  
Parliament Avenue**

<b>Date</b>	March 4, 2020
<b>To</b>	Regina Planning Commission
<b>From</b>	City Planning & Community Development
<b>Service Area</b>	Planning & Development Services
<b>Item No.</b>	RPC20-9

**RECOMMENDATION**

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Regina Planning Commission recommends that City Council:

1. Approve the Zoning Bylaw Amendment Application to rezone 4900 Parliament Avenue, being Parcel A2, Plan 102296066, from ML – Mixed Low-Rise Zone to MH – Mixed High-Rise Zone.
2. Approve the discretionary use application for a proposed Agriculture, Animal Support located at 4900 Parliament Avenue, being Parcel A2, Plan 102296066, in the Harbour Landing Neighbourhood.
3. Direct Administration to issue a development permit subject to the following conditions:
  - a. The development shall be generally consistent with plans attached to this report as Appendix A-3.1 to A-3.2, prepared by Swatt/Miers Architects and dated January 6, 2020.
  - b. The development shall comply with all applicable standards and regulations in *The Regina Zoning Bylaw, 2019*.
4. Direct the City Solicitor to prepare the necessary bylaws to authorize the respective Zoning Bylaw amendment.
5. Approve these recommendations at its March 25, 2020 meeting, which will allow

sufficient time for advertising of the required public notices for the respective bylaw.

## ISSUE

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Regina Humane Society Incorporated (the Applicant), operating on behalf of the current owners, Dream Asset Management Corporation proposes to develop an Agriculture Animal Support facility located at 4900 Parliament Avenue (Subject Property). In order to accommodate this development, the Applicant is applying for:

- An amendment to the *Regina Zoning Bylaw, 2019* (Zoning Bylaw) to rezone the land from ML – Mixed Low-Rise Zone to MH – Mixed High-Rise Zone as the proposal is prohibited as a land use within the ML – Mixed Low-Rise Zone if the gross floor area is over 1,000 square metres.
- A discretionary use approval – Agriculture, Animal Support

Agriculture, Animal Support is a discretionary use within the MH – Mixed High-Rise Zone when the gross floor area is more than 500 square metres and is on a lot that does not abut an Industrial Zone. The Agriculture, Animal Support land use is 3,226 square metres of floor area within the building.

The proposal is consistent with the policies in *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP) and the Harbour Landing Concept Plan.

This application is being considered pursuant to the Zoning Bylaw, the OCP and *The Planning and Development Act, 2007*.

## IMPACTS

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### Financial Implications

The subject area currently receives a full range of municipal services, including water, sewer and storm drainage. The applicant will be responsible for the cost of any additional or changes to existing infrastructure that may be required to directly or indirectly support the development, in accordance with City standards and applicable legal requirements.

### Accessibility Implications

The proposed development provides four parking spaces for persons with disabilities which exceeds the minimum requirement by three parking spaces.

### Policy/Strategic Implications

The proposed development supports the following OCP goals / policies:

- Section D5, Goal 4: Provide appropriate locations and development opportunities for a full range of industrial, commercial and institutional activities.

## OTHER OPTIONS

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Alternative options would be to refer the application back to Administration recommending an alternative Zoning Bylaw solution (e.g. Contract Zone) or deny the application.

## COMMUNICATIONS

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The applicant and other interested parties will receive a copy of the report and notification of the meeting to appear as a delegation in addition to receiving a written notification of City Council's decision. The applicant will receive written notification of City Council's decision in accordance with *The Planning and Development Act, 2007*.

## DISCUSSION

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The subject property is located on Parliament Avenue between Harbour Landing Drive and James Hill Road, within the Harbour Landing Neighbourhood, immediately north of Parliament Avenue and south of the Regina International Airport property. The surrounding land uses include an office building to the east, low-density residential to the south, vacant commercial land to the west and vacant lands and the Regina International Airport to the north.

The applicant proposes to develop an "Animal Community Centre" which would include community-oriented classrooms, educational exhibits, animal adoption areas, a veterinary clinic, retail store, administration offices and animal shelter holding and support areas. The principal land use as listed under the Zoning Bylaw for the subject property is Agriculture, Animal Support which would encompass the animal shelter and veterinary clinic uses. The accessory or secondary uses are Service Trade, Personal (grooming), Retail Trade, Shop (retail store) and Institutional, Training (classrooms and education).

An Agriculture, Animal Support land use is not permitted in the existing ML – Mixed Low-Rise Zone if the floor area is over 1,000 square metres including any dedicated outdoor area that is used as part of the business. As such, the applicant proposes to rezone the subject property to MH – Mixed High-Rise Zone, in which an Agriculture, Animal Support over 500 square metres is discretionary. The total floor area for the building is 3,534.5 square metres. There are two dog park areas which are considered as dedicated outdoor area. The accessory uses are all permitted within the MH – Mixed High-Rise Zone.

The proposed development requires 45 parking spaces. The applicant has proposed 60 parking spaces on the site exceeding the minimum requirement by 15 stalls. Access to parking will be provided off Parliament Avenue. The applicant will seek to enter into an agreement to have joint access between the neighbouring lots containing shared driveways.

Letters were mailed to immediate property owners in the vicinity, a sign was posted on the site and statutory notice will be published in the *Regina Leader-Post*. The Harbour Landing Community Association was advised of the application. A more detailed accounting of the public notice comments is provided in Appendix B. The applicant had also submitted 13

letters of support.

The site is suitable for the proposed zoning as it conforms with the Harbour Landing Concept Plan and is located on an arterial road which is also a transit corridor. The subject property is located in the Noise Exposure Forecast and Airport Height Overlay and will require approval from applicable authorities, including Transport Canada and NAV Canada, before a development permit can be issued.

## DECISION HISTORY

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There have been no previous decisions related to this recommendation.

City Council's approval is required, pursuant to Part V of *The Planning and Development Act, 2007*.

Respectfully submitted,



Fred Searles, Director, Planning & Development Services

Respectfully submitted,



Diana Hawryluk, Executive Director, City Planning & Community Dev.

2/26/2020

Prepared by: Pam Ewanishin, City Planner II

## ATTACHMENTS

Appendix A-1  
Appendix A-2  
Appendix A-3.1  
Appendix A-3.2  
Appendix A-4  
Appendix B