

805 Toronto Street - Discretionary Use Application (PL202000144)

Date	October 7, 2020
To	Regina Planning Commission
From	City Planning & Community Development
Service Area	Planning & Development Services
Item No.	RPC20-33

RECOMMENDATION

Regina Planning Commission recommends that City Council:

1. Approve the discretionary use application to allow a proposed “Storage, Hazardous Material” within a building located at 805 Toronto Street.
2. Direct the Development Officer to issue a development permit subject to the following conditions:
 - a. Approved use with a total area of 423 square meters as shown in Appendix A-2 shall be entirely located within the existing building.
 - b. The development shall comply with all applicable standards and regulations in *The Regina Zoning Bylaw, 2019*;
 - c. Approval from the Ministry of Environment shall be submitted prior to issuance of development permit; and
 - d. Prior to occupancy, an Emergency Response Plan for handling of hazardous materials shall be required to be submitted to the Fire & Protective Services for review and approval.
3. Approve these recommendations at its October 28, 2020 meeting.

ISSUE

The applicant, Kevmar Inc. o/a Canadian Energy, proposes to develop a “Storage, Hazardous Material” land use within an existing building located at 805 Toronto Street. The development consists of storage and light servicing of batteries, which is considered hazardous material under *The Regina Zoning Bylaw, 2019* (Zoning Bylaw) and is a discretionary use at this location.

IMPACTS

Financial Impacts

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 new, or changes to existing infrastructure that may be required to directly or indirectly support any proposed development that may follow, in accordance with City standards and applicable legal requirements.

Policy / Strategic Impacts

The proposed development supports the following *Design Regina: The Official Community Plan Bylaw 2013-48* (OCP) goals/policies:

- Section D5, Goal 4, Policy 7.21 Ensure an adequate supply of serviced industrial land to maintain a diverse range of development opportunities.

Accessibility Impacts

The proposed development shall provide one accessible parking stall.

Environmental Impacts

The applicant shall be required to submit verification of any necessary approvals from Saskatchewan Ministry of Environment prior to issuance of a Development Permit. An Emergency Response Plan shall be submitted to Fire & Protective Services prior to occupancy.

OTHER OPTIONS

Administration recommends approval of the discretionary use to accommodate “Storage, Hazardous Material” land use on the subject property.

Alternatives options would be:

1. Approve the application with specific amendments to the plan.
2. Refer the application back to Administration. If City Council has specific concerns with the proposal it may refer it back to Administration for further review. Referral of the report back to Administration will delay approval of the development until requested information has been gathered or changes to the proposal have been

made

3. Deny the application. Development of “Storage, Hazardous Material” land use will not proceed on the subject property if City Council rejects the application.

COMMUNICATIONS

The applicant and other interested parties will receive a copy of the report and notification of their right to appear as delegation at the Council meeting when the application will be considered. The applicant will receive written notification of City Council’s decision in accordance with *The Planning and Development Act, 2007*.

DISCUSSION

Applicant’s Proposal

The applicant proposes a land use within an existing building for inventory storage, light servicing and sales of batteries on the subject property. The proposed development will occupy approximately 423 square meters out of a total of approximately 902 square meters of the existing building.

Zoning and Land Use

The Zoning Bylaw classifies the use as “Storage, Hazardous Material” and “Service Trade, Heavy” and “Retail Trade, Shop”. The subject property is zoned IH - Industrial Heavy Zone in which “Storage, Hazardous Material” is discretionary the “Service Trade, Heavy” and “Retail Trade, Shop” under 500 square meters is permitted. The Zoning Bylaw requires that details of a land use involving hazardous materials be provided for review and that approval may be subject to conditions to mitigate potential concerns.

The application was considered for suitability based on the prescribed evaluation criteria for discretionary uses as set out in the Zoning Bylaw section 1E.3 and specific to hazardous use 1E.3.3 (Appendix A-4). Under *the Hazardous Substances and Waste Dangerous Goods Regulations*, Storage of lithium and Lead acid batteries are considered to be dangerous goods. Furthermore, section 1E.3 of the Zoning bylaw considers storage of any hazardous material or dangerous good to be discretionary and subject to this subpart. As required under the section 1E.3.3 of the Zoning Bylaw, the applicant submitted full description of all hazardous materials and dangerous goods that will be stored on this site for review to identify the potential environmental effects created by the development in terms of the hazardous materials.

Administration reviewed a full description of all hazardous materials and dangerous goods involved in the storage of battery within the proposed development along with the Industrial use application associated with this application to determine the environmental impact of the proposed development and has no concerns.

The land use and zoning related details are provided in the following table:

Land Use Details	Existing	Proposed
Zoning	IH - Industrial Heavy Zone	No change
Land Use	Service Trade, Heavy	“Storage, Hazardous Material,” (Discretionary) “Service Trade, Heavy” and “Retail Trade, Shop” (Permitted)
Building Area	902 m ²	No change

Zoning Analysis	Required	Proposed
Number of Parking Stalls	6	11 (existing)
Min. Lot Area (m ²)	500	6,842
Max. Building Height (m)	16	<7 m (existing building)
Max. Coverage (%)	60	13

The proposal is consistent with the purpose and intent of the IH - Industrial Heavy Zone which is to protect land suitable for the highest intensity of industrial development.

A drywall and painting company occupies the remaining portion of the existing building. The surrounding uses are Toronto Street to the west and south, Ross Avenue and City of Regina Fire Training Centre to the south and Public Service Zone (drainage channel) to the north.

Community Engagement

In accordance with the public notice requirements of *The Public Notice Policy Bylaw, 2020*, neighbouring property owners within 75 metres of the proposed development received written notice of the application and a sign was posted on the subject site. No comments were received from the community through the process.

DECISION HISTORY

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

Respectfully Submitted,

Respectfully Submitted,



Fred Scarle, Director, Planning & Development Services



9/24/2020

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

9/30/2020

Prepared by: Binod Poudyal, City Planner II

ATTACHMENTS

- Appendix A-1 (Aerial Map)
- Appendix A-2 (Site Map)
- Appendix A-3 (Building Interior)
- Appendix A-4 (Reference to Zoning Bylaw)