

## Discretionary Use Application (PL202000028) - Proposed Agriculture, Animal Support - 1832 E. Victoria Avenue

<b>Date</b>	May 6, 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>	RPC20-13

### RECOMMENDATION

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Regina Planning Commission recommends that City Council:

1. Approve the discretionary use application for a proposed Agriculture, Animal Support located at 1832 E. Victoria Avenue, being Plan 90R27607 Block BB, in Glen Elm Park Subdivision.
2. Direct the Development Officer to issue a development permit subject to the following conditions:
  - a. The development shall be generally consistent with the plans attached to this report as Appendix A-3.1 to A-3.2 inclusive, prepared by Arc One Associates.
  - b. The development shall comply with all applicable standards and regulations in the *Regina Zoning Bylaw 2019-19*.
3. Approve these recommendations at its May 27, 2020 meeting.

### ISSUE

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William Neher (the Applicant) and MIC Properties (the Property Owner), operating on behalf of Dogtopia of Regina, propose to develop an Agriculture, Animal Support at 1832 E. Victoria Avenue. The subject property is zoned MH – Mixed High-Rise Zone under the *Regina Zoning Bylaw No. 2019-19* (Zoning Bylaw) in which an Agriculture, Animal Support over 580 square metres is discretionary in the MH – Mixed High-Rise Zone over 500 square

metres. This development is located within the Glen Elm Park subdivision.

The proposal has been evaluated for suitability based on the prescribed evaluation criteria for discretionary uses established in SubPart 1.E.3 of the Zoning Bylaw. The proposed development is deemed to be suitable and otherwise complies with the Zoning Bylaw and *Design Regina: The Official Community Plan Bylaw No. 2013-48 (OCP)*.

Pursuant to subsection 56(3) of the *Planning & Development Act, 2007 (Act)*. City Council may establish conditions for discretionary uses based on the nature of the proposal (e.g. site, size, shape arrangement of buildings) and aspects of site design (e.g. landscaping, site access, parking, loading), but not including the colour, texture or type of materials and architectural details

## **IMPACTS**

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### **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 of Regina (City) standards and applicable legal requirements.

### **Policy/Strategic Impact**

The proposed development supports the following OCP goals/ policies:

- Section D5, Goal 1, Policy 7.1.4: Require that built neighbourhoods are developed to include opportunities for daily life needs, such as services, convenience shopping, and recreation.
- Section D10, Goal 1, Policy 12.2: Minimize regulatory barriers to economic growth to the greatest possible extent while balancing the needs and aspirations of all Regina residents, fee-and taxpayers, and the sustainability of the city.

The Zoning Bylaw allows for these types of facilities in commercial areas, including the MH – Mixed High-Rise Zone. This facility (580 square metres) is marginally larger than the permitted threshold within the MH – Mixed High-Rise Zone (500 square metres). The intensity of the facility is appropriate within the context of the larger commercial development.

## **OTHER OPTIONS**

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Alternatives options would be:

1. Approve the application with amendments to the plan.

2. Refer the application back to the Administration – if City Council has specific concerns with the proposal it may refer back to the Administration for further review. Referral of the report back to the Administration will delay consideration and decision of the proposal until requested information has been gathered or changes to the proposal have been made. This would result in delay of approval on the scale and nature of request.
3. Deny the application.

## **COMMUNICATIONS**

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The applicant and other interested parties will receive a copy of the report and notification of their right to appear as a in addition to receiving written notification of City Council's decision.

## **DISCUSSION**

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The Applicant proposes to develop an Agriculture, Animal Support within an existing development located at 1832 E. Victoria Avenue.

This development is one of nine commercial units located on site. The development is marginally larger than the permitted threshold within the MH – Mixed High-Rise Zone.

The proposed development will include the following features:

- A 580 square metre unit within an existing building as shown in Appendix A-3.1 to A-3.2 containing a dog daycare.
- 156 parking spaces.
- Noise and odour mitigation design throughout the development to reduce any dog-related nuisance to neighbouring tenants or property owners.
- An indoor facility for dogs to go to the washroom.

The anticipated hours of operation are 6:30 am – 7:00 pm Monday through Friday and 8:00 am – 5:00 pm Saturday and Sunday.

The commercial development requires 48 parking spaces. As there is significantly more parking than required the impact to neighbouring properties will be minimal.

The number of dogs present will be variable based on dog behavior levels, size, and staffing levels. It is not possible to confirm a number of dogs present at any one time. Dogtopia limits the number of dogs to a ratio of twenty dogs per staff member.

In accordance with the public notice requirements of *The Planning and Development Act, 2007*, 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. The

Dewdney East Community Association was contacted but did not respond. The City received two comments back from neighbouring property owners, which are captured in Appendix B.

This application is deemed to be in compliance with all applicable policies, height, setbacks, landscaping, site coverage and other regulations and procedures regarding communications and engagement.

## DECISION HISTORY

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

Respectfully submitted,

Respectfully submitted,



Fred Searle, Director, Planning & Development Services



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

4/30/2020

Prepared by: Michael Sliva, City Planner II

## ATTACHMENTS

PL20200028 Appendix A-1  
PL20200028 Appendix A-2  
PL202000028 Appendix A-3.1  
PL202000028 Appendix A-3.2  
PL202000028 Appendix B