

**Discretionary Use Application PL201900067 - 2824 & 2830 13th Avenue and 2067, 2071 & 2075 Retallack Street**

<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>	RPC20-17

**RECOMMENDATION**

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Regina Planning Commission recommends that City Council:

1. Approve the discretionary use application for a proposed Retail Trade, Shop located at 2824 and 2830 13<sup>th</sup> Avenue and 2067, 2071 and 2075 Retallack Street in the Cathedral Neighbourhood.
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-3.4 inclusive, prepared by AMR design works Ltd. and dated December 4, 2019.
  - b. The development shall be conditional on consolidation of the subject lots.
  - c. The developer shall enter into a Development Levy Agreement.
  - d. The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw, 2019-19*.
3. Approve these recommendations at its May 27, 2020 meeting.

## ISSUE

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AMR Design Works Ltd (applicant), operating on behalf of 101045162 Saskatchewan Ltd., Italian Star Holdings and Redpoll Holdings Ltd. (landowners), proposes to develop a Retail Trade Shop (Liquor Store) on the properties located at 2824 and 2830 13<sup>th</sup> Avenue and 2067, 2071 and 2075 Retallack Street (Subject Property).

The Subject Property is zoned ML – Mixed Low-Rise Zone, as per *Regina Zoning Bylaw, 2019-19* (Zoning Bylaw) in which a “Retail Trade Shop” is a discretionary use if the floor area is above 300 square metres but less than 1000 square metres. As the proposed floor area for the building is 514.2 square metres, the application is being processed as a discretionary use.

This application is being considered pursuant to the *Planning and Development Act, 2007* (Act); *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP); Cathedral Neighbourhood Plan; and the Zoning Bylaw, including suitability based on the prescribed evaluation criteria for discretionary uses established in Part IE.3 of the Zoning Bylaw. The proposal has been assessed and is deemed to comply with all applicable policies, regulations and standards.

Pursuant to subsection 56(3) of the 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. Although not expected, the owners will be responsible for the cost of any additional changes to existing infrastructure that may be required to directly or indirectly support the development, in accordance with City of Regina (City) standards and applicable legal requirements.

Except for the existing commercial building (Member of Legislative Assembly office) the Subject Property is currently assessed as either “vacant-commercial” or “vacant-residential”. Should the development occur, the property would transition entirely to an improved commercial property use, which would result in increased assessment and tax revenues.

### **Accessibility Impact**

The proposed development will provide one accessible parking stall, which meets the minimum requirement for the site.

### **Policy/Strategic Impact**

The proposed development supports the following OCP goals / policies:

- Section D5, Goal 1, Policy 7.1.4: Require that built or approved neighbourhoods are planned and developed to include the following: Opportunities for daily lifestyle needs such as services, convenience shopping and recreation.

The proposed development is aligned and consistent with the policies of the Cathedral Area Neighbourhood Plan. This proposed development contributes positively to reinforcing 13<sup>th</sup> Avenue as the main commercial corridor within the Cathedral Neighbourhood. Further discussion on alignment with policies contained in the plan are addressed in the discussion section of this report.

### **OTHER OPTIONS**

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Alternative options would be:

1. Approve the application with amendments to the plans.
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 on the proposal until requested information has been gathered or changes to the proposal have been made. This would result in delay of approval depending on the scale and nature of the 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 the meeting to appear as a delegation in addition to receiving a written notification of City Council's decision.

### **DISCUSSION**

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#### Overview

The Subject Property is located on the north east corner of 13<sup>th</sup> Avenue and Retallack Street, within the Cathedral Neighbourhood. The surrounding land uses include the Cathedral Neighbourhood Centre to the west, residential to the north, a restaurant and residential to the east and an office building and grocery store and bank to the south. The Subject Property, itself, consists of vacant lots and one lot (2824 13<sup>th</sup> Avenue) currently accommodating a small office building. The building is proposed to be demolished in order to accommodate the proposed development.

The Subject Property is zoned ML – Mixed Low-Rise Zone in which a “Retail Trade Shop” is a discretionary use if the floor area is above 300 square metres but less than 1000 square

metres. As the proposed floor area for the building is 514.2 square metres, the application is being processed as a discretionary use.

#### Use/ Design

The policies of the Cathedral Neighbourhood Plan apply to the Subject Property - specifically, Section 4.1.9, which provides direction regarding land-use and building design along the "13<sup>th</sup> Avenue Shopping District". Section 4.1.9 supports infill development that complements existing character regarding massing and design.

Subsection 4.1.9 of the Cathedral Neighbourhood Plan supports a pedestrian shopping experience along 13<sup>th</sup> Avenue, including buildings that have an interface with the sidewalk. The proposed design is generally consistent with the policy as it is pedestrian oriented; the entrance is oriented to 13<sup>th</sup> Avenue and the placement windows and the mural may be considered as contributing positively to the character of 13<sup>th</sup> Avenue.

The proposed development complements, and is generally consistent with, existing development, as there are a mix of building sizes along 13<sup>th</sup> Avenue, including relatively large footprint buildings and buildings of various age, size, orientation and use. Further, the proposed development meets the requirements of the Zoning Bylaw, including parking and landscaping and setbacks.

#### Communication

Letters were mailed to immediate property owners in the vicinity; an open house was held; a sign was posted on the site and the Cathedral Community Association was directly engaged.

The engagement feedback included a broad variety of opinions and positions. This feedback is summarized in Appendix B. The Cathedral Area Community Association was advised of the application and indicated that their preference was not to provide a specific position.

### **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,



Fred Scarle, Director, Planning & Development Services

Respectfully Submitted,



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

4/29/2020

Prepared by: Prepared by: Pam Ewanishin, City Planner II; Jeremy Fenton, Senior City Planner

### **ATTACHMENTS**

Appendix A-1

Appendix A-2  
Appendix A-3.1  
Appendix A-3.1a  
Appendix A-3.2  
Appendix A-3.3  
Appendix A-3.4  
PL201900067 Appendix B