



Discretionary Use - 5826 Rochdale Boulevard - PL202000248

Date	July 7, 2021
To	Regina Planning Commission
From	City Planning & Community Development
Service Area	Planning & Development Services
Item No.	RPC21-41

RECOMMENDATION

Regina Planning Commission recommends that City Council:

1. Approve the discretionary use for a proposed Service Trade, Wash–Light (Car Wash) land use located at 5826 Rochdale Boulevard, being Lot A, Blk/Par O, Plan 86R00275, subject to the following standards and conditions:
 - a) the development shall be generally consistent with the plans, including the installment of a solid acoustic barrier fence (1.83 metres) along the north and west property lines, attached to this report as Appendices A3.1 - A3.3 inclusive prepared by AECOM dated March 8, 2021 and June 23, 2021 and the noise impact assessment prepared by FDI Acoustics dated June 18, 2021 and appended to this report as Appendix C; and
 - b) the development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw, 2019-19*.
2. Authorize the Development Officer to issue a development permit with respect to the application, subject to the applicant making payment of any applicable fees or charges and entering into a development agreement if one is required.
3. Approve these recommendations at its meeting on July 14, 2021, following the required public notice.

ISSUE

The applicant, WSP Canada INC. and property owner Shell Canada, propose to develop a 'Service Trade, Wash - Light' (Car Wash) land use at 5826 Rochdale Boulevard. The subject property is zoned MH - Mixed High-Rise Zone under *Regina Zoning Bylaw, 2019* (Zoning Bylaw) where Service Trade, Wash - Light is a discretionary use. The subject property currently contains an existing convenience store and gas bar, which are existing permitted uses in the MH – Mixed High-Rise Zone. The proposed car wash is in addition to these existing uses.

All properties in the city of Regina are assigned a zoning designation under the Zoning Bylaw. Within each zoning designation, land uses can be permitted, not permitted (i.e. prohibited) or discretionary. Discretionary uses require a public and technical process and review by the Regina Planning Commission and City Council's approval to proceed.

This application is being considered pursuant to *The Planning & Development Act, 2007* (Act); *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP) and the Zoning Bylaw, including suitability based on the prescribed evaluation criteria for discretionary uses established in Part IE.3. The proposal has been assessed and 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, the arrangement of a building) and aspects of site design (e.g. landscaping, site access, parking, loading), but not including architectural details.

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. The applicant is responsible for paying the applicable development levy.

Environmental Impacts

The City of Regina has a community goal of achieving net zero emissions and sourcing of net zero renewable energy by 2050. In support of this, City Council has asked Administration to provide energy and greenhouse gas implications of recommendations so that they can evaluate the climate impacts of their decisions. The development of this car wash will not likely result in an increase in overall trips to car washes in the city. It will likely result in residents using this car wash instead of another, resulting in net neutral greenhouse gas emissions overall.

Accessibility Impact

As per the Zoning Bylaw, Chapter 4, subpart 4B.6.2(1), a minimum of two per cent of the required parking stalls shall be provided in the form of accessible parking stalls in the MH – Mixed High-Rise Zone. As no parking stalls are required by the total floor area of the proposed building, no accessible parking stalls are required. However, one has been proposed by the applicant.

Policy/Strategic Impact

The proposed development supports the following OCP goals/ policies:

- Section C, Goal 3, Policy 3.8: *Require intensification in built or approved neighbourhoods to be compatible with the existing built form and servicing capacity.*

The proposed location is identified within a built or approved neighbourhood that utilizes existing services.

OTHER OPTIONS

1. Approve the application subject to specific development standards or conditions being attached as amendments to the plan, in accordance with section 1E.3.8 of the Zoning Bylaw.
2. Refer the application back to Administration. If City Council has specific concerns with the proposal, it may refer the application back to Administration to address or make a recommendation on those points and direct that the report be reconsidered by Planning Commission or brought directly back to Council following such further review.
3. Deny the application. Development of a “Service Trade, Wash – Light” land use will not proceed on the subject property if City Council rejects the application. If Council defeats or does not move a recommendation to approve (with or without conditions), Council must consider an alternate motion to reject the application. The motion must include the reasons for the denial based on the evaluation criteria.

COMMUNICATIONS

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. Public notice of City Council’s consideration of this application will be given in accordance with *The Public Notice Policy Bylaw, 2020*. The applicant will receive written notification of Council’s decision in accordance with *The Planning and Development Act, 2007*.

DISCUSSION

Proposal

The application proposes to develop a Service, Trade, Wash-Light (Car Wash) within the property located at 5826 Rochdale Boulevard, where a convenience store and gas bar currently exist. The proposed car wash is in addition to these uses. The proposed development will include a 114.5 square meter car wash shown in Appendix A-3.1 to A-3.2.

Consideration

The development, as proposed, conforms with the Zoning Bylaw. The land use and zoning related details are summarized in the following table:

Land Use Details	Existing	Proposed
Zoning	MH - Mixed High-Rise	MH - Mixed High-Rise
Land Use	Convenience Store and Gas Bar	Service Trade Was -Light (Car Wash)
Building area (m ²)	167.75	114.5

Zoning Analysis	Required	Proposed
Number of Parking Stalls	2 (1 stall/150m ² of gross floor area on site)	3
Maximum Site Coverage	65%	18%
Minimum Lot Frontage (m)	6	65.4
Minimum Lot Area (m ²)	250	2,622
Maximum Building Height (m)	15	5.5

Access to the subject property is provided by a right-in-right-out drive-way on Rochdale Boulevard and via a right-in-right-out drive-way access from McCarthy Boulevard, as shown in Appendix A-3.1.

The surrounding properties are in the MH - Mixed High-Rise Zone and include a four-storey residential building to the north, professional offices (dentist and optometrist offices) to the west, commercial buildings (financial institution and Co-op grocery store) to the south, office buildings (SGI Claims Centre) to the east.

This application is deemed compliant with all applicable policies and regulations in the Zoning Bylaw. Based on the Administration's evaluation of the proposal for the land use, development standards, and criteria established in Part 1E.3 of the Zoning Bylaw, the development is deemed a suitable use for the proposed location. The site currently caters to vehicular traffic as there are existing gas bar and convenience store on site. Administration has worked with the applicant to

revise their proposed plans to address adverse effects from adding a car wash to the site explained below.

Community Engagement & Analysis

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 public notification sign was posted on the subject site. The proposal was sent to the Twin Lakes Community Association and the Walsh Acres/Lake Ridge/Garden Ridge Community Association for comments and Administration did not receive responses.

The City received 30 opposition letters/signatures. The majority of those in opposition, 26/30, were from the same adjacent multi-unit residential building to the north at 1130 McCarthy Boulevard North. A summary of public comments and Administration's responses is attached as Appendix B. The concerns expressed are mostly regarding potential noise, vehicle emissions and privacy.

The car wash is proposed to be located in a suitable position for this site to reduce potential negative impacts. The applicant proposes to install a 1.83 metre (six-foot) high acoustic barrier fence along the north and west property lines (Appendix A-3.1 and Appendix C) as a condition of approval to address residents' concerns about privacy and noise.

The main source of the noise for a car wash of this nature, the car wash dryer, is proposed to face south toward Rochdale Boulevard, away from the residential building north of the site. Based on the nature of the concerns expressed by residents and the proximity of the condominium development to the north, Administration required the applicant to submit a noise impact assessment from the source to the residential property to the north to determine the level of compliance with the *Noise Abatement Bylaw No. 6980*. Section 7.1 of the bylaw includes noise level thresholds, measured in decibels, based on the zone. The noise thresholds stated in the bylaw cannot exceed 15 cumulative minutes in any hour. For mixed-use zones, the allowable noise levels are 60 decibels from 10:00 pm to 7:00 am and 70 decibels from 7:00 am to 10:00 pm (not exceeding 15 minutes). For reference, 70 decibels (dBa) is comparable to a vacuum cleaner and 60 dBa is comparable to a conversation at a restaurant or background music.¹

The applicant has examined and modelled noise levels that will be generated by the proposed car wash and to show impacts on surrounding properties in a noise impact assessment conducted by FDI Acoustics (Appendix C). The noise impact assessment shows that with a solid noise barrier fence along the north and west property boundaries that the site will meet the *Noise Abatement Bylaw* at all hours, modelled at 49 dBa at the north property line shared with the residential development. For further analysis, the noise impact assessment can be viewed in the Appendix C. Administration is satisfied that the applicant has sufficiently managed sound and other nuisances in

¹ Source from IAC Acoustics, Comparative Examples of Noise Levels, <https://www.iacacoustics.com/blog-full/comparative-examples-of-noise-levels.html> Accessed April 29, 2021

their proposal.

DECISION HISTORY

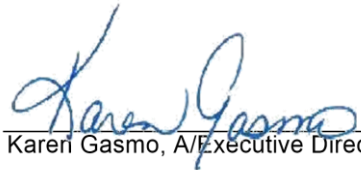
City Council's approval is required pursuant to Part V of *The Planning and Development Act, 2007*.

Respectfully Submitted,

Respectfully Submitted,


Autumn Lawson, Director, Planning & Development Services

6/24/2021


Karen Gasmol, A/E Executive Director

6/30/2021

Prepared by: Kimberly Hemm, City Planner I

ATTACHMENTS

- Appendix A-1
- Appendix A-2
- Appendix A-3.1
- Appendix A-3.2
- Appendix A-3.3
- Appendix B
- Appendix C