



Discretionary Use Application - 628 Victoria Avenue - PL202100084

Date	August 4, 2021
To	Regina Planning Commission
From	City Planning & Community Development
Service Area	Planning & Development Services
Item No.	RPC21-50

RECOMMENDATION

Regina Planning Commission recommends that City Council:

1. Approve the discretionary use application for the proposed development of “Agriculture, Animal Support” located at 628 Victoria Avenue, being Lots 2-6, Block 216, Plan DV270 in the Arcola Subdivision, subject to compliance with the following development standards and conditions:
 - a. The development shall be generally consistent with the plans attached to this report as Appendix A-3.1 and A-3.2, prepared by JMA Architecture, dated April 30, 2021, except that said plans shall be revised to comply with the requirements of Table 4B.T.3.3 of the Zoning Bylaw, specifically:
 - i. the window glazing must be revised to meet the active wall standards prescribed in Table 4B.T.3.3 (1) b of the Zoning Bylaw; or
 - ii. the front yard setback must be increased to 3.0m in accordance with clause 4B.T.3.3 (2)(c) of the Zoning Bylaw.
 - b. Except as otherwise specified in this approval, the development shall comply with all applicable standards and regulations in *The Regina Zoning Bylaw, 2019-19*.
 - c. Prior to issuance of any building permit in relation to the development, the applicant shall submit revised plans, satisfactory to the City, confirming compliance with the Zoning Bylaw in accordance with clause a of this recommendation.

2. Authorize the Development Officer to issue a development permit with respect to the application, upon 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 August 11, 2021, following the required public notice.

ISSUE

The Applicant, 102101897 Saskatchewan Inc., on behalf of the property owner (Victoria Veterinary Clinic P.C. Inc.), proposes to expand the existing "Agriculture, Animal Support" land use (veterinary clinic) by 460.74 square metres from an existing floor area of 367 square meters. The subject property is zoned MH - Mixed High-Rise Zone, in which a veterinary clinic is a discretionary use when larger than 500 square metres. The development proposes 827.74 square metres of total gross floor area for the proposed land use.

All properties in the city of Regina are assigned a zoning designation under the *Regina Zoning Bylaw 2019-19* (Zoning Bylaw). Within each zoning designation, land-use can be permitted, prohibited or discretionary. Discretionary use applications require a public and technical review; consideration and recommendation by the Regina Planning Commission and consideration and approval by City Council to proceed. Furthermore, this application requires City Council's approval as Bylaw No. 2021-44, delegating authority of discretionary use to the Development Officer, takes effect on September 1, 2021.

This application is being considered pursuant to *The Planning and Development Act, 2007* (The 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 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 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 of Regina (City) standards and applicable legal requirements.

Accessibility Impacts

The development requires one accessible parking stall. The proposal provides one accessible stall, which meets the minimum requirement.

Environmental Impact

City Council set a community goal for the City of Regina of achieving net-zero emissions and sourcing of net-zero renewable energy by 2050. In support of this goal, City Council asked Administration to provide energy and greenhouse gas implications of recommendations so that Council can evaluate the climate impacts of its decisions. The recommendations in this report have limited direct impacts on energy consumption and greenhouse gas emissions. However, this is an addition to an existing building, which will have less impact than demolition and new site design.

Policy/Strategic Impact

The proposed development does not conflict with any OCP policies and is consistent with the following OCP goals/policies:

- Section C, Goal 3 – Intensification: Enhance the city’s urban form through intensification and redevelopment of existing built-up areas.
- Section D11, Goal 1, Policy13.6: Encourage intensification as a means to revitalize and renew neighbourhoods and existing community resources.

The subject development is located within the OCP’s Map 1c – Intensification Boundary and supports OCP’s intensification goals.

OTHER OPTIONS

Alternative 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 the application back to Administration for further review and direct that the application be brought back to Regina Planning Commission or directly to City Council for reconsideration following such 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. Expansion of the veterinary clinic 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 their right to appear as a delegation at the Regina Planning Commission and Council meetings when the application will be considered. Public notice of City Council's consideration of this application will also be given in accordance with *The Public Notice Policy Bylaw, 2020*. The Applicant will receive written notification of City Council's decision in accordance with The Act.

DISCUSSION

Proposal

The Applicant proposes to expand the existing veterinary clinic by 460.74 square metres (existing floor area of 367 square meters), located on the subject property.

The subject property is zoned MH - Mixed High-rise Zone, in which a veterinary clinic is a discretionary use, when larger than 500 square metres. The development proposes 827.74 square metres of total gross floor area for the proposed land use.

The land use and zoning details of this proposal are summarized in the following tables:

Land Use Details	Existing	Proposed
Zoning	MH - Mixed High-Rise Zone	MH - Mixed High-Rise Zone
Land Use	Agriculture, Animal Support	Agriculture, Animal Support
Building Area	367 m ²	827.74 m ²

Zoning Analysis	Required	Proposed
Number of Parking Stalls	5	23
Min. Lot Area (m ²)	250	1566.39
Min. Lot Frontage (m)	6	41.1
Max. Building Height (m)	15	7.65
Max. Floor Area Ratio	3.0	0.53
Max. Coverage (%)	65	36.8
Landscaping (percentage of site area)	10	18

The existing building was approved and constructed under previous zoning regulations (City of Regina Zoning Bylaw 9250) and was permitted to be built to the front property line. The current

Zoning Bylaw also allows for buildings to be built to the front property line (nil setback) if the fronting wall of the building meets the active wall requirements in the Zoning Bylaw, otherwise there must be a three-meter front yard setback. As noted in Appendix A-3.1, the Applicant is proposing to demolish the front portion of the existing building and reconstruct, and as a result, the entire front of the building must meet the active wall requirements. The Zoning Bylaw defines “active wall” as, “the exterior walls of a building, at street level, that animates the public realm through the incorporation of glazing, fenestration, and regular entrances.” Active walls help enhance the urban character of the street by providing an interactive and animated character between the public and the private realm.

The current drawings attached to this report do not provide the minimum percentage of fenestration or glazing for the front wall. However, the Applicant has agreed to revise the proposed plans to increase the glazing area to meet the active wall requirements of 60 per cent glazing. To not delay this application, the Applicant requested this application be forwarded for approval while the drawings are being revised by the designer. Options to proceed have been discussed with the applicant. These include:

1. Revising the proposed plans to increase the glazing area to meet the active wall requirements;
or
2. Increasing the front setback to 3.0m to meet the standard front yard setback requirements.

The Applicant seeks a decision on the discretionary use based on the size (greater than 500 square meters) of the building not the setback or glazing, which will be reviewed later by Administration at the time of building permit application. The conditions of approval, as reflected by the Administration’s recommendation, will require revised plans to ensure adherence to the active wall or setback requirements.

The surrounding land uses are residential development to the north, Victoria Avenue and commercial development to the south and other commercial development to the east and west. Based on Administration's evaluation of the proposal for land use, development standards, and criteria established in Part 1E.3 of the Zoning Bylaw, the development is suitable for the proposed location. No adverse impacts have been identified.

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. The Heritage Community Association was contacted and has no issues or concerns with the proposed application. There was one comment from neighbouring property owners and is included as Appendix B of this report.

DECISION HISTORY

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

Respectfully Submitted,



Autumn Lawson, Director, Planning & Development Services

Respectfully Submitted,



7/27/2021

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

7/28/2021

Prepared by: Binod Poudyal, City Planner II

ATTACHMENTS

Appendix 1 (Subject Property Map)
Appendix 2 (Aerial Map)
Appendix A-3.1 (Proposed Site Plan)
Appendix A-3.2 (Proposed Main Floor Plan)
Appendix A-3.3 (Proposed Second Floor Plan)
Appendix A-3.4 (Proposed Elevations)
Appendix A-3.5 (Existing Building Views)
Appendix A-3.6 (Proposed Building Section)
Appendix B (Public Comment Summary)