

## 409 Maxwell Crescent- Discretionary Use Application (PL202000203)

<b>Date</b>	January 6, 2021
<b>To</b>	Regina Planning Commission
<b>From</b>	City Planning & Community Development
<b>Service Area</b>	Planning & Development Services
<b>Item No.</b>	RPC21-1

### RECOMMENDATION

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Regina Planning Commission recommends that City Council:

1. Approve the discretionary use application to allow a proposed "Storage, Outdoor" land use located at 409 Maxwell Crescent, being Lot 11, Block 21, Plan No. 77R56670.
2. Direct the Development Officer to issue a development permit subject to the following conditions:
  - a. The development shall be generally consistent with the plan attached to this report as Appendix A-3, dated Oct 2, 2020.
  - b. The development shall comply with the City of Regina's Standard for Drainage from Building Sites and Development Standard Manual.
  - c. The proposed development is located within the low aquifer sensitivity zone; no excavation in relation to the development shall exceed a depth of 6.0 m in accordance with *The Regina Zoning Bylaw, 2019*.
  - d. The development shall comply with all applicable standards and regulations in *The Regina Zoning Bylaw, 2019*.
3. Approve these recommendations at its January 13, 2021 meeting, following the required public notice.

### ISSUE

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The applicant, Apex Distribution Inc., and the owner, Maxcom Properties Ltd., proposes to develop a "Storage, Outdoor" facility for storing industrial pipes and equipment. The subject

property is a vacant undeveloped site within the Ross Industrial area at 409 Maxwell Crescent. The subject property is zoned IL – Industrial Light Zone in which “Storage, Outdoor” greater than 500 square meters per lot is a discretionary use.

All properties in the city of Regina are assigned a zoning designation under *The Regina Zoning Bylaw, 2019* (Zoning Bylaw). Within each zoning designation, land use can be permitted, not permitted or discretionary. Discretionary uses require a public and technical process and review by the Regina Planning Commission and approval by City Council in order to proceed.

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 complies 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 building) and aspects of site design (e.g. landscaping, site access, parking, loading), but not including 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 standards and applicable legal requirements.

### **Policy / Strategic Impacts**

The proposed development does not conflict with any OCP policies and is consistent with the following 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.*
- Section E, Goal 7, Policy 14.40: *Ensure that applications to amend the zoning bylaw and discretionary use applications consider the following:*
  - 14.40.1 *The nature of the proposal and its conformity with all relevant sections of this Plan, as well as any approved concept plans.*

### **Accessibility Impacts**

The application does not include any building or floor area defined under the Zoning Bylaw; and as such parking for persons with disabilities is not required.

## **OTHER OPTIONS**

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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, Outdoor” land use will not proceed on the subject property if City Council rejects 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 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 Act.

## **DISCUSSION**

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### **Proposal**

The Applicant proposes to develop a “Storage, Outdoor” facility for the storage of industrial pipes and equipment. The proposed development will occupy a total area of 4,262 square meters within the Ross Industrial area. The surrounding land uses include distribution warehouse to the east, the property fronts Maxwell Crescent to the west and other industrial and “office, industry” to the north and south.

### **Considerations**

#### **Land Use**

The subject property is zoned IL –Industrial Light Zone in which “Outdoor, Storage” greater than 500 square meters per lot is discretionary. The development with a proposed “Outdoor, Storage” of 4,262 square meters is suitable at the proposed location, is compatible with industrial land use, and no adverse impacts have been identified. The Applicant indicated they expect approximately one to two vehicles per day in and out of the site.

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

Land Use Details	Existing	Proposed
Zoning	IL - Industrial Light Zone	IL - Industrial Light Zone
Land Use	Vacant	"Storage, Outdoor" greater than 500 square meters per lot (Discretionary) 4,262 Square Meters
Building Area	Vacant	No Building

Zoning Analysis	Required	Proposed
Number of Parking Stalls	None (One stall is required per 175 square metres of <b>total floor area</b> )	None (There is no proposed building)
Min. Lot Area (m <sup>2</sup> )	200	4,262
Min Lot Frontage (m)	30	22.8 (legally nonconforming)

The proposal is consistent with the purpose and intent of the IL - Industrial Light Zone.

**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. Summary of public comments are outlined in 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,

Respectfully Submitted,




Fred Scarip, Director, Planning & Development Services

12/22/2020

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

12/30/2020

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**ATTACHMENTS**

- Appendix A-1 (Subject Property Map)
- Appendix A-2 (Aerial Map)
- Appendix A-3 (Proposed Site Plan)
- Appendix B