Discretionary Use – 2640E Victoria Avenue

<table>
<thead>
<tr>
<th>Date</th>
<th>July 28, 2022</th>
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<tbody>
<tr>
<td>To</td>
<td>Deborah Bryden, Development Officer</td>
</tr>
<tr>
<td>From</td>
<td>Planning and Development Services</td>
</tr>
<tr>
<td>Item #</td>
<td>PL202200100</td>
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**BACKGROUND**

Section 1D.1.2(2) of the Zoning Bylaw specifies that all applications for discretionary use are delegated to the Development Officer, except those which meet specified criteria. Since the proposed application does not meet the specified criteria, the application is delegated to the Development Officer.

**APPLICATION**

The applicant (Bison Properties Ltd) proposes to convert a vacant building and its dedicated outdoor area to the rear (north) into a “Retail Trade, Motor Vehicle-Light” (car dealership) at 2640 E Victoria Avenue (Appendix A-1).

The proposed development is located on a site zoned Mixed High-Rise Zone and occupies more than 1000 square metres in area (including a dedicated outdoor area); therefore, is being pursued as a Discretionary Use, per Chapter 4, Part 4B, Table 4B.T2 of the Zoning Bylaw, 2019.

The site is located along a service road that connects to an arterial/express transit corridor (Victoria Avenue). The service road accommodates similar intensity uses in its vicinity. The subject property previously housed a Sarcan recycling facility and was built in 2007.

**REVIEW CRITERIA**

The application is reviewed as per the criteria established in Section 1E.3.5 of Zoning Bylaw, 2019, as follows:

(a) **consistency with the vision, goals, and policies of the Official Community Plan**

The proposed development supports the following policies of Part A of *Design Regina: The Official Community Plan Bylaw No. 2013-48 (OCP)*:

- Section C; Policy 2.4: *Make use of residual capacity of infrastructure in existing urban areas.*

The proposed development supports this policy, as the Subject Building is vacant but the lot itself contains numerous retail stores; therefore, the development supports intensification and utilization of existing infrastructure.
DISCRETIONARY USE APPLICATION

The Subject Property is within the Urban Corridor policy area of the OCP. Although the OCP generally supports mixed-use and intensified development in the Urban Corridor, the Subject Property accommodates numerous retail stores and is adjacent to existing medium-density residential properties; therefore, while not all OCP goals are achieved, a level of intensification is being met along with redevelopment.

(b) consistency with the objectives and policies of any applicable special study or policy document for the site, area or neighbourhood with an emphasis on:
   (i) land use;
   (ii) intensity of development; and
   (iii) impact on public facilities, infrastructure, or services

There are no applicable neighbourhood plans for this specific area. The site will not need to be rezoned and is located adjacent to other large-lot commercial businesses, and has access to a service road, so is deemed to be compatible with adjacent land use.

The development application was reviewed from an infrastructure and servicing perspective and no issues were identified.

(c) consistency with regulations of the Zoning Bylaw:

The land use and zoning-related details of this proposal are summarized as follows:

<table>
<thead>
<tr>
<th>Land Use Details</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning</td>
<td>MH-Mixed High Rise</td>
<td>No Change</td>
</tr>
<tr>
<td>Land Use</td>
<td>Vacant Building</td>
<td>“Retail Trade, Motor Vehicle-Light”</td>
</tr>
<tr>
<td>Building Area</td>
<td>465 m²</td>
<td>465m² indoors + 956 m² parking</td>
</tr>
<tr>
<td></td>
<td></td>
<td>lot = 1421m²</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Zoning Analysis</th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Parking Stalls</td>
<td>5</td>
<td>15</td>
</tr>
<tr>
<td>Minimum Lot Frontage (m)</td>
<td>6m</td>
<td>144m</td>
</tr>
<tr>
<td>Minimum Lot Area (m²)</td>
<td>250 m²</td>
<td>14983 m²</td>
</tr>
<tr>
<td>Maximum Site Coverage</td>
<td>65%</td>
<td>24.6%</td>
</tr>
<tr>
<td>Maximum Building Height (m)</td>
<td>Max 15 metres</td>
<td>5.0 metres approx.</td>
</tr>
<tr>
<td>Minimum Landscape Area</td>
<td>1498.3 m²</td>
<td>1659 m²</td>
</tr>
<tr>
<td></td>
<td>(10% of lot area)</td>
<td></td>
</tr>
</tbody>
</table>

(d) potential adverse impacts or nuisances affecting:
   (i) nearby land, development, land uses, or properties:

Medium-density residential land use is located adjacent (separated by an alley) to the rear portion of the Subject Property and outdoor business operation. Although residential is in relatively close proximity, it is not expected that the outdoor business operation will pose a nuisance, as the area will be used to park and display cars, which is similar to how the space was previously used (parking area). Further, no access to the rear portion of the
Subject Property is provided; therefore, the proposed development should not generate additional traffic along the alley.

As a Discretionary Use requirement, the application will be required to construct aesthetic screening in the form of a 1.83 metre high fence, or other acceptable means, along the property line abutting residential land use.

(ii) **neighbourhood character:**
The site will not need to be rezoned and is located adjacent to other large-lot commercial businesses, and has access to a service road, so is deemed to be compatible with adjacent land-use.

(iii) **the environment:**
The Subject Property forms part of an urbanized corridor with existing land uses of similar intensity – there are no natural features.

(iv) **traffic:**
No impacts were identified through the review.

(v) **a public right-of-way; and**
No impacts were identified through the review.

(vi) **any other matter(s) affecting public health and safety**
No impacts were identified through the review.

**PUBLIC NOTICE**
The public has been notified about the application as required by *The Public Notice Policy Bylaw* by way of:

(a) written notice sent to property owners within 75 metres 
(b) website posting on regina.ca and 
(c) a sign was posted on the site

Following public notice, two comments have been submitted, which are summarized below:

<table>
<thead>
<tr>
<th>Response</th>
<th>Number of Responses</th>
<th>Issues Identified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completely opposed</td>
<td>1</td>
<td>Concerns that the proposed development will displace the Giant Tiger store and Sarcan facility.</td>
</tr>
<tr>
<td>Accept if many features were different</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th>Accept if one or two features were different</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>I support this proposal</strong></td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Fills an existing vacant building, helps other businesses and is a good reuse of associated parking.</td>
</tr>
</tbody>
</table>

Regarding the comment opposing the proposed development: The City is not aware of any intent to eliminate or re-locate the two aforementioned businesses. The proposed land use will occur in a vacant portion of the site.

**SUMMARY**

- The application complies with all criteria for discretionary use approval in the Zoning Bylaw.
- There is no conflict with the OCP Part A.
- The proposed development is deemed suitable for the Subject Property from a land-use perspective

Respectfully Submitted,

Ben Mario  
Manager, City Planning

Kelten Comrie  
A/Director, Planning & Development Services

Attachments:
Appendix A-1 - Aerial Photograph  
Appendix A-2 - Aerial Photograph  
Appendix B-1 - Site/ Landscape Plans

Report prepared by: David Ferrone, Planner I, City Planning Branch
DECISION OF DEVELOPMENT OFFICER

The application for a proposed discretionary use for a (Retail Trade, Motor Vehicle-Light) located at 2610 E Victoria Avenue being Plan: 102093746 Block: Y1 in the Dewdney East Neighbourhood is APPROVED, subject to the following standards and conditions:

1. As per the Zoning Bylaw, aesthetic screening in the form of a 1.83m high fence or other acceptable means shall be provided and maintained along the property line abutting residential land use.

2. The Development shall be generally consistent with the plans attached to this report as Appendix B-1

3. Authorize the Development Officer to issue a development permit with respect to the application.

As recommended in this report, this application is:

☒ APPROVED
☐ DENIED

Deborah Bryden, Executive Director, City Planning and Community Development (Development Officer)

Dated
July 27, 2022
Appendix B-1