



## Discretionary Use – 1802 9<sup>th</sup> Avenue N

<b>Date</b>	December 19, 2025
<b>To</b>	Deborah Bryden, Development Officer
<b>From</b>	Planning & Development Services
<b>Item #</b>	PL202500373

### **BACKGROUND**

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Section 1D.1.2(2) of *The Regina Zoning Bylaw, 2019* (Zoning Bylaw) specifies that all applications for Discretionary Use approval are delegated to the Development Officer, except those applications that meet specified criteria, which warrant City Council review.

The criteria that warrant City Council review are deemed not to apply; therefore, this application is delegated to the Development Officer.

### **APPLICATION**

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102141694 Saskatchewan Ltd. (Applicant), on behalf of Real Prairie Properties Inc. (Landowner), proposes to develop a *Retail Trade, Cannabis* land use (Proposed Development) at 1802 9<sup>th</sup> Avenue N (Subject Property), which is zoned ML – Mixed Low-Rise Zone (ML Zone).

The Proposed Development relates to a change in land use only, which applies to an existing 210.5 m<sup>2</sup> unit within a multi-unit commercial building. There are no proposed changes (i.e. alterations) to the exterior of the building or the site.

This application requires review and approval through the Discretionary Use procedure, as the building accommodating the Proposed Development is within 60 metres of a parcel used, principally, as *Open Space, Active* land use (North East Park), which includes athletic fields, an *Assembly, Recreation* land use (Jack Staples Arena – enclosed ice rink), and is adjoined by an *Institution, Education* land use (Harvest City Christian Academy) These can be found in the Zoning Bylaw cannabis-specific regulations: Chapter 1; Part 1E; Section 1E.1.6A.

The Subject Property is located within the Northeast Neighbourhood; contiguous to the intersection of 9<sup>th</sup> Avenue N and Broad Street, and surrounded by the following land use:

- North and West: high-density residential (RH – Residential High-Rise Zone).
- South: indoor and outdoor athletic facilities (PS – Public Service Zone).
- East: City Fire Station; educational institution (I – Institutional Zone).

### **ASSESSMENT**

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Administration's assessment of this application has been undertaken in accordance with the



criteria set forth in Section 1E3.5 of the Zoning Bylaw as follows:

**Consistency with the vision, goals and policies of the Official Community Plan.**

The Proposed Development constitutes a neighbourhood-oriented commercial use (retail); therefore, supports key objectives of *Design Regina: The Official Community Plan, Bylaw No. 2013-48* (OCP) relating to Complete Neighbourhoods and Economic Development:

- Section D5; Policy 17.1.4: Opportunities for, and access to, daily lifestyle needs, such as services, convenience shopping, and recreation.
- Section D10; Policy 12.5: Establish and implement mechanisms to expand and diversify the economy, promote the attractiveness of Regina.

**Consistency with the objectives and policies of any applicable special study or policy document for the site, area or neighbourhood with emphasis on:**

- (i) land use;
- (ii) intensity of development; and
- (iii) impact on public facilities, infrastructure or services.

No neighbourhood plan, concept plan, or special study or policy document applies.

**Consistency with regulations of the Zoning Bylaw.**

*Retail Trade, Cannabis* is an allowable use within the ML Zone. Further, the floor area of the unit is 210.5 m<sup>2</sup>, which is below the Discretionary Use (floor area) review threshold (300m<sup>2</sup>).

**Potential adverse impacts or nuisances affecting:**

- (i) nearby land, development, land uses, or properties;
- (ii) neighbourhood character;
- (iii) the environment;
- (iv) traffic;
- (v) a public right-of-way; and
- (vi) any other matter(s) affecting public health and safety.

In addition to the criteria that apply to Discretionary Use applications, generally, it is a requirement of the Zoning Bylaw (Chapter 1; Part 1E; Section 1E.3.5A) that proposed cannabis retail stores, which are within 60 metres of the land uses specified in Section 1E.1.6A, be evaluated based on "location and visibility" relative to the "presence of youth".

The north boundary of North East Park, which constitutes the land use warranting Discretionary Use review, is located, approximately 30 metres from the building accommodating the Proposed Development.

Notwithstanding this proximity, several location and use factors apply, which mitigate issues relating to "location and visibility":

- The adjacent athletic fields are reserved for programmed sports events (softball),

which are limited to seasonal months, during evenings and weekends.

- The perimeter of the park includes tree and shrub landscaping, which provides a measure of physical and visual buffering.
- Visibility issues, as they relate to the ice rink facility, are deemed to be insignificant, as this facility is enclosed and situated 170 meters from the Proposed Development.
- Visibility issues, as they relate to the *Institution, Education* land use, is deemed to be insignificant, as this facility is situated 300 meters from the Proposed Development and students do not share the use of the athletic fields.
- The building accommodating the Proposed Development does not face the street and is separated from the sidewalk by a parking area; therefore, not highly visible.
- The Proposed Development will occupy a unit within an existing commercial building, and there are no proposed changes to the exterior of the building or the site.

Further, the Proposed Development is not expected to negatively impact adjacent properties, community character, the environment or traffic:

- The Proposed Development will occupy a unit within an existing commercial building, and there are no proposed changes to the exterior of the building or the site.
- The Proposed Development constitutes a small-scale retail commercial use, which is typical for the building and consistent with other uses.
- Location is contiguous to the intersection of 9<sup>th</sup> Avenue N and Broad Street, which are both arterial roadways with transit service.

The Saskatchewan Health Authority submitted comments relating to health issues associated with cannabis consumption and cited a peer reviewed study that correlates cannabis legalization, prevalence of advertising and retail store locations with increased adolescent use. Administration does not refute this information; however, advises that:

- Issues relating to health and product safety are, largely, the responsibility of the Government of Canada and the Government of Saskatchewan.
- The City's role, from a land use and development perspective, is to confirm location suitability, consider compatibility with adjacent uses, serviceability, etc. Zoning regulations do not intend to reduce the prevalence of retail stores.

## **COMMUNICATION**

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Public notice has been carried out in accordance with *The Public Notice Policy Bylaw* and included sign posting on the subject property, notice letter sent to property owners within 75 metres of the Subject Property, notice letter posted on the City's website. A summary of the feedback received, and Administration's response, is provided below.

The Regina Minor Softball League, who leases the North East Park, received notification and have submitted documentation indicating their opposition to the Proposed Development due to the following (summarized), health/safety concerns:

- May exacerbate existing issues affecting the park directly, including the consumption of alcohol and drug use and vandalism within the park boundaries.

- May result in increased criminal activity and associated safety risk to park users.
- Will negatively affect image of the facility as a welcoming, safe destination.
- May result in reduction of users and visitors due to above noted factors.

The Regina North East Community Association received notification; however, no comments were submitted.

Public Review Summary		
Response	Number of Responses	Issues Identified
<i>Completely opposed</i>	8	<ul style="list-style-type: none"> <li>• Proximity to facilities accommodating children</li> <li>• Crime and safety risk to surrounding properties (e.g. loitering, vandalism, drug paraphernalia)</li> <li>• Increased traffic and congestion along 9<sup>th</sup> Avenue N</li> <li>• Insufficient parking space</li> <li>• Cannabis retail not “family friendly” (not optimal use)</li> </ul>
<i>Accept features were different</i>	1	<ul style="list-style-type: none"> <li>• Mitigate aerial pollution through mechanical features</li> </ul>
<i>I support this proposal</i>	6	<ul style="list-style-type: none"> <li>• Local neighbourhood lacks this type of retail</li> </ul>
<b>Total</b>	<b>15</b>	

## Crime and Safety

The controlled and regulated sale of cannabis products is a legal and permissible activity, per the regulations of the Government of Canada, which administers both the *Criminal Code* and the *Cannabis Act*. The City recognizes this legality and allows this retail land use within all neighbourhoods, subject to the regulations of the Zoning Bylaw, including above noted review criteria, and applicable federal and provincial requirements.

## Proximity to Youth

Proximity to facilities accommodating students/children, including facilities beyond the 60-metre review area (i.e. École Monseigneur De Laval), represents one of the most common concerns cited, and is the subject warranting Discretionary Use review.

While it is acknowledged that concerns persist regarding presence and access of cannabis products to youth, Administration is not aware of concerns associated with existing cannabis retail stores, which have been approved since federal legalization. Based on experience, cannabis retail stores are comparable to any typical small-scale retail stores in terms of off-site impacts.

## Traffic and Parking

The proposal is a change of land use within an existing commercial building; therefore, commercial related traffic is expected and accepted at this location and has direct access to 9<sup>th</sup> Avenue N, which is an arterial roadway that includes transit services.



## Optimal Land Use

The Proposed Development constitutes a small-scale retail commercial use, which is typical for the building and consistent with other uses.

Further, the City cannot restrict development solely for the purpose of withholding a vacant unit or parcel for a future development opportunity that may be regarded as preferable.

## **SUMMARY**

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The Proposed Development complies with all criteria for Discretionary Use approval in the Zoning Bylaw and aligns with applicable policy and regulations.

Further, the Administration is satisfied that the location, which is a unit within an existing commercial building, which has sufficient buffer from land uses described in Part 1E; Section 1E.1.6A of the Zoning Bylaw, is suitable for the Proposed Development.



## **RECOMMENDATION**

The application for a proposed Discretionary Use for *Retail Trade, Cannabis*, located at 1802 9<sup>th</sup> Avenue N, being Block D, Plan 95R48134 Ext 6, be APPROVED, subject to the following standards and conditions:

1. The development shall generally be consistent with the plans attached to this report as Appendix B-1.
2. Except as otherwise specified in this approval, the development shall comply with all applicable standards and regulations of *The Regina Zoning Bylaw, 2019*.
3. Subject to the above conditions, authorize the Development Officer to issue a development permit with respect to the application.

Respectfully Submitted,

A blue ink signature of the name Ben Mario.

Manager, City Planning

A blue ink signature of the name Jennifer Johnson.

Director, Planning & Development Services

## **DECISION OF DEVELOPMENT OFFICER**

As recommended in this report, this application is:

APPROVED  
 DENIED

A blue ink signature of the name Deborah Bryden.

December 23, 2025

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Deborah Bryden, Deputy City Manager  
City Planning & Community Services  
(Development Officer)

Dated

Report prepared by: Tyson Selinger, City Planner I

Attachments:

Appendix A-1: Location  
Appendix A-2: Zoning  
Appendix A-3: Context  
Appendix B-1: Site Plan  
Appendix B-2: Unit Plan

## Appendix A-1: Location



Subject Property

Date of Photography: 2024



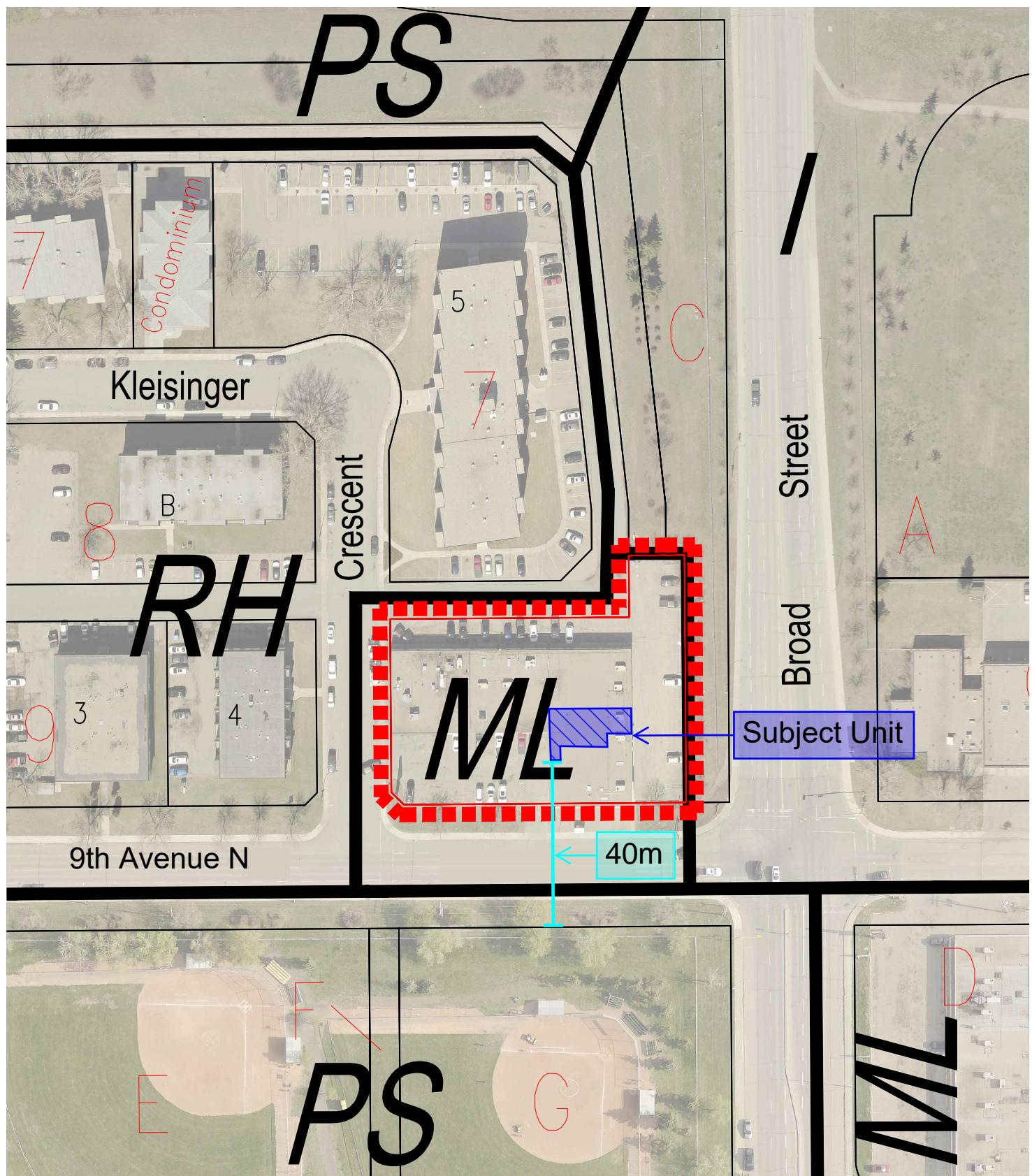
Project

PL202500373

Civic Address/Subdivision

1802 9th Avenue N

## Appendix A-2: Zoning



Subject Property

Date of Photography : 2024

## Appendix A-3: Context



Date of Photography: 2024

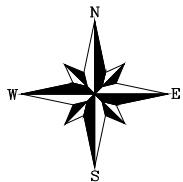
 Subject Property



## Appendix B-1: Site Plan (Existing)



PLAN NOTES:
OCCUPANCY CHANGE.
NO CHANGES TO BUILDING ENVELOPE OR ROOF SYSTEM.
NO CHANGES TO PLUMBING OR ELECTRICAL.
NO CHANGES TO THE SITE OR PARKING AND ACCESS TO THE BUILDING.
NO LAND USE CHANGE.
SITE EXISTS AS IS WITH PARKING, LANDSCAPING, VEHICLE ENTRANCES, SIDEWALKS AND PARKING LOT LIGHTING.
NO CHANGE TO PARKING, LANDSCAPING, VEHICLE ENTRANCES, SIDEWALKS OR PARKING LOT LIGHTING.

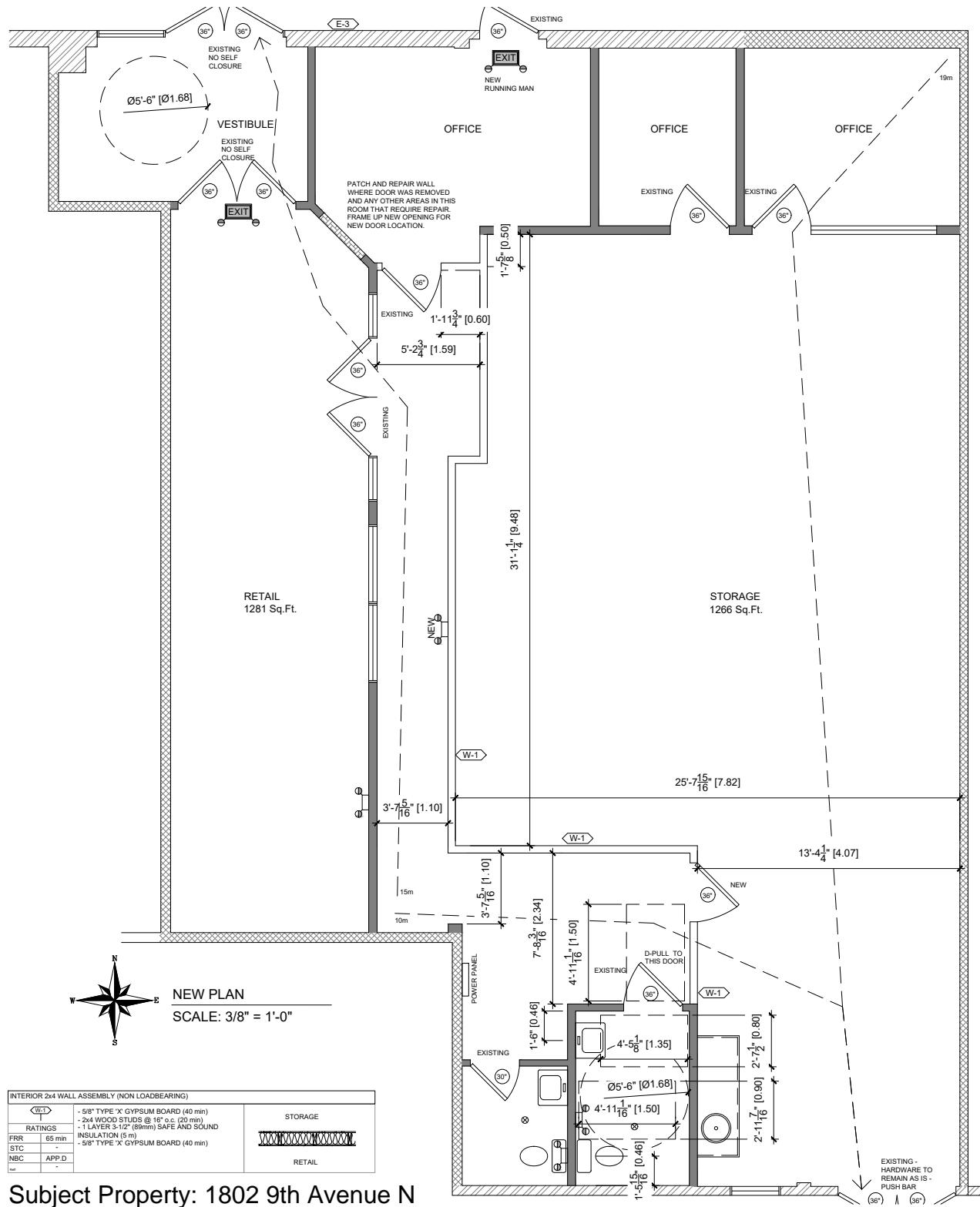


Subject Property: 1802 9th Avenue N

 Subject Property

 Subject Unit

## Appendix B-2: Unit Plan



## Subject Property: 1802 9th Avenue N