

August 26, 2013

To: His Worship the Mayor
and Members of City Council

Re: Application for Contract Zoning (13-CZ-01) Proposed Office and Assembly/Conference
Space – 1011 N. Devonshire Drive

RECOMMENDATION OF THE REGINA PLANNING COMMISSION – JULY 17, 2013

1. That the application to amend *Regina Zoning Bylaw No. 9250* to rezone 1011 N. Devonshire Drive, being Block M, Plan No. 80R21533 from MS-Main Street Zone to C – Contract be APPROVED and that the contract zone agreement between the City of Regina and the applicant/owner of the subject property be executed.
2. That further to recommendation 1, the proposed contract zone agreement shall include the following terms:
 - a. Space allocated to office use shall not exceed 1000 sq. m.;
 - b. Space allocated for convention/assembly space be developed as shown on the attached site plan;
 - c. The Fire Lane, located to the north off the main entrance to the building, to be signed as “No Parking Fire Lane” and the parking ban be enforced at all times.
 - d. The development shall conform to the attached plans labelled Site Plan and Floor Plans, prepared by M. Haque/D. Tomlin, and dated March 25, 2013, attached to this agreement as Appendix A-3.1 and Appendix A-3.2.
 - e. Signage on the subject property shall comply with the development standards for the MS-Main Street Zone pursuant to Table 16.1 of the Zoning Bylaw;
 - f. Landscaping of the lot shall comply with the requirements of Chapter 15 of the Zoning Bylaw;
 - g. Any zoning related detail not specifically addressed in the contract zone agreement shall be subject to applicable provisions of the Zoning Bylaw; And
 - h. The agreement shall be registered in the City’s interest at the applicant’s cost pursuant to Section 69 of *The Planning and Development Act, 2007*.
3. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.

REGINA PLANNING COMMISSION – JULY 17, 2013

The following addressed the Commission:

- Sue Luchuck, City Planner, made a PowerPoint presentation, a copy of which is on file in the City Clerk’s Office;
- Ross Keith, representing Wudvue Management Ltd. and Nicor Developments Inc., and Sandy Evanovich, representing Saskatchewan Government Employees Union.

The Commission adopted a resolution to concur in the recommendation contained in the report. Recommendation #4 does not require City Council approval.

Councillors: Jerry Flegel, Shawn Fraser and Mike O'Donnell; Commissioners: David Edwards, Phil Evans, Dallard Legault, Daryl Posehn, Phil Selenski, Laureen Snook and Sherry Wolf were present during consideration of this report by the Regina Planning Commission.

The Regina Planning Commission, at its meeting held on July 17, 2013, considered the following report from the Administration:

RECOMMENDATION

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C – Contract be APPROVED and that the contract zone agreement between the City of Regina and the applicant/owner of the subject property be executed.
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 - h. The agreement shall be registered in the City's interest at the applicant's cost pursuant to Section 69 of *The Planning and Development Act, 2007*.
3. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.
4. That this report be forwarded to the August 26, 2013 City Council meeting, which will allow sufficient time for advertising of the required public notices for the respective bylaw.

CONCLUSION

The applicant proposes to:

- Redevelop an existing building to accommodate office and assembly/conference space for the Saskatchewan Government and General Employees Union.

- The building is one storey in height and has a basement under a portion of the building. Offices will be located on the main floor with meeting and conference rooms located both on the main floor and in the basement.
- The subject property is currently zoned MS-Main Street Zone.
- The subject property is located within the Rochdale commercial area between the Lakewood and McCarthy Park neighbourhoods.
- Compliant with the Office Policy in Part A of the Official Community Plan in that it is an adaptive re-use of an existing building to be occupied by related office and union hall and is not a purpose built new office building. Despite the building being larger than 1000 m² the allocation of office space (less than 1000 m²) conforms to the intent of the office policy.
- Concerns were received regarding parking, increased traffic and inappropriate location for offices.

BACKGROUND

An application has been received for contract zoning to enable the redevelopment of the existing building at 1011 N. Devonshire Drive for office and general assembly/conference uses for the Saskatchewan Government and General Employees Union.

This application is being considered pursuant to *Regina Zoning Bylaw No. 9250, Regina Development Plan Bylaw No. 7877 (Official Community Plan)*, and *The Planning and Development Act, 2007*

DISCUSSION

Zoning and Land Use Details

	<u>Required (MS Zone)</u>	<u>Proposed</u>
Zoning	MS	C
Land Use	Currently theatres, miniature golf and concession	Offices and assembly/conference space
Number of Parking Stalls Required	111	131 (provided)
Minimum Lot Area (m ²)	250 m ²	8,103 m ²
Minimum Lot Frontage (m)	6 m	17.14 m
Maximum Height (m)	15 m	6 m (existing building)
Building Area	n/a	2,415.48 m ² (existing building)

Surrounding land uses include commercial to the north and east and residential to the south and west.

Regina Zoning Bylaw No 9250 indicates that contract zoning may be considered on:

- Small or irregularly shaped lots
- Lots restricted by physical barriers such as water courses, slopes, roadways, railways
- Infill sites in higher density or mixed use areas
- Sites accommodating unique development opportunities

The proposal is consistent with the purpose and intent of contract zoning with respect to accommodating a unique development opportunity, enabling the reuse of an existing commercial building. The proposed office, without the assembly/convention space, would be a discretionary use in the MS-Main Street Zone. However, there is no land use category in the MS-Main Street Zone which would permit the development of both land uses in one building. The contract zone enables the attachment of conditions of use to the formal contract between the developer and the City.

RECOMMENDATION IMPLICATIONS

Financial Implications

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 additional or changes to existing infrastructure that may be required to directly or indirectly support the development, in accordance with City standards and applicable legal requirements.

Environmental Implications

None with respect to this report.

Policy/Strategic Implications

The proposal complies with the intent of the policies contained within Part A: Policy Plan of *Regina Development Plan, Bylaw No. 7877 (Official Community Plan)* with respect to:

- 4.15 – Office Development
 - a) For the purpose of this Plan, office buildings between 1000sq.m. and 4,000sq.m. of gross floor area, including secondary uses shall be considered “medium office”...;
 - c) Medium and major office shall be prohibited from locating outside the downtown...;

This proposal is an adaptive reuse of an existing building for an office and related union hall, which occupy a large portion of the space and would also share office-related facilities such as meeting rooms, washrooms, and common space. The Administration has worked with the applicant to ensure that the proposed office use occupies less than 1000m² to ensure that the office component does not challenge the intent of the office policy.

The proposal is also consistent with the policies contained in Part B The Northwest Sector Plan of the OCP with respect to:

- 4.0 a) – To maintain Main Street as a key commercial corridor.

This development re-uses an existing commercial building in the MS – Main Street Zone. In addition, there is potential from the employees and catering of meetings at the building to support local businesses along Rochdale Boulevard.

Other Implications

None with respect to this report.

Accessibility Implications

The proposed development provides three parking stalls for persons with disabilities which meets the requirements of the Zoning Bylaw.

COMMUNICATIONS

Public notification signage posted on:	May 21, 2013
Will be published in the Leader Post on:	July 27, 2013 August 3, 2013
Letter sent to immediate property owners	May 21, 2013
Number of public comments sheets received	16 Three opposed the development.

The issues raised by the concerned residents related to additional traffic on Devonshire Drive, parking (especially when there are meetings/conventions), redevelopment in the area should be retail or residential in keeping with the surrounding land uses and offices should be located downtown or in a business zone.

In response to the concerns the developer invited area residents and business owners to a Come and Go Open House at the building on June 10 from 4:30 p.m. to 6:30 p.m. Five area residents came to the Open House. City staff also attended. Representatives from SGEU were in attendance to discuss their plans and respond to questions. The representatives explained that the building would be used by 30 to 35 employees daily. In addition, there would be periodic meetings of small groups of people (approximately 4 to 12 people) on any given day. There would also be evening meetings once a month that draw 15 to 20 people. The largest gatherings would be four times a year with about 45 people attending. Once a year SGEU hosts a convention attended by approximately 200 people, many of whom would use a bus or would car pool from their hotel. Residents who attended indicated they were happy to receive the information and were appreciative of the opportunity provided by the developer to have their questions answered.

The number of parking spaces required for the proposed uses is 111 (office – 1 stall per 60 m² gross floor area, convention/assembly – 1 stall per 10 m² gross floor area). The number of stalls provided exceeds the requirements of the Zoning Bylaw by 20 stalls.

With regard to the land use issues, the building is located within the MS-Main Street Zone which enables the development of many types of commercial uses, including offices.

The applicant and other interested parties will receive written notification of City Council's decision.

DELEGATED AUTHORITY

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

Respectfully submitted,

REGINA PLANNING COMMISSION



Elaine Gohlke, Secretary