

PL202000059 - Contract Zone Application - 221 N. Winnipeg Street

Date	June 3, 2020
To	Regina Planning Commission
From	City Planning & Community Development
Service Area	Planning & Development Services
Item No.	RPC20-21

RECOMMENDATION

Regina Planning Commission recommends that City Council:

1. Approve the application to rezone the property located at 221 N. Winnipeg Street, legally described as Block T, Plan 84R22521, Block C, Plan 101221142 and Block C, Plan FA4603 from IL - Industrial Light Zone to C - Contract Zone to permit “Office, Industry” as a land use at this location.
2. Approve execution of the contract zone agreement between the City of Regina and the applicant/owner of the subject properties, which shall include the following terms:
 - i. A maximum of 4,000 square meters of “Office, Industry” shall be allowed within the development and other uses shall conform to the IL-Industrial Light zone.
 - ii. The development shall generally conform to the attached plans, labelled site plan and main floor plan comprising of south premises and south warehouse as shown in Appendices A-2 and A-3.
 - iii. Any zoning related detail not specifically addressed in the contract zone agreement shall be subject to applicable provisions of the Zoning Bylaw.
 - iv. 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. Direct the City Solicitor to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.
4. Approve these recommendations at its June 24, 2020 meeting to allow sufficient time for advertising the required public notice for the respective bylaw.

ISSUE

The applicant (John Pearson and Justin Zarnowski representing Shindico Realty Inc.), proposes a Contract Zone to accommodate “Office, Industry” land use located within an existing industrial/commercial building located at 221 N. Winnipeg Street. The subject property is currently zoned IL - Industrial Light Zone. On January 29, 2020, City Council approved an amendment to office policies in *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP) to allow for “The development of medium office for industrial users considered as a discretionary use”. The OCP amendments subsequently received ministerial approval from the Government of Saskatchewan (Province) on May 11, 2020. The existing building and proposal are subject to this policy.

Amendments to *Regina Zoning Bylaw 2019-19* (Zoning Bylaw) to implement the policy broadly are proceeding at a later date. In advance of the amendment, the applicant has proposed a contract zone to accommodate “Office, Industry” to meet an immediate demand for the property based on the current definition of the land use and to have the proposal considered under the OCP policy.

IMPACTS

Financial Impacts

The subject property 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. The applicant will be responsible for payment of the applicable intensification levies.

Accessibility Impacts

The proposed development provides ten parking spaces for persons with disabilities, which exceed the minimum required by eight parking spaces.

Policy / Strategic Impacts

The proposed development supports the following OCP goals/policies:

- Section D5, Goal 5, 7.29.7: The development of medium office for industrial users considered as a discretionary use.
- Section E, Goal 8, 14.42: Apply a Contract Zone designation, at Council’s discretion, to development proposals that do not conform with existing zoning requirements (e.g. use of land, site, development or servicing standards, etc.), or that require

special regulatory control to ensure compatibility with adjacent development, with the provision that the proposed development:

OTHER OPTIONS

Administration recommends approval of the contract zone to accommodate up to 4,000 square metres of “Office, Industry.” Alternatives options would be:

1. Approve the application with amendments to the plan.
2. Refer the proposal 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 “Office, Industry” land use will not proceed on the subject property if City Council denies the application.

COMMUNICATIONS

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. Public notice of Council’s intention to consider the proposed zoning bylaw amendment will also be given and the applicant will receive written notification of City Council’s decision in accordance with *The Planning and Development Act, 2007*.

DISCUSSION

The applicant(s) (John Pearson and Justin Zarnowski representing Shindico Realty Inc.), have applied for Contract Zone approval to accommodate approximately 3,345 square metres of “Office, Industry” land use located within an existing building at 221 N. Winnipeg Street. The other existing uses occupying the building include a call centre (Staples Canada ULC), accessory government office space with warehouses (Ministry of Highways and Infrastructure - Department of Highways), and a fitness centre (Fitzone Club & Courts) as shown in Appendix A-2.

The subject property is zoned IL - Industrial Light Zone, in which “Office, Industry” greater than 1000 square meters is not permitted. However, an amendment to the OCP was passed by City Council on January 29, 2020 by adding policy 7.29.7, which allows for “The development of medium office for industrial users considered as a discretionary use”. The OCP amendments subsequently received ministerial approval from the Province on May 11, 2020. Amendments to the Zoning Bylaw to implement the policy broadly will proceed at a later date. In advance of this, the applicant has proposed a contract zone to accommodate “Office, Industry” to meet an immediate demand for the property based on the current definition of the land use, where:

“Office, Industry”, means a land use associated with industries or businesses

benefitting from close access to major corridors, regional customers, intermodal hubs, etc. This includes those owned or operated by the Municipal, Provincial, or Federal government. Example activities include construction, surveying, engineering, research and development, resource extraction e.g., oil/gas, mining, agriculture, logistics, transportation, warehousing and distribution, catering, utility and real estate companies. Excludes any activity defined as an "Office, Professional" land use."

The Planning and Development Act, 2007, in conjunction with *Design Regina: The Official Community Plan Bylaw No 2013-48* and *The Regina Zoning Bylaw, 2019*, authorize Council to re-zone an area of land to a Contract Zone to permit the carrying out of a specified proposal through entering into a contract zone agreement. The applicant has indicated that the intended office tenant is an information technology support centre providing services to their clients located throughout the province and will benefit from proximity to regional transportation connections afforded by the location. Furthermore, the proposed development requires a sufficient amount of parking and proximity to regional transportation corridor to operate and provide the intended service to their clients located throughout the province.

Approval of this development as Contract Zone will not adversely impact the office market in the downtown since the large number of parking and proximity to regional transportation corridor are not readily available in the downtown area.

The development was initially approved and built in 1984 to house a vocational school (SIASST), which included functional spaces for both industrial, classrooms and administrative uses. The school has since relocated and the property has continued to operate with various other adaptive reuses. In 1999 the Staples Call Centre occupied the entire building and has since scaled back its operation to a limited area within the building. In 2018 the site was rezoned from IB-Medium Industrial to IA-Light Industrial to allow for greater re-use options for the building, which is mostly suitable for users who require office-space. In 2019 the City approved a permit to accommodate the Ministry of Highways and Infrastructure (MHI) offices as an accessory use to outdoor storage compound area. The MHI occupies 3,024 square metres of office floor area within the building. In April 2020 the City approved a permit for a health and fitness centre. The existing building form is suited to office-type users and lends itself to reuse for office-related uses of an industrial nature.

The application meets the intent of the Zoning Bylaw, regulation 7A.2 since a Contract Zone is intended to accommodate proposed development that represents a unique development opportunity and consideration on a site specific basis. Furthermore, it also meets the regulation 7A.2 (6) by confirming to OCP. The applicant has demonstrated that development would otherwise meet the regulations of the Zoning Bylaw.

The medium office classification in the OCP (as amended) ranges from 1,000 square metres to a maximum of 4,000 square metres. The proposed development is for 3,345 square metres of office of the existing floor area as depicted in Appendix A-3 and labeled as south premises and south warehouse. Through this Contact Zone application, the remaining balance of 655 square meters will be allowed to be developed as office in the future. The development, including the current development proposal, requires 71 parking stalls and 652 parking stalls are provided. The surrounding uses are Winnipeg Street to the west, a railway line to the south & east and Ring Road to the north.

The application was circulated to neighbouring properties. No comments were received from the community through the process.

Following the initial circulation, the Administration attempted another follow up contact with the Regina Downtown Business Improvement District but did not receive a response prior to the deadline for submission of this report.

DECISION HISTORY

1. On August 27, 2018 City Council approved the rezoning of the subject property from IB-Medium Industrial to IA-Light Industrial (CR18-81).
2. On January 29, 2020 City Council passed Bylaw 2020-1, an amendment to *Design Regina: The Official Community Plan Bylaw No. 2013-48* to allow development of medium office for industrial users to be discretionary use and it received approval from the Province on May 11, 2020.

Respectfully Submitted,



Fred Scarla, Director, Planning & Development Services

5/25/2020

Respectfully Submitted,



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

5/28/2020

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ATTACHMENTS

- Appendix A-1 (Aerial Map)
- Appendix A-2 (Site Plan)
- Appendix A-3 (Main Floor Plan)
- Appendix A-4 (Second Floor Plan)