

**1609 Halifax Street - Official Community Plan & Zoning Bylaw
Amendment - PL202000229**

Date	March 3, 2021
To	Regina Planning Commission
From	City Planning & Community Development
Service Area	Planning & Development Services
Item No.	RPC21-25

RECOMMENDATION

Regina Planning Commission recommends that City Council:

1. Amend Section 9 of Part B.8 of *Design Regina: The Official Community Plan Bylaw No. 2013-48* by establishing the authorization for the following property to be rezoned to the MH - Mixed High-Rise Zone: 1609 Halifax Street, legally described as Lots 1 and 2, Block 248, Plan No. OLD33.
2. Approve the application to rezone the properties located at 1609 Halifax Street, legally described as Lots 1 and 2, Block 248, Plan No. OLD33, from IL - Light Industrial Zone to MH - Mixed High-Rise Zone.
3. Direct the City Solicitor to prepare the necessary bylaws to authorize the amendments to the bylaws, to be brought forward to the meeting of City Council following approval of the recommendations and the required public notice.
4. Approve these recommendations at its March 10, 2021 meeting.

ISSUE

The applicant and owner (James Archibald of Arch Transco) proposes to rezone 1609 Halifax Street (subject property) from IL - Light Industrial Zone to MH – Mixed High-Rise Zone to accommodate future development opportunities under the MH – Mixed High-Rise Zone. There is no associated development proposal with this application.

As per the policy of the Core Area Neighborhood Plan (*Design Regina: The Official Community Plan Bylaw No. 2013-48 – Part B.8*), the subject property is identified for light industrial land use. The proposed rezoning, therefore, would require an amendment to Section 9 of the Core Area Neighbourhood Plan, as the *Regina Zoning Bylaw 2019-19* (Zoning Bylaw) must be in conformity with the *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP).

Property owners can submit applications to change the zoning designation of their property. This requires an amendment to the Zoning Bylaw and requires review by Regina Planning Commission (RPC) and approval of the amendment by City Council. Amendments to the OCP also require Council approval and in addition, require Ministerial approval by the Minister of Municipal Affairs. These applications include a public and technical review process in advance of consideration by RPC and Council.

This application is being considered pursuant to the *Planning and Development Act, 2007* (Act); OCP and Zoning Bylaw. The proposal has been assessed and is deemed to be in compliance with the Act, OCP (Part A) and the Zoning Bylaw.

IMPACTS

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 Impact

The proposed land-use re-designation (from Light Industrial to Mixed-Use) is consistent with the following OCP – Part A goals/policies:

- Section C, Goal 3, Policy 2.7: *Direct future growth as either intensification on or expansion into lands designated to accommodate a population of approximately 300,000, in accordance with Map 1 – Growth Plan.*
- Section D5, Goal 2, Policy 7.7; 7.7.4: *Collaborate with stakeholders to enhance the City Centre ... by: Supporting the development of a mixed-use environment, with design and density emphasis adjacent to major corridors and public spaces.*
- Section D5, Goal 1, Policy 13.6: *Encourage intensification as a means to revitalize and renew neighbourhoods and existing community resources.*

The subject property is located within Regina's City Centre, close to Saskatchewan Drive, which is a major corridor, and close to the Downtown. The rezoning will accommodate future commercial and/or mixed-use urban development to support the City Centre's role as a hub of commercial and residential activity within Regina.

OTHER OPTIONS

Alternative options would be:

1. Refer the applications back to Administration. If City Council has specific concerns with the proposal, it may refer it back to Administration for further review and direct that the applications be brought back to Regina Planning Commission or brought back directly to City Council for reconsideration following such review. Referral of the report back to Administration will delay approval of the bylaws until the requested information has been gathered or changes to the proposal have been made.
2. Deny the application. The zoning and OCP amendments on the subject property will not proceed 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 a delegation at the Council meeting when the application will be considered. Public notice of the public hearing to be conducted upon consideration of the proposed bylaws, will be given in accordance with *The Public Notice Policy Bylaw, 2020*. The applicant will receive written notification of City Council's decision.

DISCUSSION

Proposal

The applicant proposes to rezone the subject property from IL – Light Industrial Zone to MH – Mixed High-Rise Zone. The applicant has indicated that the intent of the proposed rezoning is to accommodate greater land-use flexibility, as the existing IL – Light Industrial Zone has limitations, including restrictions where a property abuts a commercial or residential property. For example, food service-related uses are prohibited from being sold in the IL – Light Industrial Zone when within 100 metres of a residential or mixed-use lot.

In addition, an amendment to the Core Area Neighbourhood Plan is being requested by the applicant. The amendment would change the land-use designation of the subject property from Light Industrial use to Mixed-Use. This amendment is required as the Zoning Bylaw must not be in conflict with the OCP.

The subject property currently consists of a car wash, located at 1609 Halifax Street, and is bordered on the east and south by properties zoned MH – Mixed High-Rise Zone. The subject property is within the Regina City Centre and the boundary of Regina Downtown Business Improvement District. It is in close proximity to the Saskatchewan Drive Corridor, which is a diversifying corridor that links the Downtown with other key areas in the City Centre. The subject properties are located along the northern edge of the Heritage Neighbourhood; to the west and east is a mix of commercial and light industrial land uses. Additional light industrial land uses, including the Canadian Pacific Railway main rail line, are located to the north. The remainder of this block was rezoned from IL – Light Industrial

Zone to MH – Mixed High-Rise Zone on February 26, 2020 (CR20-13).

Policy Analysis

The proposed rezoning to the MH - Mixed High-Rise Zone conflicts with the Core Area Neighbourhood Plan, as the MH - Mixed High-Rise Zone allows for a mix of commercial and residential development while the applicable designation of the Core Area Neighbourhood Plan limits land-use, of the subject properties, to light industrial. Although there is a policy conflict, the proposed rezoning is in alignment with current development trends in this portion of the Heritage neighbourhood and is in alignment with OCP – Part A, which supports the enhancement and diversification of the City Centre. It should also be noted that the Core Area Neighbourhood Plan is over 30 years old and will be reviewed and updated in the coming years, tentatively scheduled for 2024. The new Plan will consider the future location for land use based on current needs and conditions.

The OCP contains Policy 7.3 which states: “Protect industrial lands by avoiding re-designations of industrial areas, except where the City determines that a different land use is more beneficial.” The Administration has considered this policy and supports a resignation in this situation for the following reasons:

- As these parcels are located adjacent to the downtown, they present an opportunity to develop mixed-use within the City Centre in support of contributing to the downtown as a neighbourhood.
- The site is relatively small and current contains non-industrial uses. As such, it has limited opportunity to attract industrial users.
- This parcel is the last remaining parcel on the block to be zoned industrial. Therefore, Administration’s position is that there is limited industrial potential to this site.

MH – Mixed High-Rise Zone is appropriate for the subject property given its relative near proximity to other mixed-use zoning and development and its relationship to commercial development in the Downtown.

Land-Use Analysis

The proposed rezoning is deemed to be compatible with surrounding commercial uses to the south, west, and east and the industrial land-uses to the north. As the rest of the block was rezoned from industrial to mixed-use in 2020, this rezoning would result in the entire block having the same zoning and allow for more congruity and consistency in future development.

Servicing

No issues from a transportation and servicing perspective were raised at this stage; however, any proposed development for the subject properties will be subject to further review as part of the respective development/building permit application process.

Community Engagement

In accordance with the public notice requirements of *The Public Notice Policy Bylaw, 2020*, neighbouring property owners within 75 metres of the subject property received written notice of the application, and a sign was posted on the subject site. The City did not receive any comments from the public regarding the proposed development.

The Heritage Community Association and the Regina Downtown Business Improvement District were both consulted, and both submitted letters indicating their support for the applications. These letters are included as Appendices B and C to this report.

DECISION HISTORY

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

Respectfully Submitted,



Fred Scarle, Director, Planning & Development Services

Respectfully Submitted,



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

2/24/2021

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ATTACHMENTS

Appendix A-1
Appendix A-2
Appendix B
Appendix C