

Contract Zone - 1450 Hamilton Street - PL202100002

Date	June 2, 2021
To	Regina Planning Commission
From	City Planning & Community Development
Service Area	Planning & Development Services
Item No.	RPC21-39

RECOMMENDATION

Regina Planning Commission recommends that City Council:

1. Approve the application to rezone the property located at 1450 Hamilton Street, being Lots 26-40, Block 202, Plan No. OLD33 in the Warehouse District from IL – Light Industrial Zone to C - Contract Zone to permit the carrying out of the specified proposal described as an Office, Industry and Office, Professional development as set out in further detail in this report and consistent with the plans dated December 23, 2020 attached to this report as Appendix A-3.1 & A-3.2.
2. Delegate authority to the Development Officer or designate to negotiate and approve a contract zone agreement between the City of Regina and the owner of the subject property to permit the carrying out of the specified development proposal, on terms and conditions as described in this report.
3. Authorize the City Clerk to execute the contract zone agreement after review and approval by the City Solicitor.
4. Instruct the City Solicitor to prepare the necessary bylaw(s) required to give effect to the recommendations, to be brought forward to the meeting of City Council following approval of the recommendations by City Council and the required public notice.
5. Approve these recommendations at its meeting on June 9, 2021.

ISSUE

The Applicant, Alton Tangedal, on behalf of the owner, Hillberg & Berk, proposes to amend the *Regina Zoning Bylaw 2019-19* (Zoning Bylaw) to allow for an existing accessory office space to be occupied as a principal office use. The space currently contains offices accessory to Hillberg & Berk manufacturing operations which is deemed the principal use. The building owner no longer requires the office space for their purposes and wish to lease the existing office space in the building to another party. Since the office would no longer be accessory to the on-site industrial use, it would be deemed a principal use, and subject to *Design Regina: The Official Community Plan Bylaw No 2013-48* (OCP) policy and Zoning Bylaw regulations. The application is proposing a Zoning Amendment to accommodate this change as detailed in the discussion section of this report.

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. 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 comply 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 of Regina (City) standards and applicable legal requirements.

Accessibility Impacts

The underlying IL Zone requires a minimum of one accessible parking stall. The proposal provides four accessible parking stalls, which exceeds the minimum requirement.

Environmental Impacts

The City of Regina has a community goal of achieving net zero emissions and sourcing of net zero renewable energy by 2050. In support of this, City Council has asked Administration to provide energy and greenhouse gas implications of recommendations so that they can evaluate the climate impacts of their decisions.

Reusing an existing property is one way to minimize greenhouse gas production as new construction is a large contributor to greenhouse gas emissions.

Policy/Strategic Impact

The proposed development is consistent with the following OCP goals/ policies:

- Section D5, Goal 5, Policy 7.28: *Endeavour to ensure, over the life of the Plan, that at least 80% of the total office floor area in the city, pertaining to medium office and major office development, is located in the DOWNTOWN/CENTRAL CITY OFFICE AREA, as identified on Map 6 – Office Areas*
- Section D5 Goal 5, Policy 7.29.7: *The development of medium office for industrial users considered as a discretionary use.*

The proposed development contains an Office, Industry use that is within the medium office category. The proposed development is located within the Central City Office Area and contributes to the office market of the City Centre. On this basis, the Administration assessment is that the proposal is compliant with the Office Policy, which is further discussed in the discussion section of this report.

- Section E, Goal 8, Policy 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:*

The proposed development contains unique characteristics including a unique location within the City Centre, existing office space, and a facility within the Warehouse District. The property is suited for office use, and in a location supported by office development policies that encourage such use in the City Centre; and the existing zoning regulations do not allow for the use to occur. Therefore, use of the contract zone is appropriate for this proposed development.

- Section D5, Goal 2, Policy 7.9: *Explore actions necessary to convert vacant or underutilized properties to market-ready development sites to realize intensification in the CITY CENTRE;*

This property is located within the City Centre and the primary occupant is vacating the space. Approval of the Contract Zone would enable this site to be occupied as it is currently developed.

OTHER OPTIONS

Alternative options would be:

1. Approve the application with specific amendments to the plan.
2. Refer the application back to Administration. If City Council has specific concerns with the proposal, it may refer the application 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 rejects 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 required when Council considers the proposed bylaw 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 proposed development is a one-storey “Building, Detached” that currently contains Hillberg and Berk manufacturing space and accessory offices. The owner intends to maintain their 991 square metres of manufacturing space, but no longer require the remaining 1891 square metres of office space for their own purposes. Since the office space would no longer be accessory to an industrial use on the property, it would be considered a principal office space and is subject to applicable regulations in the Zoning Bylaw and the OCP.

The subject property is located at 1450 Hamilton Street within Regina’s Warehouse District. The subject property is zoned IL – Industrial Light Zone in which office uses larger than 1000 square metres is not permitted. The proposed development is 2883 square metres. Therefore, the Applicant is proposing to rezone the subject property to C – Contract Zone to facilitate this development.

The OCP allows for a Contract Zone to “support beneficial development proposals that meet the intent of this Plan but require special regulatory treatment to address unique characteristics.”

The existing office space was approved as an accessory use to the existing manufacturing space in 2016. There are no planned exterior changes.

Considerations

Office Policy

Medium office is defined as a gross floor area between 1000 square metres and 4000 square metres. The proposed development, a maximum of 1891 square metres of office area, is within the threshold of medium office. Office development policies intend to maintain the Downtown and the City Centre as the primary location for medium and major office spaces. The Office Policy allows for up to 4000 square metres in this location because it is in the Warehouse/City Centre defined area in the OCP.

The land use and zoning related details of this proposal are summarized in the following table:

Land Use Details	Existing	Proposed
Zoning	IL – Industrial Light Zone	C- Contract Zone
Land Use	Manufacturing and (vacant) Accessory Office	Manufacturing and (principle) Office uses
Building Area	2,883 m ²	2,883 m ²
Office Area	1,891 m ²	Maximum of 1,891 m ²

Zoning Analysis	Required	Proposed
Number of Parking Stalls	16	30
Number of Accessible Parking Stalls	1	4
Min. Lot Area (m ²)	200 m ²	4,361 m ²
Min. Lot Frontage (m)	30.0 m	114.4 m
Max. Building Height (m)	15 m	10.64 m
Max. Coverage (%)	75%	26.7%

The proposed development requires 16 parking stalls (one parking stall per 175 square metres) and the applicant has provided 30 parking stalls. As the office spaces currently exists, there is not expected to be an increase of parking demand because of the zoning amendment. No parking concerns were identified during the review.

Community Engagement

In accordance with the public notice requirements of *The Public Notice Policy Bylaw, 2020*, neighbouring property owners within 75 metres of the proposed development received written notice of the application and a sign was posted on the subject site. The Warehouse District was contacted, and their response is in Appendix B. Regina Downtown Business Improvement District was contacted and responded that they did not object to this development. There were no comments received from neighbouring properties.

DECISION HISTORY

This property was originally zoned IA – Light Industrial Zone under *Regina Zoning Bylaw No.9250*.

Upon adoption of *Regina Zoning Bylaw, 2019* the subject property was rezoned to IL – Industrial Light Zone (CR19-09).

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.

5/26/2021

Prepared by: Michael Sliva, City Planner

ATTACHMENTS

- Appendix A-1
- Appendix A-2
- Appendix A-3.1
- Appendix A-3.2
- Appendix B