

Discretionary Use – 1945 Hamilton Street (PL202300032)

Date	April 6, 2023
To	Deborah Bryden, Development Officer
From	Planning and Development Services
Item #	PL202300032

BACKGROUND

Section 1D.1.2(2) of the Zoning Bylaw specifies that all applications for discretionary use are delegated to the Development Officer, except those which meet specified criteria. Since the proposed application does not meet the specified criteria, the application is delegated to the Development Officer.

APPLICATION

Mountwater Grenfell Tower Corporation (the Applicant) proposes to develop office land-use (“Office, Professional”) on the main floor of an existing building located at 1945 Hamilton Street (Subject Property). This part of the building has, according to the Applicant, been vacant for four years and was previously used to accommodate commercial retail and associated services. The floors above the main level accommodate office land-use.

The Subject Property is located within an area of the downtown where “storefront” land-uses (e.g., retail and service) are preferred to support an active, pedestrian-oriented street. As an office is not considered to be an active storefront land use, it must be reviewed through the discretionary use process, as per the requirements of the Downtown Direct Control District Zone (DCD-D). This process requires that proposed non-storefront land uses be justified from a market condition perspective and that implications for overall active street objectives are to be addressed.

REVIEW CRITERIA

The application was reviewed as per the criteria established in Section 1E3.5 of *The Regina Zoning Bylaw 2019-19* (Zoning Bylaw), as follows:

(a) consistency with the vision, goals and policies of the Official Community Plan

Supporting the City Centre, including the downtown, is a major objective of *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP). Although “storefront” land-uses (e.g., retail and service) are considered optimal for street frontage land-use, the proposed development is consistent with Section D5, 7.9 of the OCP, which supports the intensification of the City Centre, through “...actions necessary to convert vacant or under-utilized properties to market-ready development sites.”

(b) 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

The proposed development aligns with the policies of the *Regina Downtown Neighborhood Plan* (RDNP), which supports office land-use in the downtown (Section 2.3.2 - Principles: *Downtown Regina is, and should continue to be, the best place to invest both private and public sector dollars. New commercial developments – office, retail, and services – are welcome and will be supported.*)

(ii) intensity of development; and

The proposed development will occupy existing building space and constitutes a land-use deemed appropriate for the downtown, as per the RDNP; therefore, is deemed appropriate for the Subject Property location.

(iii) impact on public facilities, infrastructure, or services;

The proposed land-use (office) will have similar impacts to previous land uses (e.g. commercial retail and services) and will not result in any additional floor space being added. Therefore, no serviceability issues are expected.

(c) consistency with regulations of the Zoning Bylaw; and

Section 6A.4, 4.2 (5.1) of the Zoning Bylaw, which pertains to the Downtown Direct Control District, outlines optimal land-uses for supporting “active street” conditions, which applies to the Subject Property, but allows other land-uses including office, as a discretionary use, subject to the following considerations:

- (a) potential market for required land uses;
- (b) continuity and cohesion of street level activity;
- (c) impact on adjacent or abutting street-level uses; and
- (d) ability for existing structures to feasibly accommodate required land uses.

Based on information submitted by the Applicant, the Administration supports the transition of the existing building space to office land-use for the reasons:

- The space has been vacant for four years.
- It is preferable for the site to be occupied by office uses over being vacant.
- The subject property is not part of a contiguous active area of storefronts as most of the block face consists of surface parking or office spaces.

(d) potential adverse impacts or nuisances affecting:

(i) nearby land, development, land uses, or properties;

No adverse impacts are anticipated for nearby properties. The increase of office workers at the Subject Property may assist with an increase of the economic vitality of nearby businesses who cater to office workers and rely on the foot traffic they generate. The property is not part of a continuous active storefront area, which may be negatively impacted by a less active or engaging office front.

(ii) neighbourhood character;

The proposed development will be accommodated within an existing office building and no exterior alterations are proposed; therefore, no negative implications are expected from a neighbourhood character perspective.

(iii) the environment;

No environmental impacts are anticipated. The proposed development will be located inside of an existing building.

(iv) traffic;

No traffic impacts are anticipated from the proposed development.

(v) a public right-of-way; and

No impacts were identified through the review.

(vi) any other matter(s) affecting public health and safety

No impacts were identified through the review. The office land use will be required to conform to all building codes, which will be confirmed through the permitting process.

PUBLIC NOTICE

The public has been notified about the application as required by *The Public Notice Policy Bylaw*.

Following public notice, three comments have been submitted, which have been summarized below:

Response	Number of Responses	Issues Identified
<i>Completely opposed</i>	1	<ul style="list-style-type: none">• Important for the vitality of downtown and Hamilton Street to maintain active ground floor uses such as retail, restaurants etc.• I believe that it is shortsighted to rezone this place.
<i>Accept if many features were different</i>	0	
<i>Accept if one or two features were different</i>	2	<ul style="list-style-type: none">• Lighting and façade improvements are needed, the main floor does not activate the streetscape and it's too dark.• Hope to see vacant spaces being filled
<i>I support this proposal</i>	0	

Since the public response did not raise a significant degree of concern, this application is delegated to the Development Officer.

The following responses are provided to the concerns that have been raised:

- Lighting and façade improvements are not part of the application as the application will involve no exterior alterations.
- The client has indicated that the space has been vacant for four years. Maximizing occupancy of the Subject Property takes priority over leaving the space vacant in hopes of waiting for active uses to occupy the main floor of the site.

SUMMARY

The Subject Property complies with all criteria for discretionary use approval in the Zoning Bylaw and is in alignment with applicable policy and regulations.

Public feedback was minimal, and the concerns raised are either addressed by the applicant or outside the scope of the discretionary use review criteria, therefore, administration is recommending approval of this Discretionary Use application.

RECOMMENDATION

The application for a proposed discretionary use for an "Office, Professional" land use located at 1945 Hamilton Street being Lots 10-15, Block 346, Plan Old 33 in the Downtown neighbourhood is APPROVED, subject to the following standards and conditions:

1. The development shall be generally consistent with the plans attached to this report as Appendix B-1, allowing for office land uses in street fronting spaces at grade.
2. Authorize the Development Officer to issue a notice of approval with respect to the application.

Respectfully Submitted,

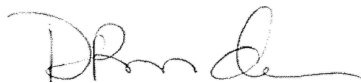
Manager, City Planning

Director, Planning & Development Services

DECISION OF DEVELOPMENT OFFICER

As recommended in this report, this application is:

- APPROVED
 DENIED



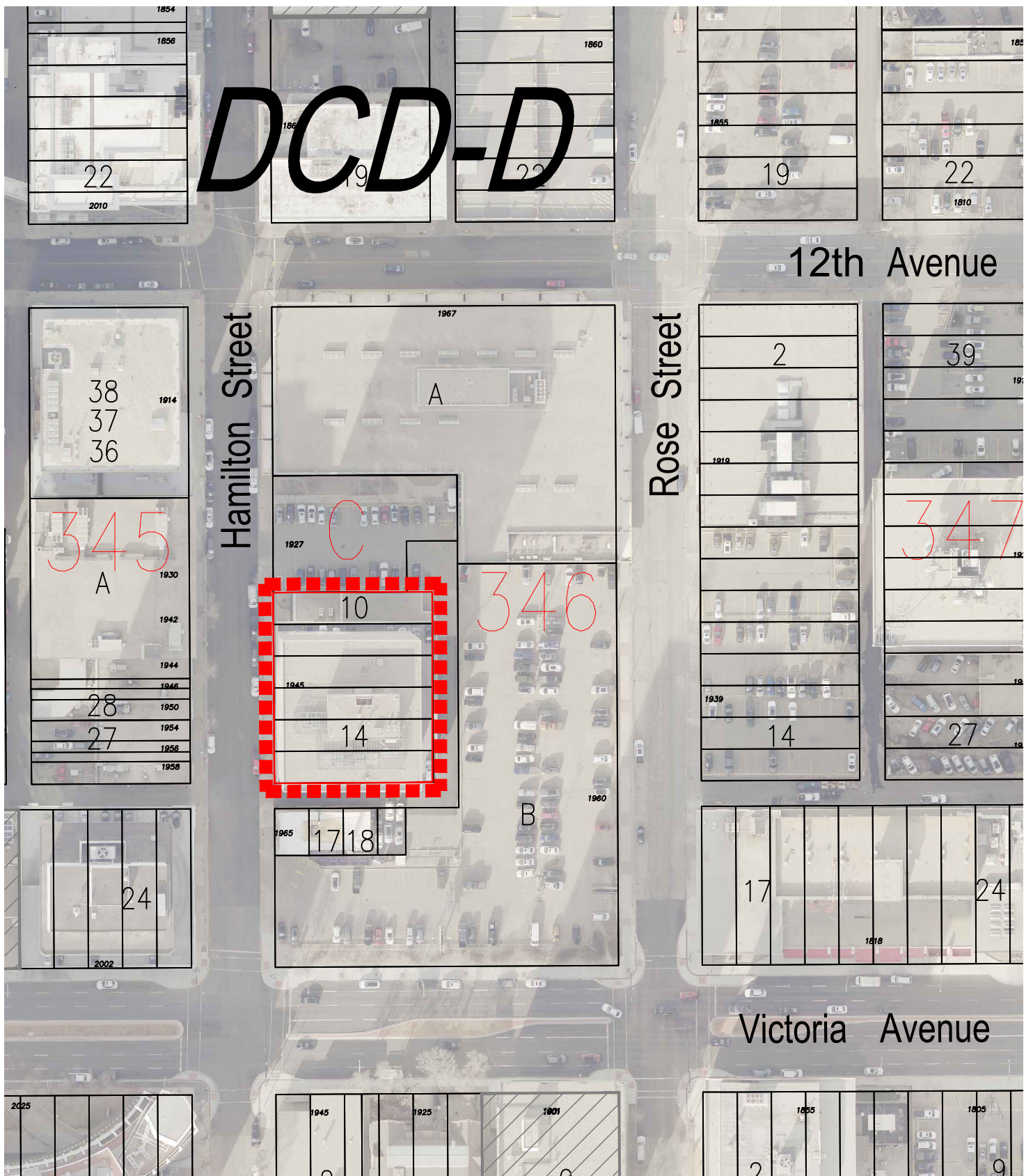
Deborah Bryden, Executive Director,
City Planning and Community Development
(Development Officer)

April 6, 2023

Dated

Report prepared by: David Ferrone, City Planner I

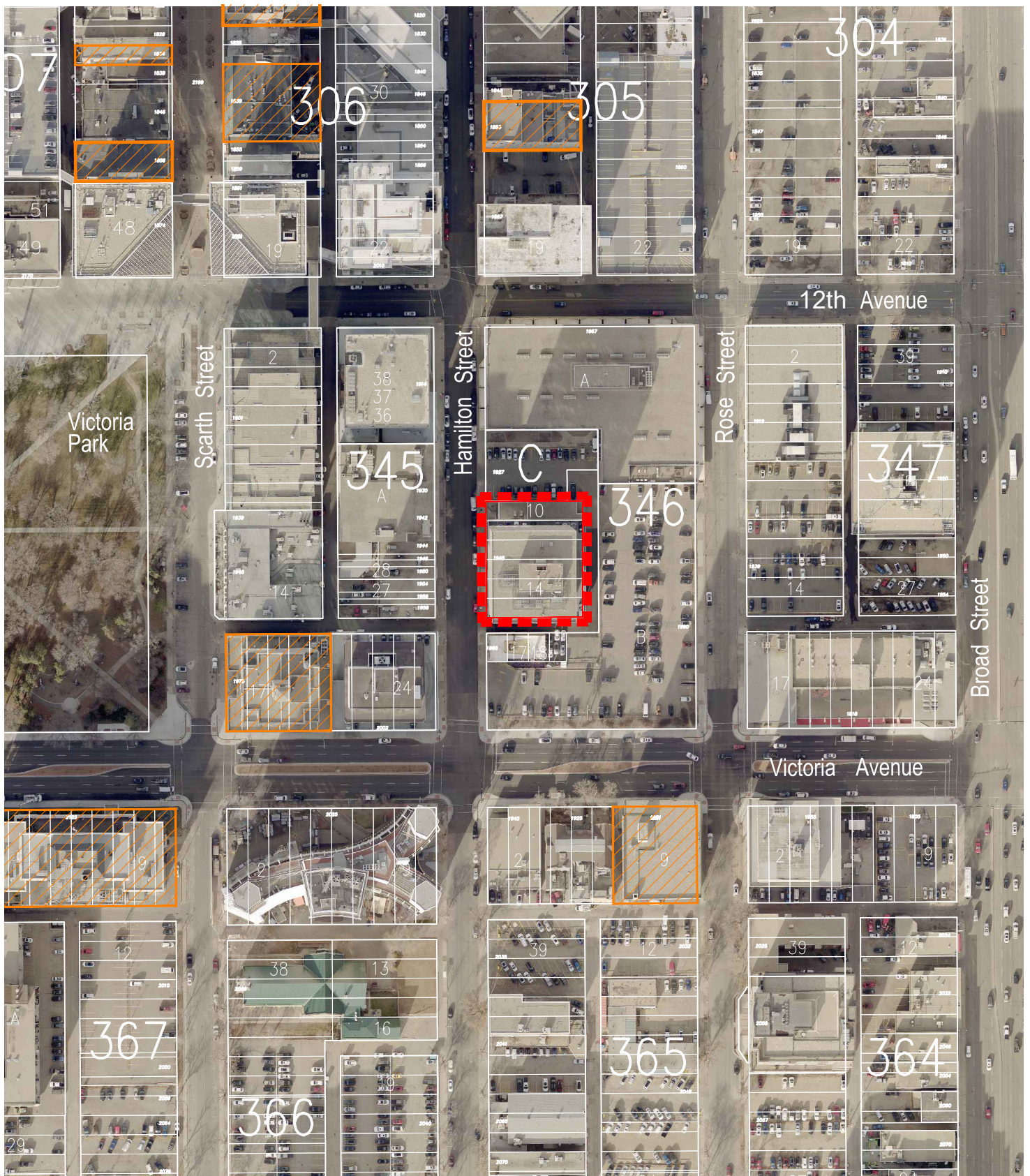
Attachments:
Appendix A-1 - Aerial Photograph
Appendix A-2 - Aerial Photograph
Appendix B-1 - Site Plans



Subject Property

Date of Photography : 2020





Subject Property

Date of Photography: 2020



Grenfell Tower, 1945 Hamilton St, Regina

SaskBuilds and Procurement

Main Floor Plan



Hamilton Street



- FS**
 - 3 OFFICES
 - 20 CUBICLES
 - 1 ADMIN
 - 5 STUDENTS
 - 1 GROWTH
- COMM**
 - 2 OFFICES
 - 3 CUBICLES

1 MAIN FLOOR LAYOUT - OPTION 2