

Proposed Rezoning – 128, 140, 168 and 182 Wall Street – B3 District to B6 District

APPLICATION SUMMARY

Union Land Developments Ltd., on behalf of the owners of 128, 140, 168, and 182 Wall Street, has applied to rezone the sites from B3 – Medium Density Arterial Commercial District, to B6 – Downtown Commercial District. The subject sites are located in the Downtown neighbourhood, within the District Core of the proposed Downtown Event and Entertainment District (DEED).

RECOMMENDATION

That a copy of this report be submitted to City Council, recommending that at the time of the Public Hearing, City Council consider Administration's recommendation that the proposed amendment to Bylaw No. 8770, Zoning Bylaw, 2009, to rezone 128, 140, 168, and 182 Wall Street from B3 District to B6 District, as outlined in this report, be refused.

BACKGROUND

The subject sites (see Appendix 1) are designated Downtown on the Official Community Plan Land Use Map and are zoned B3 – Medium Density Arterial Commercial District (B3 District). Current uses of the sites are as follows, from south to north:

- 128 Wall Street: surface parking lot;
- 140 Wall Street: three-storey medical office building;
- 168 Wall Street: one-storey building containing a community centre; and
- 182 Wall Street: one-storey building containing offices.

The subject sites form part of an area located on the western edge of Downtown that is zoned B3 District. This includes sites on the 100 block of Wall Street, through-sites addressed to the 100 block of Idylwyld Drive North that also have frontage on Wall Street and sites south of 22nd Street on the 100 block of Idylwyld Drive South.

In 2011, City Council approved the rezoning of 15 - 23rd Street East from B3 District to B6 District. This site is located at the southwest corner of the intersection of Wall Street and 23rd Street East and immediately north of the sites that are the subject of this report. The rezoning provided for development of the four-storey office building present on the site today.

City Centre and District Plan

Administration is currently working on the City Centre and District Plan (District Plan), a comprehensive planning effort to integrate the proposed DEED into a revised City Centre Plan framework. The Governance and Priorities Committee considered the [Interim Strategic Directions Report](#) related to this work, and the [DEED Conceptual Design](#), on February 14, 2024. The subject sites of this rezoning are located within the

District Core of DEED, where there is a particular interest in ensuring that future development consists of high-quality buildings that engage with the public realm.

DISCUSSION

This application proposes to rezone 128, 140, 168, and 182 Wall Street from B3 District to B6 District in order to provide for future development opportunities, subject to the B6 District regulations. There is no development proposal associated with this application.

The applicant has indicated the existing zoning of the sites limits their redevelopment potential. The owner of 128 and 140 Wall Street intends to redevelop at some point in the future with suitable tenants in place, reporting that the condition of 140 Wall Street will soon require a decision on future capital expenditures for the property. The owners are seeking certainty on the development potential of their properties, noting a rezoning will allow them to begin seeking new tenants and solidifying business plans. The potential for residential use enabled by the B6 District was also noted.

Comparing B3 District to B6 District

The purpose of the B3 District is to facilitate arterial commercial development providing a moderate to wide range of commercial uses on small- to medium-sized lots, while the purpose of the B6 District is to facilitate a wide range of commercial, institutional and residential uses in a high-density form in the Downtown area.

In comparing the two zoning districts (see Appendix 2), the B6 District is a more appropriate fit for the urban context of Downtown and the land uses, building forms and densities that are desired. In general, the B3 District is a low-density arterial commercial zone, while the B6 District supports mixed uses in a flexible high-density form.

Policy Review

[Bylaw No. 9700, Official Community Plan Bylaw, 2020](#) (OCP) identifies all land designated “Downtown” on the Land Use Map for high-density, mixed-use development that includes residential, commercial, institutional, recreational, cultural and community uses. The OCP states that, in general, the highest development densities in the city will be facilitated in this area.

The OCP also contains the Downtown Land Use Map intended to provide general direction for the land use and zoning pattern in the Downtown. The Downtown Land Use Map is included in Appendix 1. All land zoned B3 District is located in the Warehouse/Service area. This area is intended to accommodate a variety of industrial, entertainment and service uses, as well as residential development attracted by the area’s historic warehouse buildings. Land zoned B6 District is generally located in the Retail Core and Mixed-Use Commercial areas, although the zoning pattern does not strictly follow the boundaries of these areas, with portions of the Warehouse/Service area presently zoned as B6 District.

The [City Centre Plan](#) (2013) identified concerns with existing conditions in the “West Downtown” area between Idylwyld Drive and 1st Avenue North, citing its large surface parking areas, poor pedestrian environment and negative perception as an entry point

to the Downtown. A key strategy of the plan is to transform the area with new mixed-use development, public spaces and a pedestrian-oriented environment. A review of the zoning pattern for the area was subsequently identified as an implementation action.

Contemplation of land use and zoning changes in the area began prior to the City Centre Plan, with the [Warehouse District Local Area Plan](#) (2002) identifying the need to transition light industrial land use north of 23rd Street to mixed-use. This area is now zoned MX2 – Downtown Warehouse Mixed Use, which originated from that study.

District Plan Preliminary Direction

Work on the District Plan is actively underway, and it will clarify the objectives for the area as it redevelops. As indicated in Administration's recent update to the Governance and Priorities Committee, a new zoning district is being developed for lands within the District Core. The new zone will implement standards to ensure appropriate land use and facilitate high-quality building design that integrates with the public realm. In general, the new zone is expected to provide for high-density, mixed-use development similar to B6 District, but with regulations that are tailored to the context and objectives for the area.

In addition, the DEED Conceptual Design illustrates how the Wall Street properties will directly interface with the proposed Event Centre and surrounding public realm (see Appendix 3). It envisions the public realm between these properties and the Event Centre to function as a "high-quality support street" providing, in part, service access to the Event Centre and adjacent properties, while being functional and inviting at all times of year.

A rezoning of the District Core is expected to be brought forward by Administration as an implementation action of the District Plan. The District Plan is targeted for consideration by City Council in August/September 2024, and implementation of the new zone is expected in 2025.

Concerns with the Application

Administration agrees the B6 District is generally appropriate for these sites. The B3 District no longer aligns with the objectives for the area and does not support development options that are desirable in a Downtown context. The City Centre Plan established direction to review the zoning in this area and emerging direction from the District Plan indicates remaining B3 zoning in the Downtown will be eliminated, especially in the District Core.

The primary concern with this application is its timing amid a significant planning exercise that will set the direction for the area through the District Plan and ahead of consideration of a new zoning district for lands within the District Core. To rezone to B6 in the interim would be out of step with this work. There is still uncertainty around the final outcomes of the District Plan, as well as the expectations for land use and built form that will be articulated through the new zone. Given this uncertainty, risks of rezoning in the interim include:

- Building Interface and Connectivity – The subject sites will interface with the proposed Event Centre and surrounding public realm on their east side. It will be important for the design of future development on these sites to provide an active interface with the Event Centre site. Opportunities for connectivity with Wall Street may also be important to consider. The B6 District contains regulations for active frontage on street-facing façades but has no regulations responsive to this unique site condition. It is expected the new zoning district for the District Core will address this.
- Surface Parking – The B6 District currently allows surface parking as a permitted use, while such a land use is discretionary in the B3 District. This means surface parking could occur as-of-right under the B6 District; however, City Council has oversight under the B3 District to decide if the use can be established and potentially for how long.

The applicant has indicated surface parking is not the highest and best use of the land and cautioned against the viability of these sites for such a use. However, even if surface parking was established with the intent of being temporary prior to redevelopment, it could persist for years as has occurred with other sites in the Downtown. Surface parking in the District Core would be counterproductive to the type of urban environment essential for a vibrant district. Administration is currently working on new surface parking regulations for the B6 District, and it is expected the District Core zoning district will take a restrictive approach to the use.

In pre-application discussions and throughout the application process, Administration encouraged the applicant to wait while the work of the District Plan and implementation of new zoning took place. The applicant has opted to proceed at this time, expressing concern with the length of time to wait for new zoning and the risk of unforeseen delays. The property owners did provide written acknowledgement with the application indicating they understand this work is underway and that they could be subject to new rules in the future, even if rezoned to B6 District in the meantime.

Recommendation to Deny Application

Administration cannot support the application at this time. While B6 District is a better fit for these sites than the existing zoning, it would be imprudent to rezone in the interim and could undermine the planning process currently underway.

Administration takes seriously the importance of sending positive signals for Downtown development and being responsive to development interest expressed in the area. It is acknowledged the owners of these sites have good intentions to contribute positively to the Downtown with their properties, at some point in the future. The recommendation to deny the application is not in opposition to expanding development potential on these sites. Rather, the recommendation reflects a differing perspective on the timing and the means to that end.

The DEED project, if it proceeds, would constitute a significant public investment located directly adjacent to these sites. One goal of such a project is to catalyze new development in the Downtown, unlocking new value and potential for these and other properties in the area.

The in-progress District Plan, and the established direction to create a new zoning district, demonstrates Administration's commitment to provide certainty for the area and the expanded development potential the applicant desires. More time is needed to reach this endpoint.

Consideration of Request in Future

It is acknowledged that DEED is not a foregone conclusion, and a series of City Council decisions remain to determine if and when the project proceeds. Similarly, the District Plan has not yet been endorsed and the adoption of a new zoning district for the area is not guaranteed, although it is the intended direction at this time.

Should circumstances change in the future, such that DEED is not proceeding, or the City of Saskatoon (City) is no longer pursuing rezoning these properties, Administration is open to bringing this application back to City Council for reconsideration. Alternatively, if a specific development proposal is brought forward for any of the subject properties, Administration welcomes the opportunity to review options to facilitate it with the owner, including the possibility of rezoning, subject to an agreement.

Comments from Other Divisions

The Transportation and Construction Division noted that future development will require a fire flow engineering analysis and a limited scope traffic impact study may be required.

COMMUNICATIONS AND ENGAGEMENT

In October 2023, notification of the application was provided to 71 property owners within a radius of 150 metres or greater from the subject sites, the Downtown Business Improvement District (BID) and to the City Councillor for Ward 6. An Engage Page on the City's website was also launched.

A comment period was open until November 24, 2023. To date, only correspondence from the Downtown BID has been received.

PUBLIC NOTICE

Public notice is required for consideration of this matter, pursuant to Section 11(a) of Policy No. C01-021, Public Notice.

Once this application has been considered by the Municipal Planning Commission, it will be advertised in accordance with Policy No. C01-021, Public Notice Policy and a date for a public hearing will be set. A notice will be placed in The StarPhoenix two weeks prior to the public hearing.

APPENDICES

1. Location Maps – 128, 140, 168 and 182 Wall Street
2. Comparison of B3 District to B6 District
3. Proposed Downtown Event and Entertainment District Context

REPORT APPROVAL

Written by: Brent McAdam, City Centre Planner
Reviewed by: Darryl Dawson, Development Review Section Manager
Lesley Anderson, Director of Planning and Development
Approved by: Lynne Lacroix, General Manager, Community Services

SP/2024/PD/MPC/Proposed Rezoning – 128, 140, 168 and 182 Wall Street – B3 District to B6 District./gs