

July 5, 2018

To: Members
Regina Planning Commission

Re: Discretionary Use Application (18-DU-09) Building Greater than 2.0 Floor Area Ratio (FAR) in D - Downtown Zone (Parkade Expansion) 1900 Albert Street

RECOMMENDATION

1. That the discretionary use application for a proposed expansion of a Paved Parking Lot (Parkade), which is greater than 2.0 Floor Area Ratio (FAR) in the D - Downtown Zone, located at 1900 Albert Street, being Lot 43, Block 341, Plan No. 99RA11005, Old 33 be approved, and that a Development Permit be issued subject to the following conditions:
 - a) The development shall be consistent with the plans attached to this report as Appendix A-3.1, A-3.2.1., A-3.2.2 and Appendix A-3.3 inclusive, prepared by P3A and dated March 8, 2018 and June 8, 2018 respectively.
 - b) The Applicant shall enter into an agreement with the City of Regina with respect to the provision of bonusable public amenities, pursuant to Chapter 17 of *Regina Zoning Bylaw No. 9250*, which shall generally consist of the following:
 - i) Reconstruction or modification of the sidewalk along 1900 block of Albert Street to support tree plantings to City Standards.
 - ii) Landscape enhancements to the existing pocket park on 1900 Block of Albert Street in keeping with the objectives of the Regina Downtown Neighbourhood Plan.
 - c) The street facing façade of the building shall be screened with public art, to the satisfaction of the Director of Community Services; and
 - d) The development shall comply with all applicable standards and regulations in the *Regina Zoning Bylaw No. 9250*.
2. That this report be forwarded to the July 30, 2018 meeting of City Council for approval.

CONCLUSION

The applicant (P3Architecture Partnership) on behalf of Dundee Canada (West) LP c/o Dream Office Management (Sask.) Corp, proposes to add two levels of parking to the existing parkade building on the subject property.

The subject property is currently zoned D – Downtown Zone, in which any building exceeding the FAR of 2.0 or height limit of 12 metres is discretionary. The development has a FAR of 2.5 and as such is a discretionary use. Portions of the development do not meet current zoning and design standards with respect to minimum front yard setback requirement as the existing building encroaches within the front yard setback area. In exchange for these encroachments and additional FAR, the Administration recommends that these standards be relaxed in exchange for a pocket park and street trees along Albert Street (as identified in Appendix A-1) as per the provision of bonusable amenities. The Administration and the applicant have negotiated bonusing amenities, which comply with the *Regina Zoning Bylaw No. 9250* (Zoning Bylaw) and are consistent with the Regina Downtown Neighbourhood Plan (RDNP).

The proposal generally complies with the development standards and regulations contained in the Zoning Bylaw with an allowable variation and is consistent with the policies in *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP). Accordingly, the Administration recommends approval.

BACKGROUND

This application is being considered pursuant to the Zoning Bylaw, OCP and *The Planning and Development Act, 2007* (Act).

The existing parkade was constructed along with other buildings on the site as part of a comprehensive redevelopment of a large portion of this block upon the approval of City Council on June 21, 1991.

Pursuant to subsection 56(3) of the Act, Council may establish conditions for discretionary uses based on: nature of the proposal (e.g. site, size, shape and arrangement of buildings) and aspects of site design (e.g. landscaping, site access, parking and loading), but not including the colour, texture or type of materials and architectural details.

DISCUSSION

Development Proposal

The applicant proposes to construct a two-level addition to an existing two-level parkade which currently provides parking for office building developments at 1900 and 1960 Albert Street. The existing parkade fronts Angus Street.

The subject property is within the D - Downtown Zone, which has unique urban design and development standards that shape height, scale, and character of buildings to create a comfortable, safe, active, attractive and dynamic urban environment. Illustrations of the development standards concepts are attached for reference purposes as Appendix B.

The zoning analysis and land use details are as follows:

Land Use Details	Existing	Proposed
Zoning	D - Downtown	D - Downtown
Land Use	Parking Lot- Paved	Parking Lot- Paved
Building Area	3003 m ²	3003 m ²

Zoning Analysis	Required	Proposed
Maximum Floor Area Ratio	2.5	2.8*
Maximum Building Height	13.25 m	9.0m
Setback Requirements (build to)	2m - 4m	0m*
Street Wall Height	7.5m	8.25m*
Number of Parking Stalls on Parkade	187 (including 131 typical, 48 compact and eight accessible parking)	375 (including 279 typical, 96 compact and eight accessible parking)
Parking Standards	Active Use required on main level	Pre-existing, non-conforming. (no active use)

*subject to relaxations at City Council’s discretion

Relaxation of Zoning Standards and Public Amenities Agreement

While the D - Downtown Zone is particularly prescriptive in terms of building massing and design requirements, it also allows for relaxation of certain requirements at City Council’s discretion. The applicant’s proposal requires consideration of three relaxations:

- Floor Area Ratio (FAR): The maximum allowable floor area of the subject property is 2.5 times the site area, which is 9,989.2 square metres. The proposed floor area of the parking structure is 11,195 square metres or approximately 2.8 times the site area.
- Setback (Built to line): As per the Zoning Bylaw, setback along Angus Street is required to be 2m to 4m from the property line. As the existing building is built to the property line and is considered to be legally non-conforming, it may continue to exist. However, any new addition to the building must conform to the current regulations in the Zoning Bylaw, meaning that the addition of the upper levels would need to be set back at least 2m to conform to the current standards. The applicant has stated that they prefer not to provide the setback of 2m given the desire to achieve consistency with the existing footprint of the building and employing the set back would result in a significant reduction in parking that could be provided.
- Stepback: The D - Downtown Zone prescribes a built-form approach to development with a podium-tower building model. In this location within the D - Downtown Zone portions of buildings higher than 7.5m are required to step back 2.5m to create a street wall character, which is separate from the taller tower elements of the

building. The proposed parkade deviates from this requirement as the street wall height is 8.25m, exceeding the street wall height by 0.75m. Section 7C.10.5(7)(c) of the Zoning Bylaw allows for partial relaxations at City Council's discretion.

Administration accepts this deviation as the building type is not a podium-tower model, the deviation is inconsequential and would have no negative impact on the public realm that the standard intends to protect and enhance. Likewise, a stepback requirement in an existing development is not possible from a practical standpoint.

Chapter 17 of the Zoning Bylaw provides for development alternatives and incentives. Council may, by agreement, approve the relaxation of certain development standards in return for the provision of public amenities by the developer as contemplated in Table 17.1. The RDNP also provides direction to use bonusing to achieve other objectives of the policy. To allow for the excess FAR and deficient setback of the proposed building the City may enter into an agreement with the applicant for exchange of public amenities.

The RDNP emphasizes enhancements to the public realm to increase the liveability of the neighbourhood, which in turn, encourages more activity and investment.

Through bonusing, the Administration and Applicant have agreed to invest the required public amenities in landscaping to enhance the public realm in the vicinity. The Zoning Bylaw allows for 1/5 the area required for bonusing to be provided in landscape areas. In this case, the proposed building exceeds the required FAR by 1205.8 square metres and that 318.24 square metres of floor area encroaches within the required setback area. Therefore, the applicant is required to provide the equivalent of approximately 305 square metres of landscape area to the City. The Administration and applicant have agreed to invest this landscape area in the vicinity of the subject property to help achieve aspects of the RDNP. More specifically, Administration recommends that along the 1900 block of Albert Street the sidewalk be reconstructed or modified to allow for soil trenches and street tree plantings and that enhancements be made to the existing east facing pocket park on Albert Street by the current layby to create a quality public space as envisioned in the RDNP.

Public Art Façade of Parking Structure

The Zoning Bylaw requires that the façade of parking structures be designed to have a building like appearance or by wrapping the façade with public art. The approval will require that the building be wrapped with public art. Public art is defined within the Cultural Plan and Canadian Artists Representation (CARFAC) sets out guidelines for compensation of artists. The Community Services Department will work with the developer and the Development Officer to ensure artist selection, art creation, and installation, aligns with these standards. The property owner will retain ownership of the installation once complete, and duties for care, maintenance, and eventual replacement will be the responsibility of the property owner.

The surrounding land uses are commercial to the east and south. The Central Lutheran Church is on the north side of the property. West side of the subject property is developed as parking lot. Regina Union Centre and K2 Dental Laboratory are also situated on the west side of the property.

The proposed development is consistent with the purpose and intent of the D - Downtown Zone with respect to strengthening Downtown Regina as the economic and cultural hub of the City by making it an attractive place to work, shop, visit, and live consistent with Part G - Regina Downtown Neighborhood Plan of OCP.

RECOMMENDATION IMPLICATIONS

Financial Implications

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 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.

Environmental Implications

None with respect to this report.

Policy/Strategic Implications

The proposal is consistent with the policies contained within Part A of the OCP with respect to:

Section C: Growth Plan

Goal 3: Intensification: Enhance the City's urban form through intensification and redevelopment of existing built-up areas.

- 2.7 Direct future higher density intensification to the City Centre, existing urban centres and corridors and adjacent intensification areas where an adequate level of service and appropriate intensity and land use can be provided.

Section D5: Land Use and Built Environment

Goal 6: Built Form and Urban Design: Build a beautiful Regina through quality design of its neighbourhoods, public spaces and buildings.

- 7.34. Support design excellence by ensuring that public and private spaces and buildings contribute to a sense of place and an enhanced public realm through high-quality design and strategic location.

The proposal is consistent with the policies contained within Part B.4 of the OCP with respect to:

3.3.2 General Streetscape Elements

Objectives

- a) As part of creating a great pedestrian realm and creating a green Downtown, trees should line all streets

4.48 Parking

Policy 34: That the City of Regina will incorporate parking standards and restrictions in the zoning bylaw to ensure development decisions result in an active and animated public realm and limits the amount of visible parking from the street.

3.4.4 Open Space Types

Design Objectives for open spaces are:

- c) Public parks may be complemented by privately owned but publically accessible open spaces such as building courtyards or forecourts.

Policy12: That the City of Regina shall recognize the following open space types for Downtown Regina: Civic Heart type, Pocket Park Type, and Mid-Block Connections and Linkages Type.

The applicant is committing to enhance the landscape along Albert Street and the adjacent pocket parks, which will contribute to achieving an enhanced environment along the street. Enhancing the urban forest and creating quality publicly accessible spaces is a focus of the RDNP. In addition, the development will incorporate public art into the façade to ensure screening of parking and enhancement of the public realm on Angus Street.

The proposal is also consistent with the Transportation Master Plan (TMP) adopted by the City in 2017. Policy No. 2.41 of the TMP requires the examination of the potential for future development of high-density parkade structures to replace surface parking lots in areas with high parking demands. The location of proposed development is proximate to the Downtown and located near major employment centres. By encouraging higher density parkade development, the City will have opportunity to increase in supply of parking to the Downtown.

Other Implications

None with respect to this report.

Accessibility Implications

The proposed development provides eight parking stalls for persons with disabilities, which is in addition to the accessible stalls already provided on the site.

COMMUNICATIONS

Communication with the public is summarized below:

Public notification signage posted on	March 21, 2018
Letter sent to immediate property owners	March 28, 2018
Public Open House Held	N/A
Number of Public Comments Sheets Received	0

There were no public comments received on this application.

The application was circulated to the Cathedral Area Community Association who responded they have no concerns on the proposal. The Administration also circulated the application to the Regina Downtown Business Improvement District (RDBID). The Administration attempted follow up contact with RDBID following circulation of the proposal but was not able to obtain comments prior to the deadline for submission of this report.

The applicant and other interested parties will receive a copy of the report and notification of the meeting to appear as a delegation in addition to receiving a written notification of City Council's decision.

DELEGATED AUTHORITY

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

Respectfully submitted,



Louise Folk, Director
Development Services

Respectfully submitted,



Diana Hawryluk, Executive Director
City Planning & Development