

April 10, 2019

To: Members
Regina Planning Commission

Re: Contract Zone Amendment Application (19-CZ-01) Proposed Extension of Temporary
Parking Lot Term - 1840 Lorne Street

RECOMMENDATION

1. That the application to amend *Regina Zoning Bylaw No. 9250* and the existing contract zone at 1840 Lorne Street, being Lot 42, Block 309, Plan No. 0012RA12095, be approved and that an amended contract zone agreement between the City of Regina and the owner of the subject property be executed, which allows for the extension of the permitted use of the property as a temporary surface parking lot until December 31, 2020.
2. That the City Solicitor be directed to prepare the necessary bylaws and contract zone agreement to authorize the respective *Regina Zoning Bylaw No. 9250* amendment.
3. That this report be forwarded to the April 29, 2019 meeting of City Council for approval, to allow sufficient time for advertising of the required public notice for the respective bylaw.

CONCLUSION

Namerind Development Corporation (Applicant and Owner) has requested a time extension for the existing contract zone to allow the temporary surface parking lot to continue until the end of 2020. The existing contract zone was in effect for three years and expired in September of 2018. The parking lot allows more time to complete the requirements and support necessary to finalize a development application submission for a mixed-use building on the subject property.

Surface parking lots are not permitted in the D - Downtown Zone; however, in this case, the parking lot is an interim use, which allows the proponent to support the eventual development of a mixed-use building intended for affordable housing. On this basis, Administration recommends approval.

BACKGROUND

An application has been received for a contract zone amendment to accommodate an extension of the time limit imposed on the approval of the temporary surface parking lot at 1840 Lorne Street.

City Council previously approved the use of the site as a temporary surface parking lot in September 2015 through the discretionary use process (CR15-92). The time limit imposed in the contract expired on September 25, 2018.

The Applicant and Owner purchased the adjacent site located to the north at the southwest corner of Lorne Street and 11th Avenue from the City of Regina (City) in 2014. Subsequent to that, the Applicant and Owner also acquired the subject property at 1840 Lorne Street from the Province of Saskatchewan with the intention of assembling both properties to facilitate a comprehensive redevelopment plan.

In July 2012, City Council adopted the new Regina Downtown Neighbourhood Plan and related amendments to *Regina Zoning Bylaw No. 9250* (Zoning Bylaw). The new zoning regulations removed the provisions for surface parking lots as a permitted use in the Downtown Zone. As such, the Applicant and Owner is applying for a contract zone amendment to accommodate a temporary surface parking lot on a site-specific basis at this location. In 2013, a temporary surface parking lot was approved through the discretionary use process at 1755 Hamilton Street with a three-year term limit.

This application is being considered pursuant to the Zoning Bylaw, *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP) and *The Planning and Development Act, 2007*.

DISCUSSION

The Applicant and Owner proposes to amend the existing contract zone agreement to allow the temporary surface parking lot on the subject property located at 1840 Lorne Street until the end of 2020. The subject property is otherwise zoned D - Downtown Zone in which surface parking lots are not permitted. New parking standards under the D - Downtown Zone adopted in 2012 require parking to be screened by an animated storefront, accommodated underground or in structured parking above ground level with active use at street level.

The subject property and the property directly north are under the same ownership. It is the Applicant and Owner's intent to assemble both properties for redevelopment of a mixed-use project, which is aligned with policies adopted in the Regina Downtown Neighbourhood Plan to develop a complete downtown community.

Initially the temporary parking lot was approved with a time limit of three years at the request of the Applicant and Owner. At the time of approval, the Applicant and Owner expected the construction of this project to have been underway before the end of the contract zone term; however, due to unforeseen funding obstacles and the need to refine design, the development has not commenced. The Applicant and Owner is actively pursuing funding opportunities for affordable housing through other levels of government and expects these commitments to be secured. The temporary parking lot would help support the preparation of development plans, which would allow time for development approval process and construction to commence by the end of 2020.

The proposal is consistent with the purpose and intent of contract zoning with respect to enabling City Council to exercise flexibility in the accommodation of specific development proposals which may not otherwise conform to established site or development standards for the underlying zone and considering unique circumstances.

Surrounding land uses include commercial development in all directions. The site is directly west of the SaskTel data centre and in proximity to City Square Plaza, Victoria Park, Cornwall Centre and multiple downtown transit connections. This block of Lorne Street has no established character of active frontage.

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 changes to existing infrastructure that may be required to directly or indirectly support the development, in accordance with City standards and applicable legal requirements.

Effective October of 2019, Development Levies will be applied to all intensification development to cover a portion of the capital infrastructure projects required to support growth. As a commercial type land use the new development would be required to pay \$110 per square meter of gross floor area.

Environmental Implications

None associated with the property at this time; however, should the Applicant and Owner move forward with redeveloping the site for a mixed-use affordable housing building, they would be required to perform an environmental assessment before any redevelopment takes place.

Policy/Strategic Implications

The proposal is not consistent with the policies contained in Part B.4 of the OCP, being the Regina Downtown Neighbourhood Plan, with respect to surface parking lots in the Downtown.

Part 4: Built Form Framework

4.4.8 Parking: Parking should not be the dominant image of streets. An important goal of the Regina Downtown Neighbourhood Plan is to cultivate an image where parking, while present, goes relatively unnoticed in the streetscape. Generally, no new surface parking lots will be allowed in the Downtown that are not screened by storefront or active uses along the street. In the rare circumstances where they are accommodated (e.g. improvements to a site that currently includes a surface parking lot) exemplary parking standards must be met.

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.

Animation of the public realm and streets is a strong focus of the Downtown Plan. As such, surface parking lots are not permitted in the downtown as a principle use. The City has adopted stringent parking standards that accommodate parking needs, but also animate the public realm through active commercial frontages with emphasis on screening parking from the public realm. The applicant's proposal uses landscaping for visual screening, but in the short term there will be no active frontage as would otherwise be required by the Downtown Plan.

Given the context of the larger redevelopment intentions, Administration views this development as a temporary exception that will help achieve the broader objectives of creating a high quality public realm and built form.

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

Section E: Realizing the Plan

Goal 8 - Contract Zones - Support beneficial development proposals that meet the intent of this Plan, but require special regulatory treatment to address unique characteristics.

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:

14.42.1 Conforms with the general intent of this Plan or any applicable concept plan.

14.42.2 Represents a unique and/or positive development opportunity.

14.42.3 Is compatible with existing adjacent development and, where applicable, contributes beneficially to the adjacent public realm.

The Applicant and Owner has demonstrated a larger vision for the site including high density affordable housing. The demolition of the existing buildings on site and proposed temporary Contract Zone time extension are essential first steps in realizing a broader redevelopment at this location and achieving strategic goals relating to intensification in the Downtown.

Other Implications

Should City Council not agree with the recommendations of this report, the use of the property as a temporary surface parking lot would no longer conform to the Zoning Bylaw and would be required to cease.

Accessibility Implications

There are two parking stalls for persons with disabilities included on the site plan.

COMMUNICATIONS

Communication with the public is summarized below:

Public notification signage posted on:	February 4, 2019
Will be published in the Leader Post on:	April 13, 2019 April 20, 2019
Public Open House Held	N/A

Administration conducted more extensive public consultation during the initial consideration of this application. Administration circulated the application to the Regina Downtown Business Improvement District (RDBID) for comment. RDBID provided the following comments with regards to the application:

“RDBID offers support for the extension for the temporary parking lot for a period of no more than one year. We support the Regina Downtown Neighbourhood Plan (RDNP) recommendation that no new surface parking be allowed, however, we also recognize the realities of current market conditions. However, if the applicant is able to confirm funding and a construction timeline by the end of 2019, RDBID is prepared to support a further extension of the contract zone to the end of 2020 as requested.

Private investment and residential development should be encouraged in Downtown Regina. It is our hope that the funding application for this project is successful and that the additional time afforded by this extension will lead to project completion”.

The Applicant and Owner 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,



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Respectfully submitted,



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