

February 13, 2013

To: Members,
Regina Planning Commission

Re: Application for Contract Zone Approval (12-CZ-8)
Proposed Temporary Parking Lot in the Downtown, 1755 Hamilton Street

RECOMMENDATION

1. That the application to amend *Regina Zoning Bylaw No. 9250* to rezone 1755 Hamilton Street, being Lots 42-47, Block 286, Plan Old 33. from D-Downtown to C – Contract be APPROVED and that the contract zone agreement between the City of Regina and the applicant/owner of the subject properties be executed.
2. That further to recommendation 1, the proposed contract zone agreement shall include the following terms:
 - a. The property shall be permitted to operate as a temporary parking lot or construction staging area for three years from the date of City Council’s approval;
 - b. The parking lot shall meet all standards for “parking lot, paved” except that:
 - i. Surface may be minimum 150 mm densely packed gravel or asphalt planings with a dust inhibitor to the satisfaction of the Director of Construction and Compliance;
 - ii. Drainage to catch basin connection in an alley will be permitted, but drainage shall not flow over the fronting sidewalk or other pedestrian access; and
 - iii. The parking lot must meet the requirements of the City of Regina Standard for Drainage from Building Site and Parking Lot Developments in order to obtain a building permit.
 - c. The development shall conform to the attached plans labelled A01, prepared by Number 10 Architecture, and dated August 16, 2012, Appendix A-3;
 - d. Any zoning related detail not specifically addressed in the contract zone agreement shall be subject to applicable provisions of the Zoning Bylaw;
 - e. The agreement shall be registered in the City’s interest at the applicant’s cost pursuant to Section 69 of *The Planning and Development Act, 2007*;
3. That the City Solicitor be directed to prepare the necessary bylaws to authorize the respective Zoning Bylaw amendment.
4. That this report be forwarded to the March 18, 2013 City Council meeting, which will allow sufficient time for advertising of the required public notices for the respective bylaws.

CONCLUSION

The Applicant's proposal and Administration's analysis is summarized as follows:

- The applicant proposes a Temporary Parking Lot with 56 stalls in the Downtown Zone. The contract term would expire after three years and revert back to its existing zone standards.
- The lot is currently vacant;
- Temporary Parking Lots are not accommodated under the newly adopted D-Downtown Zone as the provision was removed upon adoption of the new zone standards in July 2012;
- The City currently has no policy on accommodation of temporary parking lots in the downtown, however, generally surface parking lots do not conform to the objective of the OCP and Downtown Neighbourhood Plan with respect to creating a highly animated public realm and active and vibrant streets;
- The Administration recognizes that the applicant's proposal is unique to the situation and recommends approval of the contract zone for the following reasons:
 - The site is already vacant and a passive use;
 - The parking lot presents the possibility of being used as a construction staging area, which would provide short term relief of congestion in the downtown during this heavy construction period; and
- The Administration is not prepared to recommend a change to the Downtown Zone at this time to accommodate Temporary Parking Lots more widely before the issue is studied in more detail.
- The City is currently undertaking a comprehensive parking study which will make recommendations on the long term parking needs of the downtown area.

BACKGROUND

An application has been received for contract zoning to accommodate a proposed temporary parking lot in the downtown at 1755 Hamilton Street.

The subject property is currently vacant as the building on the site was demolished in the spring of 2012. At that time the property owners intended to apply for development of a parking lot. However, City Council adopted the new Downtown standards in July of 2012, which removed the provisions for temporary parking lots and paved (surface) parking lots in the Downtown zone. Rezoning is therefore necessary to accommodate a temporary parking lot at this location.

This application is being considered pursuant to *Regina Zoning Bylaw No. 9250, Regina Development Plan Bylaw No. 7877 (Official Community Plan)*, and *The Planning and Development Act, 2007*

DISCUSSION

Zoning and Land Use Details

	Required	Existing	Proposed
Zoning	N/A	D-Downtown	C-Contract
Land Use	N/A	Vacant	Temporary Parking Lot
Land Use Definition	N/A	N/A	N/A
Number of Parking Stalls Required	N/A	N/A	56 stalls
Minimum Lot Area (m ²)	N/A	N/A	N/A

Minimum Lot Frontage (m)	Nil	Nil	Nil
Maximum Height (m)	N/A	N/A	N/A
Building Area	N/A	N/A	N/A
Number of Units	N/A	N/A	N/A

The developer has indicated that the parking lot would be an interim measure until such time that development is ready to proceed. The developer has submitted preliminary plans for a mixed use building to demonstrate their ultimate intentions. Plans have not been formally reviewed and would require submission of a formal application, standard review process, and City Council approval. The Administration is recommending that the contract zone be valid for a period of three years, which will provide temporary relief of parking demands in the Downtown due to loss of street parking during construction periods and increasing demand, while also encouraging the developer to proceed with formal development of the site in the near term.

The surrounding land uses are commercial/retail uses to the south and east, an apartment building and the Cornwall Centre to the west across the street on Hamilton and the Delta Hotel to the north. Casino Regina is further north on Saskatchewan Drive.

The proposed development 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 zone.

The City has commissioned a parking management study, which will inform future policy direction. The project is slated to be completed as early as April 2013. The Administration will be able to draw from the study to determine the circumstances temporary parking lots should be considered in the downtown.

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 City has no policy with respect to temporary parking lots in the Downtown. However, the newly adopted regulations of the D- Downtown Zone do not allow for surface parking lots as a principle use. A surface parking lot would be permitted only if buffered from the street by an active commercial use. The proposal is not consistent with the policies contained in Part G: Regina Downtown Neighbourhood Plan, of the OCP with respect to:

- 4.4.8 Parking– 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. However, in this particular case the lot is vacant and the street front would have no street animation regardless until the site is redeveloped.

Other Implications

None with respect to this report.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

Public notification signage posted on:	September 17, 2012
Will be published in the Leader Post on:	March 2 and 9, 2012
Letter sent to property owners/ occupants in vicinity on:	September 13, 2012 (28 addresses)
Public Open House Held	N/A
Number of Public Comments Sheets Received	2

The application was also circulated to the Regina Downtown Business Improvement District (RDBID) and the Central Zone Board. The Central Zone Board did not provide comments before the finalization of this report. The RDBID indicated in writing that it supports the proposed parking lot on the basis that it be approved for a maximum term of three years. The BID provided further commentary on the situation as follows:

“Much growth and investment has occurred in Downtown Regina since the development of the Regina Downtown Neighbourhood Plan. This growth has created strain on the existing office supply due to the loss of on street parking and additional employees working downtown. Additional parking will accommodate growth and support our existing businesses. Further, the completion of the Parking Management Strategy for Downtown Regina in June 2013, will provide direction with respect to addressing the ongoing parking challenges and creating parking efficiencies.”

In addition to the two comments sheets, the applicant has included five form letters from businesses in support of the application. The letters stated that the proposed development would provide accessibility to parking in downtown, that a fenced empty lot does not promote vibrancy for the downtown and that the proposed development is a short term solution for the area.

DELEGATED AUTHORITY

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

Respectfully submitted,



Diana Hawryluk,
Director, Planning

Respectfully submitted,



Jason Carlston, Deputy City Manager
Community Planning and Development

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