

Temporary Downtown Surface Parking Lots

Date	January 6, 2021
То	Regina Planning Commission
From	City Planning & Community Development
Service Area	Planning & Development Services
Item No.	RPC21-3

RECOMMENDATION

Regina Planning Commission recommends that City Council:

- 1. Direct Administration to prepare amendments to *Design Regina: the Official Community Plan Bylaw No. 2013-48, Part B.4, the Regina Downtown Neighbourhood Plan* to accommodate temporary surface parking lots in Q2 of 2021.
- 2. Remove item MN20-14 from the Outstanding Items list.
- 3. Approve these recommendations at its meeting on January 13, 2021.

ISSUE

Existing City of Regina (City) policy does not permit development of new stand-alone (i.e. without a store-front or active use) surface parking lots in the downtown neighbourhood. On August 26, 2020 City Council adopted the following motion (MN20-14):

- 1. Conduct a review of surface parking lot restrictions as outlined in the Regina Downtown Neighbourhood Plan and in The Regina Zoning Bylaw, Bylaw No. 2019-19 and prepare a report on a temporary parking lot policy, that includes the following and any associated implications:
 - Temporary suspension of parking lot restrictions be limited to 3-5 years, upon which there would be an assessment;
 - Consult with the RDBID, Commercial Property Investors/agents, Developers and Property Owners to determine what standards and safety measures should be put in place for a temporary parking lot;

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- A decommission process for the removal of a temporary parking lot;
- A provision for an annual per stall contribution to the Downtown Deferred Revenue Account (DDRA); and
- 2. Report back to the Regina Planning Commission by January 31, 2020.

As well, the following amendment to the motion was passed as part of the motion:

An analysis of parking needs and potential projects that could benefit from the Downtown Deferred Revenue Account (DDRA) be included in the report

To support this work, past temporary parking lot applications were researched along with how other similar cities consider downtown surface parking lots.

Based on this research and consultation with stakeholders, Administration recommends proceeding with amendments to *Design Regina: The Official Community Plan Bylaw No. 2013-48*, (OCP) *Part B.4*, *the Regina Downtown Neighbourhood Plan* (RDNP) to accommodate temporary surface parking lots where criteria is met in certain situations. The amendment would identify the criteria for consideration of temporary parking lots and maintain support for the overall Downtown Plan's policy direction. To complement this, requirements for temporary parking lots will be prepared to provide a consistent approach for stakeholders developing these lots.

The recommendation contained within this report involves undertaking the steps required to develop an amendment to the RDNP, which includes the provision of public notice, as per the Public Notice Policy Bylaw. The amendment would be brought forward for consideration in second quarter (Q2) in 2021.

IMPACTS

Financial Impacts

Applicants

Applicants for temporary surface parking lots are responsible for all costs 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; this is intended to include requirements specific to these situations, including a future development plan and a contribution to the DDRA. These will be further defined as part of the next steps. Temporary parking lots do not influence the assessed value of the property, and as such, the taxes would not change.

City of Regina

Licensing and Parking Services commented that generally, more parking lots may result in lower revenue as drivers choose those locations over City parking meters. However, it is not expected this will be significant given that it is recommended that new temporary parking lots continue to be reviewed on a case-by-case bases with set criteria.

Policy/Strategic Impact

The recommendation is to prepare amendments to the OCP, Part B.4: Regina Downtown Neighbourhood Plan (RDNP) to acknowledge that certain circumstances may warrant

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consideration of the approval of temporary surface parking lots in the downtown. Current policy is as follows:

 Part B.4: Regina Downtown Neighbourhood Plan, 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.

The amendment would seek to provide some flexibility in decision making. As has occurred, there are situations that have warranted consideration by City Council to allow a short-term parking lot on a site to enable a longer-term benefit, such as supporting major construction and development projects that are advancing to support investment and vibrancy of downtown. Developing an amendment would more clearly identify this opportunity for City Council to evaluate applications for temporary parking lots within defined parameters.

This is considered an interim measure pending other planned work that will consider these parking lots more holistically. In particular, the Regina Downtown Neighbourhood Plan (RDNP) is scheduled for review through the Neighbourhood Planning Program (NPP) and the Underutilized Land Improvement Strategy (ULIS) has a number of actions directed at addressing barriers to development on sites; this includes vacant and underutilized lots in the downtown.

Currently, the Zoning Bylaw does not include "Transportation, Parking Lot" as a principle use in the Downtown Direct Control District Zone (reference: Table 6A.T2 Part 6A). This is not recommended to change. Rather, the use of Contract Zones would continue to be the method for considering temporary parking lots in the downtown where criteria can be demonstrated to be met, as per the recommendation to amend the RDNP. The use of Contract Zones is defined in OCP policy and provides City Council with the discretion to consider applications that do not meet zoning requirements but are seen to be beneficial and aligned with the overall intent of the OCP:

- Section E, Goal 8 Contract Zones: Supporting beneficial development proposals that meet the intent of this Plan but require special regulatory treatment to address unique characteristics.
 - O 14.42 Apply a Contract Zone designation, at Council's discretion, to development proposals that do not confirm with existing zoning requirements (e.g. use of land, site, development of servicing standards, etc.), or that require special regulatory control to ensure compatibility with adjacent development, with the provision that the proposed development:
 - o 14.42.1 Conforms with the general intent of this Plan (the OCP) or any applicable concept plan;
 - o 14.42.2 Represents a unique and/or positive development opportunity; and
 - o 14.42.3 Is compatible with existing adjacent development and, where applicable, contributes beneficially to the adjacent public realm.

The Contract Zone policy in the OCP further allows for the inclusion of conditions, at Council's discretion as part of the Contract Zone agreement:

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- o 14.44 Ensure conformity with 14.42 by including the following types of conditions, at Council's discretion as part of the Contract Zone agreement:
- o 14.44.1 Restrictions on the use of land; the form, height, and location of buildings; or the hours or periods of operation;
- 14.44.2 Requirements respecting specified or unique landscaping, lighting, noise control, signage, site layout/design, on-site parking, and pedestrian infrastructure standards: and
- o 14.44.3 Limitations on the duration of the agreement or proposed development.

As such, a specific temporary parking lot policy, as identified in the motion, would not be needed. Requirements for these contract zones would be established in the agreement, as approved by City Council. Guidelines for these requirements would be prepared to inform the preparation of these agreements and foster a consistent approach for all future temporary parking lots, which is currently not the case. These requirements will be informed by the feedback heard through internal and external consultation in this project around drainage, surfacing, lighting, landscaping and other factors, such as the requiring a contribution to the Downtown Dedicated Revenue Account (DDRA). This policy also enables the defining of a duration for the temporary lot to be operational.

Community consultation would continue to be a part of the process for each individual temporary parking lot application and City Council would still ultimately make the decision to proceed with rezoning the site to a Contract Zone to enable the parking lot, or not. Overall, this approach provides more certainty to landowners and transparency in decision making.

Overall, the general direction of the OCP (i.e. Part A, City-Wide Plan), enabled through the Zoning Bylaw is to encourage development in the downtown to move it towards being a vibrant, attractive area that serves the Regina community as a place to work, live and play. The recommendation maintains this direction.

- Section D5, Goal 2 City Centre: Maintain and enhance the City Centre as the primary civic and cultural hub.
 - 7.7 Collaborate with stakeholders to enhance the City Centre, as depicted in Map 1 – Growth Plan, by:
 - o 7.7.7 Implementing the Regina Downtown Neighbourhood Plan.

The OCP encourages multi-modal transportation options:

- Section D3, Goal 3 Integrated Transportation and Land-Use Planning: Integrate transportation and land-use planning in order to better facilitate walking, cycling, and transit trips.
 - o 5.17 Adopt approaches to parking standards and management that encourage multi-modal transportation options.

This direction is implemented more specifically through the Transportation Master Plan and will be applied through the development of the Transit Master Plan that is underway. The

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recommendation does not anticipate a significant impact to compromise this direction.

There are also Economic Development policies that seek to ensure a transparent, predictable and fair regulatory environment that minimizes barriers to economic growth while balancing the needs of all Regina residents.

- Section D10, Goal 1 Economic Vitality and Competitiveness: Foster an environment conducive to economic vitality and competitiveness which supports the standard of living of residents in Regina and the surrounding region.
 - o 12.1 Ensure an orderly regulatory environment within which business and industry can operated assured of transparency, predictability, and fairness in their dealings with the City.

The recommended approach recognizes that encouraging development downtown requires consideration of multiple factors, enabling the establishment of temporary parking lots in certain situations is only one. The recommended approach maintains the overall OCP Part A and Part B.4 while more clearly enabling the consideration of surface parking lots temporarily on a case-by-case basis. Given the development of criteria for these circumstances and maintaining zoning, the overall impact to the downtown would be limited, allowing other work to inform longer term direction in five years.

OTHER OPTIONS

Other options include:

1. Refer the report back to Administration for further consultation.

The scope of the consultation for this report was planned with a focus on downtown landowners and tenants as well as commercial real estate providers, investors and developers, as per the motion. Feedback was received from these stakeholders and was also expanded to include the broader community. Because this was not the intent, inclusive advertising methods were not undertaken by the City to share the opportunity to comment broadly; as such, the results may not be representative of the community. Further consultation would be needed to confirm the general public's perspective.

This approach is not recommended. Extensive community consultation was undertaken through the development of the RDNP and it informed policies in the plan for achieving a vibrant downtown. Through the consultation that was already undertaken for this project, this sentiment is still a commonly held desire, both by the majority of those that responded to the survey as well as those who own or work with property owners in the downtown.

2. Maintain status quo

This option means maintaining the existing policy that does not permit downtown surface parking lots without an active use and does not acknowledge that there may be unique situations. As such, one-off applications could continue to occur without clear and transparent policy support for their consideration and ultimate decision. It was expressed through the focus group discussion current policy direction is not clear,

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breeding uncertainty by developers to make decisions.

This option is not recommended given the desire for change identified through the focus group discussion. Further, development on existing vacant lots has not proceeded despite the current policy; this suggests that other factors are barriers to redevelopment and require exploration (e.g. through ULIS). As such, vacant lots could be expected to continue to be vacant, without any use, until these barriers are addressed.

3. Enable consideration of temporary surface parking lots more broadly in the downtown. This option would have Administration develop amendments to the policy in the Regina Downtown Neighbourhood Plan (OCP, Part 4) as well as the Downtown Zone of the Zoning Bylaw to enable consideration of temporary parking lots more broadly.

This is not recommended as it is considered a major change in the direction of the RDNP. While generally supported by the focus group feedback, it would ignore the concerns raised through the survey. In the longer term, considering temporary parking lots and how they relate to overall efforts to meet the vision for the Downtown Neighbourhood Plan is important and seen to be included as part of a broader review, which will take place through the Neighbourhood Planning Program process. This Plan is currently sequenced as a medium-term plan and would be expected to be considered for advancing after the first ten short-term plans are completed. The first two plans are expected to be completed this year.

COMMUNICATIONS

Through the distribution of a survey to downtown businesses, property owners and residents, and a focus group session, an interested parties list was compiled based on participants self-identifying a desire to be notified by the City Clerks' Office when this report was being presented to Regina Planning Committee and City Council. A copy of this report will be provided to the interested parties list and they will be invited to attend the meetings.

If the recommendation is approved, proposed amendments to the Regina Downtown Neighbourhood Plan, OCP Part B.4, will require public advertising, in accordance with the public notice requirements of The Public Notice Bylaw, 2020.

DISCUSSION

Regina Downtown Neighbourhood Plan (Official Community Plan, Part B.4)

In 2009, the Regina Downtown Neighbourhood Plan (RDNP) was approved by City Council and incorporated into the OCP following an extensive public and stakeholder consultation process. The boundaries of the Downtown Neighbourhood are shown in Appendix A-1. The purpose the RDNP is to guide future growth and strategic investment into infrastructure, development, and urban design over a long-term horizon (20 years) including land use policy.

The RDNP includes a built form framework that provides policies related to the scale, character, and design of new public and private developments to meet the vision for this

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plan. While it is primarily concerned with buildings, it also contains policy related to open space and parking. Section 4.4.8 states:

"that no new surface parking lots will be allowed in the Downtown that are not screened by storefront or active uses along the street. The plan states: "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."

This latter policy statement may be interpreted to allow for the consideration of unique circumstances; however, the existing policy direction that seeks to implement section 4.4.8 does not provide that flexibility. The next section looks at the applications that have come forward for Temporary Parking Lots in the downtown since the policy was approved in the RNDP. The recommendations contained in this report provides clearer policy direction regarding temporary parking.

Temporary Parking Applications

Since the adoption of the RDNP in 2012, the Administration has received three applications for temporary parking lots in the downtown. In considering the existing policy in the plan, these have been processed and approved in the contract zone process. Contract Zones apply specific zoning regulations to a specific site and are intended to accommodate proposed development that represent unique development opportunity that does not conform to the zoning requirements for that site. The applications that have come forward are as follows (shown in pink in Appendix A):

- 1755 Hamilton Street (CR13-37)
 - o In 2012, contract zone for a parking lot at 1755 Hamilton Street (south of the Delta Hotel) was approved by City Council for a three-year term as a temporary parking lot. The rationale for the approval at the time was that the parking would mainly be used to provide parking for vehicles and equipment during the construction of Hill Tower III and Agriculture Place.
 - o The applicant had indicated that there was a development plan to follow the parking lot's anticipated closure in 2015.
 - O Citing market challenges, since the parking lots' decommissioning, the site has remained as a vacant lot.
- 1840 Lorne Street (CR15-92)
 - A contract zone for a temporary surface parking lot was approved by City Council in 2015 for a three-year term. In 2019, another three-year term was approved (CR19-53).
 - A concept plan for a mixed-use development was shared as part of the application with Administration.
 - o The site continues to be a surface parking lot.
 - O The rationale for approval at the time was that the development concept for the site would provide a mixed-use development with affordable housing, commercial services and amenities, such as a daycare.
- 1971 Albert Street (Bylaw 2020-67)
 - A contract zone for a temporary surface parking lot was approved by City Council in December 2020.

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- o The applicant, a prospective purchaser of the property, sought approval to develop a temporary parking lot on the site for a one-year term as an interim measure to facilitate further plans for development. The future development plan was not provided, and the rationale was that the parking out help facilitate the sale of the lands and potential development plans for the site.
- City Council approved the use of the site as a parking lot for one year under Contract Zoning.

Existing Downtown Parking Supply and Vacant Lots

Downtown Regina provides a number of parking options for those who work, live or visit. This includes a number of existing surface parking lots that make up about 33.8 per cent of all private land downtown (Appendix A), as well as about 1300 metered parking stalls; there is also about 12.9 per cent of land dedicated to structured parking. Not including underground parking given limited access to this data, this equates to an estimated 16,100 parking stalls based on GIS calculations.

Information on demand was only able to be collected from the City's parking stalls. For onstreet metered parking, as of 2017 - 2018, the capacity was typically between 60 - 70 per cent (as per data from Parking Services). A Parking Study was conducted in 2014 that provided a number of actions, some of which have been advanced by the City, including raising on-street fees to promote turnover and establishing a digital pay system.

There are currently only three vacant lots within the boundaries of the RDNP that do not currently have a surface parking lot (1755 Hamilton Street – former Black Block, 1743 Broad Street – former Chung King Low/Day Labour Cafe, 1833 Broad Street – former Traveller's Building). These properties on Hamilton Street and Broad Street are vacant due to fires requiring demolition.

Any further extension of surface parking lots beyond these lots would require the demolition of a building. There is a risk that allowing surface parking lots, even on a temporary basis, would cause several demolitions downtown if left uncontrolled. Given the interim nature of this recommendation, pending the advancement of other projects that will inform the future of this policy direction, Administration recommends limiting the consideration of future temporary surface parking lots through the application of specific criteria to be defined through the development of an amendment to the RDNP.

Planned Activities that will Inform Longer Term Parking Lot Direction

The following work is important to advance to inform the review of this interim policy measure and set longer-term direction:

- <u>Underutilized Land Improvement Strategy (ULIS)</u>
 - Implementation of ULIS will result in redevelopment of existing sites, including those in the downtown. It includes actions to address the barriers to redevelopment that were identified through stakeholder consultation.
 - O ULIS's implementation is underway and over the next ten years, it seeks to improve the viability of development opportunities, including those in the downtown, through actions such as:
 - Exploring ways to improve internal city processes to support downtown

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- redevelopment;
- Identifying areas to focus programs and infrastructure improvements; and
- Developing specific incentive programs to address barriers to redevelopment most directly.
- O Surface parking lots are considered underutilized sites, and through the implementation of ULIS, the intention is to create an environment that fosters higher level development to achieve the goals of the RDNP.

Neighbourhood Planning Program (NPP)

- o Initiated in 2019, the program provides a planned approach over the next eight to ten years for establishing neighbourhood plans in 31 neighbourhoods within the established parts of the city.
- Neighbourhoods that already have plans, such as the downtown, will have their plans reviewed and updated while some neighbourhoods will be involved in developing plans for the first time.
- o Neighbourhood Plans, once approved, are incorporated into the OCP as Part B. Part A of the OCP, Design Regina, provides high-level direction for growth and development in the city, while Neighbourhood Plans use Part A as a base to more specifically define where and how growth should occur within our neighbourhoods.
- Neighbourhood Plans inform development decisions in our existing areas providing residents, community members, and the development community with more certainty around how the neighbourhood is intended to evolve over time.
- O Given the role of the downtown on the city, broad stakeholder consultation would be included within this project. As such, it presents an opportunity to consider parking lots as part of a broader, more inclusive conversation about the future development of downtown and thereby enable informed decision making for the long term.
- O Currently, the RDNP is identified as being a medium-term priority and thereby scheduled to advance in five years or more as the medium-term plans have not yet been sequenced.

Parking Studies

- o In 2014, a parking study was undertaken by the City to improve how the City regulates and charges for on-street parking.
- o The study included recommendations, some of which have been advanced.
- O Downtown parking will continue to be studied which will also help inform longerterm decisions about temporary parking lots.

Downtown Deferred Revenue Account (DDRA)

The motion directed Administration to explore the inclusion of a requirement for future temporary parking lots to contribute annually to this fund and identify potential projects that could benefit from it. This was considered and discussed within the focus group session with stakeholders involved in real estate, investment, and development downtown.

The City of Regina established this account in 2012 to direct funds from development agreements including the following: bonusing agreement for new office towers in the downtown and fees for the over-dedication of surface parking in the Office Area Zone.

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Including money still owed to the City, there is approximately \$340,000 in the account. Bonusing is used in situations where a developer is requesting additional height or density in exchange for public amenities. Most of the funding in the DDRA is from Tower III Downtown requesting additional height. Administration works with the Regina Downtown Business Improvement District (RDBID) to identify projects that provide downtown community and public benefit. Past projects have included lighting in Victoria Park and the Welcome Services Pavilion on the plaza. Ultimately designation of project funding from this source is at the discretion of the Executive Director, City Planning and Community Development and individual projects must be approved by City Council. There are established criteria for evaluating projects, such as the capacity of the City to deliver, the public benefit to the downtown, if it is responding to a community need, and if the costs are reasonable compared to the anticipated results of the project as well as alignment with the policies in the RDNP.

The focus group research identified general opposition to this new fee for temporary parking lots. However, there is merit in considering it on a case by case basis and this will be further explored to determine what the City's options are for implementing a fee of this nature, as per *The Planning and Development Act, 2007*.

Exploring how a contribution to the DDRA could work with temporary parking lot approvals would be considered within the scope of work to development amendments to the OCP Part B.4, as per the recommendation.

Stakeholder Engagement

Consultation was undertaken as part of this work to obtain feedback on:

- Level of support for allowing temporary downtown surface parking lots;
- Potential temporary parking lot requirements;
- Preferences for duration of a temporary parking lot; and
- Other considerations for developing a temporary downtown surface parking lot policy and parameters for that policy.

The following research tactics were undertaken. A summary of the feedback collected can be found in Appendix B.

1. Online Survey

Working with the Regina Downtown Business Improvement District (RDBID), a short online survey was developed and distributed. The RDBID shared the link to the survey in their newsletter and on their Facebook page and City Administration mailed a letter with a link to the survey to property owners and tenants residing in the downtown neighbourhood. Comments were collected from October 15 until November 2, 2020.

A link to this survey was also shared by interested parties on social media, expanding its reach. This had not been the original scope of the consultation and as such, Administration had not advanced broad advertisement of the survey.

A question had been included that asked respondents to identify whether they felt that they best identified as a downtown landowner, business owner, tenant, resident, or

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some other interest. This allowed some consideration of downtown-specific versus broader feedback.

Across all survey responses, 80 per cent of respondents said they had concerns about allowing for more parking and 64 per cent of respondents did not feel that there is a parking shortage downtown. There was a feeling that if more parking was allowed, these lots would jeopardize the current and future vibrancy of downtown. If these lots were going to be approved, there was strong direction that it should only be allowed for a short term (i.e. a year or less) and require a future development plan beyond the life of the parking lot. There was also a desire for safety and aesthetic requirements, including lighting. Comments asked the City to focus on other modes of transportation and invest in downtown to ensure its future vibrancy. The general desire of the community is to not allow additional surface parking lots downtown.

2. Focus Group

On November 4, 2020, a virtual Microsoft Teams meeting was held to gather feedback from interested stakeholders who are developers/potential developers in the downtown, are in commercial real estate, or are commercial investors. There was a research focus to collect insights and perspectives to inform this report and it was not intended to be representative. Four stakeholders participated in the session and two who were unable to attend submitted responses afterwards.

In contrast to the survey results, through the focus group research, parking lots were identified as being a critical interim step to enable future development. Ensuring parking availability in the downtown was seen to be important for developing a vibrant city centre and maintaining existing, as well as attracting new, office users. Access to parking helps bring people downtown. At the same time, it was noted that location of new parking is important as it needs to be close to the demand (e.g. of a new office tenants).

There was support for allowing temporary surface parking lots with terms being at least three years, with potential for renewal. Feedback from this identified the value in ensuring parking lots are made attractive and safe, with recognition that the longer the term of the lot the more expectation there would be for meeting these types of requirements.

This group was also asked for feedback on the comment in the Council motion to consider a provision for an annual per stall contribution to the Downtown Deferred Revenue Account (DDRA). Participants generally expressed limited interest in having this additional fee, feeling like it created another financial disadvantage to private downtown investment, and it could reduce the improvements that could be put on the site. An option was suggested to collect a fee to decommission the site when the parking lot term is complete.

As well, participants noted that parking lots are limited in terms of the actual impact on investment downtown and that others tools are needed for development to proceed (as was identified through consultation for the Underutilized Land Study, the work that preceded the development of the Strategy described previously). Reviewing parking lots in a broader context of downtown development and in the context of a parking study review was encouraged. Also, there was also a desire for consistency and transparency

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in policy direction to create more certainty in general.

3. Direct phone contact

Direct phone contact was made by some interested parties through the process.

4. Regina Downtown Business Improvement District (RDBID)

The RDBID provided a written response (see Appendix C) that supports maintaining existing practices that enable consideration of temporary parking lots on a case-by-case basis and the flexibility to approve these applications. RDBID further recommended a review and update to the City's 2014 Parking Study to better inform future policy regarding temporary surface parking lots.

Through this research, it was confirmed that there continues to be a clear and consistent desire for a vibrant, healthy, and active downtown. The difference in responses relates to how this is best achieved, and how temporary parking lots can either foster or hinder it. The recommended approach considers this feedback collectively.

Other Municipalities

Downtown surface parking lot regulations in comparable cities were reviewed. Both Calgary and Edmonton prohibit new surface parking lots in their downtowns while Saskatoon and Winnipeg allow some flexibility that discourages new surface parking lots but does enable them to be considered in special circumstances. They also both have requirements to foster walkability with Saskatoon requiring a three-metre landscaped buffer between the lot and the street and Winnipeg requiring some form of improvement and screening.

DECISION HISTORY

On August 26, 2020, in response to MN20-14, Council directed Administration to conduct a review of surface parking lot restrictions as outlined in the Regina Downtown Neighbourhood Plan and prepare a report on a temporary parking lot policy.

Respectfully Submitted,

Respectfully Submitted,

Scarle, Director, Planning & Development Services

12/24/2020 Diana Hawryluk, Executive Director, City Planning & Community Dev.

Prepared by: Kim Sare, Senior City Planner

ATTACHMENTS

Appendix A - Downtown Boundary and Existing Parking Lots

Appendix B - Consolidated Feedback

Appendix C - Response from RDBID

Appendix D - Council Motion

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