

DATE OF MEETING December 19, 2017
AUTHORED BY DAVE STEWART, PLANNER
SUBJECT OFF-STREET PARKING BYLAW REVIEW

OVERVIEW

Purpose of Report

The purpose of the report is to present to the Community Planning and Development Committee a draft bylaw to replace "DEVELOPMENT PARKING REGULATIONS BYLAW 2005 NO. 7013".

Recommendation

That the Committee receive the report and support, in principle, the draft Off-Street Parking Regulations Bylaw generally as included within Attachment A and the draft *Guidelines For the Consideration of a Parking Variance* generally as included in Attachment B.

BACKGROUND

The City of Nanaimo has begun a comprehensive review of the "Development Parking Regulations Bylaw 2005 No. 7013" (Parking Bylaw). The Parking Bylaw regulates off-street parking within the City of Nanaimo, including the number of parking spaces required for different land uses and the dimensions and design of parking areas. The existing Parking Bylaw is more than twelve years old and, since its inception, a new Official Community Plan (OCP) and a Transportation Master Plan (TMP) have been adopted in 2008 and 2014 respectively. The current parking bylaw does not align with the goals of the OCP and TMP to support a walkable urban form with limited parking required for future developments. A review of the parking standards is also included as a short term goal within the OCP work plan.

Parking requirements play a fundamental role in urban development. Large parking areas impact urban form by creating areas with little activity that are often unwelcoming for pedestrians. During the parking bylaw review and consultation it was noted by a number of architects and developers that parking limits their development potential more than any other land use regulation. Developments are often unable to achieve the density desired within the OCP or Neighbourhood Plans as they are unable to accommodate the required parking onsite. As a result, Staff undertook a comprehensive review of the Parking Bylaw in the context of the City policies and current best practices.

The overall vision of the Parking Bylaw review is to create user friendly off-street parking regulations that reinforce the goals of the OCP and TMP while requiring parking that meets a broader range of user needs. Some of the goals within the OCP and TMP that guide the Parking Bylaw review include:

- limit parking supply within future developments;
- encourage developments within mobility hubs to provide shared and preferential parking resources;
- incorporate bicycle parking requirements within the bylaw;
- consolidate parking areas in urban nodes;
- consider reductions to off-street parking requirements, as determined by a parking assessment by up to 25% in urban nodes;
- assess parking needs within urban nodes and corridors and recommend appropriate parking ratios;
- designate cash-in-lieu areas within mobility hubs; and
- set occupancy targets for high demand areas at 85% during peak hours to balance parking availability and excessive parking supply

The Parking Bylaw review included an evaluation of existing parking ratios and technical specifications including, stall dimensions. The process included researching municipal best practices and parking rates, reviewing past City approved parking variances, and conducting on-site observations and parking counts. As part of the review process, Staff solicited feedback from frequent users of the Parking Bylaw including developers, architects, planning consultants and engineers. Feedback received during these meetings has informed the proposed bylaw. The Parking Bylaw review was also discussed at the 2015-JUN-16 meeting of the Planning and Transportation Advisory Committee at which time feedback was received from the Committee and incorporated into the draft bylaw.

Highlights of the proposed changes to the Parking Bylaw include:

1. **Offsite Parking (Section 1.5):** The proposed bylaw may allow a property owner or business to provide the required parking on a separate property provided that the offsite parking area:
 - a. is located on a lot within 50m of the subject property, as measured lot line to lot line
 - b. is protected by a restrictive covenant in favour of the City of Nanaimo, that requires the parking area to remain and ensures full compliance with the Parking Bylaw requirements. The covenant must also be signed by the owners of the subject property and off-site parking property;
 - c. is not located across from a Provincial Highway, Urban Arterial or Major Collector from the subject property;
 - d. does not contain of the the required accessible parking spaces for the subject property;
 - e. is not located on a lot zoned for residential use or used to support a residential use parking requirement

The intent of this proposed change is allow property owners and businesses with more flexibility in meeting their parking requirement both on and off-site. This is particularly beneficial where it is impractical to accommodate all of the required parking on existing smaller urban lots.

2. **Retail Trade and Services Centre Floor Area (Section 2):** The minimum floor area requirement for a retail trade and services centre has been eliminated; as such parking for any building that contains two or more commercial uses will be calculated at the retail trade and services centre/ shopping mall rate regardless of the size of

the development. This change will enable more commercial developments to supply parking based on a blended rate that better reflects a shared parking arrangement and more flexibility to enable future changes of uses.

3. **Change of Use (Section 1.6 (ii)):** The percentage in which a change use can which would otherwise result in a parking increase is exempt from the parking requirements has been increased from 10% to 20%. This allows more flexibility
4. **Parking Stall Dimensions/ Composition and Off Street Loading (Sections 4.1 and 6.1/6.3):** As part of the review process Staff retained Watt Consulting group to review the Off Street Parking stall and aisle width dimensions as well as loading bay requirements. Changes to the percentage of small car spaces permitted, large car parking dimensions and loading requirements are included as a result of the consultant's recommendations.
5. **Excess Parking (Section 5.4 (iii)):** Any at-grade parking spaces provided beyond the minimum bylaw requirement must be surfaced with permeable materials.
6. **Variable Multiple Family Parking Rate (Section 7.1):** The proposed bylaw replaces the 1.66 parking spaces per unit multiple family that currently applies to all multiple family developments outside of the downtown within the City regardless of the size of units or location. The proposed bylaw will include a table of different rates based on the location of the property and the number of bedrooms included within the development. For example, a three bedroom unit would require more parking than a one bedroom or studio apartment in the same area. It is expected residents within a three bedroom unit are more likely to own multiple vehicles than a resident within a one bedroom unit. In regards to location, the proposed bylaw will include a map identifying varying parking reductions. These areas will be based on the OCP and TMP land use designation, walkability (walk score), employment density and access to transit.
7. **Amended Parking Rates (Section 7.2):** the required parking rate has been changed for a number of uses including but not limited to the following:

Use	Current Rate (spaces)	Proposed Rate (spaces)
Shopping Centres and Retail Trade and Service Centres	4.3 per 100m ² of net floor area, where the centre has a net floor area of less than 35,000m ² but more than 500m ² 5.4 per 100m ² of net floor area where the centre has a net floor area of 35,000m ² or more	1 per 30m ² of gross floor area.
Retail store, personal service establishment, liquor store	1 per 20m ² of gross floor area	1 per 25m ² of gross floor area
Retail Warehouse	1 per 18m ² of net floor area	1 per 20m ² of net floor area
Mobile Home, Park Model Trailer	2 per unit	1 per unit

Assembly Hall, Gymnasium, Health Clubs	1 per 12m ² of gross floor area Plus 1 space for each 3 seats for bars, lounges, or restaurants (gymnasiums, health clubs only)	1 per 15m ² of gross floor area
Boarding Kennels	1 per 8.5 dog enclosures	1 per 9 dog enclosures or one per 80m ² of gross floor area where no runs, pens or cages are provided
Lumber and Building Supply	1 per 20m ² of GFA or 8 spaces whichever is greater	1 per 30m ² of net floor area- merged with Home Centre

8. **New Parking Uses (Section 7.2):** Parking use rates have been added for a number of uses including auction, student housing, rooming house, supportive housing and float homes as these uses are currently not included within the Parking Bylaw
9. **Multiple Family Rental Reduction (Section 7.3 (i)):** The proposed bylaw includes a 10% reduction in the number of required parking spaces for a purpose built rental property which is secured through a housing agreement. Staff observations, developer feedback and research has revealed that rental housing generates less parking demand than strata ownership.
10. **Shared Parking (Section 7.3 (ii)):** The proposed bylaw will allow for a reduction in the required parking where two or more uses exist on a lot and have different peak parking periods. Shared parking must be accessible and unassigned to specific users or property owners.
11. **Expand Downtown Exempt Area (Section 7.3 (iii)):** The downtown exempt area in which commercial parking is not required will be expanded so that the boundaries better align with the TMP downtown mobility hub.
12. **Mobility Scooter Parking (Section 7.3 (iv)):** Where a designated space is available for the parking and storage of mobility scooters, that space shall be included towards one of parking spaces. This change will encourage developments to include storage space for accessibility scooters.
13. **Bicycle Parking (Section 7.4):** The current Parking Bylaw does not require developments to provide parking or storage for bicycles. The proposed bylaw will add requirements for short and long term bicycle parking. Short term bicycle parking generally means outdoor parking designated for short term visitors; long term parking refers to covered and secured bicycle storage for employees or residents. The bicycle parking requirements will also include size and accessibility requirements.

Collectively the proposed bylaw changes represent a shift to more flexible parking requirements with a general trend towards requiring less parking while supporting actual (observed) parking demands. The proposed changes have been guided by the goals and objectives of the OCP and TMP and current best practices to achieve a more compact, walkable urban form that is less reliant on the automobile.

In addition to a revised parking bylaw, Staff propose to adopt guidelines (Attachment B) for the consideration of a parking variance. The guidelines will include criteria to assist Staff and Council in evaluating parking variance requests. It is anticipated that the proposed parking bylaw changes will result in fewer variance requests; however, there may be situations where a variance can be supported based on one or more of the proposed elevation criteria:

- Development rationale
- Location
- Parking Study
- Car Share (membership or vehicle purchase)

The guidelines will provide direction for where a car share vehicle or memberships are offered as rationale for a parking variance. The guidelines will also provide direction for when a parking study is required, which locational criteria is to be considered and what should be included within the applicants' rationale.

OPTIONS

1. That the Community Planning and Development Committee support, in principle, the draft Off Street Parking Regulations Bylaw generally as included in Attachment A and the draft *Guidelines For Consideration of a Parking Variance generally* as included in Attachment B.
 - **Legal Implication:** A legal review will be required by the City solicitor prior to presenting the bylaw to Council for adoption.
 - **Policy Implication:** A review of the parking standards is included as a short term goal within the OCP work plan. The proposed bylaw and guidelines implement the objectives of the OCP and TMP.
 - **Engagement Implication:** Staff have meet with frequent users (developers, architects, engineers) of the Parking Bylaw on a number of occasions. The parking bylaw review was discussed during the 2015-JUN-16 PTAC meeting. Further stakeholder engagement and a public open house are planned for prior to the bylaw and guidelines proceeding to Council for adoption.
2. That the Community Planning and Development Committee receive the report for information and direct Staff to return to a future Community Planning and Development Committee following further public engagement.

SUMMARY POINTS

- The proposed Off Street Parking Regulations Bylaw will replace the existing "DEVELOPMENT PARKING REGULATIONS BYLAW 2005 NO. 7013" which regulates required off-street parking within the City.

- The proposed bylaw changes have been guided by policy direction within the Official Community Plan and Transportation Master Plan, observed parking demand, and current best practices.
- In addition to a revised Parking Bylaw Staff is proposing to adopt guidelines for the consideration of a parking variance.

ATTACHMENTS

ATTACHMENT A Draft Off Street Parking Regulations Bylaw
ATTACHMENT B Draft *Guidelines For Consideration of a Parking Variance*

Submitted by:

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Concurrence by:

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