



Issue Summary Report

DOWNTOWN COMMERCIAL AREA PARKING

#20181010001

Meeting : Council - Corporate Priorities Committee

Meeting Date : 2018/10/16 18:00

Meeting Type : COUNCIL - CORPORATE PRIORITIES COMMITTEE

Executive Summary

Administration has prepared a presentation outlining how parking requirements were calculated for a number of significant developments within the Downtown Commercial Area over the past 10 years.

Background

Administration has prepared a presentation outlining how parking requirements were calculated for a number of significant developments within the Downtown Commercial Area over the past ten years. This information is provided for discussion, following a recent appeal to the Subdivision and Development Appeal Board of a new business development within the City's Downtown.

An analysis of how parking requirements were calculated in accordance with the Land Use Bylaw (LUB) is provided in the attached PowerPoint presentation:

- Best Western Hotel (2008)
- O2's Taphouse (2014)
- Twisted Lizard (2015)
- Grande Parlour Theatre (2016)

Additionally, the presentation includes information obtained from a survey of downtown parking that was completed in 2016 and illustrates the average parking demand per block.

It is understood that Council wants to have further discussion on a recent Subdivision and Development Appeal Board (SDAB) Hearing relating to the same building that the O2's Taphouse and Grill exists in; as it relates to the proposed Cannibas Retail Store and the required parking. For reference purposes, we've attached the SDAB decision.

Alternatives

Discussion item

Recommendation

Discussion item

Additional Information

Contributors to Report :

Kevin Nagoya, CAO

Planning and Development Department

Downtown Parking Analysis

October 2018

Downtown Parking Analysis

- In response to a recent appeal of a Development Permit to the Subdivision and Development Appeal Board, Administration will provide an overview of the parking calculations for major developments/proposed developments within the Downtown over the past 10 years:
 - Grande Parlour Theatre (2016)
 - O2's Taphouse (2014)
 - O2's Patio (2017)
 - Twisted Lizard (2015)
 - Best Western Hotel (2008)

Grande Parlour – 5110 50 Avenue (2016)



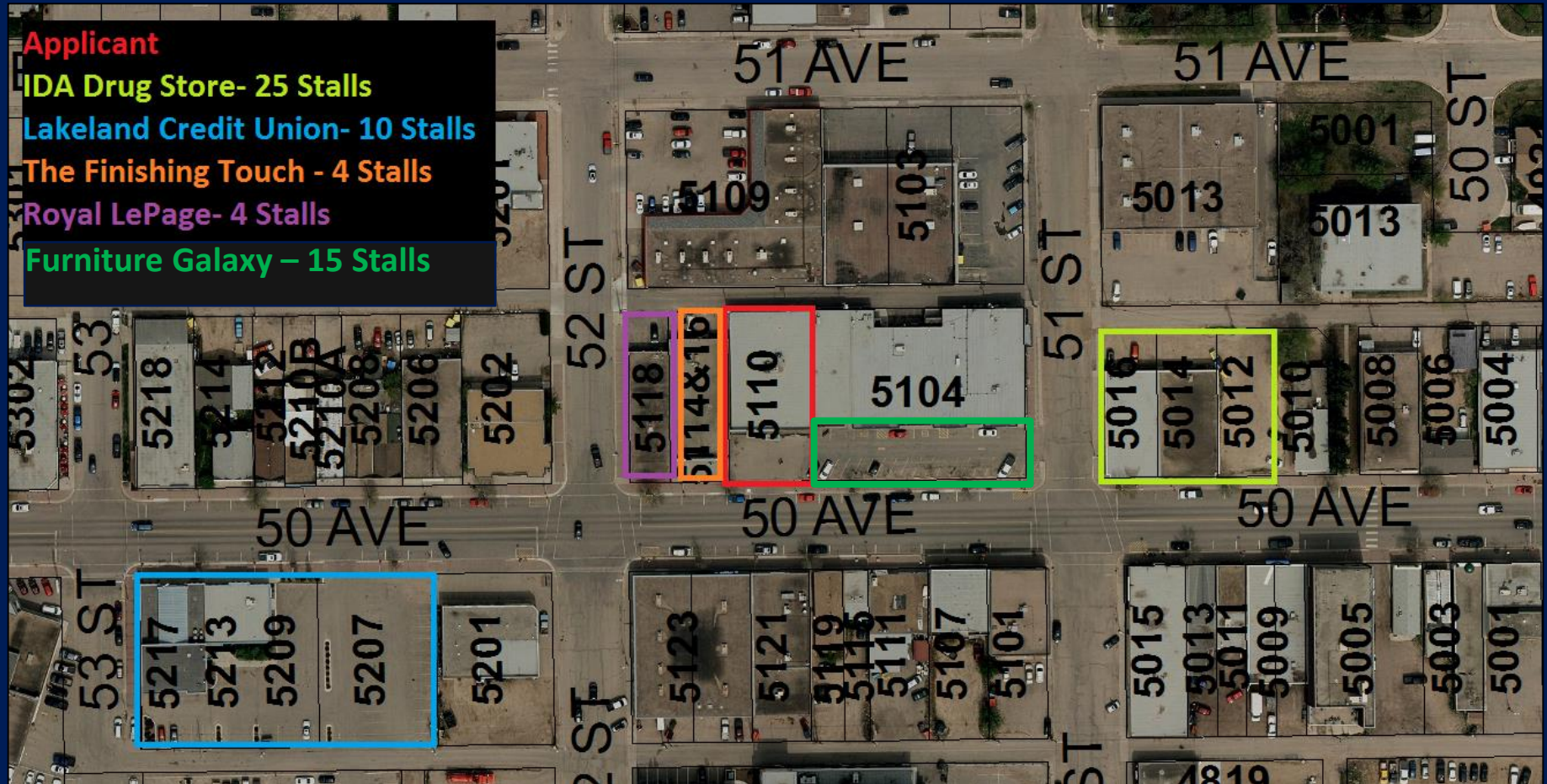
Grande Parlour (2016)

- Classified as “Spectator Entertainment” by the LUB
- Defined LUB Parking requirement for “Spectator Entertainment” is 5.3 stalls per 100m²
- Seating area is 189m²
- $189\text{m}^2 \times 5.3 \text{ Stalls} / 100\text{m}^2 = 11 \text{ parking stalls required by LUB}$
- Total parking provided is 58 stalls

Grande Parlour (2016)

- The applicant provided 5 parking stalls on-site with the remainder through shared parking agreements with other downtown businesses:
 - 25 stalls with IDA Pharmacy
 - 10 Stalls with Lakeland Credit Union
 - 4 Stalls with Northern Lights Realty
 - 4 Stalls with Finishing Touch
- Subsequent to the approval of the application by MPC, a parking agreement was reached with Furniture Galaxy for 15 additional parking stalls
- MPC approved a variance, to allow for more than 50% of the required parking (6 of 11 required stalls) to be provided through shared parking

Grande Parlour (2016) – Shared Parking



O2's Taphouse - 4817 51 Street (2014)



O2's Taphouse (2014)

- Classified as an “Eating and Drinking Establishment” by the LUB
- Defined LUB Parking requirement for an “Eating and Drinking Establishment” is 1 stall per 4 seats
- 160 seats shown on floor plan
- $160 \text{ seats} / 4 = 40$ parking stalls required by LUB
- Total parking provided is 47 stalls which exceeds the minimum LUB parking requirement

O2's Taphouse (2014)

- 28 parking stalls were provided on site (new paved parking lot at rear of building)
- 11 stalls provided through a shared parking agreement with an adjacent office (up to 50% of required parking can be provided by shared parking in accordance with LUB Section 10.8(1)(a))
- 8 on-street parking stalls credited in accordance with LUB Section 10.9(1)(a):

10.9(1)(a) "The Development Authority may give credit for on street parking provided such on street parking stalls about the development and provided that the use of said stalls have not been pre-empted by a fire hydrant, yellow-curb line, loading zone, entrance or some obstruction which prevents the use of said stalls for public parking."

O2's Taphouse (2014)



O2's Taphouse Patio (2017)

- In 2017, O2's applied to add a rooftop patio to their establishment
- The patio would only be used seasonally
- The permit was approved on the basis that, during times when the patio was open to customers, that an equivalent number of seats indoors would need to be closed, therefore, there was no change in capacity
- As a condition of the permit, the total seating available to customers may not exceed the original 160 seats at any time

O2's Taphouse Patio (2017)



PLANNING AND DEVELOPMENT

Development Permit

Application No.: 217144

Roll No.: 4000017029

Development Address: 101, 4817 51 Street

Legal: Lot: 9, 10 Block: 1 Plan: 2925ET

Applicant: Value Master Builder
#1001, 5101 46 Avenue
Cold Lake, AB T9M 0C8

Owner: Cold Lake Properties Ltd.
201, 11806 126 Street
Edmonton, AB T5L 0V9

Description of Proposed Development:

CHANGE OF INTENSITY: EATING AND DRINKING ESTABLISHMENT

Issuance of this permit approved by the Development Authority subject to the following condition(s):

1. Meeting all other requirements of the Land Use Bylaw 382-LU-10 as amended.
2. Meeting the requirements of the Current Alberta Building Code and Safety Codes Act.
3. Meeting all other requirements of the City of Cold Lake Engineering Standards.
4. Meeting the requirements of other legislation.
5. All on-site parking stalls must be demarcated according to the Land Use Bylaw 382-LU-10 Section 10.4 (3). Please demarcate according to approved site plan from Development Permit No. 214332.
6. Please place a sign (O2's Customer Parking) at the rear of the property.



PLANNING AND DEVELOPMENT

Application No.: 217144

Roll No.: 4000017029

Development Address: 101, 4817 51 Street

Legal: Lot: 9, 10 Block: 1 Plan: 2925ET

7. Development Permit No. 214332 approved 160 seats at the Eating and Drinking Establishment. At no time shall the total number of seats open to customers exceed 160 seats.

Note:

- Any renovations will require separate Building, Plumbing, Gas or Electrical Permits.

THIS IS NOT A BUILDING PERMIT

DO NOT BEGIN CONSTRUCTION PRIOR TO THE ISSUANCE OF A
BUILDING PERMIT


Megan Watt
Development Officer
City of Cold Lake

September 21, 2017
Effective Date

You are hereby advised that you have the right to appeal these conditions to the Subdivision and Development Appeal Board. If you wish to exercise this right, then written notice of appeal explaining your reasons for appealing the conditions together with the applicable appeal fee of **\$250.00**, must be received by the Secretary of the Subdivision and Development Appeal Board, 5513-48th Avenue, Cold Lake, AB T9M 1A1, within **fourteen (14) days of issuance date of this permit**.

Twisted Lizard - 5007 50 Avenue (2015)



Twisted Lizard (2015)

- At the time of this application, the LUB did not specify regulations for Adult Entertainment, therefore the application was classified as a “Nightclub” in accordance with LUB Section 1.8(2)(b):

1.8(2)(b) “where a specific use does not conform to the wording of any use class definition or generally conform to the wording of two or more use class definitions, the use conforms to and is included in that use class which is most appropriate in character and purpose at the discretion of the Development Authority.”

Twisted Lizard (2015)

- The LUB does not list a specific parking requirement for “Nightclubs”
- In Accordance with LUB Section 10.5(3), where a specific parking requirement is not listed, the Development Authority determines the parking requirement based on the most similar use

10.5(3) “Parking stall requirements for uses other than those set out in this Section shall be determined by the Development Authority, having regard to similar uses for which specific parking stall requirements are set”

Twisted Lizard (2015)

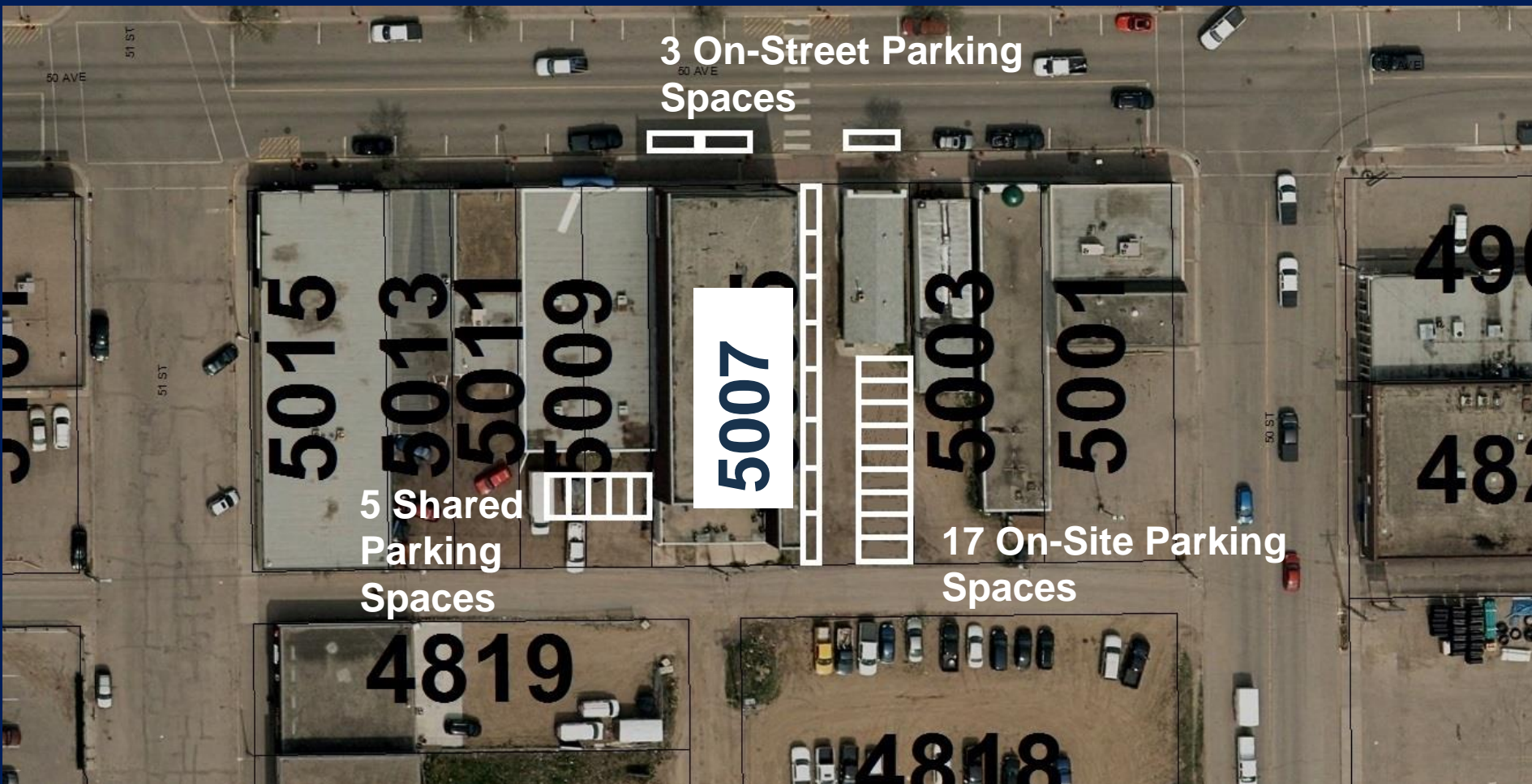
- Administration applied the parking requirement for an “Eating and Drinking Establishment” as the most similar use for which the LUB specifies a parking requirement
- Defined LUB Parking requirement for an “Eating and Drinking Establishment” is 1 stall per 4 seats
- 46 seats were indicated on the floor plan
- $46 \text{ seats} / 4 = 11.5$, rounded up to 12 parking stalls required by the LUB

Twisted Lizard (2015)

A total of 25 parking stalls were provided which exceeded the minimum LUB parking requirement:

- 17 parking stalls were located within 5007 50 Avenue
- 5 parking stalls located behind 5009 50 Avenue (through a shared parking agreement)
- 3 on-street parking stalls located in front of 5007 50 avenue were credited in accordance with LUB Section 10.9(1)(a)

Twisted Lizard (2015)



Twisted Lizard (2015)

- There were other existing uses (Dance School, Hostel) located at 5007 50 Street
- Administration determined that the peak hours of operation of the Twisted Lizard (10pm-3am) did not overlap with the Dance School which closed between 8:30pm and 9:30pm, therefore there would not be an overlap in demand for parking
- Information in the property file appeared to indicate that the Hostel was exempted from providing parking at the time of it's approval (1997)

Twisted Lizard (2015)

- Based on Administration's findings, it was determined that there would be little or no overlap in parking demand between the Twisted Lizard and the other uses in the building
- The Subdivision and Development Appeal Board (SDAB) subsequently overturned Administration's decision and denied the Development Permit, in part, due to concerns regarding parking

Twisted Lizard (2015)

- Excerpt from SDAB decision referencing parking:
- *“There is a lack of parking regulation surrounding the use of a “night Club” in the City of Cold Lake’s Land Use Bylaw No. 382-LU-10. Simply, applying the parking regulations from the “Eating and Drinking Establishment” has inherent issues recognizing that a significant part of the “nightclub” will have a dance floor, standing room and other uses. The full impacts of the proposed development on parking cannot be fully evaluated and will most likely materially affect the use and enjoyment of the neighbouring parcels of land. This is compounded with the fact that the second (2nd) floor residential use of the facility was not considered in the parking requirements. These temporary shelters will have actual influence on the impacts to parking. Furthermore, the third (3rd) floor of the facility does not conform to the parking regulations as is. Although there is limited overlap with other businesses in the immediate area; there is overlap none the less. Simply, ignoring the parking requirements of the entire facility is an unreasonable approach to evaluating the development requirements.”*

Best Western Hotel - 4815 52 Street (2008)



Best Western Hotel (2008)

- Based on the requirements of the Land Use Bylaw, the Best Western required 233 parking stalls:
 - 136 Room Hotel/Motel (1 stall per guest room) = 136 Stalls
 - 32 Hotel Staff (1 stall per 3 Staff) = 11 Stalls
 - 70 Seat Restaurant (1 stall per 4 seats) = 18 Stalls
 - 80 seat Lounge (1 stall per 4 seats) = 20 Stalls
 - 150 Seat Banquet Room (1 stall per 4 seats) = 38 Stalls
 - 198 m² Liquor Store (2.5 Stalls per 100 m²) = 5 Stalls
 - 225 m² Office Lease Space (2 stalls per 100 m²) = 5 Stalls
- LUB Section 10.5(2) states that where a development falls into multiple use categories, it must comply with the parking requirements applicable to all of the categories.

Best Western Hotel (2008)

- MPC approved the application with 145 parking stalls
- This was a reduction of 88 parking stalls (a 38% variance to the LUB minimum parking requirements)
- Subsequent adjustments to the site/building plans resulted in an actual reduction of 92 stalls.
- The final parking allocation for the development was 142 stalls

Best Western Hotel (2008)

- 112 parking stalls were provided on-site
- 30 stalls located across the street at 4916 52 Street (subject to an agreement that these stalls be reserved for the exclusive use of the hotel development)

Best Western Hotel (2008)

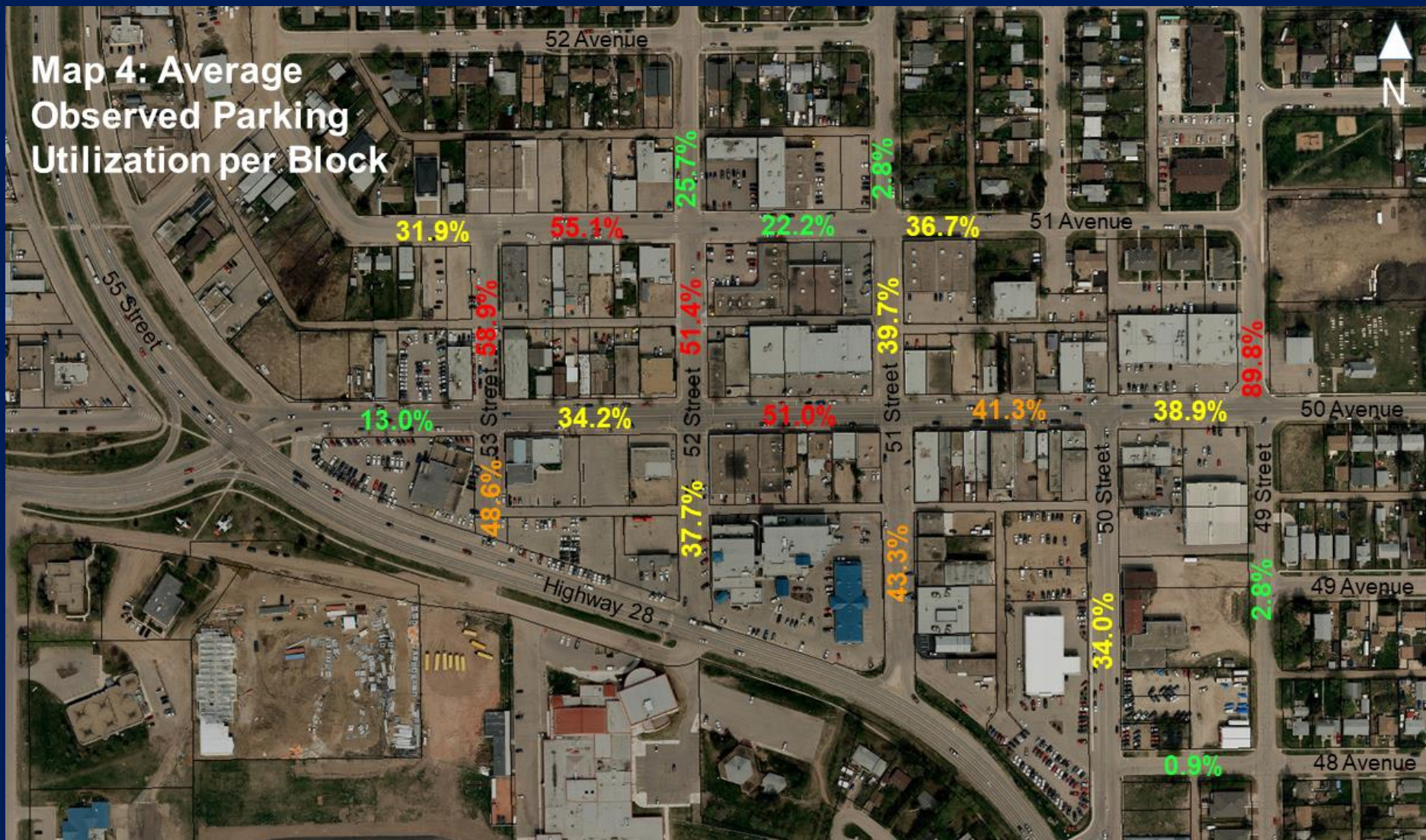


Downtown Parking Survey (2016)

- During the Summer and Fall of 2016, Administration conducted a survey of downtown parking demand
- The Survey indicated that the average parking demand in the busiest areas does not exceed 60% of the available on-street parking, with many blocks illustrating a substantially lower parking demand

Downtown Parking Survey (2016)

Map 4: Average
Observed Parking
Utilization per Block



Moving Forward

Options to Consider

- To facilitate discussion, Administration has identified a number of options that could be explored further to address parking within the downtown area:
 - Eliminate Parking Requirements;
 - Increased Use of Cash-In-Lieu;
 - Downtown Parking Overlay;
 - Enhanced Enforcement of Existing 2-hour time limits

Eliminate Parking Requirements

- Administration has noted only one municipality (Town of Stony Plain) that has eliminated parking requirements for new commercial developments within the downtown
- Advantages:
 - Easy to facilitate new developments
- Disadvantages:
 - Potential to impact other businesses
 - Increased pressure on on-street parking
 - Shifts responsibility to provide parking from the developer to the City

Increased Use of Cash-In-Lieu Provision

- The LUB Section 10.9(1)(b) contains a provision wherein the City could accept payment of cash-in-lieu of providing parking, with the funds collected used to provide parking elsewhere in the area
- This provision has seen limited use, as there is limited opportunity for the City to acquire land for parking
- Parking provided under cash-in-lieu also needs to be within a reasonable proximity to the development, otherwise, customers will not use it
- The City would need to establish a rate for cash-in-lieu, inclusive of land and construction costs to ensure consistent application

Increased Use of Cash-In-Lieu Provision

- Advantages:
 - May make some developments within the downtown viable that would not be otherwise
- Disadvantages:
 - Limited opportunity for the City to purchase lands for parking
 - Proximity of provided parking to the development which provided cash-in-lieu
 - Shifts responsibility to provide parking from the developer to the City
 - Time lapse between payment of funds and construction of parking
 - Necessity to track funds received

Downtown Parking Overlay

- An overlay is a land use tool used by a number of municipalities to provide variation to land use regulations for a particular area, as defined on a map
- An overlay could be used to specify a reduction in required parking for the downtown area by a specified amount (ie. Parking requirements within the overlay area are reduced by 30%)

Downtown Parking Overlay

- Advantages:
 - May make some developments within the downtown viable that would not be otherwise
 - Easy to administer through the permitting process
- Disadvantages:
 - Potential to impact other businesses
 - May be perceived as an unfair advantage by businesses located outside the overlay area

Enhanced Enforcement of 2-Hour Time Limit

- Much of the downtown area is currently covered by a 2-hour time limit to encourage turn-over and discourage long-term parking
- Despite the time limit, Administration has observed vehicles that appear to remain parked all day
- Enhanced Enforcement of the time limit could increase the available on-street parking by discouraging long-term parkers

Enhanced Enforcement of 2-Hour Time Limit

- Advantages:
 - Could provide immediate improvement in availability of on-street parking
 - Enforcement could be phased in with warning tickets given initially to educate drivers
 - Funds collected through fines could be dedicated to parking enhancements (similar to automated traffic enforcement)
 - Discourages downtown employees from using street parking
- Disadvantages:
 - Perception of being a revenue initiative
 - Staff time required to patrol regularly

QUESTIONS?

PART 10 PARKING AND LOADING FACILITIES

10.1 GENERAL PARKING AND LOADING REGULATIONS

- (1) The requirements on this Part shall apply to all parking and loading facilities required by this Bylaw.
 - (a) Notwithstanding the requirements of this Part, specific rules contained in any land use district shall govern the parking and loading requirements for that district.
- (2) If vehicles entering onto public roadways may exceed 9.00 metres in length the applicant may be required to provide evidence, in the form of diagrams that appropriate entrance geometrics have been incorporated, to the satisfaction of the Development Authority.
- (3) For the construction of a new building, the enlargement, or change of use of an existing building, which generates the need for new or additional parking or loading spaces, the owner of the building shall provide the required parking or loading spaces in a finished condition as required in this Bylaw, prior to the completion of development or first occupancy of the building, whichever is sooner.
- (4) In the event seasonal conditions prohibit the completion of lot surfacing, the lot shall be compacted and maintained in a manner to allow access by emergency vehicles, and all hard surfacing shall be completed within 1 year.
- (5) The applicant may be required to provide an irrevocable Letter of Credit or other form of security acceptable to the Development Authority to guarantee completion of the lot surfacing.
- (6) Parking areas which are intended for public use shall only be used for the temporary parking of motor vehicles and shall not be used for extended storage of motor vehicles.
- (7) Where the Development Authority finds that the use of a parking area is not in accordance with this Bylaw, the Development Authority may, by written notice of contravention, and/or written stop order notice, notify or order the registered owner, the person in possession of the parking area or the person responsible for the contravention or all, or any of them to:
 - (a) stop the use of the parking area in whole or in part as directed by the notice; or
 - (b) take such other measures as are specified in the notice so that the use of the parking area is in accordance with the Development Permit or this Bylaw as the case may be, within the time specified by the notice.
- (8) Notwithstanding the provisions of Section 10.1, all provisions of Section 5.3 are applicable at the discretion of the Development Authority.
- (9) Parking areas and loading spaces shall be designed and located so as to minimize any disruption to the continuity of the pedestrian system and adjacent public roadways.
- (10) To facilitate the determination of parking and loading requirements, a parking and loading assessment prepared to a professional standard acceptable to the Development Authority, may be required to document the parking and loading demand and supply characteristics associated with the proposed development.

- (a) The Development Authority shall not be bound by any recommendations of such a parking or loading assessment, but may consider such recommendations in exercising discretion to allow a reduction of the minimum number of spaces specified in this Bylaw.
- (11) The Development Authority may refuse to grant a development permit to an applicant not fully complying with parking or loading requirements.

10.2 RESIDENTIAL USES

- (1) All residential parking stalls and loading spaces required by this Bylaw shall be located on the same site as the use requiring them.
 - (a) Surface parking areas for apartments are subject to setback and yard requirements of the districts where they are located.
- (2) The parking or loading stalls required for all residential uses shall be hard surfaced as defined in this Bylaw, as per the City of Cold Lake Municipal Engineering Standards, or as otherwise provided in a Development Agreement.
- (3) Parking or loading spaces for an apartment building shall not be located in the front yard of a site or between the front of a building and the boundary of the street on which the building faces unless otherwise approved by the Development Authority.

10.3 NON-RESIDENTIAL USES

- (1) The parking or loading stalls required for all non-residential uses shall be hard surfaced as defined in this Bylaw as per the City of Cold Lake Municipal Engineering Standards.
- (2) The location of on-site parking or loading spaces on a school site shall be to the satisfaction of the Development Authority.
- (3) Non-residential parking or loading spaces shall not be located in the front yard of a site or between the front of a building and the boundary of the street on which the building faces, unless otherwise approved by the Development Authority.
- (4) If a non-residential parking or loading area is located on a site immediately adjacent to a Residential District, the parking or loading area shall be designed as required by Section 10.2.

10.4 PARKING REQUIREMENTS

- (1) This Section is subject to Section 10.1, Section 10.2 and Section 10.3.
- (2) All parking spaces, loading spaces, manoeuvring aisles and driveways shall be surfaced and maintained to the satisfaction of the Development Authority.
- (3) All parking spaces, loading spaces, manoeuvring aisles and driveways shall be demarcated to the satisfaction of the Development Authority.

Appendix 2 for I.20181010001: Land Use Bylaw Parking Requirements

- (4) The parking or loading layout of all developments shall be designed, located and constructed to meet the following standards to the satisfaction of the Development Authority:
- (a) each parking aisle may have a curbed island at each end, measuring a minimum of 1.00 metre in width;
 - (b) In accordance with the City of Cold Lake Municipal Engineering Standards, any industrial or commercial parking lot containing more than 100 parking spaces and in which a parking space intended for visitor or customer use is further than 50 metres from the entrance to any destination building on the site, shall be oriented to ensure safe and efficient pedestrian traffic flow, and incorporated into any adjoining trail system;
 - (c) lot design shall provide for adequate stacking and queuing lanes for vehicles to ensure that traffic flow both on-site and on public roads is not adversely affected in any way;
 - (d) the parking or loading area must be accessible to and appropriate for :
 - (i) vehicles using it and the frequency of use; and
 - (ii) the parking or loading area must be appropriately surfaced and drained as required by the Development Authority.
- (5) Size of Parking Stalls and Drive Aisles:
- (a) parking angles may have a value of 90 degrees or range from 90 degrees to 45 degrees;
 - (b) unless otherwise allowed by the Development Authority, the minimum dimensions for the design of parking facilities shall be as set out in Figure 10.4-1: Illustration of Parking Standard Dimensions and Table 10.4-1: Minimum Parking Standards.

Figure 10.4-1: Illustration of Parking Standard Dimensions

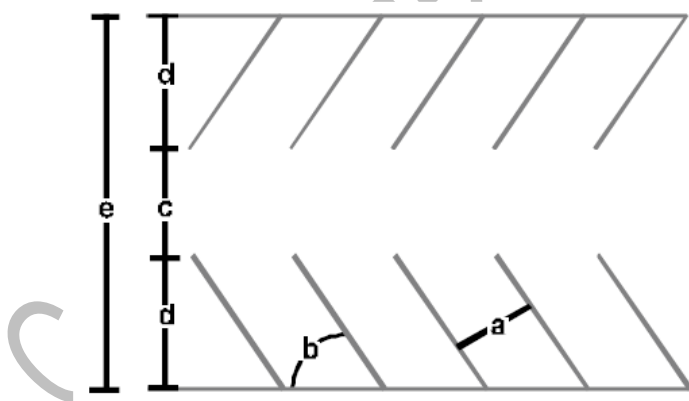


Table 10.4-1: Minimum Parking Standards

Stall Width (a)	Parking Angle(in Degrees) (b)	Aisle Width (c)	Stall Depth Perpendicular to Aisle (d)	Parking Unit Depth (e)
2.60	0	3.20	5.50	8.4
2.60	45	2.60	5.20	13.00
2.60	90	5.20	4.90	15.00

- (c) parking dimensions for parking angles between 90 degrees and 45 degrees shall be calculated using a straight-line interpolation between dimensions;
 - (d) for parallel parking, the length of the parking spaces shall be 5.50 metres;
 - (e) manoeuvring aisles and driveways serving as fire lanes shall be at least 6.00 metres wide;
 - (f) parking stalls shall be clear of all obstructions, other than wheel stops; and,
 - (g) the maximum grade of a parking stall shall not exceed 4% in any direction.
- (6) The portion or portions of a parking lot used for parking must:
- (a) be marked off or physically divided to delineate clearly each parking stall, loading space or drive aisle; and,
 - (b) have suitable barriers to prevent motor vehicles from encroaching onto landscaped areas and to protect fences, walls or buildings.
- (7) Wheel stops shall not exceed 0.10 metre in height above the parking stall surface and shall be placed perpendicular to the parking stall depth, 0.60 metre from the front of the parking stall.

10.5 NUMBER OF VEHICLE PARKING STALLS REQUIRED

- (1) Where the calculation of the required number of parking stalls or loading spaces results in a fraction number of parking spaces, the next higher number shall be taken.
- (2) Where a development falls within two or more of the categories listed in this Section, it shall comply with all parking regulations applicable to all of the categories.
 - (a) The highest requirement shall be used.
- (3) Parking stall requirements for uses other than those set out in this Section shall be determined by the Development Authority, having regard to similar uses for which specific parking stall requirements are set.
- (4) Unless otherwise allowed by the Development Authority, the required number of vehicle parking stalls for any use shall be as set forth in the following tables (where Gross Floor Area = GFA and Dwelling Unit = du):

Table 10.5-1 Parking Requirements for Accommodation Establishments and Eating and Drinking Establishments

LAND USE	MINIMUM PARKING REQUIREMENT
Hotel/Motel/Bed and Breakfast	1 stall per bedroom sleeping unit (including suite) and 1 stall per 3 employees
Eating and Drinking Establishment	1 stall per 4 seats

Table 10.5-2 Parking Requirements for Businesses

LAND USE	MINIMUM PARKING REQUIREMENT
Adult Entertainment Establishment	5.3 stalls 100 m ² + minimum of 3 staff stalls
Adult Retail Establishment	2.5 Stalls per 100m ² of GFA, with a minimum of 2.0 stalls per store
Greenhouse and Plant Nursery	3 stalls per 100m ² GFA plus a minimum of 2 staff parking stalls
Kennel	2 stalls plus a minimum of 1 staff parking stall
Automotive and Recreation Vehicle Sales and Rental	2 stalls per 100 m ² GFA designated for customer parking plus a minimum of 3 stalls for staff parking
Professional and Financial Services	2 stalls per 100 m ² GFA
Automotive and Equipment Repair	2 stalls per 100 m ² GFA
Industrial Vehicle and Equipment	0.5 stall per staff plus a minimum of 5 stalls for visitor parking
Personal Service Facility	2 stalls per 100 m ² GFA
Warehousing and Storage (except self-storage)	1.1 stalls per 100 m ² GFA up to 2000 m ² GFA and 0.2 stalls per 100 m ² GFA thereafter
Self-Storage	Minimum of 6 stalls for customers plus 2 staff stalls

Table 10.5-3 Parking Requirements for Education Services

LAND USE	MINIMUM PARKING REQUIREMENT
Elementary/Junior High Schools	1.0 stall per staff
Senior High School	0.5 stall per student and 1.0 stall per staff
College/University	0.4 stalls per student plus 1.0 stall/staff
Commercial School	0.7 stalls per student plus 1.0 stall/ staff

Table 10.5-4 Parking Requirements for Government Services

LAND USE	MINIMUM PARKING REQUIREMENT
Public Buildings and Services	4.1 stalls per 100 m ² GFA

Table 10.5-5 Parking Requirements for Health Services

LAND USE	MINIMUM PARKING REQUIREMENT
Child Care Facility	1 stall per staff on duty plus 0.2 stall per child
Health Service	1.1 stalls per 100 m ² GFA
Hospital	1 stall per bed
Supportive Living Accommodation	0.2 stall per bed plus 0.8 stall per staff
Veterinarian	4 stalls per 100 m ² GFA

Table 10.5-6 Parking Requirements for Residential Developments

LAND USE	MINIMUM PARKING REQUIREMENT
Single Detached Dwelling / Semi-Detached Dwelling/Duplex/Row house	2 stalls per du
Apartment – Bachelor / 1 Bedroom	1 stall per du plus 0.15 stalls per du designated as visitor parking
Apartment - 2 Bedroom	1.5 stalls per du plus 0.15 stalls per du designated as visitor parking
Apartment - 3 or more Bedroom	2 stalls per du plus 0.15 stalls per du designated as visitor parking
Secondary Suite	1 stall per suite
Secondary Suite – 3 or more Bedroom	2 stalls per suite <i>Amended on April 9, 2013, by Bylaw #474-LU-13.</i>
Manufactured Home Subdivision	2 stalls per du plus 0.15 stalls per du designated as visitor parking

Table 10.5-7 Parking Requirements for Social/Recreational Services

LAND USE	MINIMUM PARKING REQUIREMENT
Adult Entertainment Establishment	5.3 Stalls per 100m ² + minimum of 3 staff stalls <i>Amended June 23, 2015 by Bylaw #559-LU-15.</i>
Participant Recreation Facility, Indoor	10 stalls per 100 m ² GFA
Casino	30 stalls per 100 m ²
Religious Assembly	5.0 stalls per 100 m ² of assembly area
Spectator Entertainment	5.3 stalls per 100 m ²

Table 10.5-8 Parking Requirements for Retail Business

LAND USE	MINIMUM PARKING REQUIREMENT
Adult Retail Establishment	2.5 stalls per 100 m ² GFA, with a minimum 2.0 stalls per store <i>Amended June 23, 2015 by Bylaw #559-LU-15.</i>
Gas Bar / Service Station	2.2 stalls per 100 m ² per GFA plus 1.0 stall per staff on duty
Convenience Retail / Retail Store	2.5 stalls per 100 m ² GFA, with a minimum 2.0 stalls per store
Shopping Mall	4.1 stalls per 100 m ² GFA

- (5) Where two adjacent developments can demonstrate to the satisfaction of the Development Authority that opportunities to share parking facilities exist, the Development Authority may consider an appropriate relaxation of the number of vehicle parking stalls subject to Section 10.8.

10.6 ON-SITE LOADING REQUIREMENTS

- (1) This Section is subject to Section 10.1, Section 10.2 and Section 10.3.
- (2) A loading space shall be designed and located so that all vehicles using that space can be parked and manoeuvred entirely within the bounds of the site without backing to or from adjacent streets.
- (3) A loading space situated within a setback distance from a street or lane shall not be counted for the purposes of this Section.
- (4) A loading space shall be a minimum width of 3.00 metres and a minimum depth of 9.00 metres and maintain a minimum overhead clearance of 4.30 metres.

- (5) The Development Authority, having regard to the types of vehicles that are likely to use the loading space, may change minimum loading space dimensions.
- (6) For apartment buildings or multi-attached dwellings with more than twenty (20) units, adequate loading space shall be provided to the satisfaction of the Development Authority.
- (7) Loading space requirements for uses other than those set out in this Section shall be determined by the Development Authority, having regard to similar uses for which specific loading facility requirements are set.
- (8) Unless otherwise allowed by the Development Authority, the required on-site loading space for any use shall be as follows:

Table 10.6-1 Required Number of Loading Spaces:

USE OF BUILDING OR SITE	NUMBER OF LOADING SPACES
Eating and Drinking Establishment	1 space per 9000 m ² of GFA
Funeral Services	1 space per 9000 m ² of GFA
Health Service	1 space per 9000 m ² of GFA
Hotel	1 space per 9000 m ² of GFA
Light Industrial	1 space per 2000 m ² of GFA
Office Buildings	1 space per 9000 m ² of GFA
Public Building	1 space per 9000 m ² of GFA
Retail and Wholesale Sales	1 space per 9000 m ² of GFA
Spectator Entertainment	1 space per 9000 m ² of GFA
Warehousing and Storage	1 space per 2000 m ² of GFA

10.7 MULTI-USE OR MIXED USE DEVELOPMENTS

- (1) Developments containing or providing for more than one use shall provide parking stalls and loading spaces equal to the sum of the requirements of individual uses, unless the applicant can otherwise demonstrate to the Development Authority through the use of a qualified Transportation Engineer that there is a complementary or overlapping use of the parking facilities which would warrant a reduction in the parking requirements.
- (2) Parking and loading spaces for a shopping mall shall not be calculated on the basis of individual use within the mall, but rather the shopping mall parking space requirement shall determine the required number of spaces.

10.8 COMBINED OR SHARED PARKING

- (1) The Development Authority may allow two or more developments to share parking spaces.
 - (a) Up to 50% of the required parking may be combined or shared parking.
- (2) Permission to share parking spaces may only be granted by the Development Authority in the following circumstances:
 - (a) the developments are in close proximity to each other and within 100.00 metres of the site on which the parking spaces are located;
 - (b) the demand for parking spaces for each development is not likely to occur at the same time;
 - (c) the Development Authority is satisfied that the arrangement between the owners of the developments for the sharing of parking spaces is to be permanent unless an alternative permanent arrangement is made that is satisfactory to the Development Authority; and,
 - (d) an agreement acceptable to the Development Authority is provided.

10.9 PARKING EXCEPTIONS IN THE DOWNTOWN COMMERCIAL (C1) AND LAKESHORE COMMERCIAL (LC) DISTRICTS

- (1) In order to promote a pedestrian friendly environment within the Downtown Commercial (C1) and Lakeshore Commercial (LC) Districts and to encourage higher density mixed-use developments, the following shall apply:
 - (a) The Development Authority may give credit for on-street parking providing such on-street parking stalls about the development and provided that the use of said stalls have not been pre-empted by a fire hydrant, yellow-curb line, loading zone, entrance or some obstruction which prevents the use of the said stalls for public parking;
 - (b) If deemed acceptable, the Development Authority may:
 - (i) Accept payment-in-lieu of the number of off-street parking spaces deficient for a new development, expansion of an existing use or change of use of a building, which payment amount shall be based upon the amount of money Council deems reasonable (taking into consideration the current market value of land and the current construction costs) in return for the equivalent parking space to be provided by the City elsewhere in the District in which the development is proposed; or
 - (c) Notwithstanding the provisions of 1(a) and (b) above, the Development Authority may allow a reduction in off-street parking spaces required for a development if, in the opinion of the Development Authority, the proposal would not create an unacceptable demand for on-street parking and would not interfere with highway safety.

10.10 VEHICULAR-ORIENTED USES

- (1) Vehicle-oriented uses may include drive-through food and bank services, gas bars, services stations, drive-through vehicular services and other developments providing drive-in services in which patrons generally remain inside their vehicles.
- (2) Vehicle-oriented uses shall be located only where the Development Authority is satisfied that the development will not adversely affect the functioning of surrounding public roadways.
- (3) The minimum site width shall be as established in the District.
- (4) Queuing space shall be provided as follows:
 - (a) for drive-through food services, and other development having a service window, a minimum of six inbound queuing spaces shall be provided for vehicles approaching the service window; or,
 - (b) for drive-through vehicle services, a minimum of five inbound queuing spaces shall be provided for each service bay; and,
 - (c) queuing lanes shall provide sufficient space for turning and manoeuvring, and be maintained by the registered owner or lessee.

10.11 PARKING SPACES AND LOADING ZONES FOR VEHICLES USED BY PHYSICALLY DISABLED PERSONS

- (1) Parking spaces for physically disabled persons shall be located as close as possible to ramps, walkways, and building entrances.
- (2) Parking shall be arranged in such a way that users of wheelchairs are not required passing behind parked cars.
- (3) For conditions requiring more than two parking spaces for vehicles used by physically disabled persons, no more than two stalls shall be placed adjacent to each other. If there are several accessible building entrances, a stall shall be located near each entrance.
- (4) The design of parking spaces and loading zones for vehicles used by Physically Disabled Persons shall conform to the requirements of the Alberta Building Code.
- (5) Required number of parking spaces and loading zones for vehicles used by physically disabled persons for any use shall be as follows:
 - (a) parking for vehicles used by physically disabled persons shall be included as part of and not in addition to, the applicable minimum parking requirement;
 - (b) the number of parking stalls for vehicles used by Physically Disabled Persons shall conform to the requirements of the Alberta Building Code.

10.12 NUMBER OF BICYCLE PARKING STALLS REQUIRED

- (1) Unless otherwise required by the Development Authority, the required number of bicycle parking stalls for any use may be as set by the Development Authority.
- (2) Location of Bicycle Stalls:
 - (a) bicycle parking area shall be wholly provided on the same site as the building;
 - (b) bicycle parking area shall be separated from vehicle parking;
 - (c) bicycle parking area may be designed so that bicycles may be securely locked to the rack, railing or other similar device.

Downtown Commercial Area – Air Photo





City of *Cold Lake*

RECORD OF PROCEEDINGS OF THE SUBDIVISION & DEVELOPMENT APPEAL BOARD

IN THE MATTER OF THE "Municipal Government Act" being Chapter M-26 of the Revised Statutes of Alberta 2000.

AND IN THE MATTER OF AN APPEAL against the decision of the Development Officer on the Development Permit (Application No. 218080) for the change of use from vacant to cannabis retail store located at #103, 4817 51 Street within the City of Cold Lake (Plan 2425ET Block 1 Lot 9 & 10).

AND IN THE MATTER OF a Subdivision & Development Appeal Board (SDAB) Hearing held on Thursday, September 13, 2018 at 4:00 P.M. in City Hall Council Chambers located at 5513-48th Avenue within the City of Cold Lake to consider and determine certain preliminary matters and procedures.

BETWEEN

1710638 Alberta Ltd.

and

City of Cold Lake

BEFORE

Rob Brassard, Member (absent)
Barry Baumgardner, Member
Gary Bartman, Member (Chairperson)
Code Clements, Member
Thomas Curry, Member (absent)

ALSO PRESENT

Kristy Isert, Board Secretary
Stephanie Harris, Recording Secretary

OTHERS PRESENT

Alex Wang, Development Officer

CALL TO ORDER

The Board Secretary called the meeting to order at this time being 4:01 p.m. and welcomed those in attendance to the hearing.

INTRODUCTIONS

Board Members, Board Secretary, and Recording Secretary introduced themselves.

PURPOSE OF SUBDIVISION & DEVELOPMENT APPEAL BOARD

The Chairperson advised of the purpose of the SDAB.

CONFLICT OF INTEREST

The Chairperson asked the Board if any Member had a conflict of interest in hearing the appeal.

No Board Members expressed a conflict of interest.

OBJECTIONS TO ANY BOARD MEMBER

The Chairperson asked the Appellant if he had any objection to any of the Board Members hearing the appeal.

The Appellant stated that he had no objections to any Board Members hearing the appeal.

APPEAL OVERVIEW

At this time, the Chairperson asked the Secretary to summarize the appeal. The Board Secretary outlined the reason for the SDAB Hearing as follows: The Subdivision & Development Appeal Board has received an appeal of the decision of the Development Officer on the Development Permit (Application No. 218080) for the change of use from vacant to cannabis retail store located at #103, 4817 51 Street within the City of Cold Lake (Plan 2425ET Block 1 Lot 9 & 10).

The Chairperson confirmed with the Board Secretary that notices had been given out within the designated time frame (mailed on August 31, 2018).

The Chairperson asked the Board Secretary if any other written submissions were received in response to the notices. The Board Secretary advised that there were no written submissions received in response to the "Notice of Hearing".

As this time, the Chairperson asked that all questions/statements be directed through the Chairperson and that names be clearly stated for the record.

SDAB HEARING OPEN

The Chairperson declared the SDAB Hearing open at this time being 4:05 p.m.

DEVELOPMENT OFFICERS' STATEMENT AND PRESENTATION

Development Officer Wang provided a PowerPoint presentation highlighting the following:

- The applicant had applied for a development permit for a Change of Use to allow for the development of a Cannabis Retail Store in a vacant commercial space located at 4817 51 Street.
- A Change of Use is required whenever the occupancy of a building or commercial space changes from one use, as defined in the Land Use Bylaw (LUB), to another:

"CHANGE OF USE means a change in the use to which land, structure or building has been lawfully put from one use class as defined in this bylaw to another use class; or the introduction of additional uses beyond those existing uses to which land, structure or building has already been lawfully put."

- The space where the Cannabis Retail Store is proposed has been vacant since 2014, therefore a Development Permit for a Change of Use is required before the space can be used for any commercial purposes.
- The proposed use is for a "Cannabis Retail Store" as defined by the LUB:

"CANNABIS RETAIL STORE means a development used for the retail sale of cannabis authorized by provincial or federal legislation. This use includes the sale of Cannabis-related accessories but does not include the sale of liquor, tobacco or pharmaceuticals. This use does not include Cannabis Production Facility, Retail Store, or Medical Cannabis Dispensary."
- The property is currently zoned C1-Downtown Commercial. "Cannabis Retail Store" is listed as a Discretionary use in the C1 zoning district.
- The City's LUB was amended in early 2018 to incorporate requirements for Cannabis-related businesses.
- The sale of cannabis is regulated through the Alberta Liquor and Gaming Commission (AGLC).
- The majority of the amendments to the LUB are based on the requirements established by AGLC.
- The following table outlines the conformance of the application to the LUB requirements:

LUB Section 7.17(1)	Actual
A Cannabis Retail Store shall not be located within 100 metres metres of the boundary of a parcel of land on which any of the following are located:	
(i) A "provincial health care facility" (meaning hospitals as defined in the Hospitals Act);	Conforms
(ii) Any building containing a "school" (meaning a school as defined in the School Act);	
(iii) Any parcel of land designated as school reserve or municipal and school reserve in accordance with the Municipal Government Act;	
(iv) Any parcel of land containing a Public Park, Public Recreation Facility or Library;	
(v) A "Child Care Facility".	
LUB Section 7.17(2)	Actual
A Cannabis Retail Store must be located in either a permanent facility that is a free standing building that does not contain another business, or	N/A
A permanent facility that is in a building where there are other businesses within the building envelope, where the Cannabis Retail Store must have its own entrance and exit separate from the exit and entrance for any other business;	Conforms
A Cannabis Retail Store must have a common wall between the area to be occupied by the cannabis store and the area occupied by or to be occupied by any other business that is a solid floor to	Conforms

ceiling wall constructed of materials other than glass or transparent materials;

A Cannabis Retail Store must have its own receiving and storage area separate from any other business; and

Conforms

A Cannabis Retail Store must have signage at each point of entry prohibiting minors from entering.

As condition in Development Permit

LUB Section 7.17(3)

Actual

There must not be access between any part of a Cannabis Retail Store premises (including its public, receiving, and storage areas) and any part of any other business's premises

Conforms

LUB Section 7.17(5)

Actual

A Cannabis Retail Store and Medical Cannabis Dispensary must provide translucent or opaque window coverings on all exterior windows for the entire width and to a height that negates visibility into the store by passersby, to the satisfaction of the Development Authority.

As condition in Development Permit

LUB Section 7.17(4)

Actual

Neither a Cannabis Retail Store nor a Medical Cannabis Dispensary may have a drive through window.

Conforms

LUB Section 7.17(6)

Actual

Signage for a Cannabis Retail Store and Medical Cannabis Dispensary shall:

- (a) Prominently display the business name at all public access points to the premises;
- (b) Not use the terms "Alberta" or "AGLC" in a store name;
- (c) Not promote intoxication; include graphics which appeal to minors; show cannabis use; display intoxication; display a price or price advantage; identify a cannabis product or accessory; or display any sporting event or cultural activity; depict a lifestyle; endorsement; person; animal; make claims regarding beneficial health effects; or make statements regarding increased potency or concentration;
- (d) Not include the use of any term, symbol or graphic normally associated with medicine, health or pharmaceuticals.

No signage detail included in the application, separate application will be required

- The Land Use Bylaw does not specify a particular parking requirement for "Cannabis Retail Store". In accordance with LUB Section 10.5(3) the requirement specified for similar uses shall be used:

"Parking stall requirements for uses other than those set out in this Section shall be determined by the Development Authority, having regard to similar uses for which specific parking stall requirements are set."

- In the review of Cannabis Retail Stores, the City uses the parking requirement specified in the LUB for Convenience Retail/Retail Store which requires 2.5 parking stalls per 100m² of gross floor area with a minimum of 2 stalls per store.

- Based on a floor area of 75m², this calculates as: $75\text{m}^2 \times 2.5 \text{ Stalls}/100\text{m}^2 = 1.875$ stalls required
- Therefore, the Cannabis Retail Store requires 2 parking stalls in accordance with the LUB.

On-Site Parking:

- The property owner provided a letter indicating that the proposed Cannabis Retail Store would have access to the shared parking in front of the building (on the street) as well as two stalls on the property.
- The information supplied to the Development Officer was inaccurate, as the existing Eating and Drinking Establishment in the building (O2's Taphouse) has exhausted all of the available on-site parking, and itself required both on-street and shared parking to meet the LUB requirements.
- Therefore, there is no surplus parking on the property which can be allocated to the Cannabis Retail Store.
- The property at 4817 51 Street already includes an Eating and Drinking Establishment (O2's) which was approved in 2014. Parking for Eating and Drinking Establishments is based on the seating capacity of the facility. In the case of O2's, there are 160 seats in the establishment, with a parking requirement of 1 stall per every 4 seats. This works out to:

$160 \text{ seats} \times 1 \text{ stall}/4 \text{ seats} = 40 \text{ Stalls required}$

- O2's met the parking requirement through a combination of on-site, on street and shared parking.
- There are 28 parking stalls on-site, the City was able to credit 8 on-street parking stalls in accordance with LUB section 10.9(1)(a):

"The Development Authority may give credit for on-street parking providing such on-street parking stalls about the development and provided that the use of said stalls have not been pre-empted by a fire hydrant, yellow-curb line, loading zone, entrance or some obstruction which prevents the use of the said stalls for public parking;"

- The remaining parking requirements were satisfied through a shared parking agreement with the neighbouring building in accordance with LUB section 10.8:

10.8 COMBINED OR SHARED PARKING

(1) *The Development Authority may allow two or more developments to share parking spaces.*

(a) *Up to 50% of the required parking may be combined or shared parking.*

(2) *Permission to share parking spaces may only be granted by the Development Authority in the following circumstances:*

(a) *the developments are in close proximity to each other and within 100.00 metres of the site on which the parking spaces are located;*

(b) *the demand for parking spaces for each development is not likely to occur at the same time;*

(c) *the Development Authority is satisfied that the arrangement between the owners of the developments for the sharing of parking spaces is to be permanent unless an alternative permanent arrangement is made that is satisfactory to the Development Authority; and,*

(d) *an agreement acceptable to the Development Authority is provided.*

- 11 additional parking stalls were made available bringing the total to 47, which exceeds the minimum requirement
- However, the use of the shared stalls by O2's is permitted only after 5:00pm, when the offices next door close, in accordance with the agreement.
- Therefore, the shared stalls satisfy the peak parking demand for the restaurant which would occur during the evening hours.
- The shared parking cannot be considered to meet the daytime parking needs for the subject property per Section 10.8(2)(b), nor is there excess parking available to support additional tenants in the building.
- The Development Officer approved the application on the basis that the LUB requirements for parking had been satisfied.
- Upon review, it was determined that the applicant provided the Development Officer with inaccurate information regarding the availability of on-site parking to accommodate the proposed Cannabis Retail Store.
- Administration recommends that the Subdivision and Development Appeal Board REVOKE the decision of the Development Officer on the basis that the permit was approved on the basis of inaccurate information.

QUESTIONS FROM THE BOARD

Barry Baumgardner, Member: Does one person own that location? Who gave away all of the parking spots? Did you agree to that?

Keith Halabi: We were not okay with that.

Barry Baumgardner, Member: So when the applicant came to the City, he thought there was 8 parking spots. The City had knowledge that the spots had been given away. Who made the mistake? The Development Authority gave all the parking spots away. Did the owner agree to give it all away?

Keith Halabi: No

Gary Bartman, Chairperson: Interjected to remind the attendees to hold comments under the specified time period.

Alex Wang: The existing parking belonged to the restaurant. The Development Authority knew there were no spaces. I reviewed this Application but I did not know the issues regarding parking from 2014. I made the decision based on the information that I was provided.

Code Clements, Member: Was the parking not registered on the title?

Keith Halabi: No, there is no agreement.

Alex Wang: No, there is no parking agreement. I will double check this. No, there was no agreement on title.

Barry Baumgardner, Member: Were the spaces open then? Were they not given away, were they attached to O2's?

Code Clements, Member: The building in question, what is the percentage of use by the cannabis store? Does O2's stop at the bigger building?

Keith Halabi: The cannabis store is 75 square meters. The building is two stories but the upstairs of the building is vacant.

Barry Baumgardner, Member: The big building is 75 square meters? Is it in the same building?

Keith Halabi: Yes it is in the same building. Approximately 10% of the building will be the cannabis store.

Barry Baumgardner, Member: How many businesses are in there?

Keith Halabi: On the corner, only the cannabis store. The rest of the building is only one business, O2's.

Barry Baumgardner, Member: I don't understand why the parking spots don't exist, how were they given away. Where did they get the information of having 8 spots available, they must have got it from somewhere?

Code Clements, Member: Is the owner of O2's also the owner of the cannabis store?

Gary Bartman, Chairperson: Interjected to remind the attendees to hold comments under the specified time period.

Keith Halabi: No, they are different. There are 3 different parties, will explain when it is my turn to speak.

OTHER REPRESENTATIVES ON BEHALF OF THE DEVELOPMENT OFFICER

Howard Pinnock, Planner was present on behalf of the Development Officer.

Howard Pinnock stated that when O2's was approved in 2014, shortly after he started at the City, there was a long discussion regarding parking. The building was renovated in order to put O2's in. Howard Pinnock advised that the City explained at the time that parking is based on the use of the building. An office would not need as much parking as a restaurant. A restaurant needs one parking stall per four seats. We had a discussion how big the restaurant should be based on the parking situation. The restaurant decided they wanted 160 seats which required a large amount of parking. In order to use that much parking for the restaurant, the developer would have a hard time for finding spaces to rent the rest of the building. Howard Pinnock advised that the developer knew they would not have enough additional parking and that as Alex explained, we cobbled together 28 spots, 8 on the street (given credit for), and shared parking after the law firm finishes for the day.

Howard Pinnock stated that he had to admit that the planning department missed this issue at the time they approved the recent application. Alex was not with the City at the time back then. When Alex received the application and did not know the full case, he went ahead and approved it. Howard Pinnock advises that he accepts responsibility, it was the planning department's error not reviewing the historical situation and now we must proceed from there.

QUESTIONS FROM THE BOARD

None.

APPELLANTS' STATEMENT AND PRESENTATION

Ben Fedeyiw stated the following:

Good afternoon members of the appeal board. Thank you for your full attention to this matter.

Today I come to you as coco-owner of Budget Blinds and a co-owner of the property at 4819 51st Street. Reason for my appeal is quite simple. I am here to challenge the City of Cold Lake's own parking by-laws. They appear to be in breach of their own rules.

When O2's first came into town I received a call (don't know if it was you or your representative) from the owners group asking us to take down our chain link fence and move it over 12 feet so they could access our property for more parking stalls to meet the needs that the city had requested. I denied their request as this would compromise my parking and our commitments of parking to the City.

A few weeks later I had learned that Todd & Drake had allocated some stalls so that O2's could meet the city's parking bylaws. My question again was how can a three story full occupied business centre give up parking stalls that they do not have? That's after 5 so understandable.

When I asked the city administration this they advised me that O2's had met the parking requirements by exhausting all of their parking choices even including the empty spaces between the restaurant and us.

Fast forward three years and we get a letter in the mail with an incorrect address of a retail store opening up. When I called to confirm the address the planning officer, Alex, tells me that the address was incorrect and tells me the correct address is next door to us. When I asked him about how the store parking was going to work, I was told that the O2's owner group would allot two parking stalls of theirs to the new retail store.

When I asked him how they can give up the stall when they don't have stalls to give up I was asked how I knew this. He was kind of dumb founded. Was not their intention for me to forget? Was the planning commission hoping people would forget? This is a discretionary use permit that seemed to have missed council and MPC.

O2's is not giving up parking stalls as they do not have parking stalls to give. This was confirmed by the City of Cold Lake by not giving O2's a variance on parking on their recently new roof top expansion.

Basically O2's will close for 30-40 spaces below to accommodate to use upstairs. Shows me no parking is available. They have pulled some inside restaurant seating to differentiate for the upper loft seating. O2's permit is for seating for 160 people which equals to 40 parking stalls.

Parking bylaws are in place to protect my business and my property. If this goes through- will have a financial impact to our business and the business next to us as our tenant. Both are retail stores that rely on street parking. We have been a law abiding business and land owners and have a substantial investment in our property. We take a lot of pride in our property and chose the great community of Cold Lake to do business in.

Our fear is that this will decline business and property values. We see the impact that the lack of abiding to the parking by-laws has done to a business in our downtown. We heard concerns of serious parking struggles at the application of the Grande Parlour at BeanTrees. As the community celebrates the success of one business we are not celebrating the closure of another business "The Finishing Touch." Now the business sits empty because lack of parking and will have a hard time selling. Who wants to buy a retail store front business when parking is non-existent?

Thank you for your time and listening to my concerns.

OTHER REPRESENTATIVES ON BEHALF OF THE APPELLANT

None.

QUESTIONS FROM THE BOARD

Code Clements, Member: The Finishing Touch has closed? Was the main factor there parking?

Ben Fedeyiw, Appellant: Yes it has closed. The Grand Parlour came in, this packed the downtown with people. There were serious questions with parking. The parking issue was probably the nail in the coffin. We are already having parking issues, the decline of businesses, after so many years of being there.

Barry Baumgardner, Member: How many spaces do you have and how does this new business change this, is this detrimental to your business?

Ben Fedeyiw, Appellant: Now things here are quiet. The lunch rush comes in and operates until 4 or 5 pm. During lunch rush there is parking available. We don't mind, we are okay to add another level, we are not busy right now as a community. When O2's first opened, it was crazy busy. We had to call the bylaw guys for people parking in the back alley, trucks couldn't move. But you would call at 11 am and they would only return your call at 3 or 4 pm, and by that time the vehicles were gone. I think parking will be strained, the tenant next door to us is also retail. We aren't Edmonton's Whyte Avenue, if you can't park in front of the store you are going to, people won't walk in. People in Cold Lake won't walk to come to our store, they will go somewhere else.

Barry Baumgardner, Member: Who is the tenant next door?

Ben Fedeyiw, Appellant: Muse Inspired, it is a clothing store.

Barry Baumgardner, Member: And they have no parking spaces too?

Ben Fedeyiw, Appellant: There is 4-5 stalls for both businesses on the street.

Barry Baumgardner, Member: How many people park in the back?

Ben Fedeyiw, Appellant: The staff leave parking in front for the customers. However, for wheelchair access, it is easier in the back.

Barry Baumgardner, Member: Have there been times where there is no parking available?

Ben Fedeyiw, Appellant: I put up signs for 2 hour max parking in front of my store. This new store will add another level of parking issues. Todd and Drake's staff already park up front on the West side. There is 11 stalls for 10,000 square feet. They do not have enough parking. I have written nasty notes to their staff not to take up all of our spots.

Barry Baumgardner, Member: I have a question to Howard for clarification. Several places have parking reserved for their customers. Can cars be towed if they park in front of another business?

Howard Pinnock: No, this is not done here in Cold Lake.

Barry Baumgardner, Member: For example, the Energy Centre has parking for their staff and the sign says you will be towed.

Howard Pinnock: Yes this is for private parking lots, but it does not apply to street parking.

No further questions.

STATEMENT FROM ADJACENT OWNERS OR AFFECTED PERSONS "IN FAVOUR" OF THE APPEAL

None.

QUESTIONS FROM THE BOARD

None.

STATEMENT FROM ADJACENT OWNERS OR AFFECTED PERSONS "OPPOSED" TO THE APPEAL

Keith Halabi stated that:

I have documentation to hand out to everyone. It will go along with what I am about to say. I have never done this. I don't mean to come off rude. I am a very nice guy, I have never been through one of these hearings. We are here with respect to the cannabis store space. I am one of the owners of the building. The issue at hand is not as simple as a license. This could make our building 50% unusable. O2's has 50% of the building. We have been spending a lot of money and working with the City, filling only 50% of the building would not be a feasible investment. Ben from Budget Blinds is here making a claim that parking affecting business. His business is only open till 4:00pm and is closed on weekends. The clothing store is only opened until 5:00 pm and it is closed on Sundays. O2's is busy on weekend and evenings. There is not too much traffic from the other businesses. Ben has parking potential in the back of his property, but it is fenced off and the barbwire around it does not help. His clients can park in our lot— our lot is open, and there are no signs to be towed. We don't mind if his clients park in our lot.

Yes, we did approach him earlier but we didn't ask for him to take the fence down. We asked to come to an agreement to lease or purchase some stalls from him, he chose not to and that is his right. Based on his building size..... the bylaws keep just getting thrown out. Both of those business need six stalls roughly now. There is more than eight in front of us and six in front of his.

I personally don't know. I haven't been to a board meeting before, I don't understand how to go about this. He could alleviate some of his issues to put parking on his property for his customers. For him not to do that and affect us at the same time, is not fair. He kind of has his cake and can eat it too.

We have invested two million dollars into this building. We did this for a sound investment. This investment, bettered Main Street and provided jobs etc. We have been using only one address and we are asking to use a second address. How can you be given four addresses and only be able to use one? We have been paying taxes, only using 50% of the building but paying on 100% of the building taxes. We were told by the City with respect to fire safety between the buildings we required separate utilities, HVAC systems, the sewer line was cut from 51 Street, which we did. We paid for the potential building at full capacity. The City demanded three steel I-beams to be installed in order to support the 2nd floor. The building was basically falling apart before we purchased it. Why would we put hundreds of thousands of dollars into that building if we could not use the second space there? I-beams are 10 thousand dollars apiece, and that does not include pilings or posts. This was something the engineers asked us to do.

You can see from the Planning and Development department, we were given four addresses. If you look on the second page of the package I provided, it shows the addresses the City provided for us.

Their engineering drawings, the specs that the City demanded us to do. This gives you an idea of the scope of work we were required to do for this building.

If you look at pages 6-9 of the package, I have blacked out the city employee names out from the emails. I didn't want anyone to get in trouble with the City. I understand they are just doing their job. If you look on page 6. In the emails we were asking for word on parking to move forward to remove the condition in place to purchase the building. See page 7 and page 8. The parking comes into line, no argument on the 8 stalls or 11 from Todd & Drake or 28 in the back of the space but credit for am/pm use of office was given. The office only operates during the day and the bar mostly at night, so they do not really mix. Again, I blacked out the names. The email says here- almost done reviewing, and have gotten the okay for those additional 10 parking spaces. Page 9 is an email dealing with the Planning and Development department and paying for the building. The last line of the email says "As for the parking, with the future parking lot being finished, you will have more than enough parking." The October 27, 2014 email, that line says everything. We are in the right. We have consulted advisors. We strongly feel we are in the right, we want to work with the City and our neighbors.

On page 10, 11, and 12 is a breakdown on the approval. On page 11 is what we have done, in good faith for everyone in Cold Lake. We have added 2 parking stalls, labelled as A & B. You can see the 24 are original, we made the 28 Stalls in the back to 30 stalls. 57 spaces total. Full capacity for the business is 40 stalls for O2's, 6 for main floor and 10 for the office which equals to 56 stalls. We assumed we had 57, though we actually had. We removed conditions and spent one million dollars to buy the building that was practically falling down. We are not dealing with office or other space. You need 40 spaces for O2's and 2 for new retail store which equals 42 stalls.

Howard was right. There was lots of talk, we had meetings with the city- we would not have spent this money- and I don't lie we thought it had benefit to us - not going to lie. We didn't jam anything down anyone's throat. As of today we need 42 stalls. That being said a bonus acting in good faith strictly because this sorry if I am coming off strong but I am very frustrated to have 50% building basically unusable. When I have used my family's money - 50% means nothing there is no point to that. O2's will reduce from 160-100 occupants until 5pm back to 160 after 5:00 pm. At that time the law office and the neighbors are closed. O2's has eliminated 2 stalls. Now with the rooftop patio, they have eliminated the glass door. They will use concrete blocks and are donating garage door in order to add 2 more parking stalls. Jamie has agreed, all he needs is 2 stalls for his business, they can be at the back or the front, he is flexible. We also have letters from both of them stating they are willing to do that.

These changes- this total has a positive of 17 spaces before 5:00 pm and 2 after 5:00 pm. We were driving around earlier today, we don't take Ben's issues lightly. We want him to succeed in business. One thing to possibly help, and we will pay for it if the City want us to. We suggest to paint lines on the street in order to control the parking so people don't park too far away from each other. If we also put lines across the street for the parallel parking, it will ensure all of the spots are used to their full potential. We will pay for the lines in front of everyone's stores if it helps alleviate his pain. We would not have invested the money in this space.

The Municipal Development Plan stresses that the City wants to promote commercial development and to promote employment. The cannabis store will provide 12-15 jobs for the City. The MDP provides a vision for 2037, and it is for compact and orderly development and creating a diverse economy. Based on our location which is a mixed use village, high density high walking etc. In the end, regardless of what parking stalls we use or whoever. Our tenants at the O2's provide 30-40 jobs and the new business will provide 12-15 jobs. This helps make a vibrant downtown and main street, which is better for everyone.

In closing, I feel that we do have sufficient parking and do not need to make adjustments. We have agreed to make adjustments to be good neighbours and respectful members of Cold Lake. This approval means more jobs which benefits everyone and this improvement is vital to our property. The

economy has been bad so we haven't had tenants. What would have happened if we had tenants the next day? A side note, the safety and fire marshals say the fire occupancy is actually 330 people for O2's. They too have agreed to not try for 330. They are less than half and have agreed during the day time reducing by another 60 seats. We are in the positive having 15 stalls. This helps our neighbor and anyone else who needs it.

QUESTIONS FROM THE BOARD

Barry Bartman, Chairman: What are the proposed hours of the cannabis store?

Keith Halabi: 10:00 am or 11:00 am till about 10:00 pm at night. Majority of the business will be done late afternoon to evening. People might stop on their way home. It wouldn't be too good if people were going there at 10:00 am (laughter).

Keith Halabi: I forgot to respond to the earlier questions. The ones I couldn't answer earlier, when it wasn't my turn to respond. The space for the store is 6% of the building and Howard mentioned the City missed it. Well Keith mentions that he missed this 2 million dollars being spent. This issue shouldn't be transferred on to our shoulders. When O2's installed the patio, they didn't ask for additional parking. O2's didn't want to chew up more parking in case of this scenario. They only would use the patio in the summer. The owner is overseas. They do own a portion of the building as well but I have nothing to do with O2's. A summer patio was built because you can shoot cannon there, it's dead in the summer because everyone's at the lake. The seats downstairs are never full. A patio is a move for them to stay above water in summer. Other than maple flag, which the owner admits can get busy down there. Nothing is really going on there though the week. We touched on businesses closing. We had to shut another business in Edmonton but this was not because of parking. It is due to lots of other reasons such as online shopping, and amazon etc. We have no clue why the other business closed downtown but it was not because of the parking. And it is not fair to say it was just parking.

Code Clements, Member: Is it time to make sure the parking figures are attached to the title. So there is some legality to them. figures are 50% may be less some of the parking is credited at 50% used after 11 behind 5 ½ actually.

Keith Halabi: Can tell you, Have figures there, we got them. We would like to also legalize them so the next Development officer doesn't get into this situation again. We would love that solution.

Code Clements, Member: You are only partial owner of the building? Is it time to make sure these figures are attached to Title?

Keith Halabi: Yes. The owners of O2's owns a portion of the building, but I don't own O2's. I would love to put it on Title. I am sure the owner of O2's would as well, but they are overseas right now. Sure they would be happy with that. Who makes that decision? It would be great to say how many stalls so we would not have to revisit this issue.

Code Clements, Member: The City would make that decision, yes.

Barry Baumgaudner, Member: How must space is still available in the building?

Keith Halabi: We have 2 more retail spaces on 2nd floor, vacancy up there. It will be shaped like an "L". The cannabis store is taking 2/3 of 1. There would only be one more tenant. The second floor required more exits and beams. We would love to rent- but it is still on studs. We would not be able to rent it anytime soon. No office with the economy right now is coming near that. I wish we could fill it, if you know someone, please let us know.

SUMMARY OR REBUTTAL BY THE DEVELOPMENT OFFICER

None.

SUMMARY OR REBUTTAL BY APPELLANT

None.

FINAL QUESTIONS FROM THE BOARD

None.

CHAIR TO THE APPELLANT

The Chairperson asked the Appellant if he felt he had a fair and impartial hearing. The Appellant indicated that he felt the hearing was fair and impartial.

The Chairperson advised all present that in accordance with the *Municipal Government Act*, the SDAB would render a "written" decision within the next fifteen (15) days.

SDAB HEARING CLOSED

The Chairperson declared the SDAB Hearing closed at this time being 5:04 p.m.

DELIBERATION OF THE APPEAL

The SDAB Members discussed the merits of the matter before them.

It was acknowledged that the Development Permit Application No. 218080 dated July 25, 2018 by Jamie Shtay (NuNu) for a "change of use" from vacant to a cannabis retail store located at 4817 51 Street (Plan 2425ET Block 1 Lots 9 & 10) was approved by the Development Authority. One (1) appeal with respect to the "approval" of the development application for a "change of use" to a cannabis retail store located at 4817 51 Street (Plan 2425ET Block 1 Lots 9 & 10) was received from 1710638 Alberta Ltd.

The SDAB acknowledges that the property in question is located in the Downtown Commercial (C1) district. Cannabis Retail Store is listed as a discretionary use in the C1 zoning district. The Land Use Bylaw defines discretionary use as:

those uses of land or buildings consistent with this Bylaw for which a development permit may be issued only at the discretion of the Development Authority.

Section 642(2) of the *Municipal Government Act*, RSA 2000, c M-26 states that:

When a person applies for a development permit in respect of a development that may, in the discretion of a development authority, be permitted pursuant to section 640(2)(b)(ii), the development authority may, if the application is complete in accordance with section 683.1, issue a development permit with or without conditions as provided for in the land use bylaw.

The SDAB understands that the Appellant's appeal is related to the parking requirements and not the use identified in the Development Permit.

The Board accepts that the Development Authority approved the Development Permit Application No. 218080 on the basis of information provided by the applicant. The Development Authority acknowledged that the Development Authority did not look into the information provided to confirm whether the information was accurate or calculate the parking availability based on adjacent property uses. The Board accepts that the proposed development conforms to all site requirements under the LUB; the issue is whether the development satisfies the parking requirements under the LUB.

When the Development Authority approved the Development Permit Application No. 218080, the decision was made on the basis of the applicant's submission that the development would have access to shared on-street parking in front of the building and two (2) parking stalls on the property.

The LUB lacked guidelines in regards to the parking requirements for a "Cannabis Retail Store" operation. With the lack of any guidelines, the Development Authority applied the parking requirements for a Convenience Retail/Retail Store which requires 2.5 parking stalls per 100m² of gross floor area with a minimum of 2 stalls per store.

The SDAB understands that since receiving the appeal, the Development Authority calculated the available parking based on the number of available parking stalls in 2015 when the existing development at 4817 51 Street was approved. Based on these calculations, the Development Authority is of the position that there are only 28 onsite parking spaces, 8 on street parking spaces and 11 shared parking spaces (for use after 5:00 PM) available at the building where the development would be located. On the basis of the adjacent business, O2's requiring 1 parking stall for every 4 seats of a 160 seat establishment, 40 parking stalls were required.

The SDAB acknowledges that the number of parking stalls required is based on the use and that every change of use requires an evaluation of parking. The Board understands that the Development Authority is of the position that there are no parking stalls available for future developments given the current use of the building.

The SDAB accepts the submission of Mr. Halabi that the number of parking stalls available has changed since the adjacent business O2's, was approved which makes more parking available:

- The garage door at O2's will be eliminated making two (2) more parking stalls available behind the building.
- The number of seats in O2's before 5:00 PM will be reduced from 160 to 100 seats reducing the daytime strain on parking by 15 parking stalls.

The Board understands that the information concerning the changes being proposed to create more parking stalls was not provided to the Development Authority prior to this appeal.

The SDAB acknowledges that the City of Cold Lake Municipal Development Plan includes several references that support increased commercial development and redevelopment:

- An objective of commercial development is the promotion of commercial development that generates opportunities for local employment (page 32);
- The "Vision for the Future" includes "A community committed to sustainable growth management principles by promoting more compact and orderly development" (page 9);
- Strategic priority number 6 states that "There is a need over time to diversify the economy, provide for expanded employment opportunities and promote new economic opportunities" (page 11);

- An acknowledgement that sustainable development is characterized by “higher density development so land and existing infrastructure is used efficiently and public transit can be supported” (page 14).

The SDAB acknowledges Mr. Halabi’s reference to the City of Cold Lake Municipal Development Plan and submission that new businesses may revitalize the downtown, improving traffic to commercial areas and provide jobs.

The SDAB acknowledges the appellant’s anecdotal evidence regarding the potential negative impact the proposed development could have on the downtown by increasing strain on parking, and observation that a downtown business recently closed in part because of parking strains. The SDAB was not provided evidence to support the statement that another business closed downtown due to the lack of parking.

CONSIDERATION OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD

The SDAB considered whether the development permit application should be upheld or revoked.

DECISION

Based on the evidence, information and arguments presented to the SDAB, the **decision** of the Board is to UPHOLD the decision of the City of Cold Lake’s Development Officer to issue a Development Permit (Application No. 218080) for a change of use to cannabis retail store.

REASON FOR DECISION

The Subdivision & Development Appeal Board felt that a Development Permit (Application No. 218080) for a “change of use” to a cannabis retail store at 4817 51 Street (Plan 2425ET Block 1 Lots 9 & 10) ought to be upheld (appeal denied) for the following reasons:

1. The SDAB recognizes the appeal before it is an appeal de novo, meaning the SDAB considers the application for a Development Permit afresh, based on the evidence and submissions at the hearing. Therefore, any procedural or substantive error alleged to have occurred during the initial consideration of the application is immaterial.
2. The proposed development conforms to all site requirements under the LUB. The Appellant raised concerns about the compatibility of the proposed with neighbouring uses based on parking.
3. The SDAB was satisfied with the evidence provided that there will be sufficient parking stalls available to satisfy the requirements of the LUB. While the proposed development will result in an increase of traffic to the area, the changes proposed to increase the number of parking stalls available at O2’s and to decrease the number of parking stalls needed by O2’s by reducing seating during the day, will result in an increase in the number of available parking stalls sufficient to address any increase in demand as a result of the cannabis retail store.
4. Approval of the proposed development is consistent with the Municipal Development Plan call to diversify the economy, provide for expanded employment opportunities and promote new economic opportunities.
5. While the full impact of the proposed development on parking cannot be fully evaluated, given the increased number of parking stalls being made available, any negative impact on adjacent property owners should be minimal.

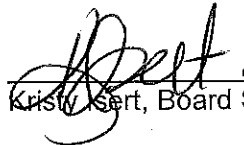
6. In the alternative, even if the number of available parking stalls were insufficient to satisfy the requirements of the LUB, the SDAB concludes the proposed development will not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment, and value of the neighboring parcels of land because parking is available to the public on adjacent properties and visits to the cannabis retail store will predominantly occur later in the evening and be of short duration. In the alternative, the increase in traffic to the downtown commercial area may have a positive impact on adjacent property owners.

ADJOURNMENT

The Chairperson adjourned the deliberations at this time being 5:25 P.M.



Gary Bartman, Chairperson



Kristy Sert, Board Secretary



Issue Summary Report

Parking Requirements within the Downtown Commercial Area

Executive Summary

Administration has been examining parking trends within the downtown commercial area, stemming from a previous request from the Cold Lake Regional Chamber of Commerce asking that the City consider reducing the minimum parking requirements for businesses within the downtown.

Background

Administration has been examining parking trends within the downtown commercial area, stemming from a previous request from the Cold Lake Regional Chamber of Commerce asking that the City consider reducing the minimum parking requirements for businesses within the downtown as specified in the Land Use Bylaw (LUB).

From a community planning perspective, some municipalities choose to limit parking within certain areas to promote a more pedestrian-friendly environment as well as to encourage the use of public transit or other alternative forms of transportation. Conversely, reducing parking requirements in downtown areas can have unintended consequences. A common issue occurs when on-street parking from commercial areas overflows into residential neighbourhoods adjacent to the downtown, causing disruption for residents. Reducing parking requirements can also ultimately harm the businesses that it was intended to aid, as a lack of available parking (or at least the public's perception of a lack of parking) can cause customers to go elsewhere.

As part of the overall LUB review, Administration examined the LUBs of other cities and towns with a population between 10,000 and 20,000 (Town of Beaumont, City of Brooks, City of Camrose, Town of Canmore, Town of Chestermere, Town of Cochrane, Town of High River, City of Lacombe, Town of Stony Plain, Town of Strathmore, Town of Sylvan Lake, City of Wetaskiwin, Town of Whitecourt). Out of the 13 comparable communities, 3 provide some allowance to reduce the required parking within their downtowns. The City of Lacombe's LUB allows its Municipal Planning Commission to consider parking reductions on a case-by-case basis, dependent upon the nature of the proposed development. The Town of Strathmore allows their Development Authority to exercise similar discretion. The Town of Stony Plain does not require businesses to provide parking within mixed residential/commercial areas, provided that full parking requirements are met for the residential component of the development. This approach requires the on-street parking to absorb the parking demand for all businesses within this area.

In reviewing the recommendations of a significant parking study prepared for the City of Edmonton, Administration found that the two primary justifications for commercial parking reductions were: 1) proximity to major transit stations or streets with frequent transit service and 2) proximity of higher density residential development. Within Cold Lake's downtown, neither the City's transit service, nor the adjacent residential areas, are currently developed to a stage that would justify reducing parking requirements for businesses.

Section 10.9 of the City's LUB currently provides a number of options specific to parking within the Downtown:

- The LUB allows the City to give credit for any on-street parking directly abutting the development. Administration notes that none of the comparable municipalities offer this option;
- The City can consider the payment of cash-in-lieu of providing on-site parking for the development. This appears to be a common practice among the comparable municipalities. Typically, the City will only exercise this option when there is a reasonable probability that the City can, in a timely manner, use the cash-in-lieu received from the developer to provide public parking within close proximity to the development.
- The LUB allows the Development Authority to consider a reduction in off-street parking requirements if it can be demonstrated that the proposed development would not create an unacceptable demand for on-street parking. This clause appears nearly identical in terms of intent with what the City of Lacombe and Town of Strathmore LUBs provide.
- Section 10.8 of the LUB also allows for one or more developments/businesses to share parking facilities where it can be demonstrated that the demand for parking between the developments would not have significant overlap.

From Administration's research, it appears that the City's LUB is among the most flexible in terms of providing developers with options to meet, or in some cases reduce, their required parking within the downtown area. It is also important to remember that the LUB regulations are the minimum amount of parking that must be provided, which may be less than is actually necessary to meet the needs of a specific development. Given the degree of flexibility offered by the existing LUB, Administration would not recommend pursuing a reduction in the parking requirements for downtown businesses.

To research this issue further, Administration conducted a survey of downtown parking during August and September 2016. Staff systematically walked the downtown area and recorded the number of vehicles parked in each block. Observations were made on Wednesdays at 10:00am, 12:00PM and 2:00pm to provide a sample of parking utilization on a "typical" weekday when all businesses within the downtown would be expected to be open. The total number of parking stalls available in each block were estimated using the City's GIS mapping and accounting for areas where parking is restricted, such as driveways, loading zones, crosswalks, bus stops, etc. Parking stalls within the downtown are currently not demarcated on the pavement, making a physical count of stalls impossible. All block faces which directly abut commercial properties were included in the survey. Map 3 identifies the block faces included in the survey along with the estimated number of available parking stalls for each block.

The results of the survey indicated that the average parking utilization within the defined downtown area as a whole, typically fell in the range of 35-45% of the available parking stalls being occupied. Average parking utilization for each specific block is illustrated in Map 4. Not surprisingly, block faces on the periphery of the downtown area saw low parking utilization, while several blocks in the interior saw an average utilization in the range of 50-60%. From the results of the survey, it does not appear that there is currently a shortage of on-street parking available within the downtown.

On several occasions during the survey, staff also walked rear lanes to observe whether available on-site parking was being utilized. Although many properties within the downtown have room at the rear of the

property to accommodate staff parking, it appeared that these areas were not being well-used at the time of the survey.

Administration also made a number of additional observations while conducting the parking survey in the downtown area:

- Although a formal duration-of-stay survey was not conducted, staff did note that a number of distinctive vehicles (including a number bearing advertising for specific businesses) appeared to remain parked in the same location throughout the day, despite a 2-hour time limit.
- Signage informing motorists of the 2-hour parking limit is not consistent throughout the downtown area. Staff noted a number of locations where signage was only located at one end of a block as well as a number of signs in poor condition. As a result, motorists may actually be unaware that there is 2-hour time limit.
- Parking stalls are not currently demarcated on the pavement. Staff observed many instances where vehicles were parked half a car length or more from the vehicles in front or behind. This effectively reduces the amount of available parking as the use of space is not optimized.

Although the parking survey did not indicate that there is a shortage of parking within the downtown area, the Committee may wish to have Administration consider several options that would, quickly and cost effectively, improve the availability of parking:

- Request that Administration provide an estimate of the costs associated with having staff or a contractor paint and maintain parking stall demarcation to optimize the amount of available on-street parking.
- Request that Administration provide an estimate of the costs associated with improved signage to ensure that the 2-hour parking time limit is posted consistently throughout the downtown. This would ensure that motorists are aware of the time limit and encourage turn-over of parking spaces.
- Request that Administration consider options to enforce the 2-hour time limit to discourage business staff from remaining parked on the street throughout the day and to encourage turn-over in parking spaces.
- Encourage businesses to better utilize available on-site parking and discourage their staff from parking on the street.

Additionally, Administration has noted that the LUB provides the Development Officer with the ability to give credit for on-street parking when considering applications within the C1-Downtown Commercial district. Where on-street parking directly abuts the development, those stalls can be credited towards meeting the LUB parking requirements. Approximately half of the downtown falls within the C1 zoning district with the remainder being zoned RMX-Residential Mixed Use (Map 2). Administration would recommend that the Committee consider extending the ability to credit on-street parking to the RMX district as well.

Alternatives

Discussion item

Recommendation

Discussion item

Additional Information

Budget Implications - No