



ADMINISTRATIVE REPORT

Report Date: April 27, 2015
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VanRIMS No.: 08-2000-25
Meeting Date: May 27, 2015

TO: Standing Committee on Planning, Transportation and Environment
FROM: General Manager of Engineering Services
SUBJECT: Application for Payment-in-Lieu of Parking at 411 Dunsmuir Street

RECOMMENDATION

- A. THAT Council approve in principle the offer of payment-in-lieu in the amount of \$121,200 for the waiver of six commercial parking spaces required by Section 4.1.2 of the Parking By-law for the development application at 411 Dunsmuir Street; and direct such payment to the Pay-in-Lieu Parking Reserve: Off-Street Parking.
- B. THAT the Director of Legal Services be requested to bring forward a By-Law to amend Schedule A of the Parking By-Law pursuant to Section 4.12.5 to effect this waiver.

REPORT SUMMARY

This report seeks Council approval in principle for the waiver of required parking and to accept payment-in-lieu of parking for six commercial parking spaces required by the Parking By-Law for development application DE 416633 located at 411 Dunsmuir Street.

Council approves offers of payment-in-lieu for the waiver of parking spaces required by the Parking By-Law. The funds paid from a commercial project remain in the Pay-in-Lieu Parking Reserve: Off-Street Parking until allocated to build replacement parking or offset the cost of existing parking in nearby civic parking facilities.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

The Vancouver Charter gives Council authority to accept a payment of money as an alternative to providing off-street parking spaces required by the Parking By-Law. The payment-in-lieu funds must be allocated to either the Pay-in-Lieu Parking Reserve: Off-Street Parking or the Pay-in-Lieu Parking Reserve: Green Transportation.

In 1986, Council introduced parking “payment-in-lieu” to give property developers an option if the minimum parking required for their developments could not be provided on-site. It was limited to commercial or industrial uses or for heritage retention in areas within the downtown core where the parking could instead be provided in City-owned facilities. Commercial/industrial payment-in-lieu funds are used to build replacement parking or offset the cost of existing parking in nearby civic parking facilities.

In 2009, Council approved changes to the Parking By-law which permitted payment-in-lieu of parking for residential uses in several historic areas including HA-1 (Chinatown), HA-2 (Gastown), HA-3 (Yaletown), and within the Downtown Official Development Plan Sub-area C2 (Victory Square). Residential payment-in-lieu funds are used to provide public realm improvements that support walking and cycling.

On March 12, 2014, Council approved the Downtown Eastside Local Area Plan which included an amendment to the Parking By-law to add the HA-1A (Chinatown South) zoning district as a residential payment-in-lieu of parking area.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The General Manager of Engineering Services, the General Manager of Planning & Development Services, and the Director of Finance recommend approval of the foregoing.

REPORT

Background/Context

The Parking By-law requires that a minimum number of off-street parking spaces be provided in developments. Depending on the type of use and location, several tools are available to reduce requirements where developers cannot or do not wish to build all of these spaces on-site.

These tools are intended to reduce the demand for parking or to provide it through other means and include the provision of:

- Car share vehicles and parking spaces,
- Off-street parking on nearby sites,
- Bicycle parking spaces beyond by-law requirements, and
- Payment-in-lieu of parking.

Payment-in-lieu is generally used when no other tools are available. When an application for payment-in-lieu relief is made, staff bring a report to Council with a recommendation on the number of spaces to be waived and the dollar value to accept in lieu of those spaces. Current Council policy is to accept \$20,200 per space, which is based on the present value cost to construct and maintain a parking space in City facilities less the present value of future revenue from the space.

Should Council support the request to waive parking through payment-in-lieu, the applicant must pay \$20,200 per parking space waived. After the payment is made, the Director of Legal Services will bring forward a by-law for Council approval to amend Schedule A of the Parking By-law and thereby allow the issuance of a Development Permit. The funds paid by the applicant are credited towards one of two pay-in-lieu reserves.

Under current Council policy, commercial or industrial payment-in-lieu funds are directed to the Pay-in-Lieu Parking Reserve: Off-Street Parking. When replacement parking spaces are identified in a nearby City-owned parkade, staff report back to Council with a recommendation to assign specific spaces to the development. When Council assigns those parking spaces for the applicant's use, the funds are transferred to the Parking Sites Reserve to offset the cost to construct and maintain the spaces. The Parking Site Reserve was created by Council to fund the construction, maintenance, and rehabilitation of the City's parking facilities, and is primarily funded by revenues generated from EasyPark. The applicant is given first chance to lease the allocated spaces at the market rate.

Residential payment-in-lieu of parking funds are directed to the Pay-in-Lieu Parking Reserve: Green Transportation. When an appropriate project is identified which provides public realm improvements for walking or cycling, Council approval will be sought to allocate payment-in-lieu funds to the capital project.

Allocation and/or transfer of funds from the pay-in-lieu reserves to specific capital projects are considered and prioritized through the Capital Planning and Budgeting processes.

Strategic Analysis

An application, pursuant to Section 4.12 of the Parking By-law, has been received seeking Council approval in principle to waive the number of parking spaces required by Section 4.1.2 of the Parking By-law and to make payment-in-lieu.

The particulars of the application are as follows:

Address:	411 Dunsmuir Street
Applicant:	Greg Richardson, ARCH. AIBC Omicron Arch. Eng. Constr. Ltd. #500-595 Burrard Street Vancouver BC V7X 1L4
Zoning:	DD
DE Number:	416633
Type of Development:	Commercial
Use:	General Office & Restaurant
Legal Description:	LOT A, BLOCK 35, PLAN EPP27710, DISTRICT LOT 541, NWD GROUP 1.
Commercial Parking Required:	6
Commercial Parking Provided:	0
Number of spaces for Payment-in-lieu:	6
Recommended Amount/Space:	\$20,200
Total Funds Payable - Pay-in-lieu Parking Reserve: Off Street Parking	\$121,200

Staff have reviewed this application and believe that payment-in-lieu is appropriate for the proposed commercial building given the site constraints and the lack of opportunity to provide parking by another means. Parking is available at city-owned parking facilities near the site at 523 Richards Street.

The applicant requested time to seek and make arrangements for the provision of off-site parking nearby and provided the sum of \$121,200 as security thereby enabling the issuance of their development permit. The applicant was unsuccessful in making arrangements to covenant off-site parking; therefore, staff are now bringing forward this report.

Implications/Related Issues/Risk (if applicable)

Financial

The City has received payment of \$121,200 as security while the applicant attempted to covenant off-site parking. As the applicant has been unsuccessful in obtaining off-site parking, this amount will be transferred into the Pay-in-Lieu Parking Reserve: Off-Street parking.

Legal

Where Council has agreed to accept a sum or money in lieu of parking requirements, Schedule A of the Parking By-Law hereto shall be amended to list:

- (a) the property affected by the waiver;
- (b) the extent to which the parking requirements are waived; and
- (c) the amount of money accepted by Council as payment-in-lieu.

CONCLUSION

The General Manager of Engineering Services recommends approval of the waiver of six commercial parking spaces at 411 Dunsmuir Street on the condition that the amount of \$121,200 is paid to the Pay-in-Lieu Parking Reserve: Off-Street Parking.

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