

City of Fort Saskatchewan

C22-15 to Amend Land Use Bylaw C10-13 for Indoor and Outdoor Recreation Facilities in Commercial Districts.

Motion:

1. That Council give second reading to C22-15 to amend Land Use Bylaw C10-13 by making revisions to indoor recreation facilities and outdoor recreation facilities in commercial land use districts.
2. That Council give third reading to C22-15 to amend Land Use Bylaw C10-13 by making revisions to indoor recreation facilities and outdoor recreation facilities in commercial land use districts.

Purpose:

This report is to present Council with information on Bylaw C22-15 for their consideration, and to request consideration of second and third reading.

Background:

Bylaw C22-15 was given first reading at the November 24, 2015 regular Council meeting.

A recent application brought to Administration's attention three items in the Land Use Bylaw regarding indoor recreation centres and outdoor recreation centers. Bylaw C22-15 corrects those items to ensure the regulations are effective and in line with municipal comparators.

The first item is indoor recreation facilities are currently not allowed in the C2, C3, and C4 commercial districts. In 2013, the adoption of Land Use Bylaw C10-13 introduced indoor recreational facilities as a new use. However, the new use was not added in several commercial districts. It was never the intent to exclude this use, and as such Administration is bring this item forward as a correction.

Bylaw C22-15 would make indoor recreation facilities as discretionary use in the C2, C3, and C4 commercial district.

Commercial District	Current	Proposed
C2 – Vehicle Oriented Retail & Service	Not allowed	Discretionary
C3 – Commercial Shopping Centre	Not allowed	Discretionary
C4 – Central Business	Not allowed	Discretionary

The second item is outdoor recreation facilities are listed as a permitted use in some commercial districts and discretionary in others. Permitted uses entitle a land owner to that use if the regulations are met. Discretionary uses allow the Development Authority to use their discretion and consider the surrounding community when rendering a decision. Discretionary uses warrant notifications to neighbouring properties, and anyone who may be effected by the development has the ability to appeal the decision.

Bylaw C22-15 would make outdoor recreation facilities a discretionary use in the C2, C3, and C4 commercial district.

Commercial District	Current	Proposed
C2 – Vehicle Oriented Retail & Service	Permitted	Discretionary
C3 – Commercial Shopping Centre	Permitted	Discretionary
C4 – Central Business	Discretionary	Discretionary

Administration gave careful consideration to the appropriate classification for the two uses. Discretionary was selected primarily because of the range of businesses that could be approved as indoor recreation facility and outdoor recreation facility. Indoor recreation facilities includes anything from a yoga studio to a large fitness facility, while outdoor recreation facilities includes anything from mini-golf to paintball. With the range of potential businesses comes a range in potential impacts including but not limited to traffic volumes, parking, noise, lighting, etc. To ensure the Development Authority has the ability to mitigate the impacts to neighbouring residents and businesses as much as possible, the uses were listed as discretionary.

The third item relates to the minimum parking requirements for indoor recreation facilities. As shown in Appendix E, among neighbouring municipalities the average parking requirement for 10m² of gross floor area is 1 stall. Currently, Fort Saskatchewan's parking requirement is 0.1 stalls. Therefore, currently Fort Saskatchewan requires 90% less parking stalls than our municipal comparators.

The parking requirement was decreased with the 2013 Land Use Bylaw Update. When applying the regulation, Administration realized the discrepancy and after researching municipal comparators, determined the parking requirement of 0.1 stall was an error. Fortunately, the 2013 update also introduced a clause that allowed the Development Authority to use their discretion when applying the regulation. As such, the parking requirement for any indoor recreation facilities that has been approved since 2013 has been much closer to the municipal average.

Plans/Standards/Legislation

Advertisements were published in a local newspaper for two consecutive weeks, as per the *Municipal Government Act*. Business owners who recently inquired about making an application for an indoor recreation facility or outdoor recreation facility were notified by mail.

Financial Implications:

None.

Recommendation:

That Council give second and third reading to C22-15 to amend Land Use Bylaw C10-13 by making revisions to indoor recreation facilities and outdoor recreation facilities in commercial land use districts.

Attachments:

1. C22-15
2. Appendix "A" - C2 (Vehicle Oriented Retail and Service District) Land Use Bylaw C10-13
3. Appendix "B" - C3 (Commercial Shopping Centre District) Land Use Bylaw C10-13
4. Appendix "C" - C4 (Central Business District) Land Use Bylaw C10-13
5. Appendix "D" - Table 11b. Minimum Parking Requirements for Commercial Uses
6. Appendix "E" - Municipal Comparators Parking Requirements

File No.: C22-15

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Approved by:	Troy Fleming General Manager, Infrastructure & Community Services	Date: December 2, 2015
Reviewed by:	Kelly Kloss City Manager	Date: December 2, 2015
Submitted to:	City Council	Date: December 8, 2015