

Staff Report



Development Services Department

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REPORT TO: Committee of Adjustment

DATE OF MEETING: January 16, 2024

SUBMITTED BY: Tina Malone-Wright, Manager, Development Approvals
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PREPARED BY: Katie Anderl, Project Manager – Planning
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WARD(S) INVOLVED: Ward 5

DATE OF REPORT: January 3, 2024

REPORT NO.: DSD-2024-030

SUBJECT: Minor Variance Application A2024-011
1955 Fischer Hallman Road

RECOMMENDATION:

That Minor Variance Application A2024-011 for 1955 Fischer Hallman Road requesting relief from Section 5, Table 5-5, of Zoning By-law 2019-051, to permit a minimum parking rate of 1 parking space per 30 m² of Gross Floor Area (GFA) for a Community Facility instead of the minimum parking rate of 1 parking space per 23 m² of Gross Floor Area (GFA), generally in accordance with drawings submitted in support of this application dated December 5, 2023, BE APPROVED, subject to the following condition:

1. That the Applicant prepare a Parking Management Plan for Special Events, to the satisfaction of the City's Director of Sport, in consultation with the City's Director of Transportation, prior to final Site Plan Approval.

REPORT HIGHLIGHTS:

- The purpose of this report is to review a minor variance application to facilitate the construction of a recreational complex and sports facility.
- The key finding of this report is that the requested variance meets the 4 tests of the Planning Act.
- There are no financial implications.
- Community engagement included a notice sign being placed on the property advising that a Committee of Adjustment application has been received, notice of the application was mailed to all property owners within 30 metres of the subject property and this report was posted to the City's website with the agenda in advance of the Committee of Adjustment meeting.
- This report supports the delivery of core services.

*** This information is available in accessible formats upon request. ***
Please call 519-741-2345 or TTY 1-866-969-9994 for assistance.

BACKGROUND:

The subject property is located at 1955 Fischer Hallman Road and is being developed by the City of Kitchener as a district park (see Figure 1). Phases 1 and 2 included construction of outdoor facilities including a splash pad and playground, playing fields and courts, an operational/maintenance building and washroom/change room building. Detailed planning for Phase 3 is now underway and includes an indoor recreation complex with an aquatic facility, FIFA sized fieldhouse and future gymnasium space (Development Concept Figure 2).

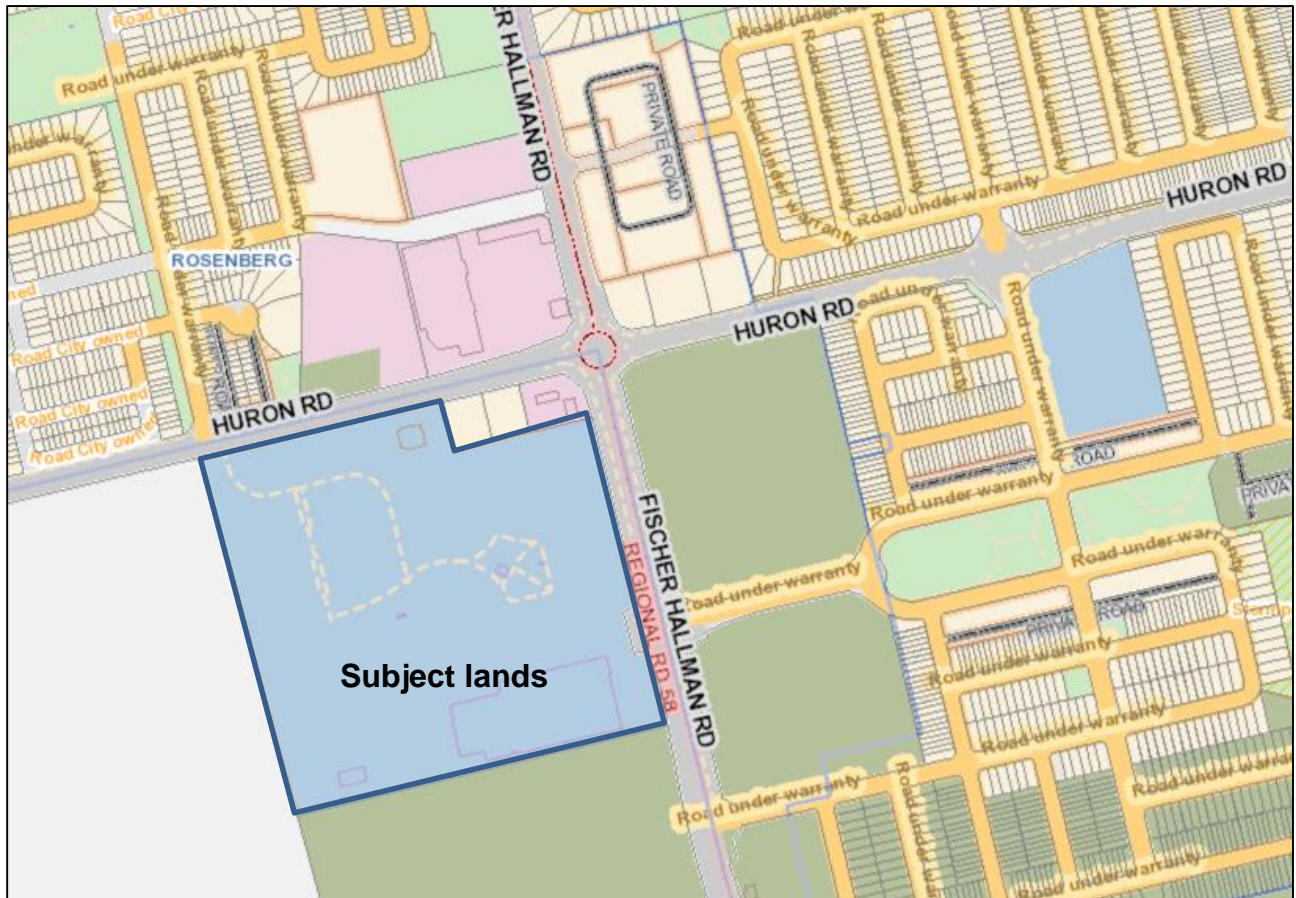


Figure 1 – Location Map

The subject property is identified as 'Protected Countryside' on Map 1 - City Urban Area and Countryside and is designated 'Prime Agriculture' on Map 3 – Land Use in the City's 2014 Official Plan. In accordance with Map 1, Policy 3.C.1.22 applies to the lands which permits the lands to be used for the development of a municipal park (active or passive), athletic/community centre and associated facilities.

The property is zoned 'Prime Agricultural (AGR-1) Zone' in Zoning By-law 2019-051 and is subject to regulation 4.15.7 (Public Uses and Utilities) which permits public uses in any zone subject to compliance with the regulations.

The purpose of the minor variance application is to permit a reduced parking rate for the proposed athletic complex. The range of uses proposed in Phase 3 all fall within the Community Facility land use in the Zoning By-law. This category encompasses a very

broad range of indoor recreational, cultural and community uses including libraries, arenas, sports facilities, and community centres. A Parking Justification Study, prepared by AECOM, was submitted in support of the proposed development and evaluates and recommends an appropriate parking rate for the range of sport and athletic facilities proposed. The final detailed design of this facility remains in flux, and the gross floor area may change slightly, therefore, the applicant has requested a variance to the parking ratio, rather than a specific reduction to the number of spaces. This approach allows the design to proceed with greater certainty with respect to the relationship between gross floor area and parking lot area. Planning staff is supportive of this approach. Staff note that amount of parking required by the by-law will be provided for the outdoor facilities including the courts and sports fields, and the reduction is to the rate for the community facility. The approximate parking rates (required and proposed) for the complex are outlined in Table 1. The proposed parking rate will likely result in a reduction of about 200 spaces.



Figure 2 – Development Concept (Phase 3)

Use	Minimum Required	Minimum Proposed
Outdoor Active Recreation		
• Sports field (20/field)	20 x 4 = 80	20 x 4 = 80
• Court (2/court)	2 x 7 = 14	2 x 7 = 14
Community Facility @ approx. 20,000 m ²	1 / 23m ² ~20,000/23= 870	1 / 30m ² ~20,000/30 = 667
Total Required	964	761 (approx. 774 available)

Table 1 – Approximate Parking Calculations

REPORT:

Planning Comments:

In considering the four tests for the minor variances as outlined in Section 45(1) of the Planning Act, R.S.O, 1990 Chap. P 13, as amended, Planning staff offers the following comments:

General Intent of the Official Plan

The intent of Official Plan with respect to parking is to ensure adequate parking is provided for proposed uses and to reduce parking demand in support of active transportation and transit. The Parking Justification Study prepared in support of the application considers the proposed range of uses on the site, peak occupancies, seasonal variation, access to transit and other transportation demand management measures which aim to reduce single vehicle trips and encourage sustainable modes of transportation, and special one-off events (such as sports tournaments or other large gatherings) where parking demand may exceed supply.

Transportation Services and Community Services - Sport staff have reviewed the Parking Justification Study submitted in support of the application and support the findings and recommendations. Staff is of the opinion that the proposed rate of 1 space per 30 m² will provide an appropriate amount of parking to support the regular daily operations of the facility across all seasons. Staff do however recommend that a Parking Management Plan is developed for Special Events and a condition has been included in this regard. This plan could include off-site parking arrangements, shuttles, enhanced bussing, on-site traffic and parking management, and other strategies. Such events are one-off occurrences and staff is of the opinion that it is not a good use of lands, to build hundreds of additional spaces which may be vacant most times.

General Intent of the Zoning By-law

The intent of parking regulations is to provide an appropriate amount of parking for proposed uses. The proposed sports complex falls under the category of Community Facility which encompasses a very broad range of uses including libraries, arenas, community centres and indoor sports facilities of varying sizes. The proposed sports facility shares parking with outdoor seasonal sports fields and courts.

The parking study provides an in-depth analysis of the multi-use facility and recommends a parking rate that is tailored to the anticipated building occupancies, size of facilities, and

seasonal range of uses planned for this location. Further, a substantial area of the proposed building consists of a FIFA sized indoor sports field (approximately 8671m²). This space alone requires about 377 parking spaces. When not used at its full size, this field will likely be split into 4 quadrants each facilitating team practices. Staff is of the opinion that this orientation will function much like outdoor sports fields which has a parking rate of 20 spaces per field – representing 80 spaces generated by the 4 quadrants – a substantially lower requirement than when calculated based on gross floor area.

The proposed parking rate is further supported by various Transportation Demand Management measures including access to transit and provision of Class A and B cycling facilities. While located at the outskirts of the City, Grand River Transit has confirmed that a bus transfer station will be located on Fisher Hallman Road south of Huron Road in close proximity to the subject lands. Further, as surrounding subdivisions are developed, additional bus routes may be added, or existing routes adjusted to respond to demands. Provision will be made in the RBJ Schlegel Park roadway design so that a bus route can be accommodated through the park for enhanced convenience and to support transit usage. Further, the site plan will provide for both Class A and Class B bicycle parking to support cyclists. Staff note that through the Fischer Hallman Road reconstruction (ongoing) and the planned Huron Road reconstruction (approx. 2026) off-road multi-use pathways will be added to adjacent arterial roads which will further support cycling to the RBJ Schlegel Park. Staff recommend that ride-share and carpool be promoted by the City for this facility and material be provided to sports teams and clubs operating from this facility to reduce the number of single occupancy vehicle trips. Staff also support the recommendation that a Parking Management Plan be developed for special one-off events and a condition has been included in this regard.

Is the Effects of the Variance Minor?

Staff is of the opinion that the effect of the variance is minor. The proposed parking rate will provide for an appropriate amount of parking to meet the ongoing daily needs of the park and recreational facility users. Reduced parking rates are facilitated by the mix of uses on the site, and the seasonality of these uses, availability of transit and cycling facilities, and requirement for parking management for special one-off events that may drive a higher than usual demand.

Is the Variance Desirable for the Appropriate Development or Use of the Land, Building and/or Structure?

Staff is of the opinion that the proposed parking rate of 1 space per 30 m² is appropriate for the development and use of the lands. The planned sports facilities provide a much needed amenity in this fast growing part of the City and will service a city wide population. Staff is of the opinion that the proposed parking rate is appropriate for the ongoing daily needs of the park and sports facility, as demonstrated by the Parking Justification Study, while efficiently using lands, and does not create a substantial over-supply of parking.

Based on the foregoing, staff is of the opinion that the proposed parking rate meets the intent of the Official Plan and Zoning By-law, the effect of the variance is minor and is desirable for the development and use of the land.

Environmental Planning Comments:

No natural heritage or tree management concerns.

Heritage Planning Comments:

The subject property is currently listed as a non-designated property of cultural heritage value or interest on the Municipal Heritage Register. The proposed variance is not anticipated to impact identified heritage attributes of the property. As such there are no heritage concerns.

Building Division Comments:

No comments.

Engineering Division Comments:

No comments.

Parks/Operations Division Comments:

No concerns or requirements.

Transportation Planning Comments:

A Parking Justification Study was submitted (dated December 6, 2023) by AECOM Canada Ltd. in support of the proposed parking rate of 1 space per 30 m², where the current zoning by-law for a Community Facility requires a minimum of 1 parking space per 23 m² GFA to a maximum of 1 parking space per 17m² GFA.

Staff recognize the unique complexities that come with a large sporting complex of this size and scope. It is acknowledged that the required parking rate does not necessarily reflect the parking generated by this type of facility on a day-to-day basis. Transportation Services staff support the recommendations within the Parking Justification Study based on the expertise provided by the City of Kitchener's Parks and Sport divisions.

Transportation Services will support a condition that a Parking Management Plan for Special Events be developed and submitted to the satisfaction of the City's Director of Sport in consultation with the City's Director of Transportation Services.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

Capital Budget – The recommendation has no impact on the Capital Budget.

Operating Budget – The recommendation has no impact on the Operating Budget.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the Committee of Adjustment meeting. A notice sign was placed on the property advising that a Committee of Adjustment application has been received. The sign advises interested parties to find additional information on the City's website or by emailing the Planning Division. A notice of the application was mailed to all property owners within 30 metres of the subject property.

PREVIOUS REPORTS/AUTHORITIES:

- Planning Act
- Provincial Policy Statement (PPS 2020)
- A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020
- Regional Official Plan
- Official Plan (2014)
- Zoning By-law 2019-051