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Item No. 13.1.2
Halifax and West Community Council
January 17, 2023

TO: Chair and Members of the Halifax and West Community Council

SUBMITTED BY: - Original Signed -
Kelly Denty, Executive Director of Planning & Development

DATE: January 11, 2023

SUBJECT: **Case 24482: Land Use By-law amendment to reduce parking requirements for community and recreation centres in Planning District 5 (Chebucto)**

ORIGIN

On July 19, 2022, the following motion of Halifax and West Community Council regarding Item No. 13.2.1 was put and passed:

“THAT the Halifax and West Community Council direct the Chief Administrative Officer to provide a staff report regarding a review of the parking requirements for community centres and recreation centres within the Land Use By-law for Planning District 5 (Chebucto Peninsula).”

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (HRM Charter), Part VIII, Planning & Development.

RECOMMENDATION

It is recommended that Halifax and West Community Council:

1. Give First Reading to consider approval of the proposed amendment to the Land Use By-law for Planning District 5 (Chebucto Peninsula), to reduce the parking requirements for community centres and recreation centres as set out in Attachment A of this report, and schedule a public hearing; and
2. Adopt the amendment to the Land Use By-law for Planning District 5 (Chebucto Peninsula), as set out in Attachment A of this report.

BACKGROUND

A review of the parking requirements for community centres and recreation centres under the Planning District 5 (Chebucto Peninsula) Land Use By-law (LUB) area has been requested by Council. The parking requirements under the LUB for either a community centre or a recreation centre are currently grouped under the broader category of an institutional use, requiring the greater of 1 parking space per 100 square feet or 1 parking space for every 4 people who can be accommodated within the building. This parking allocation can result in a high number of parking spaces, and in many cases beyond what is needed for some of the uses under the broader institutional category.

There is a preliminary proposal by the Herring Cove Community Association to convert a former fire hall into a community centre. These requirements would result in a large parking lot containing approximately 51 parking spaces for what is a relatively modest-sized recreation centre. The construction of a parking lot of this size would also require the removal of trees, additional infill to deal with sloping conditions, and would result in increased surface water runoff. The Herring Cove Community Association has identified that the parking required by the LUB is well beyond what is needed for their purposes, would limit space available for outdoor play space, and would add additional costs. This illustrates the impact of the parking requirements on similar facilities and projects, including the adaptive re-use of existing buildings within the plan area. This report provides an analysis and a recommendation for new land use by-law parking requirements for community centres and recreation centres under the Chebucto Peninsula LUB as shown in Attachment A of this staff report.

Enabling Policy and LUB Context

The MPS contains limited policy on parking and generally indicates that LUB regulations should ensure that parking is adequate and is contextually sensitive to the surrounding neighbourhood within residential designations. LUB section 4.27 outlines the current parking requirements and requires the greater of 1 parking space per 100 square feet or 1 parking space for every 4 people who can be accommodated within the building for an institutional use.

The site being considered by the Herring Cove Community Association is located at 30 Latter Pond Lane, and is zoned P-2, Community Facility Zone, within the Residential Designation. Policy RES-7 of the Planning District 5 (Chebucto Peninsula) Municipal Planning Strategy (MPS) establishes the P-2 Zone which is applied to existing community facility uses across multiple designations. The P-2 Zone does not permit parking to be located within the required side or rear yard, which is a minimum of ½ of the height of the building.

Functional Plan Context

The 2008 Regional Parking Strategy seeks to support active transportation, public transit and carpooling, encourage alternatives to the single occupant vehicle, and promote efficient land use. The strategy also states that HRM parking standards for most uses were the highest of the 12 municipal jurisdictions studied. The parking standards are particularly high in the former Halifax County. One of the recommendations in the Regional Parking Strategy is to reduce minimum parking standards. Similarly, the Integrated Mobility Plan (IMP) recommends that municipal Land Use By-laws be amended to reduce parking requirements.

DISCUSSION

Consistent with the intent of the MPS to provide adequate parking, staff are proposing amendments to the Chebucto Peninsula LUB to reduce the parking requirements for all community centres and recreation facilities, including the proposed Herring Cove Community Centre. While the HRM Parking Strategy and the Integrated Mobility Plan support reduced parking requirements, they do not provide specific recommendations. However, parking requirements have recently been significantly reduced or eliminated in the Regional Centre Plan Area, and more recently in the Beechville / Lakeside/ Timberlea Plan Area for

community centres and recreation facilities. A similar approach is therefore proposed as set out in Attachment A of this report.

LUB Context

As noted in the Background section of this staff report, the current parking regulations for an institutional use under the Chebucto Peninsula LUB require the greater of 1 parking space per 100 square feet or 1 parking space for every 4 people who can be accommodated within the building, although exceptions for certain institutional uses already exist. Community and recreational buildings tend to have larger rooms as they serve many different purposes which results in a large amount of parking under the current regulations and in many instances, results in more parking than what is needed. Reducing the requirements for recreational uses as well as community centres and halls to a minimum of 1 space for every 500 square feet of floor area will provide minimum parking requirements that more accurately reflect the need. As a minimum standard, it does not prevent an applicant from providing more parking spaces if desired.

LUB Amendment

Attachment A contains the proposed LUB amendment to significantly reduce the minimum parking requirements for community centres and recreation facilities. This amendment adds “community centres and halls” and “recreation uses” to the list of land uses contained in Section 4.27 (Parking Requirements) which have specific parking requirements that are different from the general institutional parking requirements. The proposed requirement is a minimum of 1 space per 500 square feet (46.5 m²) of gross floor area. A more comprehensive review of all parking requirements will be undertaken as part of the ongoing Plan and By-law Simplification program.

Staff are recommending the proposed reduction in the required parking for community centres and recreation facilities for the following reasons:

- consistent with the amendment approved recently for Beechville/Lakeside/Timberlea Plan Area, the reduction in required parking would apply only to community centres and recreation facilities which tend to service the immediate community and would not change the current parking requirements for all other institutional uses in Planning District 5;
- reduced parking requirements allow for additional flexibility for where to locate parking on the lot based on location, site conditions, and transportation options;
- in addition to the Beechville/Lakeside/Timberlea Plan Area amendment, further precedent has been set in HRM for reducing or eliminating outdated parking requirements with the adoption of the Regional Centre Plan and By-law;
- the proposed parking requirement is a minimum requirement and additional parking can be provided if desired; and
- reducing parking requirements encourages good urban design and supports alternatives to private vehicles.

FINANCIAL IMPLICATIONS

There are no financial implications. The HRM cost associated with processing this LUB amendment can be accommodated within the approved 2022-2023 operating budget.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within this report. The proposed amendment may be considered under existing MPS policies. Community Council has the discretion to make decisions that are consistent with the MPS, and such decisions may be appealed to the N.S. Utility and Review Board. Information concerning risks and other implications of adopting the proposed LUB amendment is contained within the discussion section of this report.

COMMUNITY ENGAGEMENT

Public engagement for the proposed amendments consisted of a website posted on the HRM Planning Applications page between as of September 12, 2022. No comments were received on the proposal as of October 31, 2022.

Regional Council unanimously approved the Integrated Mobility Plan (IMP) in December 2017. The IMP was developed with significant public consultation. The IMP resulted in a recommendation that requires HRM to reduce parking requirements within its Land Use By-laws.

A public hearing must be held by Halifax and West Community Council before they can consider approval of the proposed LUB amendment. Should Community Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, The HRM website will also be updated to give notice of the public hearing.

ENVIRONMENTAL IMPLICATIONS

Reduced parking requirements can support alternative transportation options and reduce the need for impermeable surfaces and therefore resulting stormwater runoff.

ALTERNATIVES

1. Halifax and West Community Council may choose to approve the proposed LUB amendment subject to modifications. Such modifications may require further staff analysis and may require a supplementary report or another public hearing. A decision of Council to approve this proposed LUB amendment is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
2. Halifax and West Community Council may choose to refuse the proposed LUB amendment, and in doing so, must provide reasons why the proposed amendment does not reasonably carry out the intent of the MPS. A decision of Council to refuse the proposed LUB amendment is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

Attachment A: Proposed LUB Amendment

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Mark Inness, Planner II, 902.240.8525

ATTACHMENT A

Proposed Amendment to the Land Use By-law for the Planning District 5 (Chebucto Peninsula)

BE IT ENACTED by the Halifax and West Community Council of the Halifax Regional Municipality that the Land Use By-law for Planning District 5 (Chebucto Peninsula) is hereby amended as follows:

- 1) Amend Subsection 4.27(a), as shown below in **bold and strikeout**, by adding or deleting the words, numbers, and brackets immediately after the words “the greater of 1 space per 4 persons which can be accommodated at any one time” as follows:

Institutional uses except as otherwise
(RC-Aug 9/22;E-Sep/22) specified

where there are fixed seats, the greater of 1 space per 4 seats and 1 space per 100 square feet (10 m²) of gross floor area where there are no fixed seats, the greater of 1 space per 100 square feet (10 m²) of gross floor area of 1 space per 4 persons which can be accommodated at any one time.

Community centres and halls

**1 space per 500 square feet (46.5m²)
of gross floor area**

Recreation uses

**1 space per 500 square feet (46.5 m²)
of gross floor area**

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Halifax and West Community Council held on the ____ day of _____, A.D., 20____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20____.

Municipal Clerk