

PEC
Good evening committee members,

I would like to say that I could support this Bylaw amendment in a general sense, if made applicable to ALL commercial recreation establishments city-wide. However, I cannot support it as written as a city led and funded amendment for the site specific re-zoning of the property at 1565 North Routledge Park which was NOT previously in compliance with existing policy. I understand that when certain area policies are amended, some uses may go from being legally operating to being non-compliant, at which point the city may bring forth a bylaw amendment such as this to relieve these establishments from the confines of the NEW rules. However that is not the case here. This application for amendment gives relief to one establishment that has opened their operations at an improperly zoned site within the last two years without having to properly change its use from Industrial to another occupancy PRIOR to the use being changed. The proper process was not followed and therefore, the associated costs were not incurred (i.e. zoning change application costs, site plan approval costs, building permit fees for leasehold improvements, and the appropriate development charges due for non-industrial uses in an industrial area). The support given for this application under its Analysis suggests that the passing of OZ-8219 would put an existing Commercial Recreation Establishment into non-compliance. The important thing to mention here is that this establishment was NEVER in compliance and if this application is passed, it would legitimize non-compliance. This application also does not reference an analysis of the appropriateness of the site for this use, nor does it mention amendments to parking requirements, etc that usually accompany such an application.

I applaud the city and staff for the work they have done over the past year reviewing Commercial Recreation activities. Matt Brown's recommendation to council that has led to the new policy statement 0-8340 that is being discussed tonight sheds light on the Hyde Park industrial area and how appropriate non industrial uses, including Commercial Recreation, can and should be allowed to operate in certain light industrial areas of the city. I believe there is now a greater understanding of the importance of these establishments in providing opportunities and safe spaces for children's fitness programming which contributes to healthy communities. Unfortunately, there are HUGE obstacles facing these establishments with respect to operating legally and in compliance with existing policies.

I feel that the current system breaks down when it comes to commercial recreation, specifically when dealing with children's activities. Most children's fitness activities cannot safely be housed in small spaces. For this reason, the vast number of establishments that provide this service to our youth avoid following proper procedures. As highlighted in Appendix "C" of the report OZ-8219, there are MANY commercial recreation establishments operating and expanding their operations city-wide in non-compliance with respect to zoning and without having paid any development charges. The reason for this is simple...the fees associated with applying for zoning, applying for building permits and the corresponding development charges on such large spaces are too cost-prohibitive for any small business to afford. It is not uncommon for a small business providing commercial recreation to children to require 5000-15000 square feet of space. That would cost hundreds of thousands of dollars in development fees alone and would likely prove fiscally unfeasible. Perhaps a Community Improvement Plan for children's commercial recreation could be established which would give little reason for such establishments to be non-compliant.

I ask this committee NOT to support this amendment as written but rather to direct staff to report back with a farther reaching recommendation that can provide all children's commercial recreation establishments city-wide the same opportunities. The recommendation needs to be consistent, enforceable (and enforced), have the same economic implications and be fiscally reasonable for all existing, expanding and future children's commercial recreation establishments.

Thank you, committee members, for the opportunity to speak tonight.