

CITY OF FORT SASKATCHEWAN

Bylaw C5-15 to Amend Land Use Bylaw C10-13 by Redistricting a Portion of SE ¼ Section of 19-54-22-W4M and a Portion of Lot 1, Block 1, Plan 022 6974 from UR - Urban Reserve District to RC – Comprehensively Planned Residential District, R3 – Small Lot Residential District, and DC(A)-07 - Direct Control – Residential (Southfort Meadows Stage 5)

Motions:

1. That Council amend Bylaw C5-15 by replacing Subsection 9.12.7(a) – Combined Side Yard Regulations with the following regulation: “The reduced setback shall only be applied to the block in its entirety or a minimum of seven contiguous single detached lots.”
2. That Council give second reading to Bylaw C5-15 to amend Land Use Bylaw C10-13 by redistricting a Portion of SE ¼ Section of 19-54-22-W4M and a Portion of Lot 1, Block 1, Plan 022 6974 from UR - Urban Reserve District to RC – Comprehensively Planned Residential District, R3 – Small Lot Residential District, and DC(A)-07 - Direct Control – Residential (Southfort Meadows Stage 5), as amended.
3. That Council give third reading to Bylaw C5-15 to amend Land Use Bylaw C10-13 by redistricting a Portion of SE ¼ Section of 19-54-22-W4M and a Portion of Lot 1, Block 1, Plan 022 6974 from UR - Urban Reserve District to RC – Comprehensively Planned Residential District, R3 – Small Lot Residential District, and DC(A)-07 - Direct Control – Residential (Southfort Meadows Stage 5).

Purpose:

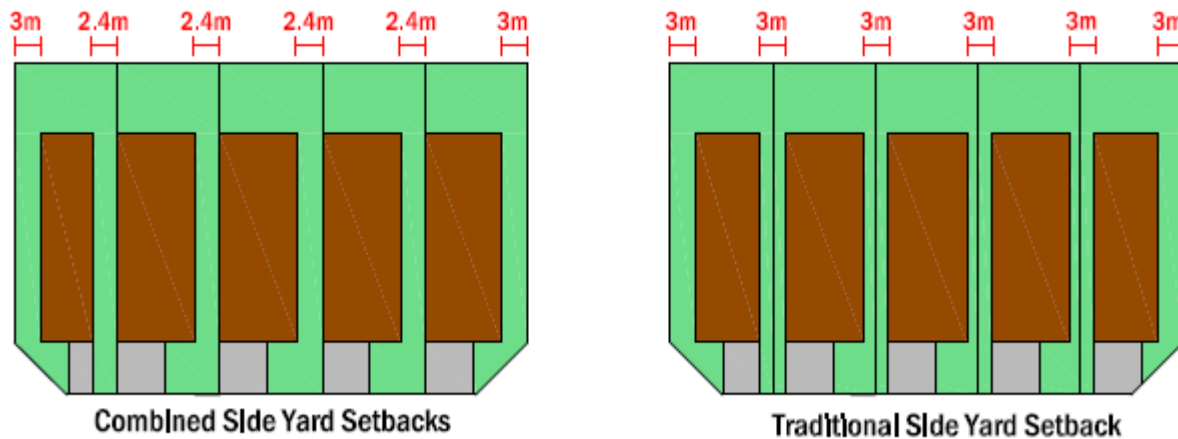
The purpose of Bylaw C5-15 is to redistrict lands for Southfort Meadows Stage 4 and Stage 5. Three residential zoning requests have been made, including a Direct Control (Administration) zoning. The purpose of the Direct Control zoning is to introduce a pilot project to test the feasibility of regulations designed to encourage innovative design concepts and offer a greater diversity of housing types.

The intent of the Combined Setback Pilot Project is to convert two seemingly unusable setback areas into one useable setback area. The combined setback would be applied when:

- The opposite side yard achieves a setback of 2.4m;
- The combined setbacks apply to an entire block or a minimum of eight contiguous lots;
- An easement has been registered on title of the adjacent property permitting access for maintenance and drainage; and
- The architectural controls have been enhanced to create a signature street.

This project is considered a pilot project given the unique features being proposed, including combined setbacks and enhanced architectural designs. Pilot projects such as this represent an opportunity for the City of Fort Saskatchewan to test a unique housing product to the area and offer a diversity of housing product to current and new residents.

As per the Land Use Bylaw, a total of 3.0m separation between houses is required, provided through two separate setbacks. With the pilot project, a total of 2.4m separation is required, provided by one setback, as demonstrated in the following conceptual diagram:



The developer estimates a \$7,500 cost savings will be created for the builder through reduced lot costs. The developer intends to require builders to transfer the reduced cost into improved external architectural features, such as façade design, materials, textures, colours, rooflines, windows, doors, and/or decorative detailing. The value contributed to side yard setback remains consistent, as demonstrated in the following equations:

Traditional side yard equation:

$$1.5\text{m (land dedication)} + 1.5\text{m (land dedication)} = 3.0\text{m}$$

Pilot project side yard equation:

$$2.4\text{m (land dedication)} + 0.6\text{m (improved architecture)} = 3.0\text{m}$$

The traditional dedication to side yard setback remains consistent in terms of cost. However, the utilization of the cost has been modified. Therefore, the question before Council relates to the prioritization of ensuring all new lots physically provide the 3.0m side yard setback versus providing flexibility in pursuit of innovation and improved streetscapes.

Administration does not typically provide input into architectural controls, but through Subsection 9.12.7(c) of the Direct Control zoning under amending Land Use Bylaw C5-15, the architectural controls are to be developed collaboratively between the developer and the Subdivision Authority. At the time of permit application, should the Development Authority consider the approved architectural controls not in adherence, the development permit could be refused as per Subsection 9.12.7(d) of the proposed Land Use Bylaw amendment C5-15. Through these regulations, Administration has the ability to influence architectural standards in accordance with Council's direction, helping to ensure implementation of a signature street.

Background:

An application was received from WSP Canada Inc. (formerly Focus) on behalf of Southfort Development Corp. This subject area is located south of Southfort Estates and east of the existing Southfort Meadows neighbourhood.

Bylaw C5-15 received first reading at the February 10, 2015 regular Council meeting. At that time, Council provided Administration with the following question:

What assurances does Council have that the Direct Control zoning can be limited to the subject area?

With all redistricting, Council serves as the legislative body that ultimately assesses and assigns the appropriate districting. Through this process, Council is obligated to consider previously approved statutory plans, such as the *Municipal Development Plan* and *Area Structure Plans*. Council is also required to hold a fair procedure for determining the appropriate district. With consideration for statutory plans and evidence provided through the procedure, it is ultimately Council's decision to determine the appropriate zoning.

Frederick Laux's Planning Law and Practice in Alberta describes the application of site-specific Direct Control Districting as follows:

.. "The district may be applied in those circumstances where, although the proposed development could be accommodated by applying a conventional district to the subject lands, the unusual nature of the project, site or neighbourhood are such that the use of a conventional district would be 'inappropriate or inadequate'." (page 6-39)

In this instance, Administration considers the unusual nature of the project warrants the use of Direct Control zoning. All future applications would be assessed on a case by case basis.

Comparable regulations have been introduced in Edmonton, Leduc, and Spruce Grove. The regulations in Edmonton require a 1.5m setback, as opposed to the 2.4m setback. As such, the majority of complications experienced in Edmonton relate to the increase in density.

At full build-out, the proposed redistricting is estimated to provide approximately 110 dwelling units. The estimated density for Southfort Ridge Stages 4 and 5 is 25 du/ndrha, which achieves the Capital Region Growth Plan density targets of 25 du/ndrha – 30 du/ndrha.

Southfort Development Corp.'s model expands across multiple quarter sections. Previously, starter products have been concentrated to Southfort Ridge, move-up product located within the Meadows, and large move-up product concentrated to the Estates. The final stage of Southfort Ridge received approvals in 2014. Therefore, the intent is to now provide move-up and starter product within the Meadows.

Council-approved planning documents support a diversity of housing products to create diverse neighbourhoods. However, the transition from the Estates (7du/ndrha) to the proposed product (27du/ndrha) is significant. The Direct Control zoning allows single detached and semi-detached dwellings. To ease the transition while supporting an increase in density and diversity, the regulations limit lots abutting the Estates to single detached dwellings. Semi-detached dwellings would be permitted in the center of the block where the storm pond serves as a large buffer.

A minor amendment is being requested to Bylaw C5-15 since first reading. Subsection 9.12.7(a) previously required the combined setbacks to be applied to no less than eight contiguous lots to ensure consistency. Through subdivision design it was determined a minimum requirement of seven contiguous lots was more conducive. Therefore, Bylaw C5-15 and the regulation will be amended from eight to seven contiguous single detached lots.

Plans/Standards/Legislations:

The Municipal Development Plan (MDP), Community Sustainability Plan (CSP), and Southfort Area Structure Plan (SF-ASP) provide policy direction in relation to this application. An analysis of the application against relevant policies is provided as Appendix "B".

The above-mentioned plans support a diversity of housing products and housing innovation. The proposed regulations, combined with the requirement for improved architectural standards, will create a product currently not available within Fort Saskatchewan. Should the pilot project be permitted, five different housing products will be visible from the intersection of Meadowview Drive and Greenfield Link. This level of integration within a developing community is unique in the Edmonton region.

The proposed redistricting places a higher emphasis on the streetscape and improved architectural controls, which is a common goal of the above noted plans. The plans also place a high emphasis on access to passive and active recreation opportunities, which has been accommodated throughout the community as shown in the Outline Plan provided as Appendix "E". The proposed plan excels at integrating housing forms and lot sizes, improving architectural styles to enhance the public realm, and test a pilot project for innovation. Opportunity for improvement exists for integration of sustainability practices, and limiting driveway access to a collector road (although concerns regarding the impact have been mitigated).

As per the *Municipal Government Act*, adjacent landowners were notified by mail and advertisements were published in a local newspaper for two consecutive weeks. At the time this report was completed, no submissions regarding the proposed bylaw were received.

Financial Implications:

The City of Fort Saskatchewan would be responsible for regular maintenance of the roads and public lands servicing the developed area as part of usual municipal operations (waste pickup, fire, policing, snow removal, utilities, roads and the related hardware, future infrastructure, etc.).

Alternatives:

1. That Council give second and third reading to Bylaw C5-15 to amend Land Use Bylaw C10-13 by redistricting a Portion of SE ¼ Section of 19-54-22-W4M and a Portion of Lot 1, Block 1, Plan 022 6974 from UR - Urban Reserve District to RC – Comprehensively Planned Residential District, R3 – Small Lot Residential District, and DC(A)-07 - Direct Control – Residential (Southfort Meadows Stage 5).
2. That Council not proceed with second and third reading to Bylaw C5-15, thus leaving the lands in their current legal designation, and advise how they wish to proceed.

Attachments:

1. Bylaw C5-15
2. Schedule "A" – Map Amendment to Appendix A of Bylaw C10-13
3. Appendix "A" – Air Photo
4. Appendix "B" – Relevant Policies
5. Appendix "C" – Draft DC(A)-07 Land Use Bylaw District
6. Appendix "D" – Requested existing Land Use Bylaw Districts (RC & R3)
7. Appendix "E" – Southfort Ridge/Meadows Outline Plan

File No.: Bylaw C5-15

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Reviewed by:	Kelly Kloss City Manager	Date: February 23, 2015
Submitted to:	City Council	Date: March 10, 2015