

## City of Fort Saskatchewan

### Bylaw C10-16 to Amend Land Use Bylaw C10-13, C5 – Fort Mall Redevelopment District Regulations

---

#### Motions:

1. That Council give second reading to Bylaw C10-16 to amend Land Use Bylaw C10-13, to reflect updates to the C5 – Fort Mall Redevelopment District regulations.
2. That Council give third reading to Bylaw C10-16 to amend Land Use Bylaw C10-13, to reflect updates to the C5 – Fort Mall Redevelopment District regulations.

#### Purpose:

To present Council with information regarding proposed amendments to the C5 – Fort Mall Redevelopment District regulations and to request consideration of second and third reading.

#### Background:

The site is located within the downtown limits, as outlined in the *Downtown Area Redevelopment Plan* (DARP). It was always intended that the site would be subject to the associated downtown zoning. However, as the timing of the *Downtown Land Use Bylaw* was not in keeping with the developer's timeframe, site specific zoning (C5) was created.

The C5 District regulations were approved through Bylaw C22-14 on September 9, 2014. It was expected that future amendments would be required to ensure consistency with the downtown regulations. The site was subdivided into 5 separate lots in May of 2015. Since then, redevelopment of the site has been underway including renovations to existing buildings and demolition works. Future phases include proposals for several residential projects.

On December 2, 2015 a design charrette was held with Haro Developments Inc. and Administration. The goal of the charrette was to work through some of the technical site issues that were arising from the redevelopment plans and the C5 regulations. The exercise was intended to be an all-encompassing approach to address the discrepancies, ensuring changes to the regulations could be brought forward with one amendment instead of individual corrections.

On February 2, 2016, Administration received an application to amend the C5 District. Since that time, Administration has worked closely with the applicant, to ensure that the proposed changes are appropriate. In general, the proposed amendments are in keeping with the recently approved *Downtown Land Use Bylaw*. In particular, they are similar to the regulations under the MP-D Mall Precinct District (Giant Tiger site).

Council gave first reading to Bylaw C10-16 on June 14, 2016.

In summary, the applicant has proposed the following changes:

#### Multi-attached Dwellings

Multi-attached dwellings include townhouses, stacked townhouses and row housing. As the DARP vision for the site included high density residential development, this use was originally listed as a "discretionary use". However, the vision did not include retention of the mall building, which has resulted in development constraints. In particular, ensuring an appropriate transition between built form and building heights. The applicant has proposed changing this use from "discretionary" to "permitted" to allow for greater flexibility for different housing types. This

permission would just apply to the periphery of the site, ensuring that any future residential development within the centre of the site is higher density. This change would also help ensure an appropriate transition between existing and future built form.

### Reduced Setbacks

In an urban context, reduced setbacks are typical as they result in denser development. In addition, municipal reserve lands along the perimeter were acquired through the subdivision process. In light of this, the proposed setbacks are appropriate and are in keeping with the downtown setback regulations.

### Common Amenity Area

The proposed changes reflect amenity area requirements which are in keeping with the downtown regulations. As proposed, they also allow for greater flexibility in regards to multi-attached development projects and consideration for site wide amenities. The applicant does not agree with the proposed regulation. They have put forward a request for an alternative regulation to be considered by Council. Further details can be found under Appendix D.

### Built Form

In regards to building height, the applicant has proposed increasing the maximum height along 98 Avenue from 3 to 4 storeys. They indicated this would allow for greater flexibility in the design for a potential assisted living facility. It is noted that a new 4 storey maximum height would apply to any building and not just an assisted living facility. Given the distance separation between such future development and the existing residential area to the south, the proposed increase in height is appropriate.

In addition, changes were made to the regulations to provide more clarity with building height requirements.

### Parking Requirements

The applicant has proposed that the recently approved downtown parking minimums apply to the district. This would not include the downtown parking overlay. As this site was always intended to have downtown zoning regulations, the proposed changes are appropriate. The parking regulations would be applied at the development permit stage. Based on a preliminary review of a new residential development, there appears to be a parking deficiency. In order to receive development permit approval, the parking requirements would have to be satisfied.

### Density and Floor Area Ratio

The proposed maximum densities and floor area ratio have been updated to align with the downtown regulations. The proposed changes are appropriate as they are identical to the regulations under the MP-D Mall Precinct District (Giant Tiger site).

### Definitions

In order to provide greater clarity, the definitions for residential density have been updated to exclude the downtown and C5 Districts. Further, definitions have been added for display gardens and floor area ratio.

Further details regarding the proposed regulations can found under Appendix B and C.

## **Plans/Standards/Legislation**

The site has been designated as “Downtown” in the City’s *Municipal Development Plan*. It has also been designated as “Mall Redevelopment Precinct” in the *Downtown Area Redevelopment Plan & Design Guidelines*. Appendix “D” contains the applicable policies from these documents. Applying the proposed amendments will help assist future developments better align with the goals and policies of the DARP. In particular, several policies speak to reducing parking requirements for the site. By implementing the recently approved downtown parking minimums, these policies can be addressed.

## **Community Feedback**

Following first reading, notification letters were sent out to affected landowners. An advertisement in the local paper ran for 2 weeks as per requirements outlined in the *Municipal Government Act*.

At the time this report was written, no comments regarding the proposed changes had been received.

## **Financial Implications:**

No financial implications are expected as a result of the proposed regulation changes.

## **Recommendation:**

That Council give second and third reading to Bylaw C10-16 to amend Land Use Bylaw C10-13, to reflect updates to the C5 – Fort Mall Redevelopment District regulations.

## **Attachments:**

1. Bylaw C10-16
2. Appendix A - Location Map
3. Appendix B - Amended C5 Regulations
4. Appendix C - Summary of Existing and Proposed Regulations
5. Appendix D - Applicant’s Request for Amenity Area Requirement
6. Appendix E - Relevant Policies

---

Prepared by:	Katie Mahoney Senior Long Range Planner	Date: June 20, 2016
Approved by:	Troy Fleming General Manager, Infrastructure & Community Services	Date: June 21, 2016
Reviewed by:	Kelly Kloss City Manager	Date: June 21, 2016
Submitted to:	City Council	Date: June 28, 2016