

## **CITY OF FORT SASKATCHEWAN**

### **Bylaw C16-16 to Amend Land Use Bylaw C10-13 - Redistrict Lands covering Lot 15, Plan FORTSAS from UR - Urban Reserve District to DC(A)-07 - Direct Control-Commercial Centre (Highway 21 at Pineview)**

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#### **Motions:**

1. That Bylaw C16-16 be amended to include the following:
  - “2. That the regulations for the DC(A)-07 – Commercial Centre (HWY 21 at Pineview) form part of this Bylaw, as shown on the attached Schedule “B”.”
2. That Bylaw C16-16 to amend Land Use Bylaw C10-13 by redistricting lands covering Lot 15, Plan FORTSAS from UR - Urban Reserve District to DC(A)-07 - Direct Control - Commercial Centre (HWY 21 at Pineview) be given second reading, as amended.
3. That Bylaw C16-16 to amend Land Use Bylaw C10-13 by redistricting lands covering Lot 15, Plan FORTSAS from UR - Urban Reserve District to DC(A)-07 - Direct Control - Commercial Centre (HWY 21 at Pineview) be given third reading.

#### **Purpose:**

To present Council with information regarding a proposed commercial development located at 8705 Highway 21 (Lot 15, Plan FORTSAS) and to request second and third reading of Bylaw C16-16.

#### **Background:**

The site is 7.71 ha (19.06 ac) in size and is located between Highway 21 and the Pineview neighbourhood. A 30 metre (98 ft.) wide park containing a trail exists between the site and the Pineview neighbourhood. The lands are a remnant parcel from when the Pineview area was developed. There are no road connections into the Pineview neighbourhood as it was always intended that access be provided from Highway 21.

The site is currently zoned as “UR - Urban Reserve”. This land use district is applied to areas that are undeveloped but have been identified for future urban development. In early 2016, Urban Revision Consulting Inc. submitted an application to redistrict the lands to “C2 - Vehicle Oriented Retail and Service District” to allow for new commercial development.

On February 18, 2016, the applicant hosted an information session at the Dow Centennial Centre. The purpose of this meeting was for the applicant to share the proposal with the community. Concerns raised related to land use, building height, noise, lighting, landscaping, construction, security, parking, and traffic.

Based on these concerns, the applicant amended the proposed zoning from “C2 - Vehicle Oriented Retail” to “DC(A)-Direct Control (Administration)”.

The regulations have been written specifically for the site, with regard for the residential area nearby. Architectural controls, noise mitigation measures and additional landscaping

requirements have been included. The intent is to reduce any perceived impact this development may have on the neighbourhood.

On September 14 2016, the applicant hosted a second information session at the Dow Centennial Centre. The purpose of this meeting was for the applicant to demonstrate how the new regulations addressed concerns raised at the first information session.

### Community Feedback

Comments submitted from the Open Houses and the Public Hearing have focused on these topics.

#### *Loss of Open Space*

The lands are privately owned and have not been identified for park purposes in City planning documents. Based on a review of historical documents, the lands have never been identified for park purposes. They are currently zoned as “UR-Urban Reserve” which is intended for future urban development. The 30 m wide linear park along the rear of the property is owned by the City and will remain in City ownership.

#### *Incompatible Land Uses*

The proposed regulations restrict many uses which would be permitted under the C2 District regulations. Certain uses that could generate significant noise, light or traffic would not be permitted. For example, hotels, car dealerships, and vehicle repair facilities would not be permitted. In addition, drive-thru operations would be a discretionary use, which would restrict their location on the site.

#### *Building Heights*

The regulations include restrictions on building heights. Buildings fronting along Highway 21 would have a maximum height of 4 storeys. Buildings at the rear of the site would have a maximum height of 2 storeys. The 2 storey height maximum at the rear would prevent any privacy and overshadowing impacts on the nearby residential properties.

#### *Noise*

A noise report would be required as part of the development permit. This would provide recommendations as to how noise can be mitigated. For example, acoustical fencing along the rear of the property can be used. In addition, the regulations specify that loading docks for buildings are to be directed away from the neighbourhood.

#### *Landscaping*

Under the proposed regulations, increased landscaping would be required. For example, through the future development permit, the applicant would be required to plant a row of trees along the rear property line. Walkways for pedestrians would also be accommodated throughout the site.

### *Construction*

Based on the proposed regulations, prior to construction, adjacent residential properties would be notified and provided with the contact information for the on-site construction manager. This would allow residents to notify the construction manager of any noise or site concerns.

### *Safety and Security*

Concerns were expressed regarding security and trespassing. The concern being that new commercial development may lead to trespassing and potential property crimes. The proposed regulations ensure appropriate lighting and increased visibility. Lighting would be directed towards parking areas and buildings on the site. The developer would also be required to fence the rear of the site with some connections to the City trail system.

### *Traffic*

A Traffic Impact Assessment (TIA) was submitted as part of this application. The TIA has been circulated internally for technical review, and no concerns have been raised. The TIA outlines the requirement for an all directional signalized intersection and a right-in/right-out along Highway 21. A full intersection would be required to service this site and meets the required distance separation. As there are no road connections between the site and Pineview, an increase in residential traffic will not occur as a result of this development.

Bylaw C16-16 received first reading at the October 25, 2016 regular Council Meeting. For first reading, the DC(A)-07 regulations were presented as "Appendix B" and not noted in the Bylaw. The DC(A)-07 regulations have now been included as "Schedule B", which requires an amendment to the Bylaw prior to second reading. No changes have been made to the content of the DC(A)-07 regulations.

## **Plans/Standards/Legislation**

The Strategic Plan and Community Sustainability Plan promote infill development prior to new greenfield development. The Strategic Plan supports developing new lands for commercial and retail purposes.

In the Municipal Development Plan (MDP), the site is designated as "General Urban Area (GUA)". The MDP supports ensuring that sufficient commercial lands are available for new business opportunities. It also supports infill development and the intensification of underutilized land.

As per the Southfort Area Structure Plan, an 'optional collector' is included at this location. This collector would provide access from the Highway 21 and connect to the south, should a road be constructed in the future. The Southfort Area Structure Plan Transportation Study adopted by Council on June 28, 2016 shows a signal in this section of Highway 21.

Further details regarding applicable policies can be found under Appendix C.

The following documents were submitted with the application:

- Traffic Impact Assessment;
- Engineering Design Brief;
- Phase 1 Environmental Assessment.

These documents have been circulated for technical review and no concerns have been raised. Further detailed engineering work would be required at the development permit stage and addressed through a Development Agreement.

### **Financial Implications:**

Any costs associated with municipal infrastructure improvements would be incurred by the developer at the permit stage.

### **Recommendation:**

1. That Bylaw C16-16 be amended to include the following:
  - “2. That the regulations for the DC(A)-07 – Commercial Centre (HWY 21 at Pineview) form part of this Bylaw, as shown on the attached Schedule “B”.”
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### **Attachments:**

1. Bylaw C16-16
2. Schedule A - Bylaw C16-16
3. Schedule B - Proposed DC(A)-07- Direct Control- Commercial Centre Regulations
4. Appendix A - Aerial Map
5. Appendix B - UR- Urban Reserve District Regulations
6. Appendix C - Relevant Policies

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File No.: Bylaw C16-16

Prepared by:	Matthew Siddons Current Planner	Date: November 7, 2016
Approved by:	Dean McCartney Acting Director, Planning & Development	Date: November 15, 2016
Approved by:	Troy Fleming General Manager, Infrastructure & Community Services	Date: November 15, 2016
Reviewed by:	Kelly Kloss City Manager	Date: November 15, 2016
Submitted to:	City Council	Date: November 22, 2016