

AGENDA

SPECIAL MEETING OF COUNCIL TO BE HELD
VIRTUALLY ON AUGUST 08, 2022
COMMENCING AT 7:00 PM

GoToMeeting

Public Access Code: 738-393-413

- | ITEM | SOURCE |
|------|--|
| 1. | Call to Order |
| 2. | Adoption of Agenda |
| 3. | Public Hearing
a) PCPS RFD - Bylaw #2022-18 – Amendment to Land Use Bylaw |
| 4. | Bylaws or Policies
a) CAO Losier RFD - Bylaw 2022-19 – Amendment to Land Use Bylaw, Section 9.18.1 DC – Direct Control District 01
b) CAO Losier RFD - Bylaw 2022-20 – Amendment to Land Use Bylaw, Section 7.19 Parking and Loading Regulations, Section 8.37 Signs in the C1, C2, M1 & M2 Districts and Section 9.13 C2 – Commercial (Highway) District.
c) CAO Losier - Bylaw #2022-18 – Amendment to Land Use Bylaw |
| 5. | New Business – None |
| 6. | Adjournment |

Town of Calmar

Request for Decision (RFD)

Meeting:	Special Meeting of Council
Meeting Date:	August 8, 2022
Originated By:	Craig Teal, RPP MCIP, Director, PCPS
Title:	Bylaw 2022-18 – Amendment to Land Use Bylaw
Approved By:	CAO Losier
Agenda Item Number:	3 A

BACKGROUND/PROPOSAL:

The owner of the NW 25-49-27-4, Thomas Creek Developments Ltd., has applied to amend the Land Use Bylaw designation on part of their property. The subject site is located in the west part of Calmar, south of Highway 39/50 Avenue and west of the Southbridge neighbourhood.

The requested change involves commercial, residential and park designations which reflect the land use concept of the approved Thomas Creek Area Structure Plan. The Land Use Bylaw amendment application is in support of a subdivision application for the first phase of development in this area. The subdivision application is expected in the coming weeks.

Bylaw 2022-18 affects lands in the northeast corner of the subject site. Some of the land in this area is presently designated R1B Residential (Small Lot, Single Detached) District, R1C Residential (Single Detached with Attached Garages) District, and R3 Residential (Medium Density) District. The majority of the quarter section is designated UR Urban Reserve District.

Bylaw 2022-18 proposes to:

- add a C2 Commercial (Highway) District area along Highway 39/50 Avenue;
- expand the existing R1B designated area to match the boundary of the commercial area;
- switch the R3 designated area and a portion of the R1C designated area to the R2 Residential (General) District to facilitate duplex/semi-detached housing;
- extend the R2 Residential (General) District farther south;
- extend the R1C designated area farther south; and
- add an area under the P Parks and Recreation District south of the R1C area to add part of the long term park system.

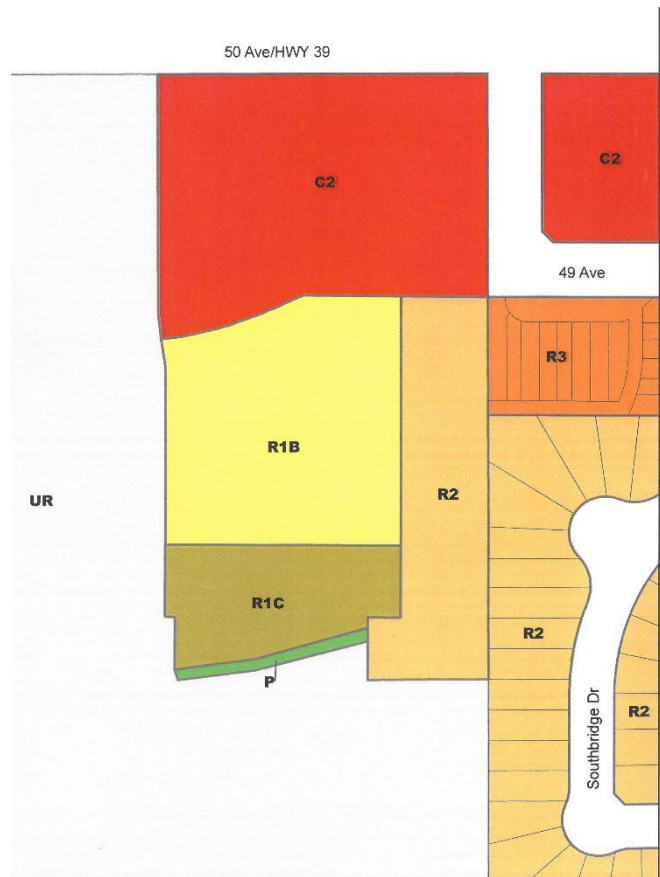
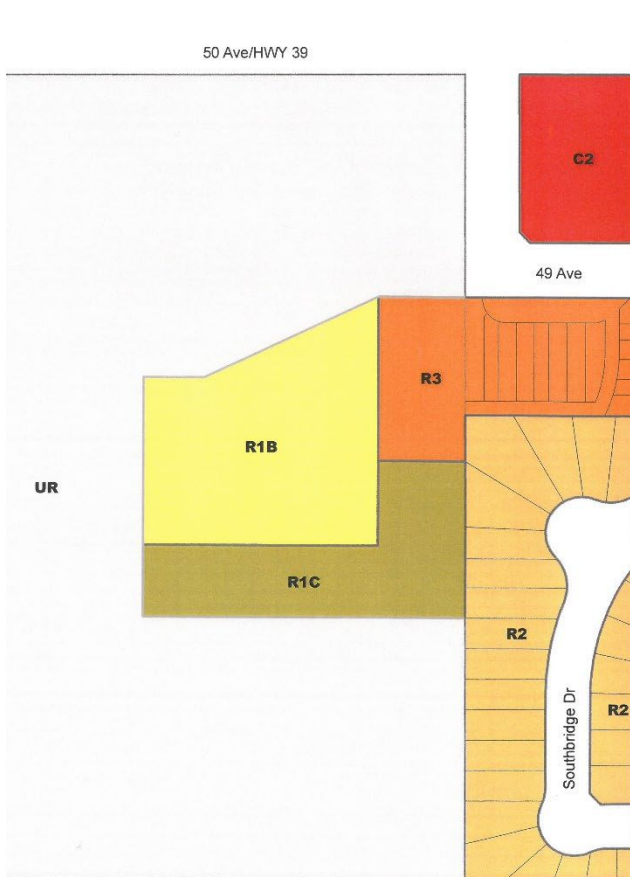
The location of the subject area involved in the changes proposed by Bylaw 2022-18 is shown outlined in yellow on the air photo that follows. It shows 50 Avenue/Highway 39 along the north boundary and developed residential in the Southbridge neighbourhood along the east side of the area.



Schedule A, attached to Bylaw 2022-18, provides a drawing showing the locations and extents of changes in land use designation required to accommodate the proposed phase of development. Part of this area had previously been designated to R1B, R1C and R3 and the changes in Bylaw 2022-18 add to this area and change some of the existing designations. The two drawings that follow show the existing land use designations in the subject area (before - existing) and the proposed land use designations if Bylaw 2022-18 is approved (after - proposed).

Before – Existing Designations

After – Proposed Designations



DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:

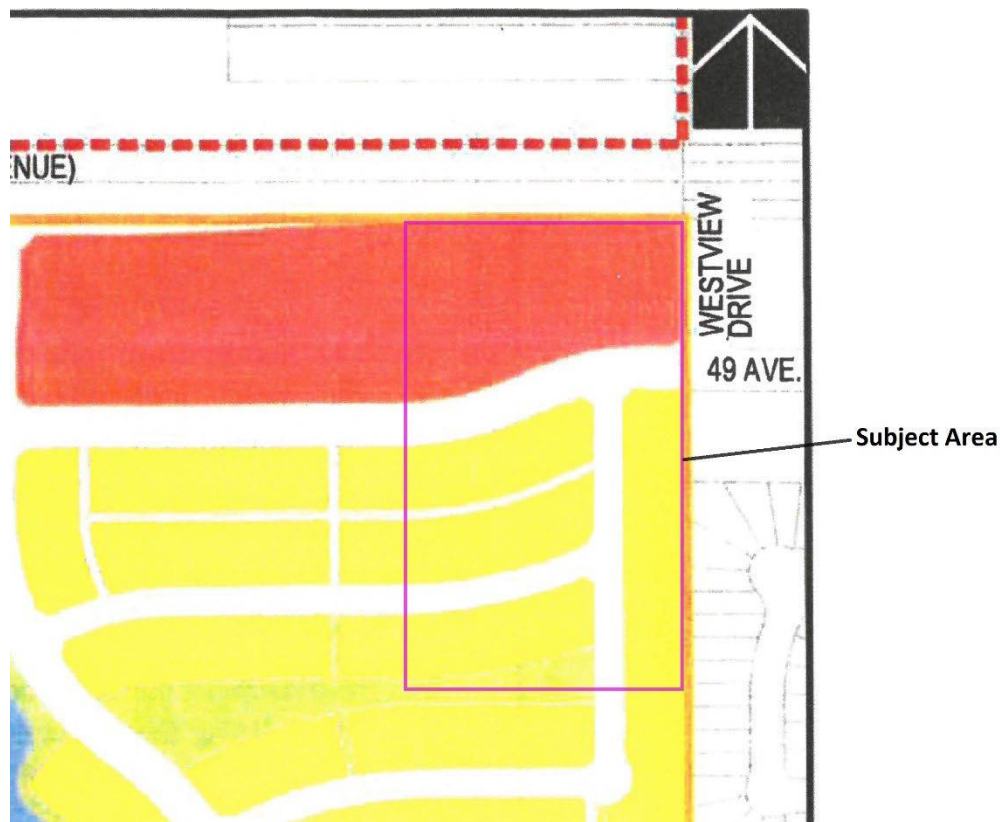
Relation to Statutory Plans

The Leduc County and Town of Calmar Intermunicipal Development Plan (IDP) does not provide a detailed land use concept for lands located within the Town of Calmar. In the absence of a detailed concept it is interpreted to be a deferral to the land use concepts that are shown in the Town of Calmar Municipal Development Plan (MDP) and any approved area structure plans that were in place at the time that the IDP was prepared. The IDP was adopted in 2019, the MDP was updated in 2019 and the Thomas Creek Area Structure Plan was originally adopted in 2008 and last amended in 2017.

The Town of Calmar Municipal Development Plan identifies the subject area for commercial and planned neighbourhood uses. The commercial use is intended for highway commercial activities taking advantage of visibility and access along Highway 39/50 Avenue. The planned neighbourhood use is intended for residential use consisting of a variety of housing types and densities.

The Thomas Creek Area Structure Plan identifies low density residential use, commercial use and municipal reserve (park and open space use) in the subject area as shown in the drawing that follows. The commercial use is meant for highway commercial and neighbourhood convenience commercial activities. The low density residential use is meant to accommodate single detached dwellings on narrow (30 ft.) and wider (50 ft.) parcels as well as semi-detached/duplex dwellings. The municipal reserve is part of a linear park oriented east-west meant to accommodate pathways.

In summary, the land use designations proposed by Bylaw 2022-18 are consistent with the future land use patterns identified in the applicable statutory plans.



Public and Referral Agency Input

A public hearing is required prior to considering second and third reading of Bylaw 2022-18. The proposed bylaw and the public hearing have been advertised in accordance with the Municipal Government Act to allow the public an opportunity to comment. Letters were sent to adjacent landowners and the proposed bylaw was circulated to referral agencies for comment.

As of August 2, 2022, no questions or comments have been received from members of the general public or adjacent landowners.

As of August 2, 2022 a limited number of comments have been received from various referral agencies. A summary of comments that were received and referrals that resulted in no response is contained in Attachment B.

Alberta Health Services' comments identify the former landfill located in the adjacent quarter section in the area south of the existing Southbridge subdivisions. It is noted that Alberta Environment has granted a relaxation of the 300m development setback that typically accompanies this type of feature. The setback has been reduced to 30m subject to connection to municipal utilities (water and wastewater) for any future uses. The area that is the subject of Bylaw 2022-18 is well removed from the extent of the 30m development setback from the former landfill. The Thomas Creek Area Structure Plan (ASP) notes the presence of the former landfill and the influence of the 30m setback. The ASP indicates that further research into the former landfill will take place when development is proposed in a location closer to the area falling within the 30m setback to determine if the 30m setback is still required or needs to be accommodated in a future subdivision design. Administration supports the approach of the existing ASP which means future investigation when proposed development comes closer to the area near the former landfill.

Options for Council Consideration

Option 1 – Council may request further information from Administration prior to proceeding with second or third reading of Bylaw 2022-18.

Option 2 – Council may provide direction to Administration on changes to Bylaw 2022-18 with the amended bylaw coming before Council for second and third reading at a later date.

Option 3 – Council may defeat second or third reading of Bylaw 2022-18.

COSTS/SOURCE OF FUNDING (if applicable)
n/a

RECOMMENDED ACTION:

That Council gives second reading to Bylaw 2022-18.

That Council gives third reading to Bylaw 2022-18.

Attachment B – Summary of Comments relating to Bylaw 2022-18

AGENCY (EXTERNAL)	COMMENTS	Consideration(s) for Council
Alberta Culture & Tourism	No response as August 2, 2022	
Alberta Energy Regulator	No response as August 2, 2022	
Alberta Environment and parks	No response as August 2, 2022	
Alberta Gaming & Liquor Commission	No response as August 2, 2022	
Alberta Health Services	<p>A former landfill was located in the adjacent quarter section on NE 25-49-27-W4M. In 2008 Alberta Environment provided consent to a variance for development within 30m of the non-operating landfill for the Thomas Creek mixed-use subdivision.</p> <p>A Phase I Environmental Site Assessment (ESA) completed within the last two years should be performed on the lands prior to subdivision and development.</p> <p>Alberta Health Services - Environmental Public Health has no concerns with the proposed land use bylaw amendment at this time.</p>	No additional action at this time. Administration will inquire with the proponent about their ESA.
Alberta Historic Resources Management	No response as August 2, 2022	
Alberta Transportation	No response as August 2, 2022	
Apex	No response as August 2, 2022	
Atco Gas	No response as August 2, 2022	
Atco Pipelines, Gas Transmission	No response as August 2, 2022	
Battle River Power Co-op	No response as August 2, 2022	
Big Wifi	Wanted to know who is the developer	Provided requested information. No further action required.
Black Gold Regional Schools	No response as August 2, 2022	
Canada Post	Simply wanted to know a rough idea of numbers of lots	No Action required
Canadian National Railway	No response as August 2, 2022	
Canadian Pacific Railway	No response as August 2, 2022	
Capital Region Southwest Water Services Commission	No concerns	No action required
Contract Land Staff	No response as August 2, 2022	
Ducks Unlimited Canada Ltd.	No response as August 2, 2022	
Edmonton Regional Airports Authority (ERAA) - (EIA)	No response as August 2, 2022	
Fortis Alberta –	No response as August 2, 2022	
Leduc County Leduc County Fire	No response as August 2, 2022	

BYLAW 2022-18
A BYLAW OF THE TOWN OF CALMAR
TO AMEND THE LAND USE BYLAW 2017-07 OF THE TOWN OF CALMAR

Being a Bylaw of the Town of Calmar in the Province of Alberta to amend the Land Use Bylaw of the Town of Calmar.

WHEREAS the Municipal Government Act, being Chapter M-26 of the R.S.A. 2000, as amended ("the Act") provides that a Municipal Council may amend its Land Use Bylaw.

WHEREAS the Council of the Town of Calmar wishes to amend its Land Use Bylaw 2017-07 as it affects certain lands.

NOW THEREFORE the Council of the Town of Calmar, duly assembled, enacts as follows.

- 1) That parts of the lands legally described as the NW 25-49-27-4 be re-designated as follows:
 - a) From UR Urban Reserve District to C2 Commercial (Highway) District;
 - b) From UR Urban Reserve District to R1B Residential (Small Lot, Single Detached) District;
 - c) From R3 Residential (Medium Density) District to R2 Residential (General) District;
 - d) From R1C Residential (Single Detached with Attached Garages) District to R2 Residential (General) District;
 - e) From UR Urban Reserve District to R2 Residential (General) District;
 - f) From UR Urban Reserve District to P Parks and Recreation District;
 - g) From UR Urban Reserve District to R1C Residential (Single Detached with Attached Garages) District;as shown on the attached Schedule A.

- 2) This Bylaw shall come into full force and effect upon third and final reading thereof.

READ A FIRST TIME THIS 27th DAY OF JUNE 2022.

READ A SECOND TIME THIS ____ DAY OF _____, 2022.

READ A THIRD TIME AND FINALLY PASSED THIS ____ DAY OF _____, 2022.

Mayor

Chief Administrative Officer

Town of Calmar

Request for Decision (RFD)

Meeting:	Special Council Meeting
Meeting Date:	August 8, 2022
Originated By:	CAO Losier
Title:	Bylaw 2022-19 - Amendment to Land Use Bylaw
Approved By:	CAO Losier
Agenda Item Number:	4 A

BACKGROUND/PROPOSAL:

The owner of the land described as Lot 10, Block 1, Plan 1221895, identified by the municipal address 5223-50 Ave Calmar has applied to redistrict its property. The intended redistricting would redesignate the property from R4 Residential (Higher Density) to Direct Control District 01. The purpose of this redistricting would be to allow a 5 storey, 35 dwelling units apartment building.

Bylaw 2022-19 contains the specific regulations for the property in question should Council proceed with the redistricting. Because the proposed district is Direct Control, Council can impose the regulations it chooses appropriate, and will be the Development Authority should the redistricting be granted. A few schematics have been provided by the owner for illustrative purposes only. These are included in this report for information only as the aesthetic of the building is preliminary at this stage of the process.

Schedule A, attached to Bylaw 2022-19, provides a drawing showing the location and extent of the proposed redistricting.

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:

A public hearing is required prior to considering second and third reading of Bylaw 2022-19. The proposed bylaw will be advertised in accordance with the Municipal Government Act to allow the public an opportunity to comment. Letters will be sent to adjacent landowners and the proposed bylaw will be circulated to referral agencies for comment. A more detailed report will be provided by Administration at the public hearing.

Option 1 Council may request further information from Administration prior to proceeding with first reading of Bylaw 2022-19.

Option 2 ☐ Council may provide direction to Administration on changes to Bylaw 2022-19 with the amended bylaw coming before Council for first reading at a later date.

Option 3 ☐ Council may defeat first reading of Bylaw 2022-19.

COSTS/SOURCE OF FUNDING (if applicable)

n/a

RECOMMENDED ACTION:

That Council gives first reading to Bylaw 2022-19.







BYLAW 2022-19
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WHEREAS the Municipal Government Act, being Chapter M-26 of the R.S.A. 2000, as amended ("the Act") provides that a Municipal Council may amend its Land Use Bylaw.

WHEREAS the Council of the Town of Calmar wishes to amend its Land Use Bylaw 2017-07 as it affects certain lands.

NOW THEREFORE the Council of the Town of Calmar, duly assembled, enacts as follows.

- 1) Section 9, Land Use District Provisions is amended by adding the following section after 9.18 DC- DIRECT CONTROL DISTRICT:

9.18.1 DC □DIRECT CONTROL DISTRICT 01

1. General Purpose of District

- a. This district is intended to enable a unique compact urban residential form that would exceed the densities currently built in Calmar in order to initiate future growth on the west side of Calmar. This district will also add to the housing range of the planned neighbourhood of Southbridge which is adjacent to this site.

2. Permitted Uses

- a. Dwelling, apartments; and
- b. Buildings and uses accessory to permitted uses.

3. Development Regulations

- a. Site coverage:
 - i. Maximum site coverage for Dwellings shall not exceed forty percent (40%) of the site.
 - ii. Landscaping and amenity area shall cover combined a minimum of ten percent (10%) of the site;
- b. Maximum dwelling units density:
 - i. Maximum density of dwelling units shall be 140 units per hectare;
- c. Maximum building height:
 - i. Building height shall not exceed 20 meters;

d. Minimum yards:

- i. Front yard (on 49th Ave): 8 meters;
- ii. Side yard □East: 3 meters;
- iii. Side yard □West: 3 meters; and
- iv. Rear yard □(on 50 Ave): 8 meters.

e. Parking and loading:

- i. a minimum of 44 parking spaces will be required form which 26 will be for regular/bigger vehicles (3.0 m by 6.1 m) and 18 will be for smaller vehicles (3.0 m by 5.49 m);
- ii. barrier free parking will be as required under the Building Permit applications; and
- iii. a minimum of 1 loading space.

f. Fences

- i. will be in accordance with Section 7.12 of the Land Use Bylaw.

g. Outdoor lighting

- i. be directed and contained within the site as to ensure safety of the tenants and their visitors, without creating a visual nuisance for the adjacent properties.

h. Landscaping

- i. the areas dedicated to landscaping will comprises of regional hardy trees, shrubs and perennials to provide pleasing visual aesthetics appropriate to the characteristics of the town of Calmar.
- ii. the quantity and quality of material within the landscaping areas will be at the discretion of the Development Authority.

i. Architectural control

- i. the building shall include 2 or more colours to create visual interest for this landmark.
- ii. different materials and architectural elements shall be used to create aesthetically pleasing facades and forms.

j. Development Agreement

- i. the Applicant will enter into a development agreement with the Town of Calmar for the purpose of:

- 1. creating a contiguous amenity space between the south side of the property and the northern side of 49 Street within the Town's right of way, and

2. creating a pedestrian connection to the commercial lot to the west identified by the civic address 5225-50 Ave.

2) That the land legally described as Lot 10, Block 1, Plan 1221895, identified by the municipal address 5223-50 Ave Calmar, be re-designated as follow:

a. From R4 Residential (Higher Density) to DC Direct Control District 01 as shown on the attached Schedule A.

3) This Bylaw shall come into full force and effect upon third and final reading thereof.

READ A FIRST TIME THIS 8th DAY OF August 2022.

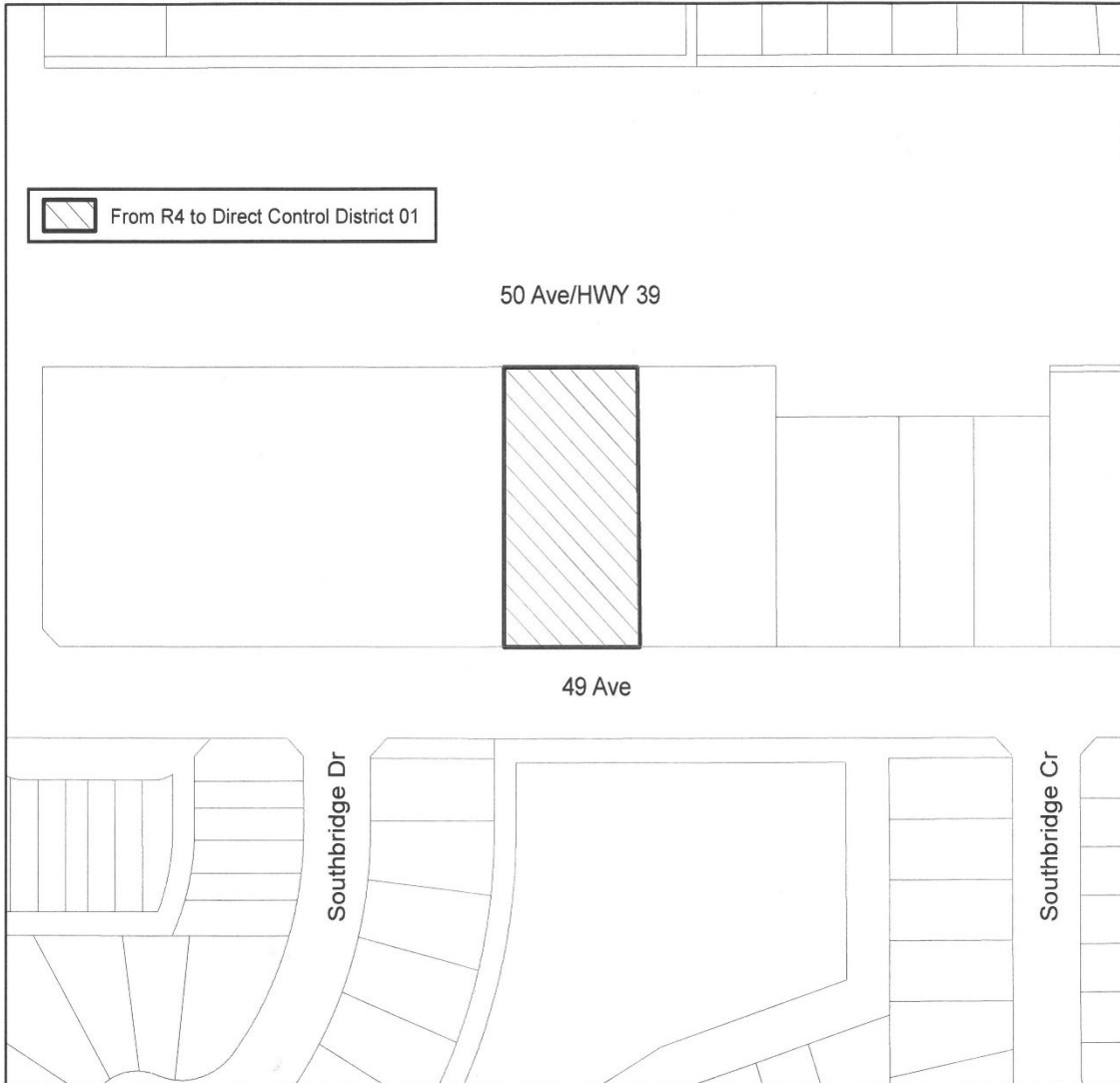
READ A SECOND TIME THIS ____ DAY OF _____, 2022.

READ A THIRD TIME AND FINALLY PASSED THIS ____ DAY OF _____, 2022.

Mayor

Chief Administrative Officer

Schedule A Bylaw 2022-19



Town of Calmar

Request for Decision (RFD)

Meeting:	Special Council Meeting
Meeting Date:	August 8, 2022
Originated By:	CAO Losier
Title:	Bylaw 2022-20 - Amendment to Land Use Bylaw
Approved By:	CAO Losier
Agenda Item Number:	4 B

BACKGROUND/PROPOSAL:

At the July 18, 2022, Administration presented a report for discussion on potential Land Use Bylaw (LUB) amendments. The purpose of this amendments is to provide more flexibility to non-residential uses and make Calmar more competitive. The amendments are targeting the regulations for loading space, parking, and wall signs. The amendments discussed also included the addition of the use *Shopping Centre* in the C2 district, Commercial Highway.

Proposed Bylaw 2022-20, a bylaw to amend the LUB is attached.

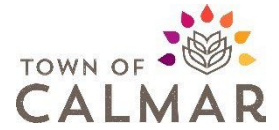
DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:

A public hearing is required prior to considering second and third reading of Bylaw 2022-20. The proposed bylaw will be advertised in accordance with the Municipal Government Act to allow the public an opportunity to comment. The proposed bylaw will be circulated to referral agencies for comment as well. A more detailed report will be provided by Administration at the public hearing.

Option 1 Council may request further information from Administration prior to proceeding with first reading of Bylaw 2022-20.

Option 2 Council may provide direction to Administration on changes to Bylaw 2022-20 with the amended bylaw coming before Council for first reading at a later date.

Option 3 Council may defeat first reading of Bylaw 2022-20.



COSTS/SOURCE OF FUNDING (if applicable)

n/a

RECOMMENDED ACTION:

That Council gives first reading to Bylaw 2022-20.

BYLAW 2022-20
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NOW THEREFORE the Council of the Town of Calmar, duly assembled, enacts as follows.

1) Section 7.19 PARKING AND LOADING REGULATIONS is amended by:

a) Subsection 2 is deleted and replaced by the following:

2. Number of Off-Street Loading Space

a. A minimum of 1 loading space will be required for apartment buildings, non-residential uses such as but not limited to, retail, industrial, office building, places of public assembly, and warehouse, and any other uses as required by the Development Authority.

b) Subsection 4 is amended by deleting table 4a. and replacing it with the following table:

USE OF BUILDING OR DEVELOPMENT	MINIMUM NUMBER OF PARKING SPACES
RESIDENTIAL USES <input type="checkbox"/> APARTMENTS, FOURPLEXES. ROW HOUSING, AND STREET ORIENTED TOWN HOUSING	
1 bedroom dwelling units	1.25 per dwelling unit
2 bedrooms dwelling units	1.50 per dwelling unit
3+ bedrooms dwelling units	2 per dwelling unit
RESIDENTIAL <input type="checkbox"/> OTHER USES	
Boarding Houses	1 per sleeping unit
Senior citizen homes	2 per 3 dwelling units
In-law suites	1 per suite
All other dwelling units	2 per dwelling unit
Manufactured home units	2 per dwelling unit
COMMERCIAL USES	
Office uses, Retail, and Personal Services Shop	1 per 50 m ² (538 ft ²) of gross leasable floor area
Eating and Drinking establishments	1 per 4 seating spaces

Drive-in restaurants	1 per 5 seating spaces. This figure may be reduced at the sole discretion of the Development Authority where it can be shown to the Development Authority's satisfaction that a high proportion of clients will regularly consume food purchased at an off-site location.
Eating and drinking establishments (all food taken off-site to be consumed)	1 per 13 m ² (140 ft ²) of gross leasable floor area
Other drive-in business	8
Hotels and motels	1 per rentable unit
Bed and breakfasts	1 per sleeping unit
Day homes	1
Day cares	1 per 15 capacity of in the day care
Home Occupations	1 in addition to the requirements for the residential use
PLACES OF PUBLIC ASSEMBLY	
Auditoriums, churches, halls, clubs, theatres and other amusement or recreation places	1 per 10 m ² (108 ft ²) used by patrons
SCHOOLS	
Public, separate or private elementary and junior high schools	2 per classroom
Public, separate or private senior high schools	10 per classroom
INDUSTRIAL USES	
All industrial uses	3 Parking Spaces per tenant or establishment
HOSPITAL AND SIMILAR USES	
Hospitals, sanatoriums, convalescent homes, senior citizen lodges, nursing homes, etc.	1 per 100 m ² (1076 ft ²) gross floor area

2) Section 8.37 SIGNS IN THE C1, C2, M1 & M2 DISTRICTS is amended by:

a) Deleting subsection 1d. and replacing it with:

d. Only one sign on a building shall be allowed to indicate each occupancy within that building. The wall sign total area cannot exceed 20% of the facade on which its located. In a building designed for multiple bays, the ratio will be calculated in regards to the bay where the occupant is located.

3) Section 9.13 C2 □COMMERCIAL (HIGHWAY) DISTRICT is amended by:

a) adding within the permitted uses:

v. Shopping Centre

b) Renumbering the permitted uses as follow:

- w. Solar energy conversion systems
- x. Wind energy conversion systems, micro
- y. Building and uses accessory to permitted uses.

READ A FIRST TIME THIS 18th DAY OF JULY 2022.

READ A SECOND TIME THIS ____ DAY OF _____, 2022.

READ A THIRD TIME AND FINALLY PASSED THIS ____ DAY OF _____, 2022.

Mayor

Chief Administrative Officer

BYLAW 2022-18
A BYLAW OF THE TOWN OF CALMAR
TO AMEND THE LAND USE BYLAW 2017-07 OF THE TOWN OF CALMAR

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 - c) From R3 Residential (Medium Density) District to R2 Residential (General) District;
 - d) From R1C Residential (Single Detached with Attached Garages) District to R2 Residential (General) District;
 - e) From UR Urban Reserve District to R2 Residential (General) District;
 - f) From UR Urban Reserve District to P Parks and Recreation District;
 - g) From UR Urban Reserve District to R1C Residential (Single Detached with Attached Garages) District;as shown on the attached Schedule A.

- 2) This Bylaw shall come into full force and effect upon third and final reading thereof.

READ A FIRST TIME THIS 27th DAY OF JUNE 2022.

READ A SECOND TIME THIS ____ DAY OF _____, 2022.

READ A THIRD TIME AND FINALLY PASSED THIS ____ DAY OF _____, 2022.

Mayor

Chief Administrative Officer

Schedule A □ Bylaw 2022-18

