

**PUBLIC HEARING MINUTES FOR WESTMERE STAGE 6 OUTLINE PLAN
AMENDMENT AND LAND USE REDESIGNATION (BYLAW 015-10)
FOR THE TOWN OF CHESTERMERE
HELD TUESDAY, FEBRUARY 22, 2011 AT 7:30 PM IN
COUNCIL CHAMBERS AT THE MUNICIPAL OFFICE**

PRESENT: Mayor Patricia Matthews
Deputy Mayor Patrick Bergen
Councillor Stu Hutchison
Councillor Christopher Steeves
Councillor Kelsey Johnson
Councillor Heather Davies
Councillor Terry Leighton

ALSO PRESENT: Terry Hurlbut, CAO
Ray MacIntosh, Director of Finance
John Popoff, Director of Development Services
Chen Peng, Assistant Director of Development Services
Gordon Brookhouse, Assistant Director of Public Works
Tammy Botsford, Recording Secretary

GALLERY: 12 people
1 media

A. CALL TO ORDER

Mayor Matthews called the meeting to order at 7:30 PM and provided an overview of Public Hearing procedures.

B. ADOPTION OF AGENDA

11.010.006
103-11 Moved by Mayor Matthews that the agenda be adopted as presented.

CARRIED:

C. BYLAW 015-10

Alan Boucher, Project Planner, presented the information regarding Bylaw 015-10 Public Hearing, Westmere Stage 6 Outline Plan Amendment and Land Use Redesignation, an application received from Freedom Planning, 10 Big Springs Rise, SE, Airdrie, Alberta on behalf of landowner, Mattamy (Lakeview) Limited, 121, 2723 – 37th Avenue, NE, Calgary, Alberta.

The Project location and size of parcel is Block 3 Plan 4323JK - 400 West Park Drive, ±14.36 hectares (±35.49 acres).

The existing LUB Designation is Multiple Land Use Designations include: Special Residential District (R-1S), Residential Modified District (R-1M), Direct Control Residential Multi-Unit District DC(R-3), Public – Quasi-Public District (P), and Public Utility Lot (PUL)

The existing use of the lands are The property is currently vacant grassland. All the existing buildings on the property have been demolished and the landowner began stripping and grading operations in late October 2010.

The applicant seeks approval of Bylaw 015-10, being a bylaw to amend Land Use Bylaw 99-600, as amended, and Bylaw 2006-600/8. The application proposes to redesignate the subject lands and introduce one (1) new Residential Land Use District: Residential Modified Shallow District (R-1MS). A copy of the proposed Bylaw 015-10 is attached (Exhibit A).

The existing subject lands are surrounded by lands designated as Residential Modified District (R-1M) to the south, Urban Reserve (UR) lands to the west and to the east, and Highway 1 and Rocky View County acreages to the north.

Applicable regulations being Sections 7, 184, 187, 188, 189, 230, 606, and 692 of the Municipal Government Act(MGA), the Town of Chestermere's Land Use Bylaw 99-600 (LUB 99-600), as amended, the Chestermere Municipal Development Plan (Chestermere MDP) and the Westmere Area Structure Plan (WASP).

The MDP was approved on June 20, 2009. The WASP was approved on September 8, 1998. The Westmere Stage 6 Outline Plan (By-law 2006-600/8) was granted third and final reading on July 20, 2009.

There is no time frame in which Council is required to act on a Land Use Bylaw Amendment request within the Municipal Government Act. However, any bylaw requires three (3) separate readings by Council under Section 187 of the MGA, and a Public Hearing must be held by Council prior to Second Reading of the proposed bylaw under Section 692 of the MGA.

Section 188 of the MGA states that once First Reading is granted, the applicant must apply for Third Reading within two (2) years.

The *Westmere Stage 6 Outline Plan* (the outline plan) consists of

14.98 hectares (37.02 acres) of land located on the north end of the Town, immediately south of Highway 1 and northwest of Lake Chestermere. An Outline Plan and Land Use Redesignation for the subject lands was previously adopted in July 2009. The applicant Freedom Planning, on behalf of Mattamy Homes Limited, wishes to amend the approved Outline Plan, redesignate the subject lands, and add a new residential land use district to the Land Use Bylaw to facilitate the development of a neighbourhood influenced by principles of new urbanism and small-town character: *Chestermere Lakepointe*.

This application was applied for on May 28th 2010 and First Reading was granted on November 15th 2010. Since First Reading, several revisions had been made to the plan to among other things, address comments made by Council at First Reading. The applicant and the developer have put significant effort in this regard, including multiple meetings with Development Services staff.

Concerns from Development Services have been addressed to our satisfaction and we believe that the new wide-shallow land use district offer an enhanced streetscape while providing a lotting pattern that makes more efficient use of land resulting in larger backyards, and the reduction of useless space in the front and side yard. Indeed, from a planning perspective, the proposed Outline Plan is a great improvement from the previously approved plan. In addition, it is in line with and implements the policies of the Municipal Development Plan which is the guiding document to future growth in the Town. Given these considerations, planning supports this application.

A detailed overview of the Outline Plan was provided at First Reading. The following provides an overview of the changes that have been made since then. In addition, a lot analysis is provided that clarifies the considerations in regards to the proposed land use district.

The applicant is proposing two (2) different residential zonings throughout the Outline Plan area. The first district is a proposed new Land Use District in the Land Use Bylaw for a Residential Modified Shallow Lot District (R-1MS) which will provide a 65/35 mix of single detached and semi-detached housing. The other residential area is a proposed Direct Control Multi-Residential District (DC(R-3)) which will provide for street townhomes. In response to Council's request for a more detailed breakdown of the housing mix, the applicant has refined their land use as per the

attached conceptual lotting plan (Exhibit “B”). This is also reflected in the revised Land Use plan (Exhibit “C”). Development Services would like to highlight the fact that with the revised land use and conceptual lotting plan that the density is actually decreasing from the approved 6.8 to 6.7 units per acre.

Staff then presented Council with a chart that provided a comparison between the proposed and approved plan.

Based on feedback received during First Reading, the land use districts have been substantially modified. A description of each proposed district and its associated provisions are provided below. Staff would also like to take this opportunity to clarify the land use in order to address any misconceptions that may have arisen out of First Reading.

The purpose and intent of the R1MS district is to provide for high quality, architecturally controlled single-detached and semi-detached housing on shallow lots, in a comprehensively designed neighbourhood, with a focus on a pedestrian friendly streetscape.

This district is proposed for the purpose of single detached and semi-detached housing and is anticipated to accommodate approximately 170 units. As per First Reading request, the ratio of semi detached housing was dropped from 40% to 35% in order to maintain congruence with development to the south.

The rationale for the lot width and depth being The proposed minimum lot width for single detached housing is 14.5m, which is 0.75m larger than the current Town minimum of 13.75m. Whereas, the proposed minimum width for semi-detached is 6m larger (21m) than the current Town minimum of 15.0m. In essence, the semi-detached is two singles combined into one large lot. In regards to lot depth, the minimum lot depth possible is 28m compared to 33m and 35m respectively for the existing R-1M and DC(R-3) land use districts.

The front yard setback is reduced from 6m to 3.5m to allow the houses and the front porches to be brought closer to the street garage setbacks are maintained at 6.0m reducing the intrusion of garage doors on the streetscape. The Chestermere standard of a 1.5m side yard and 6.0m rear yard setback is maintained.

The shallow lot concept reduces wasted space in the side and front yard thereby allowing a larger backyard and a more intimate streetscape. As a bonus, it allows a more efficient street network

and lotting pattern in the community, while also maximizing the use of infrastructure. The following rendering provides a visual illustration of the difference between a typical R-1M lot and the proposed R-1MS lot.

Staff then showed Council on a diagram, the areas of the side yard and front yards are reduced, while the size of the backyard is actually bigger than the typical R-1M example. With that in mind, the 49m² decrease in lot size is taken from the following areas:

- 28.75m² of the front yard walkway. This area consists of the space between the projecting garage and the recessed house entrance. These areas are often seen as unproductive yard space and can look unsightly from the street if not properly maintained. In the proposed land use, this area is set aside for a front porch since the house is brought closer to the street. Having a porch here as opposed to a walkway makes this part of the lot much more utilizable for the homeowner.
- 11.25m² within the side yard. The wide shallow lots allow a square shaped as opposed to a rectangular shaped lot. This allows for a house that is wider on the front and back, thereby reducing the width of the sides. This frees up land for the back yard that under the R-1M zoning would be part of the narrow side yard corridor.
- 9m² taken from the building floor area since the square shape lot allows greater efficiency in housing design. For example, a square house requires less throw away space such as hallways.

Keep in mind that this lot comparison shows the lots designed to their minimum and maximum standards and is not reflective of a marketable lot per se. Exhibit “D” provides sample lot plans of the 50’ single product being marketed in Chestermere. Notice the length of the backyards is longer than the minimum of 6m. The same rationale applies to the 37’ semi-detached product Exhibit “E”.

The purpose and intent of the DC-R-3 District is to provide for multi-unit residential development, along with semi-detached development in order to increase the variety of dwelling types available in the community. The rationale being, This district will allow the development of street oriented freehold townhomes which will be a new housing form in the Town. The same rationale discussed for the R-1MS district applies to this DC(R-3) district. The provisions for this district will apply only to this area and location in Town. The proposed lot width of 7.0m exceeds the

current Town minimum of 6.0m. In addition to the architectural controls in the Outline Plan, detailed design plans will be submitted separately to Town Council for approval during the comprehensive development permit application process.

Extensive architectural controls are planned for this community with a focus on providing a varied and attractive housing form that builds upon a series of distinctive streetscapes that reinforce a pedestrian-scaled community. Homes with large front porches with recessed garages will reduce the intrusion of the garage on the streetscape and encourage interaction between neighbours. Section 4.5.1 of the Outline Plan contains detailed architectural controls proposed by the developer including. Revisions made to the guidelines as a result of First Reading include, repetition of design elevation every 4th lot, changed from two, sidewalks on both sides of all streets, and, a new executive product line style that is unique to Chestermere in Canada.

It is important to clarify that the housing style proposed for Chestermere is completely different than the product in Airdrie. The product in Chestermere is of a higher end design, style, and size, and will be exclusive to Chestermere. The following renderings highlight the product proposed for this Outline Plan.

The proposed Outline Plan has been reviewed and is in compliance with the *Chestermere MDP* and the *WASP*.

Based on Planning and Development's interpretation of the MDP, the proposed Outline Plan appears to be an epitome of the vision of future developments in the Town of Chestermere. This seems clear based on the vision statement of Council and the citizens of Chestermere.

“Vision: A distinctive recreational lake community promoting a safe, family-oriented, sustainable environment. New development is guided by principles of sustainability and smart growth that emphasize family-oriented design features such as front porches and connected pedestrian walkways. Neighbourhoods are visually interesting and contain creative, diverse and tasteful architecture.”

The Outline Plan and land use proposed by the applicant is sprinkled with principles of smart growth and urban design standards which strive to implement the values articulated in the MDP in regards to policies for new residential areas. For example:

3.2 New neighbourhoods should each have distinctive character

with centrally located community recreational opportunities.

Architectural controls proposed are extensive and comprehensive and should provide an aesthetically pleasing and recognizably unique upscale neighbourhood in Chestermere. The central park is proposed for a brick-stamped plaza surrounded with benches, trellises and landscaping that creates a welcoming environment for people to gather and mingle.

3.2.8 Local residential streets should be connected between neighbourhoods and developments to disperse traffic and promote walking. The use of cu-de-sacs should be minimized.

Three out of the four cul-de-sacs in the approval plan are removed from the proposed plan.

3.2.13 Multi-family dwellings should be designed with careful attention to location, scale and appearance that enhances the broader context of the project.

Proposed multi-family is spread out along the northern boundary of the site away from proposed R-1M housing south of the site. Higher density is most suitable for the lands closest to Highway 1. The street-oriented attached housing creates a small town feel and allows the transition of the multi-family into the rest of the community.

A1.1.6 Front porches and/or individual unit entrance features are encouraged to support a pedestrian-oriented streetscape.

Architectural controls seek to provide a strong porch presence within the street and reinforce a pedestrian-scaled community.

3.6.5 d) Enhancing and developing John Peake Park at the northwest corner of the lake including the addition of pedestrian linkages to the existing Town Centre area.

The green space at the southeast corner of the site builds off of the northwest corner of John Peake Park and will provide multiple pedestrian connections along the lake and down to Town Centre.

The Land Use proposed meets the prescribed density ratio of 5 to 7 units per gross acre and exceeds the minimum lot width of 13.75m for single family dwellings contained within the MDP.

The proposed Outline Plan Amendment and Land Use

Redesignation meets the purpose and intent of the WASP. For example:

Section 2.0.5 – To provide flexibility and adaptability in responding to ongoing development needs and pressures, including:

- 1. To consider specialized land use designations that can address social and market demands*
- 2. To create a demographically diversified community with a variety of lifestyle opportunities for residents.*

At First Reading, the proposal was to use West Park Drive as an interim access to the site since servicing was required independent of Melcor Developments. However, now that there is an agreement in place to extend Marina Drive up to the subject lands, the interim access is no longer being proposed. Nonetheless, a temporary emergency access onto West Park Drive will be provided until such time as Marina Drive is extended north and intersects with West Park Drive.

Up until recently, the applicant has been working with the Town and EPCOR to determine an appropriate method to get water servicing to their lands independent of Melcor. However in recent weeks the applicant has succeeded in renegotiating with Melcor. As such, the ultimate servicing via Marina Drive will be pursued. The connection across the WID canal to the Cove will still be pursued in order to loop the system. As mentioned during first reading, this is beneficial to the Town since it provides another canal crossing. Detailed designs for this crossing have already been submitted to the Town and the WID for approval and construction will begin in the spring subject to Outline Plan approval.

Sanitary servicing will be via the extension of the existing sanitary sewer line just south of the subject lands. This line has been turned over to the Town; therefore an endeavour to assist process will be used to collect the applicant's proportionate share of costs for this line. Lift Station #10 and #11 will also need to be upgraded to service the subject lands. These upgrades are scheduled to be completed within the next year.

Stormwater will be controlled through the expansion of the stormwater pond that was approved with the *Westmere Stage 5 Outline Plan*. The applicant has an agreement with Melcor to connect to the storm pond and share costs. A detailed stormwater management report will be submitted at the time of subdivision.

The Westmere Stage 6 Outline Plan Amendment (Bylaw 015-10) has been circulated to all parties in accordance with the *MGA*. Responses indicating no concerns or standard comments regarding the proposal were received from the following agencies:

- Alberta Energy and Utilities Board
- Alberta Environment
- Alberta Culture and Community Spirit Heritage Division
- Calgary Roman Catholic School District No.1
- Canada Post Corporation
- Fortis Alberta
- Shaw Cable
- Rocky View County
- Rocky View Fire Services
- Royal Canadian Mounted Police
- Western Irrigation District
- Rocky View School Division No.41
- Calgary Roman Catholic School District No. 1
- Town of Chestermere Public Works

Alberta Health Services requested an opportunity to review the Phase 1 Environmental Assessment done for the subject lands, however they did not have any concerns regarding the bylaw application. Staff will forward the ESA to Health Services as requested.

ATCO Gas and Telus submitted standard comments regarding service routing and easements. These comments have already been forwarded to the applicant and are being addressed.

Due to safety concerns, Alberta Transportation is requiring that the Paradise Road/Highway 1 intersection be upgraded prior to any further subdivision development in the Westmere area. As per the Subdivision and Development Regulations, a municipality cannot approve a subdivision application within 0.8km of a highway without consent from Alberta Transportation. This issue first arose in October 2010 when AT requested that the Town provide a written response indicating which position it supports in regards to the Paradise Road/Highway 1 intersection being fully or partial closed. A response was provided indicating that the Town would prefer to see a partial right-in, right-out closure as opposed to a full closure. A response was received from AT in December 2010 seeming to indicate that only full closure of the intersection was an option moving forward "Exhibit F". This information was sent to both the applicant and Melcor Developments. Since then, the applicant has been leading discussions with Alberta

Transportation to bring the partial closure solution back on the table. Through discussions with the applicant's transportation consultant, Development Services been advised that AT will support the partial closure with the proviso that certain conditions be met beforehand.

The applicant is close to fulfilling these conditions, however at this time Development Services is still waiting for a formal correspondence from Alberta Transportation indicating their support of this option. Once a formal response in this regard is received, the proposal will be brought forward to Town Council. This is being provided for information purposes and this issue does not directly affect the amendment of the Outline Plan. Nonetheless, a solution will have to be put in place at the time of subdivision in order to receive subdivision approval from Alberta Transportation.

Since this application was applied for in May 2010, a considerable amount of work has gone into bringing the document to where it is today. The applicant has demonstrated a willingness and strong desire to work with the Town and to develop a plan that is in the best interests of both parties. Development Services is of the opinion that the tweaks made to the land use after First Reading provides a balance between the current town standards while still providing a product that is unique and will add to the sustainability and quality of living in the Town. The lot analysis provided in this report clarifies the considerations and efficiencies achieved through the new land use. Development Services hopes this clarifies any misconception during First Reading that the result of the proposed land use will be tall small skinny houses on small lots. In actuality, the density of the Outline Plan is decreasing, the lot width is increasing, the backyards are larger, and the front yards are more usable. Indeed, the Outline Plan is a considerable improvement from the plan that was previously in place. In consideration of this, Development Services recommends approval of second and third reading of Bylaw 015-10 as proposed.

Councillor Steeves asked about West Park Road, can we not designate that road for construction traffic so that they are not routing themselves through town? Staff replied that is a good idea and that can definitely be proposed to the developer.

Councillor Hutchison requested clarification regarding feedback from Alberta Transportation and their stance of the 'right-in/right-out' traffic impact. Staff replied that they are still waiting for a

formal reply from Alberta Transportation, and that the developers have been in discussion with AT regarding conditions needing to be met before the right-in/right-out can be endorsed. Staff have been waiting only several weeks for the AT feedback and that the chances for the right in/right out are looking very positive.

D. IN FAVOUR

**Charles Veckler, Land Project Manager, Mattamy Homes
224 Bedford Court
Calgary, Alberta**

Speaking on behalf of Mattamy Homes. Thanked staff for the time and effort of putting this together, very pleased with the feedback they had received and with the presentation this evening showing the changes that have been made. Had nothing further to add to the presentation, but welcomed questions from Council.

E. OPPOSED

No one spoke in opposition of the application.

F. ADJOURNMENT

Moved by Councillor Steeves that the Public Hearing adjourn at 7:46 p.m.

**11.016.006
104-11**

CARRIED:

Mayor Patricia Matthews

Terry Hurlbut, CAO