



# Request for Decision

**TO:** Mayor and Council  
**FROM:** Jordan Furness, Senior Planner  
Community Growth & Infrastructure  
**DATE:** January 18, 2022  
**RE:** **First Reading of Bylaw 001-22, being a Bylaw Amendment to the Land Use Bylaw 022-10**

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## **REPORT SUMMARY:**

At the January 11, 2022 Committee of the Whole Meeting, Administration presented the proposed Bylaw 001-22, being a Bylaw Amendment to the Land Use Bylaw. The purpose of this report is to request that Council provide First Reading to Bylaw 001-22.

The City of Chestermere is looking to enhance the opportunities for businesses to invest in downtown and the waterfront. This proposed amendment to the Land Use Bylaw aims to more quickly realize the vision of a restaurant and entertainment district in the area.

Currently, the downtown and nearby waterfront areas sit within a Direct Control Town Centre Commercial (DC(TCC)) land use district. Unless specified by Council, all applications for development in a Direct Control district must come to Council for approval, including Change of Use permits. This situation has caused unnecessary approval delays and uncertainty for businesses that align with the vision for the area.

An area with significant development potential is “Site 1” within the Direct Control Town Centre Commercial District. Bylaw 001-022 proposes to make several uses related to restaurants, retail, and entertainment easier to approve. This would be achieved by adding new “Permitted” Uses and authorizing Administration to make decisions for all change of use applications (Permitted and Discretionary) that previously had to be made at a Council Meeting.

## **DISCUSSION:**

Figure 1 provides an overview of the updated Purpose, Development Authority for Change of Use permits and Amended Use Table for properties within Site 1 of the Direct Control Town Centre Commercial District. The proposed Bylaw amendment can be found in Exhibit A. The primary improvement is the delegation of decision for any change of use applications to Administration; addition and adjustment of several uses;



**Chestermere's Strategic Vision**

and creation of a list of permitted uses to provide greater certainty for business interests considering investing. For comparison, a redlined version of the current Bylaw for the Direct Control Town Centre District is attached as Exhibit B.

Some of the adjustments to note are:

- Preference for certain uses to be located above the ground floor because while they would be welcome in the area, they do not present a vibrant, interesting street front if located at-grade. E.g. Commercial Schools, Medical Clinics, Offices, Health Care Services,
- Addition of the following uses:
  - Public Market
  - Arts and Cultural Centre
  - Entertainment Establishment
  - Gaming Establishment, Bingo
  - Gaming Establishment, Casino
  - Indoor/Outdoor Sporting Activities
  - Indoor Participation Recreation
  - Retail Garden Centre
  - Specialty Food Store
  - Tourist Information Services and Facilities
- Removal of uses not conducive to a vibrant restaurant and entertainment district; including:
  - Fill Placement
  - Parking Lot (standalone surface lot)

**Figure 1 – Proposed Amendments within Bylaw 001-22**

The following targeted changes are proposed (shown by red text) to the Purpose Statement, Development Authority rules, and Listed Uses within Site 1 of the DC(TCC) Land Use District.

<b>Revised Purpose, Development Authority and Listed Uses for <i>Site 1</i> of the DC(TCC) Land Use District</b>
<p><b><i>Purpose Statement</i></b></p> <p style="color: red;">Development on these sites should provide for a variety of entertainment, restaurant, and retail uses to promote a pedestrian-friendly environment with linkages to Chestermere Lake, and to strengthen the Town Centre as a destination point for the City. The area should have a high architectural design standard of building that reflects a unified theme to foster a strong sense of place within the Town Centre.</p>

**Regarding Development Authority (Change of Use)**

10.21 (2) General Requirements

d) The locations of the sites referenced within this District are illustrated in Figure 10.10.1

e) Decisions on the following types of Development Permit applications in the Direct Control Town Centre District DC(TCC) shall be made by the Development Officer, and do not require Council approval

- i) Sign permits
- ii) Development Permits of limited scope proposing changes to landscaping, fencing, garbage enclosures, accessory buildings and structures, **which do not propose any new buildings or Uses;**
- iii) Change of Use permits (**Permitted and Discretionary Uses**) on **Sites 1, 2, 3, 4, 5, and 8**, plus ~~Lot 2, Block 15, Plan 01414098; and Lot 5, Block 17, Plan 1210637~~ within Site 1

Figure 10.10.1



**Regarding Site 1: Add the following Permitted Uses:**

- Accessory buildings and uses
- Arts and Cultural Centre
- Commercial School or College (*when not located on a main floor*)
- Convenience Stores
- Drinking Establishments
- Entertainment Establishment
- Gaming Establishment, Bingo
- Gaming Establishment, Casino
- Health Care Services (*when not located on a main floor*)
- Indoor/Outdoor Sporting Activities
- Indoor Participation Recreation
- Medical Clinic (*when not located on a main floor*)
- Offices (*when not located on a main floor*)
- Outdoor Cafe
- Personal Service Establishment
- Public Market
- Restaurant (*no drive-throughs*)
- Retail Garden Centre
- Retail Store
- Signs, Fascia

- Signs, Portable
- Specialty Food Store
- Take-out Food Services
- Tourist Information Services and Facilities

**Regarding Site 1 Discretionary Uses**

- Accessory buildings and uses
- Animal Health Care Service (Small Animal)
- Apartment Building
- Child Care Facility
- Commercial School or College (*on a main floor*)
- Community Building and Facility
- Dwelling Units
- ~~Fill Placement~~
- Financial Institution
- Government Service
- Grocery Store
- Health Care Service (*on a main floor*)
- Hotel
- Household Repair Service
- Liquor Store
- ~~Marine Sales~~
- Medical Clinic (*on a main floor*)
- Mixed Use Building
- Motel
- Office (*on a main floor*)
- ~~Parking Lots~~
- Park
- Pet Care Service
- Place of Worship
- Public Use
- Public Utility
- Residential Care Facility
- Signs (excluding Fascia Signs and Portable Signs)

**BENEFITS:**

Approving this proposed amendment would make it easier to approve development permits for new businesses that align with the *Municipal Development Plan's* vision for the Town Centre Commercial area.

**DISADVANTAGES:**



There are no notable disadvantages anticipated with this proposed Land Use Bylaw Amendment.

**ALTERNATIVES:**

The Municipal Development Plan recommends development of an Area Redevelopment Plan for the downtown and waterfront. While the MDP vision remains largely accurate with Council’s vision, the Westmere Area Structure Plan, which provided the original buildout guidance, has not been updated since 1998.

Therefore, while this proposed amendment to the Land Use Bylaw addresses specific and immediate concerns, Administration believes that completion of an Area

Redevelopment Plan for the downtown and waterfront will result in additional amendments to the Town Centre Commercial Direct Control District to better align the goals of growing an exciting Restaurant and Entertainment district for Chestermere.

**FINANCIAL IMPACT:**

There are no substantive financial impacts to The City associated with approving the proposed amendment to the Land Use Bylaw.

**IMPACT ON OTHER PROJECTS (if applicable):**

The Council discussion regarding this proposed Land Use Bylaw amendment will assist Administration in refining the scope and objectives for the underway Area Redevelopment Plan for Chestermere’s downtown and waterfront lands.

**PUBLIC NOTICE/COMMUNICATIONS:**

Administration has been working with the area landowners to help develop and refine the proposed changes to the Land Use Bylaw. Should Council give First Reading to the proposed Bylaw Amendment, a Public Hearing will be scheduled by Council (tentatively planned for the February 1, 2022 Council Meeting). Administration will advertise the Public Hearing for two weeks to solicit submissions, written or verbal, in response to the proposed changes.

<b>RELATED COUNCIL POLICIES/BYLAWS &amp; STRATEGIC VISION:</b>
The proposed Land Use Bylaw Amendment (001-022): <ul style="list-style-type: none"><li>• Complies with the <i>Municipal Development Plan</i></li><li>• Complies with the <i>Westmere Area Structure Plan</i></li></ul>

<b>PREVIOUS REPORTS/COUNCIL DECISIONS (if any):</b>
<ul style="list-style-type: none"><li>• Approved Amendment to the Town Centre Direct Control District of the Land Use Bylaw – Bylaw 028-019<ul style="list-style-type: none"><li>○ Given 3<sup>rd</sup> Reading February 18, 2020</li></ul></li></ul>
<b>ATTACHMENTS (including all In Camera items):</b>
<ul style="list-style-type: none"><li>• Exhibit A – Proposed Bylaw 001-22 to Amend the Direct Control Town Centre Commercial District DC(TCC).</li><li>• Exhibit B – Current Bylaw 028-19 - (DC(TCC) District) Redline Version</li></ul>

**CHIEF ADMINISTRATIVE OFFICER’S COMMENTS (if any):**

**RECOMMENDED ACTION:**

That Council give First Reading to Bylaw 001-22, being a Bylaw to amend the Land Use Bylaw’s Direct Control Town Centre Commercial District.

That Council schedule a Public Hearing for Bylaw 001-22 to allow interested citizens to speak directly to Council regarding their opinions on the proposed changes.

Approved by:  
Jeff Gibeau  
Interim Deputy Chief Administrative Officer

Approved by:  
Harry Harker  
Interim Chief Administrative Officer