



## Legislation Text

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**TAMRMS#:** B06

**9.3**

### **Bylaw 38/2021 Land Use Bylaw - Downtown District (1st Reading)**

Presented by: Colin Krywiak, Manager, Planning and Development

### **RECOMMENDED MOTIONS**

1. That Bylaw 38/2021, being amendment 200 to the Land Use Bylaw 9/2005, be read a first time.
2. That a Public Hearing for Bylaw 38/2021 be scheduled on June 21, 2021.

### **PURPOSE OF REPORT**

This report discusses proposed amendments to the Land Use Bylaw intended to provide clarity to the finite measurement of building height and calculation of parking in the Downtown. The amendments are proposed to the Downtown Land Use District (Section 11), and Parking Regulations (Part 7).

Figure 23(a) is proposed to be amended to change the labelling of heights listed in the legend from storeys to metres. The update to Figure 23(a) is required to ensure greater clarity and consistency regarding units of measurement within the Land Use Bylaw. Additionally, amendments to the parking requirements for the Downtown are proposed to provide greater clarity for the type of development existing and proposed in the Downtown.

The proposed amendments do not change the intent of the regulations.

### **ALIGNMENT TO PRIORITIES IN COUNCIL'S STRATEGIC PLAN**

N/A

### **ALIGNMENT TO LEVELS OF SERVICE DELIVERY**

N/A

### **ALIGNMENT TO COUNCIL DIRECTION OR MANDATORY STATUTORY PROVISION**

N/A

## BACKGROUND AND DISCUSSION

Figure 23(a) - Downtown District Perron Street and Gateway on the Trail Character Areas Identified  
Figure 23(a), found in Section 11.1 - Downtown (DT) Land Use District, is the only figure in Land Use Bylaw 9/2005 that does not use metres in the legend as a form of measurement for the height of a building. All measurements within the Land Use Bylaw are listed in metres. Metres is an easily quantifiable measurement. Setbacks and height measured in metres provides a finite determination of building envelope (size).

Land Use Bylaw 9/2005 does not have parameters around how tall a storey is. Therefore, a storey is a measure which is highly variable. A storey can have varying heights; it could be 3 metres, 5 metres, or ultimately as high as structural engineering would allow. Using storey as a measure, a 3 storey or 6 storey building could theoretically be the same height in metres. In this case, a storey is therefore not a true reflection of the ultimate building envelope (size) and impact on surrounding properties.

While height in metres in relation to the properties highlighted in Figure 23(a), are referenced in the DARP or other figures within the Land Use Bylaw, not having that measure reflected in the relevant section(s) of the Land Use Bylaw could lead to confusion and inaccurate interpretation of measurements.

Figure 23(a) is updated to remove the storey references under building heights in the legend and replace them with height measurements in metres. The overall building heights remain the same with a minor exception. As 2 St. Anne Street was unlikely to be developed on its own due to the limitations presented by its unusual shape and size, it was recently consolidated with 22 St. Thomas Street in order to make development feasible. Due to its consolidation, a normalization of the varying building heights should occur. The amendments propose to normalize the height range to the lower of the two previous parcels. The maximum height of the lower range would see a slight increase to the maximum height permitted to fall in line with recent changes to the Alberta Building Code which allows for 6-storey wood-frame construction.

### Part 7 - Parking Regulations

Administration regularly hears from parties interested in developing in the Downtown that fixed parking requirements do not align well with the intent of the Downtown Area Redevelopment Plan, and are limiting development/re-development potential. In order to more accurately and appropriately apply parking regulations to the Downtown, Section 7.3 - On-Site Parking Requirements is proposed to be amended by adding multi-tenant development to Downtown non-residential parking. Additionally, as in other districts, adding the option to submit a parking and transportation study to help determine the appropriate amount of parking for a new development is proposed to be added to the Section.

## STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

As the proposed amendments are a housekeeping item to ensure accuracy and consistency within the Land Use Bylaw, no external engagement was undertaken. An amendment to the Land Use Bylaw will require a public hearing.

## IMPLICATIONS OF RECOMMENDATION(S)

### Financial:

None at this time.

### Legal / Risk:

None at this time.

### Program or Service:

None at this time.

### Organizational:

None at this time.

## ALTERNATIVES AND IMPLICATIONS CONSIDERED

Should Council decide to not support the recommendations, the following alternatives could be considered:

Alternative 1: That Council deny First Reading of the proposed Bylaw, thereby leaving a lack of clarity to the finite measurement of building height, and calculation of parking for the Downtown in the Land Use Bylaw.

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