



## Legislation Details (With Text)

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**Title:** Bylaw 8/2017 - Proposed MDP Amendments Regarding School Site Allocation  
Presented by: Robin Beukens, Planner

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**Attachments:** 1. Bylaw 8/2017 MDP Amendment for School Site Allocation, 2. MDP Section 9.0 Final Version, 3. MDP Section 9.0 Redline Version, 4. Stakeholder Feedback, 5. School Age Children per Neighbourhood

Date	Ver.	Action By	Action	Result
4/3/2017	1	City Council	approved	Pass
4/3/2017	1	City Council	approved	Pass

**TAMRMS#: B06**

### Bylaw 8/2017 - Proposed MDP Amendments Regarding School Site Allocation

Presented by: Robin Beukens, Planner

## RECOMMENDATION(S)

1. That Bylaw 8/2017, being amendment 17 to Municipal Development Plan Bylaw 15/2007, be read a first time.
2. That the Public Hearing for Bylaw 8/2017 be adjourned until July 4, 2017 to allow for a decision by the Capital Regional Board.

## PURPOSE OF REPORT

To bring forward options for Municipal Development Plan (MDP) amendments related to school sites for Council's consideration.

The amendments propose changes focused on the following:

- Promote the building of multi-storey schools where possible to maximize the use of limited amounts of reserve land;
- Ensure schools and accompanying park sites are dedicated early on in the residential build-out of new Area Structure Plans so the sites are available to meet the needs of local students, and the accompanying park is available to residents;
- Align the language in the MDP to that of the Municipal Government Act (MGA) with regards to taking extra municipal reserve (>10%) in higher density areas.

Additional MDP amendments will be required to align with the new Capital Region Board (CRB) Growth Plan and the Modernized Municipal Government Act. Those changes are not included in this report, as further analysis of those implications is required.

## COUNCIL DIRECTION

On February 17, 2015 Council passed the following motions:

(C94-2015)

That the report entitled "Process Review for the Recommendation of School Sites" dated January 2015 be received as information.

That the proposed amended School Site Allocation Agreement in Attachment 2 be approved, and that Council direct the Mayor to sign the agreement on behalf of the City, and circulate to the School Boards for ratification.

That Administration bring the proposed Municipal Development Plan amendments to Council by January 2017.

On November 9, 2016 Agenda Committee rescheduled the report to return to Council on March 6, 2017. The report was subsequently rescheduled on February 22, 2017, to return to Council on April 3, 2017.

## BACKGROUND AND DISCUSSION

Planning and Development is bringing forward text amendments to the Municipal Development Plan Bylaw 15/2007 (MDP) to promote the building of multi-storey schools for the efficient use of reserve lands, ensure school sites and accompanying park sites are available early on in the development of new Area Structure Plans, and align the language in the MDP to that of the *Municipal Government Act* (MGA). These amendments are aligned with the School Sites Allocation Agreement (2015) and the Technical Study for the Long-Term Provision of New Schools (2015).

### Multi-Storey Schools:

The City can take up to ten percent municipal reserve lands, which is taken at the time of subdivision. The MGA requires that these lands must be used for school or park purposes. There are competing demands for these lands, as they are used for school sites, linear connector parks, neighbourhood parks, City wide parks, and for the preservation of natural areas.

Reducing the building footprint of a school by building multi-storey would result in more efficient use of reserve lands than single-storey schools. At this time, municipal reserve land provided for school sites is given by the City to the school districts without compensation. Building multi-storey schools would reduce the amount of reserve land required for school sites, allowing the remainder of these sites to be better utilized for other municipal reserve purposes.

### Timing of School Site Allocation:

The municipal development plan currently does not indicate a specific point in the staging of an Area

Structure Plan for when a school site must be allocated. Current practice is to work with the developer and the school boards during the ASP process to designate a school site. In some ASPs a school site is dedicated in the early stages, such as the Jensen Lakes ASP. In others, such as the Riverside ASP or Kingswood ASP, the school site isn't available until the latter stages of development.

In Section 4.13 of the MDP (Medium Density Residential Staging Requirements in New Neighbourhoods), there is a requirement "that at least one medium density residential site be subdivided and serviced with utilities prior to subdivision of 15% of the gross residential land area in the Area Structure Plan" (MDP, p.19). Administration is proposing to have a similar statement added for school sites by requiring a school site be prior to the subdivision of 30% of the gross residential land area in the Area Structure Plan.

New neighbourhoods typically have high populations of school age children as can be seen in the Attachment "School Age Children per Neighbourhood". Having the school site available early on would help ensure that children in the neighbourhood have a local school they could attend. Requiring the school and accompanying park site early on would also help ensure these amenities are available to residents, in the event that a landowner or developer elects to cease development of a neighbourhood, as has been the case in Kingswood.

#### Additional Municipal Reserve in Higher Density Areas:

There is a provision in the *Municipal Government Act* (MGA) in section 668 that states the following:

"Additional municipal and school reserve

668(1) In this section, "developable land" means that area of land that is the subject of a proposed subdivision less the total of

- (a) land required to be provided for roads and public utilities under section 662, and
- (b) land required to be provided as reserve land.

(2) Subject to section 663, when in the opinion of the subdivision authority a proposed subdivision would result in a density of 30 dwelling units or more per hectare of developable land, the subdivision authority may require municipal reserve, school reserve or municipal and school reserve in addition to that required to be provided under section 666.

(3) The additional land that may be required to be provided under subsection (2) may not exceed the equivalent of 5% of the developable land or a lesser percentage as prescribed in the subdivision and development regulations."

Administration is proposing to amend the MDP so that the reference to the collection of the extra percent MR in higher density areas is consistent with the wording in the MGA. The current wording for taking additional municipal reserve in higher density areas is aligned with the wording in the Capital Region Board (CRB) Growth Plan. The CRB requires that new neighbourhoods achieve 40 units per net residential hectare. However, the MGA formula for calculating densities for extra % municipal reserve is different, referring to "developable land" as opposed to net residential hectare.

The term "developable land" in the MGA and Subdivision and Development Regulations isn't defined solely as land restricted to residential use - if the proposed subdivision contains land planned for non-residential development (other than roads/utilities and reserve), that non-residential land is be considered part of the developable land.

The acquisition of extra reserve in accordance with this provision is not easily implemented. The City of St. Albert has never implemented this authority and research on other municipalities indicate that

most other municipalities have not done so. In rare instances, this authority was utilized by other municipalities in select situations with limited benefit for the municipality, since the extra percent MR land applied only to the subdivision area and not the neighbourhood (as per the definition of developable land under section 668). A resolution is being proposed to the Alberta Urban Municipalities Association (AUMA) to adjust this authority so it can be more easily implemented by municipalities.

## STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

Internal and External Stakeholders were consulted, including the School Boards, Alberta Infrastructure, Alberta Education, the St. Albert Chamber of Commerce, and the St. Albert branch of the Urban Development Institute.

Responses are included in the attachment “Stakeholder Feedback”.

## IMPLICATIONS OF RECOMMENDATION(S)

### Financial:

There is the potential for more municipal reserve land to be available. This may reduce the amount land that may need to be acquired by the City in the future to assemble large municipal reserve sites.

### Legal / Risk:

None at this time.

### Program or Service:

None at this time.

### Organizational:

None at this time.

## ALTERNATIVES AND IMPLICATIONS CONSIDERED

Additional Alternatives:

- a) Provide feedback and/or suggestions for changes to the proposed MDP amendments to be considered by Administration.
- b) Postpone the amendments until a larger review of the MDP has been completed to align the MDP with the new CRB Growth Plan and the Modernized Municipal Government Act.
- c) Reject the proposed MDP amendments. Implication would be the MDP would not be amended with new policies related to school sites and municipal reserve.

## STRATEGIC CONNECTIONS

## City of St. Albert Strategic Plan (Policy C-CG-02) - Pillars of Sustainability

**SOCIAL** - We are a friendly and inclusive community of passionate equals, where everyone feels a sense of belonging. We believe that community starts with the person next door.

**BUILT ENVIRONMENT** - We build our community towards the future to sustain balanced development, with a reverent eye to the past, honouring our unique settlement history and distinct identity.

### Governance Strategy

Council is committed to ensuring that the City of St. Albert is a responsive, accountable government that delivers value to the community.

### Service Delivery Strategy

Council is committed to ensuring that the City of St. Albert is engaging residents to identify opportunities to improve delivery of services to the community.

### Long Term Plans

MDP, ASPs, Corporate Land Strategy

### Corporate Objectives

Exercise strong fiscal management

Ensure our customers are very satisfied

### Council Policies, Bylaws or Federal/Provincial statutes

*Municipal Government Act*

### Other Plans or Initiatives

School Sites Allocation Agreement (2015)

Technical Report on the Long-Term Provision of School Sites (2015)

Report Date: April 3, 2017

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