



## Legislation Text

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File #: BL-18-038, Version: 1

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TAMRMS#: B06

### **Bylaw 10/2018 - 23 Bellerose Drive (1st Reading) and Direct Control Permit**

Presented by: Lenore Mitchell, Senior Planner and Chelsea Thompson, Development Officer II

#### **RECOMMENDATION(S)**

1. That Bylaw 10/2018, being amendment 158 to Land Use Bylaw 9/2005, be read a first time.
2. That the Public Hearing on Bylaw 10/2018 and the Direct Control Development Permit No. DP-2018- 000020, be scheduled for July 3, 2018.

#### **PURPOSE OF REPORT**

The purpose of the report is to outline the proposed amendments to Schedule A of the Land Use Bylaw 9/2005 for a portion of 23 Bellerose from Direct Control (DC) District to Corridor Commercial (CC) District, and to describe the Direct Control Development Permit application for uses of indoor storage facility and mini-storage.

#### **COUNCIL DIRECTION**

N/A

#### **BACKGROUND AND DISCUSSION**

##### Site Location

The subject property is located at 23 Bellerose Drive, which is in the Inglewood neighbourhood. The legal description is Plan 862 2803, Block 3, Lot 5. The property is located along Bellerose Drive and Inglewood Drive, with commercial lands located to the east, west, and south sides of the site, and residential located on the north and northeast side of the site. Please refer to the attached *Location Map*. The site is districted Direct Control (DC), which allows Council the opportunity to determine appropriate land uses and impose standards and conditions.

The site has mature evergreen and deciduous trees along Bellerose Drive, and along Inglewood Drive is a grassed boulevard with a row of mature deciduous trees located towards the rear access of the site. The City has been re-planting trees along collector and arterial roadways, and expects that the existing trees along Bellerose Drive will be retained. Currently, there is a two-metre high wooden residential fence and a pre-existing chain link fence, dating from the former Standard General use, located on the northeast side of the site that run parallel to each other, which is along the residential property line of Ironwood Drive and 79 Bellerose Drive.

The existing building received internal and external renovations in 2015 and will remain on the site. Operating within the existing building is Ram Mechanical, Amazon Springs Water & Coffee Co., and an office, which are identified as construction service, specialty store, and professional office uses, as defined by the Land Use Bylaw. On January 11, 2016, Council approved a Direct Control

Development Permit for the use of specialty store.

#### Proposal

The lot is an irregular-shaped and elongated parcel of land comprising 4.21 hectares± (10.41 acres±). The site has developmental constraints, including limited access and visibility from Inglewood Drive for the rear portion of the site.

Houle Properties Inc. proposes to subdivide the site into three parcels. The subdivision decision by the Subdivision Approving Authority would occur after Council's decision on the Land Use Bylaw amendment and the Direct Control Development Permit. Please refer to the attached *Location Map*.

The existing building will remain and retain the Direct Control (DC) District with the current uses as approved for the site. The parcel size will be 1.12 hectares± (2.77 acres±).

Following subdivision, the rear portion of the site will have an area of 2.65 hectares± (6.55 acres±), which is where the indoor and mini-storage facilities are proposed. The rear portion of the site will remain as Direct Control (DC) District with the uses of indoor storage facility and mini-storage. Access to the rear portion of 23 Bellerose Drive would be from Inglewood Drive at an entrance that is in existence today, but not currently being utilized.

The front corner of the site, following subdivision, will have an area of 0.44 hectares± (1.09 acres±) and be districted from Direct Control (DC) to Corridor Commercial (CC).

#### Land Use Bylaw, Schedule A Amendment

The purpose of the Corridor Commercial (CC) District as per the Land Use Bylaw, "is to provide an area along a major arterial roadway for the sale of the widest variety of goods and services to the community and the surrounding region."

The corner of the site, located at Inglewood Drive and Bellerose Drive is districted Direct Control (DC). The applicant wants to redistrict this area of the site to Corridor Commercial (CC) District.

Bellerose Drive is an arterial roadway. In addition, the land uses along Inglewood Drive are districted as Corridor Commercial (CC). The proposed change from Direct Control (DC) District to Corridor Commercial (CC) District would be consistent with the adjacent developments that are districted Corridor Commercial (CC).

To change the District requires a map amendment to the Land Use Bylaw, Schedule A. Please refer to the attached *Bylaw 10/2018*.

At this time, the applicant has not advised what type of commercial use may be located on the corner lot.

#### Direct Control Development Permit

The Direct Control Development Permit application is for the rear portion of 23 Bellerose Drive, which is currently districted as a Direct Control (DC) District; therefore, no change is required to the Land Use Bylaw, Schedule A map. However, development within the Direct Control District requires the approval of City Council.

As stated in Land Use Bylaw 9/2005, the purpose of the Direct Control (DC) Land Use District is to enable Council to exercise particular control over the use and development of land or buildings within an area designated as Direct Control. In accordance with the provisions of Section 10.5(3), Direct Control (DC) Land Use District of the Land Use Bylaw, City Council:

- a) shall determine the land uses that may be allowed in a DC district; and
- b) may impose such standards and conditions it considers appropriate to regulate that use.

#### Determination of Land Use District

In considering development regulations (such as building setbacks, height, parking requirements, etc.) that should apply to a “DC” development, Council may refer to a corresponding conventional land use district or any part of the Land Use Bylaw. In this regard, for review purposes Administration has considered the provisions of the Commercial and Industrial Service (CIS) District and the Corridor Commercial (CC) District.

Based on the Development Permit application details and as defined by Section 1.6 (Definitions) of the Land Use Bylaw, the two proposed uses meet the definition of ‘mini-storage’ and ‘indoor storage facility’. Mini-storage is defined as *“a complex of storage units where each unit contains a separate access from the exterior of the building”*, while an Indoor Storage Facility is *“a building containing units that are used for storage. Storage units are non-portable and constructed within a single, wholly enclosed building with a common entrance to the exterior”*.

Applying the provisions of the Commercial and Industrial Service (CIS) Land Use District, Section 9.17(3), both mini-storage and indoor storage facility are identified as permitted uses. In comparison, applying the provisions of the Corridor Commercial (CC) Land Use District, Section 9.14(4), an indoor storage facility is discretionary and mini-storage is not permitted. Since most of the surrounding development area of this site is designated as Corridor Commercial, consideration of the Corridor Commercial (CC) Land Use District regulations occurred, specifically related to the indoor storage facility building elevations and landscaping. Blending of the two land use districts was to ensure that the purpose of the districts and the proposed uses accommodate the needs of the applicant, while mitigating potential impacts that a commonly more industrial use could pose to the area.

#### Use

The proposed Use of the site will allow for the storage of personal and commercial goods, within an indoor, or mini-storage building. There is no outdoor storage included with the Development Permit application. The development proposal will provide customers with a variety of storage locker sizes, based on their storage needs and location preference.

The site will be screened, fenced, illuminated, and gated to ensure that the property remains secure. Staff will be on-site for all customer service needs and security purposes during operational hours. The applicant proposes to operate from 6:00 am to approximately 10:00 pm, seven days a week. Customer access will be permitted via an access code at a locked security gate.

The proposed indoor storage facility use will include:

- 1 building (2 storeys)
- All units to be accessed from the interior of the building only
- Floor Area = 3,154.05 m<sup>2</sup>± (33,950 ft<sup>2</sup>±) per floor, with a total building area of 6,308.10 m<sup>2</sup>±

(67,900 ft<sup>2</sup>±)

The proposed mini-storage use will include:

- 8 buildings (1 storey each)
  - 5 buildings of small to mid-sized units, and 3 buildings of larger sized units
- Access to the units to be via an exterior overhead door
- Floor Area = Occupancy area of the mini-storage buildings is 7,663.07 m<sup>2</sup>± (82,485 ft<sup>2</sup>±)

Please refer to the attached *Site Plan* for the proposed site layout.

#### Building Elevation and Floor Plan

The mini-storage buildings and indoor storage facility exterior finishing will be approved by the Development Officer, in consideration with the Design, Character, and Building Appearance provisions of Section 6.7 of the Land Use Bylaw.

Due to the higher visibility of the indoor storage facility from the adjacent street frontages, additional building finishing materials will be required. Please refer to the attached *Building Elevations*.

The main floor of the indoor storage facility building will accommodate the main office, washrooms, mechanical room, vehicle loading area, and 190 storage units. The second floor contains a second mechanical room and an additional 296 storage units. All proposed interior storage units range in size from 5'x5' to 10'x10'. Please refer to the attached *Floor Plans*.

The proposed mini-storage units are designed to be accessed from a front overhead door. The mini-storage units are designed in two formats, with buildings B2 to B6 more typical in size and design, while buildings B7 to B9 are larger in area and height. Please refer to the attached *Site Plan*.

#### Traffic and Parking

Access to the development permit area will be provided from an existing driveway off Inglewood Drive and via an internal drive isle accessible from Bellerose Drive. As required by the Land Use Bylaw, the parking lot will be paved and demarcated. The proposed parking lot design will service both the indoor storage facility and mini-storage customers. All interior drive isles are designed to accommodate two-way traffic flow and provide adequate vehicle access and maneuverability.

The required parking for the mini-storage and indoor storage facility is applied as per Section 7.3(2) (y), Parking Regulations of the Land Use Bylaw. The required parking for this site is calculated through a Transportation Study, completed by a professional engineer.

The Transportation Study identified there would be 38 in-out vehicle trips in the Peak AM and 39 in-out vehicle trips in the Peak PM. Based on the Peak AM and Peak PM vehicle trips, 80 parking stalls will be adequate for the operation of both the indoor storage facility and mini-storage use. Four (4) of these stalls are designated as barrier free. Please refer to the attached *Site Plan*.

The access for the existing building is from Bellerose Drive, which has 57 required parking stalls. The required parking for the corner lot will be determined at the time when the site is developed, and access will include shared accesses from Bellerose Drive and Inglewood Drive.

### Screening, Landscaping, and Lighting

Due to the interface of the proposed mini-storage and indoor storage facility use with the adjacent residential lands of the Inglewood neighbourhood, consideration was made for the screening and buffering of the site, as permitted by Section 9.6 (Interface with Adjacent Residential) of the Land Use Bylaw. Accordingly, a required landscape buffer area of 6.0 m is required along the common property line, as specified in the Corridor Commercial (CC) Land Use District and the landscape provisions of Section 6.13(5)(d) of the Land Use Bylaw.

Within the required 6.0 m landscape buffer, deciduous and coniferous trees will be provided, with at least 60% of the plant material being coniferous for year-round screening. The existing shrubberies, located adjacent to the side property line and within the private property of 23 Bellerose Drive, will be removed. Please refer to the attached *Landscape Plan*.

To further assist with screening of the site and to mitigate any sight or noise concerns with the proposed storage uses, a new 1.8 m chain link fence with privacy slats will be installed adjacent to the residential homes along the common property line. The existing residential wood fence will remain in place and run parallel to the new chain link fence. The rear of the site will be fenced with new chain link fencing.

All roof top mechanical units (including HVAC and A/C) are required to be visually and acoustically screened, and garbage/recycle bins must be contained within the building or a screened enclosure designed to the satisfaction of the Development Officer

In addition to the mitigation measures of Land Use Bylaw Section 9.6 (Interface with Adjacent Residential), all on-site lighting must be arranged so that the rays of light do not adversely affect the adjacent properties. This may be achieved through the angle of the lighting unit or directional shrouding.

### Circulation of Application

The application was circulated on January 9, 2018, to internal departments, external referral agencies, and properties within a 100-metre radius. The notification indicated that the Municipal Development Plan (MDP) and the Inglewood Area Structure Plan (ASP) will be amended to support the use of mini-storage, because mini-storage is a use found only in the industrial areas of the City.

The amendment to the MDP and the Inglewood ASP proposed to change the land use designation on the rear portion of the site from commercial to industrial, with the intent to allow mini-storage. Administration reconsidered recommending amending these two documents. The concern is, if there is an industrial designation in the MDP and in the Inglewood ASP on the rear portion of the site, it is possible that a future application could be made to change the land use from Direct Control (DC) District to an industrial land use district, such as Commercial and Industrial Service (CIS), which has inappropriate land uses permissible for this area of the City. By leaving the designations in the MDP and the Inglewood ASP as commercial, it is more likely that some time in the future this area of the City could be redeveloped with a mix of commercial and residential.

On April 24, 2013, through Bylaw 6/2013, the Municipal Development Plan (MDP) was amended to correct a map error for the site of 23 Bellerose Drive. The correction changed the land use designation from residential to commercial, which aligned the MDP and the Inglewood ASP to show the site as commercial.

With the existing site districted as Direct Control (DC), Council is the approving authority for uses within the district. Therefore, as long as the site is districted Direct Control (DC), Council decides what uses are appropriate for the site.

## STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

The applicant held a public consultation meeting on February 15, 2017, with six people attending. Public attendees had questions about fencing, lighting, and RV storage. Please refer to the attached *Transcript of Public Meeting*. As mentioned, the proposed redistricting was circulated on January 9, 2018, to internal departments, external referral agencies, property owners, and businesses within a 100-metre radius. There were no objections.

First reading is scheduled for June 11, 2018. The public hearing is tentatively scheduled for July 3, 2018. Following first reading, the public hearing date will be posted on the City website. The public hearing will be advertised in CityLights on June 16 and 23, 2018, and a notification letter about the public hearing will be mailed to property owners and businesses within a 100-metre radius of the site.

## IMPLICATIONS OF RECOMMENDATION(S)

### Financial:

None at this time.

### Legal / Risk:

None at this time.

### Program or Service:

When the rear portion and the corner lot of 23 Bellerose Drive develop, these two developments sites will require the attention of various City departments. For example:

- Engineering drawing reviews, development agreement, and inspections of infrastructure.
- Planning and Development will have a subdivision plan and development permits to review and provide a decision on.
- Safety Codes will have building plans to review and buildings to inspect.

### Organizational:

The approval of Bylaw 10/2018 within this agenda report will have immediate impact on the Planning and Engineering Department, as subdivision plans and engineering drawings will require review and a development agreement negotiated to enable development. Other departments may also need to conduct inspections and be involved in meetings with the developer/consultants.

## ALTERNATIVES AND IMPLICATIONS CONSIDERED

If Council does not wish to support the recommendation, the following alternative could be considered:

1. Defeat first reading of Bylaw 10/2018 for 23 Bellerose Drive to amend the Land Use Bylaw, Schedule A from Direct Control District (DC) to Corridor Commercial (CC). An implication would be that the applicant cannot re-apply within six months.

2. Not support the Direct Control (DC) Development Permit application for an indoor storage facility and mini-storage use. An implication would be that the applicant cannot re-apply for a permit (for a same or similar use) within a six-month period. This would also mean that the proposed development would not be constructed.

## STRATEGIC CONNECTIONS

- a) City of St. Albert Strategic Plan (Policy C-CG-02) - Pillars of Sustainability
  - ECONOMIC - We prosper and excel through a strong and diverse economy that is supported by forward-thinking commerce, outstanding local businesses and a dynamic downtown core.
  - 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.
- b) Governance Strategy
  - Council is committed to ensuring that the City of St. Albert is a responsive, accountable government that delivers value to the community.
- c) 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.
- d) Long Term Plans
  - Municipal Development Plan Bylaw 15/2007
  - Inglewood Area Structure Plan Bylaw 30/85
  - Land Use Bylaw 9/2005
- e) Corporate Objectives
  - Ensure our customers are very satisfied.
- f) Council Policies
  - Not applicable.
- g) Other Plans or Initiatives
  - Not applicable.

Report Date: June 11, 2018  
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General Manager: Ian McKay  
City Manager: Kevin Scoble