



Legislation Text

File #: PH-18-018, **Version:** 2

TAMRMS#: B06

PH - Bylaw 44/2018 LUB Amendment - Corridor Commercial (2nd and 3rd reading)

Presented by: Eric Schultz, Planner

RECOMMENDATION(S)

1. That the Public Hearing on Bylaw 44/2018 be closed.
2. That Bylaw 44/2018 be read a second time.
3. That Bylaw 44/2018 be read a third and final time.

If Council does not wish to close the public hearing, or if a motion to close the public hearing does not pass, consideration of the following Alternative Recommendations would be appropriate:

1. That the public hearing be adjourned to the December 17, 2018 meeting.

PURPOSE OF REPORT

This report presents a proposed amendment to the Land Use Bylaw 9/2005 for the Corridor Commercial (CC) District. The amendment requires a public hearing as per the requirements in the Municipal Government Act (MGA).

ALIGNMENT TO COUNCIL STRATEGIC PRIORITY

Strategic Priority #3: Building a Transportation Network: Integrated transportation systems.

3.5 Complete the Campbell Park and Ride facility and finish the Transit Local Route Restructuring Project.

Strategic Priority #4: Infrastructure Investment: Identify and build needed capital assets.

4.4 Identify an inventory of existing facilities including an assessment of condition and usability and identify gaps in land and facility supply and demand.

ALIGNMENT TO ADMINISTRATIVE PRIORITY

N/A

ALIGNMENT TO SERVICE DELIVERY

Service Name: Fire Rescue Response

Service Definition: Response to all types of emergency events including fire, rescue, service calls, dangerous goods releases, motor vehicle accidents and ice/water rescue.

Service Component: Not applicable

Current Service Level: Respond to emergency events within 9 minutes, 90% of the time. Fifteen staff available 24/7/365.

COUNCIL DIRECTION

The Fire Hall #1 Reconstruction project was originally scheduled for 2009 and then was moved to 2012 during the 2008 Capital Budget process. It was postponed until 2016, when City Council approved funding for a Feasibility Study to assess the current facility condition, as well as the spatial needs of fire services. Council approved \$50,000 in 2017 for a Feasibility Study and \$1,051,700 in 2018 for Design funding for the potential reconstruction of Fire Hall #1.

On April 16, 2018, City Council approved the following motion:

AR-18-019

That Council support a change in scope regarding Project Charter Fire-002 Fire Hall #1 Reconstruction to support moving forward with a detailed design for Option #3, as outlined in the "Feasibility Study Report" attached to the April 16, 2018 Agenda Report entitled "Fire Hall #1 Reconstruction".

That the construction component for Project Charter Fire-002 Fire Hall #1 Reconstruction in the amount of \$12.4M be included in the RMR 10-Year Capital Plan in 2020 for consideration of Council.

BACKGROUND AND DISCUSSION

History on Fire Hall Needs

The St. Albert Fire Hall #1 at 18 Sir Winston Churchill Avenue, originally constructed in 1962, is experiencing a spatial shortfall, and many of the building components have reached the end of their serviceable life. The 2016 Feasibility Study concluded that renovation was not a viable option, and that a new building at a new location would be required. The reconstructed fire hall is proposed for 20 Gate Avenue.

Transit

20 Gate Avenue is currently the site of the Village Landing Transit Station, which will be moving to the new Campbell Road Park and Ride location in the summer of 2020. Transit users who use the current park and ride facility will instead drive and park at the new location. Local residents who walk to the current transit centre will have to catch a bus at possible new stops along Grange Drive, Gate

Avenue, and/or St. Albert Trail.

Benefits of 20 Gate Avenue for Fire Hall and Other City Uses

- Land does not have to be purchased, as this site is City-owned.
- The site falls within the response zone of the existing Fire Hall #1 and offers improved response coverage for the high service demand areas with no negative impact on other areas.
- The site has better access to St. Albert Trail than the existing site.
- The site is large enough to provide adequate growth for Fire Services to 2050 and other City needs.
- Timing of Transit moving to new Campbell Park and Ride falls in line with design and construction timelines for a new Fire Hall #1.
- Site services are established in the area.
- C-P&E-12 City Council Policy Sustainable Buildings 2. City Buildings shall ideally be located on sites that: (c) embrace efficient land use planning (e) allow for multiple storeys and the integration of multiple uses.

Redevelopment Opportunities

The 20 Gate Avenue site is currently districted as Corridor Commercial (CC). Given its proximity to St. Albert Trail, this could be a prime commercial redevelopment site.

Driveway Easement

The Transit Centre and the St. Albert Inn & Suites share a driveway access off Gate Avenue. There is an easement that grants the owners of both properties right of access to this driveway and specifies that it is to remain a driveway in perpetuity. Please refer to the *Parking Agreement and Driveway Access Map*.

Reciprocal Parking Agreement

There is currently a Reciprocal Parking Agreement between the St. Albert Inn & Suites and the City of St. Albert that allows for the sharing of parking. Please refer to the *Parking Agreement and Driveway Access Map*.

In 2000, the City acquired land from the Hotel in order to set up a Park and Ride service at the Village Landing Transit Station. A condition of the sale required that a Reciprocal Parking Agreement between the City and the Hotel be entered into, allowing Hotel patrons to use designated parking stalls in the transit parking lot in the evenings and Park and Ride patrons to use designated parking stalls in the Hotel parking lot during the day.

Starting in 2006, Park and Ride designated parking stalls were often observed to be full, especially during the months that post-secondary institutions were in session. As a result, the Hotel noticed their lot was being fully used by non-hotel users during the day. There were no reported issues with evening parking.

On July 13, 2010, the Hotel initiated legal action, seeking to discharge the Caveat registered by the City against title to the Hotel Lands, which would in effect end the parking agreement and make the hotel parking stalls off limits to Park and Ride users. The action was dismissed on November 16, 2010, with the judge concluding that to allow the discharge would undermine the effective operation of the Park and Ride system, which is in the public interest and should not be undermined.

Termination of the Reciprocal Parking Agreement

The Reciprocal Parking Agreement has a termination clause that says the Agreement can be terminated by either party with 180 days notice. Should the City cease to operate a Transit Station on the City Lands, the City will not be liable to pay any compensation whatsoever for any loss, costs, or damages that may be suffered by reason of such cancellation.

Impact on Hotel Parking When Termination of the Reciprocal Parking Agreement

A 2006 expansion of the Hotel required the parking spaces provided by the Reciprocal Parking Agreement in order for the Hotel to meet their parking requirements. Without this additional parking, the expansion would not have been approved. When the Reciprocal Parking Agreement is terminated, the Hotel will have a parking shortage of 121 stalls. This means the Hotel is non-conforming to the Land Use Bylaw, because it does not meet the required number of parking stalls for the use.

Plan Conformance

There is no Area Structure Plan for this portion of the Grandin neighbourhood. The Municipal Development Plan (MDP) designates this area as commercial.

The reconstruction of Fire Hall #1 on a new site is supported by the MDP, Section 14.2 Emergency and Protective Services, which states “The City of St. Albert shall ensure the provision of emergency and protective services to accommodate a growing and changing population”.

Under MDP, Section 7.0 Commercial Development, Policy 7.8 Revitalization of Older Commercial Centres states: “The City of St. Albert should encourage the revitalization and adaptive reuse of the existing underutilized or vacant commercial centres to incorporate a greater mix of uses and the creation of Neighbourhood Activity Centres”.

The fire hall and other combined uses bring employment to the area, but may not be a direct service that the public comes to use.

Land Use Bylaw, Text Amendment

The proposed site of 1.15 hectares± (2.84 acres±) is currently districted as Corridor Commercial (CC), which does not allow for a fire hall. In order for the site to be used for a Fire Hall, *emergency protective service* would need to be added as a discretionary use to the Corridor Commercial Land Use District. Please refer to attached *Bylaw 44/2018*.

The definition of *emergency protective service* in the Land Use Bylaw: “means a development used as a fire hall, police station or similar facility”.

There are some benefits of adding the use of emergency protective service as a discretionary use to the Corridor Commercial Land Use District, such as combining uses with office, retail, and commercial uses on the same site or in the same building as a fire hall or as potential lease space. If for some reason the fire hall did not proceed at 20 Gate Avenue, the site has retained its commercial district and could be sold or redeveloped with another use. In addition, if a future community policing station or fire hall was needed along St. Albert Trail, this could occur.

The Corridor Commercial District has maximum building heights of 15 metres, so a multiple, 5 or 6

storey building could go on this site; thus, making better use of land. This height in the CC District is higher than what is permitted in the IF District, which has a maximum building height of 12 metres.

The CC District permits Government Service as a land use. The definition of Government Service means “a development used by a municipal, provincial or federal government agency to provide government services directly to the public, and includes a library, school district office or transit service, but does not include a public utility building, emergency protective service or school”. Government Service could allow other city uses at the 20 Gate Avenue site.

Rationale for Text Amendment

The first option considered for 20 Gate Avenue was to redistrict it from Commercial Corridor (CC) District to Institutional Facilities (IF) District. The IF District allows *emergency protective service* as a discretionary use, which would have allowed the use of a fire hall.

Changing the site to IF District required an amendment to the Municipal Development Plan by changing the designation for the site from Commercial to Public Service. The 20 Gate Avenue site is within the 800 metre future LRT line. When an amendment area is within the radius of the future LRT line, a Regional Evaluation Framework (REF) is required as per the Edmonton Metropolitan Region Board (EMRB) Growth Plan and Ministerial Order No. MSL: 111/17. This review takes approximately 12 weeks. A decision from the EMRB is needed before Council can make a decision on the proposed Land Use Bylaw changes.

Amending the Land Use Bylaw to add “emergency protective service” as a discretionary use in the CC District is the option Administration is proposing.

Maintaining the site as a CC District may provide greater flexibility as to future uses of the land.

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

Public Consultation

On June 7, 2018, the City of St. Albert Fire Service and Capital Projects held a public consultation meeting to provide information about the potential relocation of Fire Hall #1 to 20 Gate Avenue. The meeting was held at the St. Albert Inn & Suites and ran from 6 pm until 8 pm.

During the open house, the Director of Fire Services presented an overview of the proposed redistricting of 20 Gate Avenue from Corridor Commercial (CC) District to Institutional Facilities (IF) District. This redistricting would allow for the construction of Fire Hall #1 at this site, once the Village Transit Station moves to the new Campbell Road Park and Ride.

City staff from Fire Services, Capital Projects, Transit, and Planning were in attendance. There were 16 residents who attended the open house, plus two members of the media. A court reporter kept a record of the presentation and subsequent questions.

Residents had questions regarding noise from sirens, future transit service, how this might affect property values, traffic, and landscaping. To address resident concerns, the following can be considered:

- Sirens are only used when necessary; in 2017, 77% of calls from Fire Station #1 required

siren use, an average of 7.3 calls per day

- Transit will create new bus stops (exact location to be determined) that will allow transit users to reach the new Campbell Road Park and Ride transit station
- Changes to property values were not researched
- Traffic will likely decrease in the area as a result of the change in district and in use, as buses and Park and Ride users will not be coming and going throughout the day
- Landscaping will follow the requirements set out in the Land Use Bylaw

Residents also expressed support for the proposed relocation of Fire Hall #1, making the point that having a fire station nearby improved safety and that reusing City-owned land was financially prudent.

Please refer to the attached *Transcript of Public Consultation*.

Circulation of Application

The proposed redistricting was circulated on June 26, 2018, to internal departments, external referral agencies, property owners within a 100-metre radius, and to attendees of the Public Consultation held on June 7, 2018. There were no objections.

First reading was held on November 5, 2018. The public hearing is scheduled for December 3, 2018. Following first reading, the public hearing will be posted on the City website. The public hearing will be advertised in CityLights on November 17 and 24, 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, as well as to attendees of the Public Consultation held on June 7, 2018.

IMPLICATIONS OF RECOMMENDATION(S)

Financial:

None at this time.

Legal / Risk:

The Reciprocal Parking Agreement will likely be terminated once the Transit Station relocates. The driveway access to the Hotel parking lot from Gate Avenue will remain.

Program or Service:

None at this time.

Organizational:

The approval of Bylaw 44/2018 within this agenda report will enable Fire Services, through the support of Capital Projects, to design the site.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

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

Defeat either second or third reading of Bylaw 44/2018 for 20 Gate Avenue to amend the Land Use

Bylaw, Corridor Commercial (CC) Land Use District, adding emergency protective services as a discretionary use. An implication would be that another site would have to be identified for the relocation of Fire Hall #1, or that a district of Public and Private Service (PS) or Institutional Facilities (IF) be considered, each with limited uses and building height.

Report Date (Council Meeting Date): December 3, 2018

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Committee/Department: Planning

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